

**MINUTES OF THE COUNCIL
HELD ON**

31 October 2019

7.30 - 7.50 pm

PRESENT

COUNCILLORS

Clive Souter (Chair)
Maggie Hulcoop (Vice-Chair)

David Carter	Andrew Johnson
Simon Carter	Eddie Johnson
Joel Charles	Shona Johnson
Jean Clark	Sue Livings
Jodi Dunne	Frances Mason
Tony Edwards	Stefan Mullard
Michael Garnett	Danny Purton
Tony Hall	Lanie Shears
Michael Hardware	John Strachan
Eugenie Harvey	Emma Toal
Mark Ingall	Chris Vince
Shannon Jezzard	Nancy Watson

OFFICERS

Brian Keane, Chief Executive
Simon Hill, Head of
Governance
Adam Rees, Governance
Support Officer

28. **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Nick Churchill, Mike Danvers, Bob Davis, Tony Durcan, Russell Perrin, Phil Waite and Mark Wilkinson.

29. **DECLARATIONS OF INTEREST**

None.

30. **MINUTES**

RESOLVED that the minutes of the meeting held on 19 September 2019 are agreed as a correct record and signed by the Chair.

31. **COMMUNICATIONS FROM THE CHAIR**

The Chair said he had attended the following events since the previous meeting: Mark Hall Summer Fete, Town Centre Awards, Epping civic lunch, met young journalists from Harlow College, Costermongers, Baby Loss Awareness Week, Dunmow Last Night at the Proms, High Sheriff Justice Service, Harlow Architectural Awards, Braintree Harvest Concert, Ordination of the new Vicar at St Stephen's Church, Chelmsford Civic Lunch,

Construction Skills Centre, Daniel Robinson's opening of new extension, lunch with Aspire Support Learn, Passmores Awards Ceremony, Long Service Awards, launch of the Poppy Appeal at the Civic Centre, ICU Steps Meeting, Welcome Revolution, Harlow Civic Service, Epping Charity Night and Sports Awards.

Finally, he said that today he had met Ross earlier today as he had found the special D Day poppy rock. Ross had been presented with a certificate and given tickets to the pantomime at the Playhouse.

32. **PRESENTATION OF AWARD**

The Chair presented the Harlow Architectural and Design Environment Award to Michael Pitt, Environment and Licensing Manager, on behalf of the Oakwood Pond volunteers.

33. **PETITIONS FROM THE PUBLIC**

None.

34. **QUESTIONS FROM THE PUBLIC**

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

35. **QUESTIONS FROM COUNCILLORS**

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

36. **MOTIONS FROM COUNCILLORS**

None.

37. **REFERENCES FROM CABINET AND COMMITTEES**

None.

38. **REPORTS FROM OFFICERS**

a) Review of Polling Districts and Places 2019

Full Council considered a report setting out revised arrangements for polling districts and places within Harlow following a statutory review.

Councillor Andrew Johnson (seconded by Councillor Simon Carter) proposed an amendment to part A ii of the recommendation so that it read:

“Church Langley Community Centre being designated for one district election as the polling place for Church Langley East. If the turnout at that election is no less than the average of the previous three district

elections and there are no adverse issues at the one polling station then this shall be made permanent, except for Parliamentary Elections and referenda where the first hall by the entrance to Henry Moore school shall be used.”

The amendment was agreed by consent of the meeting and became part of the substantive recommendation.

Proposed by Councillor Lanie Shears (seconded by Councillor Mark Ingall) it was:

RESOLVED that:

A The proposals for the Polling Districts, Polling Places and Polling Stations in Harlow, as set out in Appendix A to the report, be approved with the changes as follows:

- i) St Stephen’s Church is being designated as the polling place for Bush Fair West, replacing William Martin School.
- ii) Church Langley Community Centre being designated for one district election as the polling place for Church Langley East. If the turnout at that election is no less than the average of the previous three district elections and there are no adverse issues at the one polling station then this shall be made permanent, except for Parliamentary Elections and referenda where the first hall by the entrance to Henry Moore school shall be used.
- iii) The creation of a new polling district for Newhall (designated HC) Old Harlow South, using Newhall Primary Academy as the polling place.

B The Electoral Registration Officer reflect alterations required as a result of the review in the revised Electoral Register, to be published in accordance with the statutory timetable.

C The Acting Returning Officer be authorised to identify and designate alternative polling places should a requirement arise of necessity prior to the next scheduled review.

b) Appointment to Committees, Sub Committees and Panels

RESOLVED that Councillor Tony Edwards was appointed as Chair of the Scrutiny Committee in place of Councillor Bob Davis.

39. **MINUTES OF CABINET AND COMMITTEE MEETINGS**

RESOLVED that the minutes of the following meetings are noted.

- a) Minutes of meeting Tuesday, 10 September 2019 of Licensing Committee
- b) Minutes of meeting Wednesday, 11 September 2019 of Audit & Standards Committee
- c) Minutes of meeting Thursday, 12 September 2019 of Cabinet
- d) Minutes of meeting Wednesday, 18 September 2019 of Development Management Committee
- e) Minutes of meeting Tuesday, 15 October 2019 of Scrutiny Committee
- f) Minutes of meeting Wednesday, 16 October 2019 of Development Management Committee
- g) Minutes of meeting Thursday, 17 October 2019 of Cabinet

40. **MATTERS OF URGENT BUSINESS**

The Chair announced that the Full Council meeting on 12 December 2019 would be cancelled due to the General Election scheduled for the same day.

CHAIR OF THE COUNCIL

Full Council – 31 October 2019

Questions from the Public

1 Mr David Forman to Councillor Lanie Shears (Portfolio Holder for Governance, Equality and Diversity):

The Department for Communities and Local Government document 'Progress report by the ministerial working group on tackling inequalities experienced by Gypsies and Travellers' published in April 2012 stated in paragraph 4.11 that training for councillors was available from autumn 2011 through to 2015 to support councillors with their leadership role around Traveller site provision. Paragraph 4.10 states the objective which is as follows:

'Local Government Group has been running a successful course delivered by councillors for councillors to support them with their leadership role around traveller site provision, including advice on dealing with the controversy that can sometimes accompany planning applications for traveller sites. Councillors have reported that the training helped them to conduct better planning meetings leading to fair and more effective decision-making.'

Consequently, firstly I would like to know if any councillors from Harlow District Council completed this training course, and if not what are the reasons for not doing so?

Secondly, paragraph 4.11 states the training will 'support councils or groups of councils to find locally acceptable approaches to increasing the number of planned-for pitches that gain consent in their area without going through the planning appeal process.'

As the training aims to reduce the costs of councils by avoiding the costly process of planning appeals, should both the Section 151 and Chief Finance officers have exercised their duty of care in ensuring this training was undertaken?

Reply from Councillor Lanie Shears (Portfolio Holder for Governance, Equality and Diversity):

None of the Council's Councillors attended the training between Autumn 2011 and 2015. From 2011 until today, the Development Management Committee has considered zero applications in relation to traveller site provision. It was therefore considered that there was no significant need for training to be undertaken. If, during that period, an application had been due to be considered by the Committee, appropriate training would have been accessed.

Additionally, there is no provision for additional traveller's pitches in Harlow's

emerging Local Plan (for the period to 2033) and so it is unlikely that new applications for this use will come before the Development Management Committee in the foreseeable future. If it transpires that an application does come forward, and it is felt that Committee members need specific training, then this would be organised.

2 Mr David Forman to Councillor Danny Purton (Portfolio Holder for Environment):

A recent Your Harlow news story highlighted the high cost of green waste wheelie bin collections in our district.

Given the fact that not all of Harlow's elderly and disabled citizens are able to make use of Essex County Council's recycling depot at Temple Bank, yet partly pay for it through their council tax, would you agree with me:

- a) That the green waste wheelie bin collection charge is unreasonable; and
- b) Through its application is discriminatory towards both the elderly and disabled, thus breaching the Council's public sector equality duty under section 149 of the Equality Act 2010, which states in paragraph (1):

'A public authority must, in the exercise of its functions, have due regard to the need to:

- a) Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- b) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it'?

Reply from Councillor Danny Purton (Portfolio Holder for Environment):

The principle of collective provision is well established and most residents probably contribute through the Council Tax to the provision of services that they do not or are not able to use – In the case of the ECC Civic Amenity site a rough calculation would suggest that the cost of operations spread equally over the catchment population would amount to a fraction of a penny per week.

The Council's current provision for garden waste collection as set out on its website consists of a bookable service for the collection of bagged garden waste which starts at a cost of 97 pence per bag, and a regular wheelie-bin based service that costs £97 per year.

The Council is satisfied that charging for these discretionary services in common with many other authorities is not in breach of any of its legal duties. The Council offers assisted collections for people who have difficulty in using either collection method.

The regular wheelie-bin service has proved so popular that we currently have over 1000 householders subscribing to the scheme.

On average over 3000 bags per week are booked and collected on the more flexible scheme.

The Council's domestic waste collection services are provided under contract. The existing collection options were a write across from the preceding contract. The advent of a replacement contract provides the opportunity to make changes.

The existing contract that the Council have entered into with Veolia provides for the replacement of the current service options with a single wheelie-bin based service which is likely to reduce the cost of the service to each household.

Full Council – 31 October 2019

Questions from Councillors

1 Councillor Simon Carter to Councillor Mark Ingall (Leader of the Council):

In your recent discussions with the leader of the London Borough of Enfield when she agreed to stop using Redstone House for temporary accommodation, did she tell you what they intended to do with the building?

Reply from Councillor Mark Ingall (Leader of the Council):

I plan to meet with the owners of Redstone House in the near future to talk about how they intend to use that building once Enfield have vacated it. What is important is that a first step has been taken in stopping the outsourcing of London's housing crisis to Harlow with all the attendant problems that the toxic combination of PDRS and the Local Housing Allowance cap is causing.

Supplementary Question from Councillor Simon Carter to Councillor Mark Ingall (Leader of the Council):

Have you spoken to the leader of Enfield Council about what they intended to do with Greenway House?

Supplementary Reply from Councillor Mark Ingall (Leader of the Council):

I have spoken to her about Greenway House and agreed that vacation of temporary accommodation sites would be taken one step at a time.