

**MINUTES OF THE CABINET  
HELD ON**

23 March 2023

7.30 - 9.20 pm

**PRESENT**

**Committee Members**

Councillor Russell Perrin, Leader of the Council

Councillor Joel Charles, Portfolio Holder for Business and Community Resilience

Councillor Alastair Gunn, Portfolio Holder for Housing

Councillor Michael Hardware, Portfolio Holder for Regeneration and Strategic Growth

Councillor James Leppard, Portfolio Holder for Finance

Councillor Nicky Purse, Portfolio Holder for Environment

Councillor Stacy Seales, Portfolio Holder for Governance

**Other Councillors**

Councillor David Carter

Councillor Simon Carter

Councillor Tony Edwards

Councillor Daniella Pritchard

Councillor Lanie Shears

Councillor Dan Swords

Councillor Chris Vince

**Officers**

Andrew Bramidge, Chief Executive

James Gardner, Assistant Director - Regeneration

Jane Greer, Director of Communities and Environment

Simon Hill, Director of Governance and Corporate Services

Jacqui Van Mellaerts, Assistant Director - Finance

Adam Rees, Senior Governance Support Officer

120. **APOLOGIES FOR ABSENCE**

None.

121. **DECLARATIONS OF INTEREST**

None.

122. **MINUTES**

**RESOLVED** that the minutes of the meeting held on 16 February 2023 are agreed as a correct record and signed by the Leader.

123. **MATTERS ARISING**

None.

124. **WRITTEN QUESTIONS FROM THE PUBLIC**

The questions, together with the answers, are appended to the minutes.

125. **WRITTEN QUESTIONS FROM COUNCILLORS**

None.

126. **PETITIONS**

None.

127. **FORWARD PLAN**

**RESOLVED** that the Forward Plan is noted.

128. **RECENT RELEVANT DECISIONS TAKEN BY THE LEADER, DEPUTY OR PORTFOLIO HOLDER(S)**

**RESOLVED** that the following decisions are noted.

- a) Portfolio Holder for Strategic Growth and Regeneration - 14 March 2023
- b) Portfolio Holder for Strategic Growth and Regeneration - 14 March 2023

129. **JOINT FINANCE AND PERFORMANCE REPORT, QUARTER 3 2022/23**

Cabinet received the Quarter 3 Joint Finance and Performance report 2022/23.

Proposed by Councillor James Leppard (seconded by Councillor Russell Perrin) it was:

**RESOLVED** that Cabinet noted:

- A** The forecast outturn position set out within the report in respect of the General Fund as at the end of the third quarter (April - December) of 2022/23 of a projected overspend of £480,000 or 0.8 percent of the gross General Fund Budget.
- B** The Quarter 3 operational performance and risk management that has been achieved in 2022/23 across all Council services.

130. **HOUSING REVENUE ACCOUNT, QUARTER 3 FINANCE REPORT 2022/23**

Cabinet received the Quarter 3 Housing Revenue Account finance report for 2022/23.

Proposed by Councillor James Leppard (seconded by Councillor Alastair Gunn) it was:

**RESOLVED** that Cabinet noted:

- A** The Quarter 3 - HRA Budget and performance Monitoring report as set out in the report and in Appendix 1 to the report.
- B** That the forecast HRA general working balance as at 31 March 2023 will be £9.432 million.

131. **CAPITAL PROGRAMME, QUARTER 3 FINANCE REPORT 2022/23**

Cabinet received the Quarter 3 Capital Programmes finance report for 2022/23.

Proposed by Councillor James Leppard (seconded by Councillor Alastair Gunn) it was:

**RESOLVED** that Cabinet:

- A** Noted the progress and forecasts in the delivery of the Council's Housing Capital Programme (HCP) as at Quarter 3 2022/23 as follows:
  - i) The current budget is £24.770 million, including £2.762 million carried forward from 2021/22. The projected outturn at Quarter 3 is £27.078 million as set out in Appendix 1 to the report.
- B** Noted the progress in the delivery of the Council's Non-Housing Capital Programme (NHCP) as at Quarter 3 2022/23 as follows:
  - i) The current budget is £19.325 million, including £4.066 million carried forward from 2021/22. The projected outturn at Quarter 3 is £34.800 million as set out in Appendix 2 to the report.
- C** Approved the inclusion in the NHCP budget of an additional £71,000 for the installation of CCTV at various underpasses. Expenditure is to be fully financed from external grant.

132. **ECONOMIC DEVELOPMENT STRATEGY**

Cabinet received the draft Economic Development Strategy.

Proposed by Councillor Joel Charles (seconded by Councillor Michael Hardware) it was:

**RESOLVED** that subject to consultation, Cabinet adopted the draft Harlow Economic Development Strategy covering 2023 to 2028 (attached as Appendix A to the report).

133. **APPOINTMENT OF REGENERATION INVESTMENT PARTNER**

Cabinet received a report to appoint a regeneration investment partner.

Proposed by Councillor Michael Hardware (seconded by Councillor James Leppard) it was:

**RESOLVED** that:

- A** Cabinet agreed for The Council to enter an Investment Partnership as a Limited Liability Partnership (LLP). The LLP would be 50:50 controlled by the Council and Selected Partner.
- B** Authority be delegated to the Chief Executive, in consultation with the Portfolio Holder for Strategic Growth and Regeneration, to agree and enter into a legal agreement for the LLP on behalf of The Council with the selected Partner.
- C** Authority be delegated to Harlow Council members of the Investment Partnership Board in line with the Harlow Regeneration Partnership Roles, Responsibilities and Approvals Document as set out in Appendix A to the report.

134. **TOWN CENTRE CONTRACT AWARDS**

Cabinet received a report on Town Centre Contract awards.

Proposed by Councillor Michael Hardware (seconded by Councillor James Leppard) it was:

**RESOLVED** that:

- A** A waiver be granted to Contract Standing Order No.18.4 in accordance with CSO 3 to facilitate the award of a contract in excess of £350,000 by officers without a further report to the Cabinet.
- B** Delegated authority be given to the Chief Executive, in consultation with the Portfolio Holder for Regeneration and Strategic Growth, to contract award the appointment of a contractor for the removal of the Terminus House bridge and associated works, up to a maximum contract as set out in confidential Appendix A.
- C** Delegated authority be given to the Chief Executive, in consultation with the Portfolio Holder for Regeneration and

Strategic Growth, to contract award the appointment of a contractor for the demolition of Occasio House, up to a maximum contract as set out in confidential Appendix A.

*It was agreed that the Council Housebuilding Contract Awards report would be considered at the end of the meeting and would be considered in closed session to enable the confidential appendix to be discussed.*

135. **ANNUAL REVIEW OF COUNCIL HOUSEBUILDING PROGRAMME**

Cabinet received a report on the annual review of the council house building programme.

Proposed by Councillor Michael Hardware (seconded by Councillor James Leppard) it was:

**RESOLVED** that Cabinet noted:

- A** The review and update of the Council House Building Programme (CHBP) as agreed at Cabinet in March 2022.
- B** The outcome of both Internal Audit and Homes England Funding Audit.
- C** The progress in establishing the Council House Building Programme (CHBP) Governance & Delivery Processes.

136. **CHANGES TO DELEGATIONS AND CONTRACT STANDING ORDERS**

Cabinet received a report on changes to the Contract Standing Orders and Portfolio Holder delegations.

Proposed by Councillor Russell Perrin (seconded by Councillor Stacy Seales) it was:

**RESOLVED** that it was recommended to Full Council that the changes to the Constitution and Portfolio Holder Delegations (attached as Appendix A to the report) be approved.

137. **COMMUNICATIONS FROM COMMITTEES/WORKING GROUPS/PARTIES AND PANELS**

None.

138. **MINUTES OF PANELS/WORKING GROUPS**

**RESOLVED** that the minutes of the following meetings are noted.

- a) Minutes of meeting Thursday, 27 September 2022 of Housing Standards Board

139. **MATTERS OF URGENT BUSINESS**

None.

140. **EXCLUSION OF THE PRESS AND PUBLIC**

**RESOLVED** that the following item be taken in private session on the grounds that it is likely to involve the disclosure of exempt information as specified under Paragraph 3 of Part One of Schedule 12A of the Local Government Act 1972, if and so long as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

Paragraph 3 – Information relating to the financial or business affairs of any particular person (including the authority holding that information).

141. **COUNCIL HOUSEBUILDING PROGRAMME CONTRACT AWARDS**

Cabinet received a report to award council housebuilding contracts.

Proposed by Councillor Michael Hardware (seconded by Councillor James Leppard) it was:

**RESOLVED** that:

- A** A waiver to Contract Standing Order No.18.4 be granted in accordance with CSO 3 to facilitate the award of a contract in excess of £350,000 by officers without a further report to the Cabinet.
- B** Delegated authority be given to the Chief Executive in consultation with the Portfolio Holder for Regeneration and Strategic Growth to contract award the appointment of a contractor for the construction of 8 – 3 bedroom houses and associated landscaping and parking, up to a maximum contract value as set out in Appendix A to the report, at Arkwrights garages and the construction of 6 – 1 and 2 bedroom bungalows and associated landscaping and parking with a maximum value as set out in Appendix A to the report, at The Yorkes.
- C** Delegated authority be given to the Chief Executive in consultation with the Portfolio Holder for Regeneration and Strategic Growth to contract award the appointment of a contractor for the demolition of Sherards House, three Horseshoes Road up to a maximum contract value as set out in Appendix A to the report.

LEADER OF THE COUNCIL

# **Cabinet – 23 March 2023**

## **Questions from the Public**

### **1 Nicholas Taylor to Councillor Michael Hardware (Portfolio Holder for Regeneration and Strategic Growth):**

On 24 March 2022 Cllr Swords presented a report outlining the Council's house building programme. This included a list of areas which would be subject to a feasibility and viability assessment.

Three of these areas, Fishers Hatch, Pollard Hatch and Sumners Hatch already had an architect employed to carry out this assessment.

In the meantime, residents will have had concerns about what might happen to land near their homes indeed in the case of Pollard Hatch what might happen to their homes in the event that the Council decides to re-develop the site.

I would ask that you let me have a detailed update on the progress on each site made during the last year and when residents can expect to be made aware of what the future holds for these three sites?

### **Reply from Councillor Michael Hardware (Portfolio Holder for Regeneration and Strategic Growth):**

The hatches at Fishers, Pollards and Sumner's are included within the list of potential future sites for the Council House Building Programme, although feasibility assessments are yet to be undertaken.

Residents will be consulted should any of these be taken forward following these preliminary assessments, but the sites would need to meet viability requirements before being progressed.

### **Supplementary question from Nicholas Taylor:**

Do you know when the preliminary assessments will take place?

### **Supplementary reply from Councillor Michael Hardware (Portfolio Holder for Regeneration and Strategic Growth):**

In the next six months.

## **2 Nicholas Taylor to Councillor Russell Perrin (Leader of the Council):**

Having worked for Harlow Council for many years I know only too well that failing to fill vacancies as they occur can only mean two things, that is either a service is no longer provided or that a poorer service is provided. Having spoken to many residents across the town it is clear that they are not receiving the kind of service they should expect.

Will you please provide me with a list of jobs which have been permanently deleted since your administration took control of Harlow Council and a list of jobs which have not been deleted from the establishment but have been vacant for more than 6 months?

### **Reply from Councillor Russell Perrin (Leader of the Council):**

I do not agree with your subjective assessment of this Council. Staff here continue to provide good quality services to the residents of the town during a period of pressure on the Council's finances.

The Council current vacancies greater than six months is 40, this figure does reflect a period of control during Q3 and Q4 on vacancies whilst the Council was putting together its budget for 2023/24. These controls have now been removed and the Council is now actively recruiting for most of the posts, the remainder have either been unsuccessful in recruiting, subject to restructure and/or job evaluation prior to advertising.

The posts are:

- Appeals Officer
- Apprentice - Corporate and Governance Support
- Apprentice - Playhouse
- Apprentice- Monitoring Officer (Planning)
- Assistant Solicitor/CILEX/Barrister
- Cleaner (LMC)
- Cleaner Playhouse
- Clerk of Works
- Clerk of Works
- Empty Homes Officer
- Empty Homes Technical Officer
- Enforcement and Compliance Planning Officer
- Environmental Protection Officer
- Estates Officer
- Facilities Manager (Civic Centre)
- Housing Business Analyst
- Housing Fraud Officer
- Housing Property Surveyor



Insurance and Risk Officer  
Landlord Liaison Officer  
Legal Assistant  
Major Works and Disputes Resolution Officer  
Planning Technical Officer  
Playworker (Saturday)  
Principal Environmental Health Officer  
Principal Planning Officer (Development Management)  
Property Maintenance Officer  
Rent Officer  
Revenues and Benefits Officer (Generic)  
Revenues and Benefits Officer (Generic)  
Revenues and Benefits Officer (Generic)  
Revenues and Benefits Officer (Generic) 16 hours  
Senior Landscape Officer  
Senior Planning Officer  
Senior Planning Officer (Development Plan)  
Service Business Partner General Fund  
Service Business Partner Housing  
Systems Development Officer (0.8 FTE)  
Treasury & Finance Manager  
Visitor Information Point Assistant

In terms of the posts that have been deleted, they number 22. Nine of these posts relate to a management restructure in 2022. The remaining post deletions were as a result of the ending of a fixed term scheme or were deleted as a part of organisational restructure.

The posts are:

Place Brand Manager  
Revenues and Benefits Manager  
Planning and Building Control Manager  
Environment and Licensing Manager  
Housing Development and Regeneration Manager  
Human Resources Manager  
Senior Housing Operations Manager - Property  
Environment and Licencing Manager  
Senior Housing Operations Manager - People  
Systems Team Leader  
Town Park Trainee (Kickstart)  
Animal Carer and Education Officer  
Economic Development Trainee (Kickstart)  
Museum Trainee - Kickstart  
Senior Service Accountant  
Museum Trainee - Kickstart

Principal Finance Manager  
Economic Development Advisor (CZA)  
Project Officer  
Strategy and Economic Development Manager  
Care and Support Officer (LMC)  
Director of Communities and Environment

**Supplementary question from Nicholas Taylor:**

Has a staff survey been carried out to look at the impact of not filling these vacancies?

**Supplementary reply from Councillor Russell Perrin (Leader of the Council):**

A staff survey is starting next week.

**3 Stephen Barnes to Councillor Michael Hardware (Portfolio Holder for Regeneration and Strategic Growth):**

A year ago today a Planning Application was made to demolish Sherards House and replace it with 14 houses. Over 50 residents objected to the proposal, giving a number of reasons why the application should be refused. It is clear from looking at the Council's Planning Portal that residents were not the only ones to raise concerns and a revised application was made on 27 January this year. During the course of the last year no feedback has been provided to residents, but a notice was placed on a lamppost stating that demolition would take place after 6 February. Then suddenly early last month contractors turned up and removed trees and shrubs from the site.

Will you please inform me of why a notice to demolish the house was placed on lampposts but residents were not informed, why the site has been partially cleared and when residents will be formally consulted about the new plan?

**Reply from Councillor Michael Hardware (Portfolio Holder for Regeneration and Strategic Growth):**

There is indeed an application currently progressing through the planning system for Sherards House and it is available on the planning portal with all relevant correspondence and consultation published thereon. A formal decision on the application is anticipated in June.

The site has been partially cleared of self-seeded brush, brambles, and dead specimens to allow for site investigations to take place, including Topographical and arboriculturally investigations.

Whilst the demolition of Sherards House would allow for the future use of the area subject to the relevant permissions, the immediate security of the site including safety concerns, trespass, and Anti-Social Behaviour, will also be substantially improved.

An application for the demolition was validated as of the 24 February 2023 date and is registered on the planning portal under HW/DEM/22/00368.

Aside from the site notice (which is the responsibility of and was placed by the Council as Developer), there are no publicity requirements for applications made under Part 11 Class B. However, the Planning Officer emailed Mr Barnes directly to advise that the application had been validated and letters were also posted to 26 neighbouring properties.

**Supplementary question from Stephen Barnes:**

Have any trees been removed from the site?

**Supplementary reply from Michael Hardware (Portfolio Holder for Regeneration and Strategic Growth):**

Some small seeded trees have been removed.

**4 Stephen Barnes to Councillor Michael Hardware (Portfolio Holder for Regeneration and Strategic Growth):**

As a near neighbour of Sherards House I am aware that there are bats, a protected species living in close proximity to the house. I am also aware that the client's consultant ecologist would have advised that a Bat Activity survey should be carried out in the summer.

Can you advise me if such a survey was carried out last year or if such arrangements have been made for the summer months this year?

**Reply from Councillor Michael Hardware (Portfolio Holder for Regeneration and Strategic Growth):**

An Ecology report including a bat survey inspection was carried out in February 2022 and no evidence of roosting was found.

A summary of the report reads:

“No trees or buildings with roosting potential are situated on site, nor would be lost to the proposal. The buildings are considered to offer a negligible level of roosting potential.

Further surveys are neither necessary nor appropriate. Since there was no evidence of bats at the site, a European Protected Species Licence will not be required for this project. Although no evidence of bats was found, it is probable that bats from nearby roosts will forage across the site and in the gardens of adjacent properties. This behaviour would be expected to continue after any building work has been completed and therefore it is considered that the planning proposal for this site will not have a detrimental effect on the local bat population.”

In line with this, no further surveys will be required.

**Supplementary question from Stephen Barnes:**

Do you agree that the surveys pre-determine the outcome of the applications?

**Supplementary reply from Michael Hardware (Portfolio Holder for Regeneration and Strategic Growth):**

The application is in the remit of the Development Management Committee to determine.

**5 Alan Leverett to Councillor Alastair Gunn (Portfolio Holder for Housing):**

A question was asked of you last year about the construction of new off-street parking areas on housing estates.

Can you advise me if any further progress has been made to construct a new parking area adjacent to Barn Mead or indeed anywhere else in the town or if this whole programme had now been abandoned?

**Reply from Councillor Alastair Gunn (Portfolio Holder for Housing):**

The Barn Mead Scheme is still on the Parking Steering Group workplan, and this project is being submitted for full planning permission following the completion of the resident and councillor consultations together with pre-app advice from Planning.

An initial information gathering exercise through estate inspections has been undertaken that will inform the development of the Work Plan to identify other schemes that could be taken forward.

**Supplementary question from Alan Leverett:**

How much is in the budget for off-street parking schemes.

**Supplementary reply from Councillor Alastair Gunn (Portfolio Holder for Housing):**

I will arrange for a written response to be provided.

**6 Alan Leverett to Councillor Nicky Purse (Portfolio Holder for Environment):**

I asked a question of Cllr Swords in December 2021 concerning the problem of potholes and poor maintenance of cycle tracks that are in the ownership of Harlow Council. I was told at the time to watch this space! Fifteen months has now elapsed during which time I have been watching this space and it seems evident that little if any work has been carried out to Harlow Council's cycle tracks.

If work has been carried out, can you please provide me with a list of sites attended to and how much work has been done in each location?

**Reply from Councillor Nicky Purse (Portfolio Holder for Environment):**

Thank you for your question Mr Leverett.

The town's cycle tracks are a key network used by residents to get around the town. Maintaining them, in particular the parts of the network under the responsibility of the council, is a matter this administration takes seriously. Approximately 10 per cent of the network is under Harlow Council responsibility.

I share your desire to see more progress being made. To take this work forward on a more proactive basis, I've asked officers to progress two key actions: firstly review the core capital budget for a phased scheme of repairs to be factored into future plans over multiple years; and secondly prepare an investment case that can be presented to access new funding streams.

The council is aware that more funding for pothole repairs has been announced by the Government as part of the Spring Budget. A further £200 million has been allocated to the Potholes Fund by central government to help local communities tackle the problem. The council's ambition is to put forward a case to ECC secure additional funding to help maintain the network, but this is dependent on the criteria in place to be able to do so.

There remains in place a commitment to the principle that a well maintained cycle track network is a priority. The council has advanced its thinking about how to achieve that.

**Supplementary question from Alan Leverett:**

How much is in the budget for cycle track maintenance?

**Supplementary reply from Councillor Nicky Purse (Portfolio Holder for Environment):**

I will arrange for a written response to be provided.