

MINUTES OF A MEETING OF THE
EXECUTIVE HELD AS A LIVESTREAMED
MEETING ON TUESDAY 6 OCTOBER 2020,
AT 7.00 PM

PRESENT: Councillor (Chairman/Leader)
Councillors L Haysey, G Williamson,
P Boylan, E Buckmaster, G Cutting,
J Goodeve, G McAndrew and S Rutland-
Barsby.

ALSO PRESENT:

Councillors R Bolton, B Crystall,
M Goldspink, J Jones, M McMullen, T Page,
M Pope, C Redfern, S Reed, P Ruffles,
S Newton, A Ward-Booth and J Wyllie.

OFFICERS IN ATTENDANCE:

Richard Cassidy	- Chief Executive
Rebecca Dobson	- Democratic Services Manager
James Ellis	- Head of Legal and Democratic Services and Monitoring Officer
Jonathan Geall	- Head of Housing and Health
Steven Linnett	- Head of Finance
Jane O'Brien	- Senior Environmental Health Officer (Residential)
Sara Saunders	- Head of Planning

	and Building Control
Helen Standen	- Deputy Chief Executive
Kevin Steptoe	- East Herts Garden Town Lead Officer
Su Tarran	- Head of Revenues and Benefits Shared Service
Paul Thomas-Jones	- Environmental Health Manager - Commercial

179 APOLOGIES

There were no apologies for absence.

180 LEADER'S ANNOUNCEMENTS

The Leader, Councillor Haysey, welcomed all those attending the online meeting, and those observing the livestream. She said she particularly wished to commend Officers at this time. Many residents might not be aware of the extent of work which Officers were accomplishing during these challenging times. She thanked all East Herts Officers for their hard work behind the scenes in developing new initiatives and working practices.

Councillor Haysey reminded Executive Members of the way in which voting would be conducted, using the virtual indicators, and asked that any Member wishing to speak should raise either a "blue hand" symbol, or unmute themselves to ensure no requests to speak were

overlooked.

181 MINUTES

The Leader proposed, and Councillor Cutting seconded, a motion that the Minutes of the meeting held on 1 September 2020 be approved as a correct record and be signed by the Leader. The motion, on being put to the meeting and a vote taken, was declared CARRIED.

RESOLVED – that the Minutes of the meeting held on 1 September 2020, be approved as a correct record and signed by the Leader.

182 DECLARATIONS OF INTEREST

There were no declarations of interest.

183 UPDATE FROM OVERVIEW AND SCRUTINY COMMITTEE

Councillor Wyllie, Chairman of the Overview and Scrutiny Committee, gave a verbal report on the recent meeting of the Committee.

He said the Committee had met on 15 September 2020, and had considered a number of reports, including the Council Tax Reduction Scheme 2021/22, and the policy for enforcing standards for private sector landlords, both of which were items on the agenda for this meeting.

184 UPDATE FROM AUDIT AND GOVERNANCE COMMITTEE

Councillor Pope, the Chairman of the Audit and

Governance Committee, gave a verbal update on the work of the Committee. He said the Committee had last met on 22 September 2020. This meeting had been the last one attended by the outgoing Head of Strategic Finance and Property, Bob Palmer, at which Councillor Pope had placed on record his thanks to him. The Committee had also welcomed the new Head of Strategic Finance and Property, Steven Linnett.

Councillor Pope said the Committee had considered a number of reports including the draft Statement of Accounts for 2019/20 and updates from the Shared Internal Audit Service and Shared Anti-Fraud Service. The external auditor, EY, had reported on progress on the 2019/20 audit, and it was pleasing to note that the auditor anticipated issuing an unqualified audit opinion on the financial statements.

The Committee had also considered the Budget Monitor report for 2020/21 Quarter 1, which was an item on the Executive's agenda, and with which the Committee had no concerns.

Finally, Councillor Pope expressed his gratitude to the former Head of Strategic Finance and Property for his excellent work.

185 EAST HERTS DISTRICT PLAN 2018 – AMENDMENTS TO POLICIES MAP

The Leader submitted a report highlighting three inaccuracies in the adopted East Herts District Plan Policies Map. Further typographical errors had also been identified by a parish council. These minor errors were to changes references to "St. Thomas' burial

ground” to “Perry Green burial ground” in the original report at paragraph 2.5, and to change references to “CLFR1” in Appendix A to the report to “CFLR1”.

The Executive was invited to agree to recommend to Council the amendments to correct the policies map and the minor errors in the original report and appendix.

There being no comments, Councillor Haysey proposed, and Councillor Buckmaster seconded, a motion to support the recommendations in the report and to correct the minor errors specified in this Minute. The motion, on being put to the meeting, and a vote taken, was declared CARRIED.

RESOLVED – to recommend to Council that the amendments at the appendix to the report, and as identified in the above Minute, be noted and approved to form part of the adopted East Herts District Plan 2018 Policies Map.

186 HARLOW AND GILSTON GARDEN TOWN: SUSTAINABILITY GUIDANCE AND CHECKLIST

The Leader submitted a report inviting Executive Members to consider the draft Harlow and Gilston Garden Town (HGGT) Sustainability Guidance and Checklist and seeking agreement that it be published for consultation.

Councillor Haysey said the Guidance and Checklist was to be used by applicants and partner authority Officers to ensure consistent standards of masterplans, pre-application proposals, planning applications and

discharge of conditions applications.

There being no comments, Councillor Haysey proposed, and Councillor Buckmaster seconded, a motion to support the recommendations in the report. On being put to the meeting, and a vote taken, the motion was declared CARRIED.

RESOLVED - that the draft Harlow and Gilston Garden Town Sustainability Guidance and Checklist be agreed for a six week period of public consultation between October and December 2020.

187 POLICIES FOR ENFORCING STANDARDS FOR PRIVATE SECTOR LANDLORDS

Councillor Boylan, the Executive Member for Neighbourhoods, submitted a report seeking that the proposed new policies on housing standards enforcement and the adoption of powers introduced in the Housing and Planning Act 2016 be recommended to Council for adoption. The policies had been developed with other local authorities across Hertfordshire and Bedfordshire. The Overview and Scrutiny Committee had considered the proposals and had made a number of helpful comments which had been taken into account.

Councillor Boylan thanked Officers, and in particular the Senior Environmental Health Officer. Councillor Buckmaster said he hoped there would be no need to implement the policies, as they included some significant powers. However, he welcomed the fact that the policies would ensure use of the penalties was

done in a consistent and transparent way.

Councillor Boylan proposed, and Councillor Goodeve seconded, a motion to support the recommendations in the report. On being put to the meeting, and a vote taken, the motion was declared CARRIED.

RESOLVED – to recommend to Council that (a) the following proposed new policies, as attached at the appendix to the report, relating to housing standards enforcement, using powers introduced in the Housing and Planning Act 2016, be adopted:

- (i) issuing of civil penalties;
- (ii) applications for rent repayment orders;
- (iii) applications for banning orders; and
- (iv) use of the Rogue Landlords and Property Agents Database.

188 COUNCIL TAX REDUCTION SCHEME 2021/22

Councillor Williamson, the Executive Member for Financial Sustainability, submitted a report on the annual review of the local Council Tax Support scheme, which asked Executive Members to consider the latest available information on the scheme, and to consider whether any changes should be made for 2021/22.

Councillor Williamson said the report set out the history of the scheme at East Herts and summarised the current scheme for 2020/21. The scheme replicated the previous Council Tax Benefit scheme, but limited the Council Tax liability which was used to assess entitlement to 91.5% for working age customers.

Councillor Williamson said the scheme was reviewed each year. Since its introduction, the same level of assessment had been maintained. It was necessary to be aware that making any change would come with risks, such as reducing income for the Council and precepting authorities, or, if entitlements were reduced, causing hardship. Any change would require modelling and consultation. Therefore the recommendation was to continue the current scheme.

There being no comments, Councillor Williamson proposed, and Councillor Rutland-Barsby seconded, a motion to support the recommendation in the report. On being put to the meeting, and a vote taken, the motion was declared CARRIED.

RESOLVED – to recommend to Council that the current local Council Tax Support Scheme be continued for 2021/22.

189 QUARTERLY CORPORATE BUDGET MONITOR - Q1 JUNE 2020

The Executive Member for Financial Sustainability, Councillor Williamson, welcomed Steven Linnett as the Council's new Head of Strategic Finance and Property and Section 151 Officer.

Councillor Williamson then submitted a report on financial monitoring for the first quarter of the current financial year. He said this had been a time of considerable financial uncertainty, during which many of the Council's core funding streams had been affected adversely. Without Government help the

position would have been worse. The report indicated a forecast outturn of an overspend of £100,000, with capital expenditure on target, with only a comparatively small amount of £100,000 to be carried forward to future years. The report asked Executive Members to note the net revenue budget forecast overspend and revised capital budget.

Councillor Williamson invited questions.

Councillor Redfern referred to the review which had been resolved upon at the previous meeting, regarding the Capital programme and updated business cases for major projects as part of the budget setting process. She said it was important that such updated business cases be submitted to the Council. It was necessary to decide whether the major projects were viable, and would not burden Council taxpayers if estimated incomes failed to materialise. She asked that the Executive agree that the revised business plans be brought to Council as soon as possible.

Councillor Williamson said work on the business case for the projects had been taking place for some time, in relation to various scenarios including Brexit and Covid-19. Such work was nearing completion, and indications were that the financial position for the Council was still positive. Budget setting would be conducted for next year, and the review would be made available soon.

Councillor Goldspink welcomed the review of the business case for the major projects, and asked when they would be made available. Councillor Williamson said that the information would be shared with all

Members as soon as possible.

Councillor Williamson then proposed, and Councillor Goodeve seconded, a motion to support the recommendations in the report. On being put to the meeting, and a vote taken, the motion was declared CARRIED.

RESOLVED - that (A) the net revenue budget forecast overspend of £100K in 2020/21 be noted as shown in Table 1 of the report; and

(B) the revised capital budget for 2020/21 is £73.985m, of which £100K is estimated to be carried forward to future years, be noted.

190 USE OF COMPULSORY PURCHASE (CPO) POWERS IN THE GILSTON AREA

The Leader submitted a report on use of compulsory purchase order powers in the Gilston area. She explained that the appendices to the report contained exempt information and as such were restricted from public discussion, due to the fact that they contained the details of landowners. If Members wished to consider those papers, the meeting would need to exclude the public and press by switching off the livestream and recording.

Councillor Haysey said the report proposed a recommendation to Council to agree in principle that it would make use of the compulsory purchase order powers available to it, to secure land to deliver transport infrastructure in the Gilston area and the wider strategic planning benefits referred to in the

report. The powers would be used only if the land could not be acquired by negotiation.

There being no comments, Councillor Haysey proposed, and Councillor Williamson seconded, a motion supporting the recommendations in the report. On being put to the meeting, and a vote taken, the motion was declared CARRIED.

RESOLVED - (A) to recommend to Council that, in principle, (and subject to Harlow District Council resolving to follow the same course of action) the Council be prepared to use powers available to it under section 226(1)(a) of the Town and Country Planning Act 1990 to compulsorily purchase land in the Gilston area, as generally shown on the plans at Appendix 1 to the report, to enable the construction of transport infrastructure to support the delivery of the Gilston Area allocation in the East Herts District Plan (The Gilston Area Allocation) and the achievement of the wider strategic planning benefits referred to in the report;

(B) that the Executive delegates authority to the Head of Legal and Democratic Services, in consultation with the Head of Planning, to enter into a Compulsory Purchase Order Indemnity Agreement (CPO IA) in relation to this matter, on behalf of the Council; and

(C) that the Executive and Council note that Officers will undertake the work needed to prepare for a possible Compulsory Purchase Order (CPO) together with the associated

documentation and, if necessary, will bring a further report back to the Executive and Council seeking authority to make a CPO.

191 EXCLUSION OF PRESS AND PUBLIC

Councillor Haysey proposed, and Councillor Boylan seconded, a motion to exclude the press and public from the meeting during the discussion of the next item, on the grounds that it involved the likely disclosure of exempt information as defined in paragraph 1 of Part 1 of Schedule 12A of the Local Government Act 1972, in that disclosure could compromise a proposed exercise of compulsory purchase order powers.

On being put to the meeting, and a vote taken, the motion was declared CARRIED.

RESOLVED – to exclude the press and public from the meeting during the discussion of the next item, on the grounds that it involved the likely disclosure of exempt information as defined in paragraph 1 of Part 1 of Schedule 12A of the Local Government Act 1972, in that disclosure could compromise a proposed exercise of compulsory purchase order powers.

192 COMPULSORY PURCHASE ORDER REQUEST - OPTIONS APPRAISAL PROCESS

The Executive Member for Financial Sustainability submitted a report setting out the context for a request that Officers explore options in response to a request to exercise compulsory purchase order

powers.

Members considered the proposals and noted that a report would be brought back for further consideration.

Councillor Williamson proposed, and Councillor McAndrew seconded, a motion to support the recommendations in the report. On being put to the meeting, and a vote taken, the motion was declared CARRIED.

RESOLVED - that the recommendations in the report containing exempt information be approved, in that Officers be authorised to explore Compulsory Purchase Order options and report back to Executive and Full Council.

The meeting closed at 7.33 pm

Chairman
Date