

**MINUTES OF THE CABINET
HELD ON**

8 December 2016

7.30 - 8.36 pm

PRESENT

Committee Members

Councillor Jon Clempner, Leader of the Council
Councillor Emma Toal, Deputy Leader and Portfolio Holder for Youth and Community
Councillor Mike Danvers, Portfolio Holder for Resources
Councillor Tony Durcan, Portfolio Holder for Regeneration and Enterprise
Councillor Waida Forman, Portfolio Holder for Governance
Councillor Danny Purton, Portfolio Holder for Environment
Councillor Mark Wilkinson, Portfolio Holder for Housing

Additional Attendees

Councillor Mark Ingall
Councillor Lanie Shears

Other Councillors

Councillor David Carter
Councillor Simon Carter
Councillor Joel Charles
Councillor Andrew Johnson
Councillor Russell Perrin
Councillor Clive Souter

Officers

Malcolm Morley OBE, Chief Executive
Brian Keane, Head of Governance
Graeme Bloomer, Head of Place
Simon Freeman, Head of Finance
Andrew Murray, Head of Housing
Adam Rees, Corporate and Governance Support Officer

74. **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor John Strachan.

75. **DECLARATIONS OF INTEREST**

None.

76. **MINUTES**

RESOLVED that the minutes of the meeting held on 10 November 2016 are agreed as a correct record and signed by the Leader.

77. **MATTERS ARISING**

None.

78. **WRITTEN QUESTIONS FROM THE PUBLIC**

None.

79. **WRITTEN QUESTIONS FROM COUNCILLORS**

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

80. **PETITIONS**

a) **Petition Relating to the Stow**

A presentation was made by the petition organiser, Robert Halfon MP.

RESOLVED that the petition was noted.

81. **FORWARD PLAN**

RESOLVED that the Forward Plan is noted.

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

None.

83. **TREASURY MANAGEMENT STRATEGY STATEMENT 2016/17: MID-YEAR REVIEW**

Cabinet considered a mid-year review of the Treasury Management Strategy Statement 2016/17, which set out the case for the individual counterparty limit for unsecured investments with institutions which had long term ratings of 'A' and higher being raised from £2million to £4million.

Proposed by Councillor Mike Danvers (seconded by Councillor Jon Clempner) it was:

RESOLVED that:

A The mid-year review of the Treasury Management Strategy which accompanied the report as Appendix A was noted and referred to Full Council for consideration.

B It was recommended to Full Council that the individual counterparty limit for unsecured investments with institutions having long-term ratings of 'A' and higher be increased from £2million to £4million with immediate effect, such that Table 2 of the 2016/17 of the Treasury Management Statement was (as shown in paragraph 23 of Appendix A to the report) to increase the relevant individual counterparty limits.

84. **AWARD OF ASSET MANAGEMENT SERVICES FRAMEWORK AGREEMENT**

Cabinet received a report which sought approval for the Council to enter into a further call-off contract with Savills (UK) Limited until March 2020 subject to formal contract.

Proposed by Councillor Mark Wilkinson (seconded by Councillor Waida Forman) it was:

RESOLVED that the Council enters into a further call-off contract with Savills (UK) Limited for a period of three years to March 2020 subject to formal contract, for works not exceeding the values set out in the report.

85. **JOINT FINANCE AND PERFORMANCE REPORT QUARTER 2 2016/17**

Cabinet received a report which set out both the Council's financial performance, along with its performance against its own performance indicators for the second quarter of 2016/17.

Proposed by Councillor Jon Clempner (seconded by Councillor Mike Danvers) it was:

RESOLVED that Cabinet acknowledged:

- A** The projected outturn set out in sections three and four of Appendix A to the report for the second quarter (July – September) of 2016/17 which were as follows:
- (i) A favourable variation on controllable budgets of £342,000 representing a net favourable variance of -0.55 percent of the gross General Fund Budget.
 - (ii) A total projected underspend of £590,000 representing a forecast underspend of -0.95 percent of the gross General Fund Budget.
- B** That the Council performed on target or above target for 43 out of 48 (90 percent) of performance indicators.

86. **HOUSING REVENUE ACCOUNT, QUARTER 2 FINANCE REPORT 2016/17**

Cabinet received a report which provided an update on the Housing Revenue Account (HRA) for the second quarter of 2016/17 and asked that Cabinet noted variances in the HRA budget and the forecast budget of the HRA and Major Repairs Reserve.

Proposed by Councillor Mike Danvers (seconded by Councillor Mark Wilkinson) it was:

RESOLVED that Cabinet noted:

- A** A favourable variation against the approved Housing Revenue Account (HRA) operational/controllable budget of £339,000 representing 0.60% of the gross HRA budget.
- B** A favourable non-operational variance of £2,620,000 representing 4.66% of the gross HRA budget which includes adjustments to capital programme financing as a result of the revised outturn for 2016/17.
- C** The forecast balances at 31 March 2017 of £9,150,000 in respect of the HRA and nil in respect of the Major Repairs Reserve.

87. **CAPITAL PROGRAMMES QUARTER 2 FINANCE REPORT 2016/17**

Cabinet received a report which provided an update on the Council's Housing and Non-Housing Capital Programmes, approval of two business cases and approval for schemes totalling £541,000 to be carried over until 2017/18.

Proposed by Councillor Mike Danvers (seconded by Councillor Mark Wilkinson) it was:

RESOLVED that Cabinet:

- A** Noted the progress made in the delivery of the Council's Housing and Non-Housing Capital Programmes as at 2 October 2016 which was as follows:
 - 1. Housing Capital Programme with a forecast outturn of £22,714,000.
 - 2. Non-Housing Capital Programme with a forecast outturn of £6,988,000.
- B** Noted the revised outturn in the Housing Capital Programme and the movement of £1million of external works programme and £100,000 of work to temporary accommodation to 2017/18 as set out in paragraph 7 of the report.
- C** Approved:
 - 1. A business case for creating a secure room at the Leah Manning Centre (£7,000) to enhance the services provided by the Centre to its varied user group.
 - 2. The business case to replace electrical apparatus that provides emergency power in the event of an interruption

to the power supply to the Civic Centre so protecting essential IT servers. The allocation of £12,352 will be met from the approved Civic Centre funding pot of £10,000 plus a revenue contribution from the General Fund.

3. Schemes totalling £541,000 in the Non-Housing Capital Programme to be carried over to 2017/18 to enable consultation, tendering of schemes and completion of work already started.

D Noted.

1. The virement of £130,000 within the Non-Housing Capital Programme to enable the demolition of the Hummingbird Public House to proceed. Funding will be allocated from within the approved 2016/17 programme, resulting in other works being deferred to 2017/18.
2. The virement of £64,000 from within the Non-Housing Capital Programme to complete the refurbishment of the flats at Spurriers House. This will enable the properties to be let and generate an income to the Council.

88. **HARLOW LOCAL PLAN UPDATE**

Cabinet received a report which provided an update on the preparation of the Council's Local Plan.

Proposed by Councillor Danny Purton (seconded by Councillor Jon Clempner) it was:

RESOLVED that Cabinet noted:

- A** The progress towards submission of the Council's Regulation 19 draft Local Plan.
- B** The response from East Hertfordshire District Council on its formal position regarding the capacity and delivery trajectory of housing development at Gilston Park to the north of Harlow.
- C** The allocation of sites to the south and west of Harlow in the Epping Forest District Council Regulation 18 consultation and the Portfolio Holder for Environment's signalling of the Council's objection to such allocations.
- D** The work being undertaken by Essex County Council to complete traffic modelling and traffic calming/flow interventions on the Harlow and wider roads network.

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

a) **Referral from Cabinet Overview Working Group - Medium Term Financial Strategy**

Cabinet received a report referred from the Cabinet Overview Working Group which aimed to ensure that any impacts arising from the Autumn Statement 2016, the proposals for full business rates retention, any impact arising from Brexit were fully considered.

Proposed by Councillor Mike Danvers (seconded by Councillor Jon Clempner) it was:

RESOLVED that Cabinet would ensure that the details of the 2016 Autumn Statement were fully considered fully, including the impacts of the Government's proposals for full business rates retention, as well as any impacts that the Brexit decision may have on investment returns in the development of the Council's financial planning for 2017/18 and future years.

b) **Referral from Cabinet Overview Working Group - Local Council Tax Support Scheme Proposals 2017/18**

Cabinet received a report on Local Council Tax Support Scheme proposals for 2017/18 which had been referred to it by the Cabinet Overview Working Group.

Proposed by Councillor Mike Danvers (seconded by Councillor Jon Clempner) it was:

RESOLVED that Cabinet recommended to Full Council that the following amendments to the 2017/18 Local Council Tax Support Scheme be approved:

A The 2017/18 Local Council Tax Support Scheme be amended as follows.

- (i) Reduce the period for which a person can be absent from Great Britain and still receive Council Tax Support to 4 weeks.
- (ii) Remove the element of Work Related Activity Component in the calculation of the current scheme for new Employment and Support Allowance applicants.
- (iii) Remove entitlement to the Severe Disability Premium where another person is paid Universal Credit (Carers Element) to look after them.

B The proposal to remove the Family Premium in calculating an award of Local Council Tax Support is deferred for a further 12 months.

C The proposal to limit the number of dependent children within the calculation for Council Tax Support to a maximum of two is deferred for 12 months.

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

RESOLVED that the minutes of the following meetings are noted.

- a) Minutes of meeting Tuesday, 18 October 2016 of Housing Standards Board
- b) Minutes of meeting Thursday, 20 October 2016 of Cabinet Overview Working Group

91. **MATTERS OF URGENT BUSINESS**

None.

LEADER OF THE COUNCIL

**CABINET – 8 DECEMBER 2016
QUESTIONS FROM COUNCILLORS**

Agenda item 6 refers

1. **Councillor Andrew Johnson to Councillor Mike Danvers, Portfolio Holder for Resources**

Can the Cabinet Member assure members that all tenders awarded under contract standing orders are being handled correctly, in line with those standing orders and national best practice with regards to the tender process?

Reply from Councillor Mike Danvers, Portfolio Holder for Resources

To the best of my knowledge, all tenders awarded under contract standing orders are handled correctly and in accordance with national best practice.

However, if any Councillor has good reason to believe that this may not be the case they should raise the matter directly with a Senior Officer or Internal Audit in accordance with the Council's Officer / Councillor Protocol.

2. **Councillor Andrew Johnson to Councillor Jon Clempner, Leader of the Council**

Is the Leader satisfied that his Council is treating opposition members fairly with regard to access to information and responses to questions within agreed timeframes?

Reply from Councillor Jon Clempner, Leader of the Council

To the best of my knowledge I am not aware of Officers not making reasonable effort to respond to requests for information in a timely manner and in accordance with the Council's Access to Information or Officer / Councillor Protocols.

Should a Councillor have genuine cause for such concern the Protocols clearly set out what escalation steps a Councillor may take.