

**SUPPLEMENTARY REPORTS FOR
COUNCIL
7.30 pm on Thursday, 15th July, 2021
In the Council Chamber, Civic Centre**

The attached documents are due to be considered at the meeting listed above and were unavailable for circulation when the agenda for the meeting was published. The agenda items to which the documents relate is noted below.

AGENDA

6. Questions from the Public (Pages 2 - 5)
7. Questions from Councillors (Pages 6 - 11)
13. Matters of Urgent Business (Pages 12 - 14)

Such other business which, in the opinion of the Chair, should be received as a matter of urgency by reason of special circumstances to be specified in the minutes.

Full Council – 15 July 2021

Questions from the Public

1 Nicholas Taylor to Councillor Simon Carter (Portfolio Holder for Housing):

Members may recall that two questions about the external repair and painting of Council owned houses were asked of Councillors in 2020. This was as a result of my seeking a Freedom of Information request to the Council which revealed that the Council have not kept any record of work done prior to 2016 and very few houses have been done since. I am aware of a council house that has only been repaired and painted externally once in the last 25 years.

In response to the first question Councillor Wilkinson said on 27 February 2020 that a programme of cyclical maintenance would be prepared and appear on the Council's website in May 2020. It did not, hence my question on 10 September to which Councillor Ingall responded by saying that following a review of the implications of Covid-19, it is expected that a revised Housing Investment programme will be published later in the year. To date, nothing on this subject has appeared on the Council's website.

When does the Council intend to carry out such work and when will the website be updated with such information?

Reply from Councillor Simon Carter (Portfolio Holder for Housing):

In 2020 the Council's Housing Investment Programme (HIP) was largely suspended due to the restrictions placed by Covid 19. However, as part of the Government's published Road Map - "Emerging from Lockdown", these programmes of work are re-commencing including the external redecoration of Council owned houses and bungalows within the resources available.

Programmes are currently being revised in order to both complete last year's (HIP) as well as the work planned on the estates for 2021/22. It is expected that the Council will publish its revised and reprioritised HIP programmes for the next five year cycle of investment from 2021/22 later this year.

2 Nicholas Taylor to Councillor Alastair Gunn (Portfolio Holder for Environment):

In September 2020 Cllr Ingall was asked about the maintenance of trees. In response he said that working with HTS a pro-active planned maintenance regime would be put in place from April 2021. I note that at the Cabinet meeting on 26 March it was reported that there had been a shortfall in performance in the 3rd quarter of 2020/2021 which was likely to be maintained through to the end of the year, the recruitment of a specialist consultancy had in fact identified a larger number of works to be completed and the situation would not be recovered fully until 2021/2022.

Can you advise me if a pro-active planned maintenance regime has been put in place, has the list of works been prioritised, what targets have been set for work to be completed and when will this information be placed on the Council's website?

Reply from Councillor Alastair Gunn (Portfolio Holder for Environment):

A proactive management regime for tree maintenance is to be implemented in this financial year. HTS have now produced a costed proposal for this and Council officers are now in discussions with HTS about its implementation and the setting of targets. This will be in a phased approach since a planned maintenance regime requires a survey to first map and then inspect every substantial tree in the town which will clearly take some time to undertake. It is estimated that in reality this will take 2 – 3 years to complete across the whole town but it will deliver a planned maintenance programme that will commence this year.

In the meantime, HTS continue to deliver works to trees and residents can report dead or dangerous trees by phone or via the Council's website. I am pleased to be able to report that performance on tree works has recovered and in the second quarter of this year HTS expect to be delivering in full against their performance indicators.

3 Alan Leverett to Councillor Simon Carter (Portfolio Holder for Housing):

It is pleasing to see at long last the occupation of the flats at Prentice Place.

With a new administration is the public going to be informed of the true reason for a delay of over a year from what appeared completion of the project to actual occupation? It was also evident that 24 hour security of the flats was provided to protect them from any unwanted occupation or damage. Can the council please inform me of the cost of this service what budget it was taken from?

Reply from Councillor Simon Carter (Portfolio Holder for Housing):

Thank you for your question Mr Leverett.

It is pleasing to see that after years of delay under Labour we have been able to allocate these properties to ten homeless families. The scheme began in 2008/9 under a Conservative administration so you could say it has come full circle.

The delays to the completion to Prentice Place occurred because:

- a) The fire stopping between the retail and residential units did not meet current fire safety regulations and therefore needed to be upgraded.
- b) Issues with electrical distribution.
- c) The doors specified in the original drawings complied with building regulations at that time. However, at the time of completion, building regulations had been changed and updated, requiring alternative fire doors to be installed.

Although the fitting of the alternative doors could not be legally enforced, as the structure of the building had not been altered, as a local authority, the decision was taken that we should be fully compliant with the current fire safety and building regulations, to enable the properties to be offered to people from the housing register.

As you will see, some of the delays were caused by the extreme delay between drawing up the specifications for the scheme and actually implementing them.

The overall expenditure, for security services at Prentice Place is £209,900.06 over a three year period. The overall percentage split is per below:

- a) Regeneration – 25 percent
- b) Property and Facilities – 50 percent
- c) Housing – 25 percent

4 Alan Leverett to Councillors Dan Swords (Portfolio Holder for Regeneration):

We were informed previously that the Osler House Part of Prentice Place was to be refurbished as a Community Hub. Can the council inform me of what progress has been made and as to when it's likely to be available for use?

Reply from Councillor Dan Swords (Portfolio Holder for Regeneration):

I want to begin by paying tribute to Cllr Hulcoop who I know has worked extremely hard to ensure the Osler House site is used for the benefit of the community. To that end, I share Mr Leverett's disappointment that the previous administration did not complete the full plans for the redevelopment of the Prentice Place site and it is particularly upsetting that the promised work has not been carried out on the Osler House site to date - given that the last administration spent 10 painful years attempting to deliver the redevelopment.

However, our new Council is committed to delivering the scheme at the Osler House site which will be of huge benefit to the local community. The Council is in active negotiation at present and thus, I will update Mr Leverett and, of course, the public on that progress very soon.

Full Council – 15 July 2021

Questions from Councillors

1 Councillor Mike Danvers to Councillor Alastair Gunn (Portfolio Holder for Environment):

Could you briefly outline the new administration's new green policies for Harlow Council to face up to the declared climate emergency?

Reply from Councillor Alastair Gunn (Portfolio Holder for Environment):

I would like to start by paying tribute to the late Councillor Danny Purton who led this work on behalf of the Council in recent years following Harlow Council's declaration of a climate emergency. I know he is dearly missed by many in this Chamber and recognise that in several regards I am continuing works begun under his tenure.

Addressing the challenges posed by climate change is a global concern, on which there is fundamental cross-party agreement. We should be united in working towards a zero carbon future for this town, our country and across the world. I am determined that Harlow Council more than plays our part in this.

The Council has already made great strides towards reducing its carbon footprint since Harlow's first Carbon Management Plan in 2011, launched by the last Conservative administration. This work has been accelerated since the 2019 Climate Emergency was unanimously agreed, through introducing significant energy saving measures in our buildings, and I commend the previous administration on this.

This Administration will continue and extend the Council's carbon reduction programme and set out ambitions for a wider climate change strategy and action plan for Harlow. This will be with a view to setting a target date for when Harlow Council will achieve Net Zero, following the leadership set by the Conservative Government nationally, when it set the UK's 2050 Net Zero target in law. I will be bringing a report to the September Cabinet to set out these plans.

We will take a rigorous approach to protecting and enhancing the town's environmental assets, particularly Sir Frederick Gibberd's legacy of green wedges and wider green infrastructure across the town. We will be continuing the tree planting programme begun under the previous administration, but also wish to take a more systematic approach to the maintenance of the town's trees. We are commissioning a tree survey to map every significant

tree in Harlow which will then result in a proactive approach to tree maintenance. This will help us to protect existing trees whilst also planting and protecting new ones.

Further and in conjunction with this work, we will be developing a biodiversity strategy for the Council, to ensure that we meet our responsibility on addressing biodiversity loss. I intend to bring a report to the additional November Cabinet setting out these plans.

Alongside supporting sustainable and active transport, this Administration is committed to delivering a significant expansion of the town's electric vehicle charging infrastructure. With the sale of new petrol and diesel cars to end by 2030, we have an obligation to Harlow's residents to ensure their town is ready for the transition to electric, which is already underway. I will be bringing a report to Cabinet in September to provide more detail on this.

2 Councillor Mike Danvers to Councillor Joel Charles (Deputy Leader and Portfolio Holder for Community Resilience):

Could you briefly outline the non-statutory services that are now at risk of cuts to their budgets and the ones that are threatened with closure?

Reply from Councillor Joel Charles (Deputy Leader and Portfolio Holder for Community Resilience):

Our administration wishes to explore opportunities to invest in the council's much-loved non-statutory services. As part of an ongoing review of council budgets, launched by the Portfolio Holder for Finance and Governance, it is not anticipated that there will be any changes to the council's community services budgets that will negatively impact frontline delivery. Our administration plans to set out more detail about the council's future spending priorities as part of the annual work to update the medium-term financial strategy in the autumn of this year and development of a budget, announcements will be made in the usual way early next year.

3 Councillor Chris Vince to Councillor Joel Charles (Deputy Leader and Portfolio Holder for Community Resilience):

Does the portfolio holder share the previous administrations view that Sam's Place is a vital resource for parents of those children who use it, that it should be provided free of charge and will you challenge Essex County Council should they return to their proposals to charge for this service?

Reply from Councillor Joel Charles (Deputy Leader and Portfolio Holder for Community Resilience):

Sam's Place provides disabled children and young people a range of structured opportunities to gain new life skills – it is a highly regarded service in the local community. Our administration believes that families accessing Sam's Place should continue to be able to enjoy the existing range of services unchanged.

The current contract is in place until autumn 2022, and we are assured there will be continuity in the current provision.

At the present time, the council has not been made aware of what the terms of any new contract might be. Our administration is already planning to make provision as part of the annual work to update the medium-term financial strategy in the autumn of this year and in next year's budget, 2022 to 2023, for a continuity fund to ensure that families are not burdened with fees in the future should the current contracting arrangements at Sam's Place change and the council be successful in tendering for the new service.

4 Councillor Jodi Dunne to Councillor Dan Swords (Portfolio Holder for Regeneration):

We saw many promises made by the Harlow Conservatives over the local election campaign, and the ones that stick in my mind are to do with the arts in our town. I know in Harlow's vibrant musical community they are very excited about the prospect of a new music venue in the town, as prominently promised on those glossy videos and discussed by our local media. When will this happen, where will this happen and how? I fear that they have over promised and will under deliver by resorting to Tory type of knowing the price of everything but the value of nothing.

Reply from Councillor Dan Swords (Portfolio Holder for Regeneration):

I am pleased that Cllr Dunne enjoyed our campaign video as much as the other 41,823 other residents who saw it and duly elected Conservative Councillors in seats across the town that had never voted Conservative before.

The video summarised the failings of the previous Labour administration and offered a vision of hope for the future with our plan to make Harlow the best town in Britain to raise your family and to send your kids to school; the best place to start a business; the best place to live and to be.

It was a great shame that the previous Labour administration did not save the last live music venue our town had, nor did they open a new one, nor in fact did they do anything to increase the cultural and leisure offerings of our town.

We are ending their decade of decline and kick starting a decade of renewal with the biggest programme of regeneration since the new town was built.

As part of our once-in-a-generation programme we will deliver a new live music venue.

However, that will be just one small part of our programme. We will make Harlow one of the best towns for entertainment, culture and leisure and that will include a whole host of new venues, bars, restaurants and much more besides.

Plans will come forward in due course setting out the exact details of such offerings and the full and complete regeneration works.

On Cllr Dunne's final point, he defers to Oscar Wilde's Picture of Dorian Gray to express his thoughts, perhaps a more pertinent quotation would have been, 'A man who does not think for himself does not think at all.'

However, he talks of cost and value which quite well summed up the previous Labour Council: they cost you more and brought you less.

5 Councillor Jodi Dunne to Councillor Joel Charles (Deputy Leader and Portfolio Holder for Community Resilience):

Can the Cabinet Portfolio Holder for Strategic Growth guarantee that the programme at the Playhouse will not be affected by the budget this year and in coming years as the Labour group carried out our own analysis of the proposals for an alternative budget last year which showed a hole in the finances after three years, and will we therefore all be able to enjoy our wonderful theatre at its very best or will he be, to paraphrase the words of David Bowie who played at the venue, the man who sold the world?

Reply from Councillor Joel Charles (Deputy Leader and Portfolio Holder for Community Resilience):

The Playhouse, alongside the theatre community nationally, has been impacted by the restrictions that have been put in place to keep people safe during the pandemic. The lockdowns have restricted the ability of the venue to deliver a full programme of events during the last 15 months. Although we are heading cautiously towards the ending of pandemic specific legal measures under stage four of the Government's roadmap, it cannot be ruled

out at this time that further restrictions may again impact on the Playhouse artistic programme as they have across all theatres and other venues for the performing arts since March 2020.

In a previous reply this evening to a question from Councillor Danvers, I made it clear that our administration takes its responsibility for ensuring sound financial management seriously – a detailed budget review process is already being undertaken. My reply also made it clear that there are no non-statutory services at risk as a result of this review work, this commitment includes the Playhouse.

6 Councillor Tony Edwards to Councillor Andrew Johnson (Leader of the Council):

Given the reported level of public concern regarding the planned second Stort river crossing and the potential detrimental effect to the environment and amenity, can all members please be given a further detailed officer briefing prior to the matter being formally considered by the East Hertfordshire or Harlow Development Management Committees?

Reply from Councillor Andrew Johnson (Leader of the Council):

As a regular substitute of the Development Management Committee I appreciate how important it is for all members to be aware of and have the opportunity to ask questions on large planning applications. Cllr Hardware as the portfolio holder for strategic growth has already taken steps to ensure that members are better briefed on all applications that come to this council.

I have asked for and can confirm that there will be an all-Member briefing on the Stort River Crossing proposals before the applications are presented to the Development Management Committees of both Harlow Council and East Hertfordshire District Council. I have asked officers to ensure that the briefing is in good time before the Committee meetings take place, once all planning issues have been addressed, so that members are as informed as possible.

I would also like to take this opportunity to remind all members and substitutes to the Development Management Committee the importance of the avoidance of, or the appearance of, predetermination of planning applications.

7 Councillor Nancy Watson to Councillor Simon Carter (Portfolio Holder for Housing):

In a recent article in your Harlow, you said you had a plan to work with HTS to bring more new houses to Harlow. Can you confirm when this plan is set to be announced and clarify the numbers of housing planned and what percentage of these homes will be built for social housing?

Reply from Councillor Simon Carter (Portfolio Holder for Housing):

The pipe line is undergoing a thorough review in terms of suitability, viability and value for money. The aim of the pipeline is that all properties will be social housing owned by the council. Of the six schemes listed in the 2020/21 Q4 Capital Programme reported to Cabinet earlier this week.

- Bushey Croft is well under way;
- Work has just started on The Hill;
- Lister House and The Yorkes are under active review;
- Stackfield has been removed as unsuitable and consultation is underway with local residents to turn into a knee high garden for people with disabilities;
- Brenthall Towers is also removed for consideration as additional parking particularly for Carters Mead.

Two other sites have just emerged as suitable for development. The pipeline contains a long list of potential sites which will be reviewed on an ongoing basis to provide groups of sites suitable for development by HTS (Housing and Regeneration) Ltd. Details of sites going forward for development will be reported in the usual way through the quarterly Capital Programme reports.

REPORT TO: FULL COUNCIL

DATE: 15 JULY 2021

TITLE: REVIEW OF POLITICAL BALANCE

LEAD OFFICER: SIMON HILL, HEAD OF GOVERNANCE
(01279) 446099

CONTRIBUTING OFFICER: ADAM REES, SENIOR GOVERNANCE SUPPORT
OFFICER (01279) 446057

RECOMMENDED that Full Council:

- A** Notes the revised political balance calculations in Table 1.
- B** Appoints Councillor John Steer to the Licensing Committee in place of Councillor Tony Durcan.

BACKGROUND

1. The Council has an established Committee structure, whereby a number of ordinary Committees perform the functions that, by law, cannot be performed by the Cabinet. In addition, a number of advisory Panels have been established that do not have decision making powers, but advise the Council on matters in their remit.
2. Councillors are divided into political groups, the provisions of the Local Government and Housing Act 1989 place a duty on the Council to review the allocation between those groups of seats on Committees of the Council at its Annual Meeting. The aim is to ensure that, as far as is practicable, the political composition of the Committees reflects the composition of the Council.
3. The Council is obliged to allocate seats to be occupied by its Members to the political groups into which they are divided. Political groups then nominate the Members of the Council whom they wish to occupy those seats allocated to them. It is for Council to appoint such Councillors to the seats allocated.

ISSUES/PROPOSALS

4. Following the Mark Hall by-election on July 8 2021, the political composition is as below:
 - a) Conservatives – 21 seats
 - b) Labour – 12 seats

5. The political balance calculations have been reviewed and show that the Conservative Group are entitled to an additional seat on one of the four ordinary committees.
6. It is proposed that, in accordance with the requirements of the Local Government and Housing Act 1989, the allocation of ordinary Committee seats to the Council's political groups is as set out in Table 1. This results in the Conservative Group gaining one seat in the Licensing Committee, with the Labour Group having one fewer.

Table 1 – Political Balance Calculation 2021/22 – Ordinary Committees

Committee	Seats	Conservatives	Labour
Audit and Standards Committee	8	5	3
Development Management Committee	8	5	3
Licensing Committee	10	7	3
Scrutiny Committee	8	5	3
Total	34	22	12

IMPLICATIONS

Place (Includes Sustainability)

None specific.

Author: Andrew Bramidge, Head of Environment and Planning

Finance (Includes ICT and Property and Facilities)

None specific.

Author: Simon Freeman, Head of Finance and Property and Deputy to the Chief Executive

Housing

None specific.

Author: Andrew Murray, Head of Housing

Community Wellbeing

None specific.

Author: Jane Greer, Head of Community Wellbeing

Governance (Includes HR)

The Council is required to ensure that the allocation of seats to committees is compliant with the relevant provisions contained in the Local Government and Housing Act 1989 and Regulations made under that act.

The Regulations require that in determining the allocation of seats the council must apply the following four principles as far as it is reasonably practicable to do so:

- a) that not all the seats on the body are allocated to the same political group;
- b) that the majority of the seats on the body is allocated to a particular political group if the number of persons belonging to that group is a majority of the authority's membership;
- c) subject to paragraphs (a) and (b) above, that the number of seats on the ordinary committees of a relevant authority which are allocated to each political group bears the same proportion to the total of all the seats on the ordinary committees of that authority as is borne by the number of members of that group to the membership of the authority; and
- d) subject to paragraphs (a) to (c) above, that the number of the seats on the body which are allocated to each political group bears the same proportion to the number of all the seats on that body as is borne by the number of members of that group to the membership of the authority.

Failure to appoint to committees and outside bodies could render them not quorate or unlawful; failure to apply the legislative requirements of political proportionality could also mean a committee or body unlawful constituted. This would mean any decision taken by that committee could be seen as unlawful and open to challenge.

The recommendations in this report comply with the statutory requirements above and mitigate the risk to the Council of challenges to its governance and decision making structure.

Author: Simon Hill, Head of Governance

Appendices

None.

Background Papers

None.

Glossary of terms/abbreviations used

None.