

MEETING OF HARLOW COUNCIL
7.30 pm on Thursday 16 July 2020
Zoom - Online

This meeting is a virtual meeting which is being hosted on Zoom. Councillors and registered public participants will be sent access details nearer the date of the meeting.

Members of the public who wish to watch the meeting can do so via a livestream which will appear on the Council's YouTube page
<https://www.youtube.com/user/HarlowCouncil>

AGENDA

1. Apologies for Absence

2. Declarations of Interest

Councillors' declarations of interest (if any) in relation to any items on the agenda.

3. Minutes (Pages 4 - 13)

To agree the minutes of the meeting held on 21 May 2020.

4. Communications from the Chair

5. Petitions from the Public

6. Questions from the Public

7. Questions from Councillors

8. Resignation of Councillor

To note the resignation of Tony Hall as a Councillor and that under Section 5 of the Local Government and Police and Crime Commissioner (Coronavirus) (Postponement of Elections and Referendums) (England and Wales) Regulations 2020, the vacancy will be filled on 6 May 2021.

9. Motions from Councillors

10. Main Debate

In accordance with Council Procedure Rule 17.3, the Chair will call on the Leader of the Council to introduce the debate on the work undertaken by the Council in 2019/20 municipal year together with any highlights, pressures and potential issues for the coming year.

11. References from Cabinet and Committees

- a) Referral from Licensing Committee - Electronic Payment of Fares in Hackney Carriage and Private Hire Vehicles - Outcome of Consultation (Pages 14 - 47)

Licensing Committee recommended to Full Council that:

- i) A condition be attached to Hackney Carriage Vehicle Licences to require that Hackney Carriage Vehicles be equipped with electronic payment facilities as set out in Proposals in paragraphs 54 to 61 of the report.
 - ii) Subject to ii, authority to approve the details of the conditions is delegated to the Environment and Licensing Manager, in consultation with the Chair of the Licensing Committee.
- b) Referral from Audit and Standards Committee - Audit and Standards Committee Annual Report 2019/20 (Pages 48 - 54)

Audit and Standards Committee recommended to Full Council that the Annual Report for the Audit and Standards Committee for 2019/20 be agreed.

- c) Referral from Scrutiny Committee - Review of Overview and Scrutiny - Final Report (to follow)

12. Reports from Officers

- a) Annual Reports from Councillors Appointed to Outside Bodies (Pages 55 - 60)

13. Minutes of Cabinet and Committee Meetings

To note the following Cabinet and Committee minutes:

- a) Minutes of meeting Tuesday, 21 January 2020 of Licensing Committee (Pages 61 - 63)
- b) Minutes of meeting Thursday, 23 January 2020 of Cabinet (Pages 64 - 74)

- c) Minutes of meeting Tuesday, 18 February 2020 of Scrutiny Committee (Pages 75 - 77)
- d) Minutes of meeting Thursday, 27 February 2020 of Cabinet (Pages 78 - 91)
- e) Minutes of meeting Wednesday, 4 March 2020 of Audit and Standards Committee (Pages 92 - 95)
- f) Minutes of meeting Tuesday, 10 March 2020 of Licensing Committee (Pages 96 - 98)
- g) Minutes of meeting Wednesday, 27 May 2020 of Development Management Committee (Pages 99 - 101)
- h) Minutes of meeting Wednesday, 3 June 2020 of Development Management Committee (Pages 102 - 105)
- i) Minutes of meeting Wednesday, 10 June 2020 of Audit & Standards Committee (Pages 106 - 108)
- j) Minutes of meeting Wednesday, 1 July 2020 of Development Management Committee (to follow)

14. Matters of Urgent Business

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.

**MINUTES OF THE COUNCIL
HELD ON**

21 May 2020

7.30 - 8.26 pm

PRESENT

COUNCILLORS

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

David Carter	Andrew Johnson
Simon Carter	Eddie Johnson
Joel Charles	Shona Johnson
Nick Churchill	Sue Livings
Jean Clark	Frances Mason
Mike Danvers	Stefan Mullard
Jodi Dunne	Russell Perrin
Bob Davis	Danny Purton
Tony Durcan	Lanie Shears
Tony Edwards	John Strachan
Michael Garnett	Emma Toal
Michael Hardware	Chris Vince
Eugenie Harvey	Phil Waite
Mark Ingall	Nancy Watson
Shannon Jezzard	Mark Wilkinson

OFFICERS

Brian Keane, Chief Executive
Hannah Criddle, Governance
Support Officer
Simon Hill, Head of
Governance
Adam Rees, Governance
Support Officer
Lisa Thornett, Corporate and
Governance Support Officer

58. **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor Tony Hall.

59. **DECLARATIONS OF INTEREST**

None.

60. **REPORTS FROM OFFICERS**

a) Virtual Committee Procedure Rules

Councillor Mark Ingall proposed and Councillor Eugenie Harvey seconded the formal ratification of the decision of the Chief Executive to adopt the Virtual Committee Procedure Rules (attached as Appendix A to the report).

RESOLVED that the Virtual Committee Procedure Rules are adopted with immediate effect until 7 May 2021 and are inserted into Part 4 of the Constitution.

61. **MINUTES**

RESOLVED that the minutes of the meetings held on 30 January 2020 and 27 February 2020 are agreed as correct records and signed by the Chair.

62. **COMMUNICATIONS FROM THE CHAIR**

The Chair of the Council, Councillor Clive Souter, welcomed everyone to the first virtual Council meeting. The Chair held a minute's silence for the victims of the Covid-19 pandemic.

The Chair announced that he had raised £11,800 for his two chosen charities. The Chair had personally topped the amount raised up to £12,000. Livewire and Addenbrooks Renal Unit would both be presented with a cheque for £6,000 each for 2019/20.

The Chair gave his thanks for the Municipal Year. Councillor Souter gave his thanks to Councillor Frances Mason for donating to his two chosen charities each month. He also thanked Playhouse Manager Rory Davies, Vice-Chair Councillor Maggie Hulcoop, Corporate and Governance Support Officer Lisa Thornett and his wife, Stephanie, for their support throughout the year.

63. **ELECTION OF THE CHAIR OF THE COUNCIL AND DECLARATION OF ACCEPTANCE OF OFFICE**

Councillor Emma Toal proposed and Councillor Mark Wilkinson seconded the nomination of Councillor Maggie Hulcoop as Chair of the Council.

RESOLVED that Councillor Maggie Hulcoop is elected as Chair of the Council for 2020/21 and is invested with the chain and badge of office.

Councillor Hulcoop signed the Declaration of Acceptance of Office and gave an acceptance speech.

She thanked her colleagues for her appointment as Chair of the Council and also thanked Councillor Clive Souter for his service to the town during his term in office.

Councillor Hulcoop announced that her chosen charities would be Petals and Mind.

From this point, Councillor Hulcoop chaired the meeting.

64. **APPOINTMENT OF THE VICE CHAIR OF THE COUNCIL AND DECLARATION OF ACCEPTANCE OF OFFICE**

Councillor Chris Vince proposed and Councillor Frances Mason seconded the nomination of Councillor Bob Davis as the Vice Chair of the Council.

RESOLVED that Councillor Bob Davis is appointed as Vice Chair of the Council for 2020/21 and is invested with the chain and badge of office.

Councillor Davis signed the Declaration of Acceptance of Office.

65. **APPOINTMENT TO THE CABINET**

Councillor Mark Ingall announced his Cabinet as follows:

Councillor Eugenie Harvey – Deputy Leader and Portfolio Holder for Resilience and Recovery

Councillor Chris Vince – Portfolio Holder for Community and Wellbeing

Councillor Tony Durcan – Portfolio Holder for Growth and Prosperity

Councillor Danny Purton – Portfolio Holder for Environment

Councillor Frances Mason – Portfolio Holder for Governance, Equality and Diversity

Councillor Mark Wilkinson – Portfolio Holder for Housing

Councillor Mike Danvers – Portfolio Holder for Resources

Councillor Ingall thanked Councillors Lanie Shears and John Strachan for their work last year.

66. **APPOINTMENT TO COMMITTEES, SUB COMMITTEES AND PANELS OF THE COUNCIL AND THEIR CHAIR AND VICE CHAIR**

RESOLVED that Councillors are appointed as members/substitute members of Council Committees, Sub Committees and Panels as appended to the minutes.

67. **APPOINTMENT OF MEMBER CHAMPIONS**

RESOLVED that Councillors are appointed as Member Champions as appended to the minutes.

68. **NOMINATIONS FOR APPOINTMENT OF COUNCIL REPRESENTATIVES ON OUTSIDE BODIES**

RESOLVED that the Council representatives nominated for appointment to the outside bodies as appended to the minutes.

69. **REFERENCES FROM CABINET AND COMMITTEES**

- a) Referral from Audit and Standards Committee - Amendments to Code of Conduct

Councillor Stefan Mullard proposed and Councillor Eugenie Harvey seconded the adoption of the revised Code of Conduct (attached as Appendix A to the report).

RESOLVED that the revised Code of Conduct was adopted subject to the amendment of paragraph 14.1 of the Code to set a limit of £25 or totalling £50 over a year from a single source.

- b) Referral from Licensing Committee - Updated Licensing Committee Terms of Reference

Councillor Stefan Mullard proposed and Councillor Eugenie Harvey seconded the adoption of the Licensing Committee, Licensing Sub Committee and Regulatory Sub Committee Terms of Reference (attached as Appendix A to the report).

RESOLVED that the Licensing Committee, Licensing Sub Committee and Regulatory Sub Committee Terms of Reference were adopted.

70. **CALENDAR OF MEETINGS 2020/21**

RESOLVED that the calendar of meeting for 2020/21, as amended at the meeting and as appended to the minutes, is approved.

71. **MATTERS OF URGENT BUSINESS**

None.

CHAIR OF THE COUNCIL

Nominations for Appointment to Committees, Sub Committees, Panels and Substitutes 2020/21

Audit & Standards Committee (10)		Hearing Sub Committee (6)	
Stefan Mullard (c)		Stefan Mullard (c)	
Shannon Jezzard (vc)		Eddie Johnson (vc)	
Simon Carter		Simon Carter	
Jean Clark		Jodi Dunne	
Jodi Dunne		Shannon Jezzard	
Michael Hardware		Russell Perrin	
Maggie Hulcoop		Joel Charles (sub)	
Eddie Johnson		Tony Edwards (sub)	
Frances Mason		Andrew Johnson (sub)	
Russell Perrin		Frances Mason (sub)	
Joel Charles (sub)			
Nick Churchill (sub)			
Tony Edwards (sub)			
Tony Hall (sub)			
Andrew Johnson (sub)			
Chris Vince (sub)			
Scrutiny Committee (10)		Call In Sub Committee (7)	
Tony Edwards (c)		David Carter (c)	
David Carter (vc)		Emma Toal (vc)	
Simon Carter		Simon Carter	
Joel Charles		Joel Charles	
Bob Davis		Bob Davis	
Maggie Hulcoop		Maggie Hulcoop	
Shannon Jezzard		Nancy Watson	
Shona Johnson		Nick Churchill (sub)	
Emma Toal		Andrew Johnson (sub)	
Nancy Watson		Eddie Johnson (sub)	
Nick Churchill (sub)		Shona Johnson (sub)	
Michael Hardware (sub)			
Andrew Johnson (sub)			
Stefan Mullard (sub)			
Russell Perrin (sub)			
Phil Waite (sub)			
Licensing Committee (10)		Licensing Sub Committee & Regulatory Sub Committee	
Shannon Jezzard (c)		Licensing Committee & Regulatory Sub Committee members form a pool from which individual Licensing Sub Committees & Regulatory Sub Committees of 3	
Nancy Watson (vc)			
Nick Churchill			
Tony Edwards			

Mike Garnett	members are drawn
Tony Hall	
Maggie Hulcoop	
Andrew Johnson	
Lanie Shears	
John Strachan	
Development Management Committee (10)	
Phil Waite (c)	
Nancy Watson (vc)	
Jean Clark	
Mike Danvers	
Bob Davis	
Mike Garnett	
Michael Hardware	
Maggie Hulcoop	
Sue Livings	
Clive Souter	
Simon Carter (sub)	
Jodi Dunne (sub)	
Tony Hall (sub)	
Andrew Johnson (sub)	
Shona Johnson (sub)	
Stefan Mullard (sub)	
Appointments Panel (3)	Civic Awards Panel (4)
Mark Ingall (c)	Maggie Hulcoop (c)
Eugenie Harvey (vc)	Bob Davis (vc)
Eddie Johnson	Shona Johnson
Andrew Johnson (sub)	Chris Vince
Chief Executive's Appraisal Panel (3)	Harlow Fairness and Diversity Partnership (4)
Mark Ingall (c)	Mark Ingall
Eugenie Harvey (vc)	Shona Johnson
Andrew Johnson	Sue Livings
Joel Charles (sub)	Frances Mason
	Eugenie Harvey (sub)
	Nick Churchill (sub)

Member Champions 2020/21

Champion	Nominations
Highways and Infrastructure	Danny Purton
Mental Health	Shannon Jezzard
IT	John Strachan

Council Representatives on Outside Bodies 2020/21

Outside Body	Appointments
Active Harlow Partnership	Eugenie Harvey
Age Concern	Bob Davis
Citizens Advice Bureau	John Strachan
District Councils' Network	Mark Ingall
East of England Local Government Association	Mark Ingall Eugenie Harvey (substitute)
Epping Forest Community Transport	Danny Purton
Essex County Council's Essex Health Overview and Scrutiny Committee	Tony Edwards
Essex Police and Crime Panel	Frances Mason Mike Danvers (substitute)
Fawbert & Barnard Educational Foundation	Sue Livings (12/11/20) Eugenie Harvey (25/5/20) Joel Charles (25/5/20) Tom Newens (29/5/21) <i>(Three year terms of office)</i>
Great Parndon Community Association Board	Danny Purton
Harlow Art Trust	Tony Edwards
Harlow Arts Council	Jean Clark
Harlow Homelessness Prevention Partnership	Maggie Hulcoop
Harlow Occupational Health Service	Frances Mason
Harlow Recreation Trust Fund – Advisory Panel	<i>The Trust to advise when vacancies arise</i>
Harlow-Stansted Gateway Transportation Board	Danny Purton
Local Government Association General Assembly	Mark Ingall Mike Danvers (substitute)

Local Government Association District Council's Network Assembly	Mark Ingall Eugenie Harvey (substitute)
PATROL Adjudication Joint Committee	Mike Danvers
Playhouse Trust	Stefan Mullard
Safer Harlow Partnership	Lanie Shears Frances Mason John Strachan
Shopmobility Management Committee	Maggie Hulcoop
St Johns Arts & Recreation Association	Sue Livings
Stansted Airport Community Trust Fund	Eugenie Harvey
Stansted Airport Consultative Committee	Danny Purton Tony Durcan (substitute)
Town Centre Partnership	Tony Durcan Tony Edwards (substitute)
Veolia Partnership Board	Danny Purton Mike Danvers (substitute)
Waste Member Partnership Board and IAA Member Working Group	Danny Purton Mark Ingall
Welfare Panel	David Carter Simon Carter Nick Churchill Nancy Watson Bob Davis Tony Edwards Mark Ingall Sue Livings Frances Mason Phil Waite Lanie Shears
Young Concern Trust	Mark Ingall

Meeting Schedule 2020/21

	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May
Full Council (6 + (s) + (a))			16		17	29		10	28 Budget	25 (s) Council Tax Resolution		1	27 (a)
Cabinet (7)			9		10	15		3	21 Budget	25	25		
Audit and Standards (4)		10		27 Audit of Accounts			25				3		
Development Management (12)	27	3	1	19	16	14	11	9	13	10	17	14	
Licensing (5)			7		8		17		19		9		
Licensing/ Regulatory Sub Committee (10)		16	28	18	22	27	24		26	23	23	20	
Cabinet Overview Working Group (5)				6		8	26		14		11		
Scrutiny (6)			14		1	13		1		9	16		
Shareholder Sub Committee (2)			21								18		

REPORT TO: LICENSING COMMITTEE

DATE: 10 MARCH 2020

TITLE: ELECTRONIC PAYMENT OF FARES IN LICENSED VEHICLES – OUTCOME OF CONSULTATION

LEAD OFFICER: MICHAEL PITT, ENVIRONMENT AND LICENSING MANAGER (01279) 446114

CONTRIBUTING OFFICER: CHRIS BENNETT, PRINCIPAL ENVIRONMENTAL HEALTH (01279) 446113

RECOMMENDED that:

- A** The Licensing Committee recommend to Full Council that a condition be attached to Hackney Carriage Vehicle Licences to require that Hackney Carriage Vehicles be equipped with electronic payment facilities as set out in Proposals at paragraphs 6 to 13.
- B** Subject to A, authority to approve the details of the condition be delegated to the Environment and Licensing Manager, in consultation with the Chair of the Licensing Committee.

BACKGROUND

- 1. Further to a resolution at the Licensing Committee meeting of 19 November 2019 the Licensing Team has carried out a consultation with the Hackney Carriage trade and travelling public regarding the Council requiring that a suitable form of electronic fare payment be available for all journeys. A copy of the committee report from 19 November 2019 is attached as Appendix A to the report.
- 2. The detail of the consultation was agreed by the Environment and Licensing Manager, in consultation with the Chair of Licensing Committee. A copy of the consultation document is attached as Appendix B to the report.

CONSULTATION METHODOLOGY

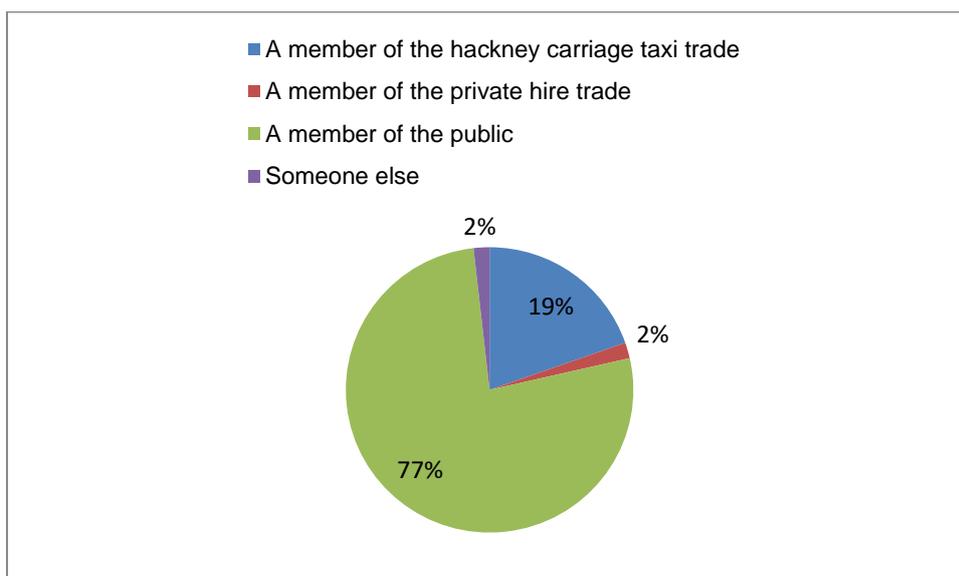
- 3. The consultation ran from 20 January 2020 to 14 February 2020.
- 4. The Council consulted in the following ways:
 - a) On 16 January 2020 the Licensing Team sent a letter to the home address of all of the Hackney Carriage drivers. This letter enclosed a paper copy of the consultation questionnaire.

- b) On 20 January 2020 the consultation went live on the Harlow Council consultation web page. This provided the public and trade with a mechanism to submit responses online.
- c) On 20 January 2020 the consultation went live on the Councils Facebook page.
- d) Twice during the consultation period the Councils Communication Team sent a tweet regarding the consultation.
- e) On 20 January 2020 the Licensing Team sent an email to Rainbow Services who agreed that the consultation questionnaire would be sent on to local community groups.
- f) On 22 January 2020 the Licensing Team sent an email to all Private Hire operators/Private Hire Trade representatives and Unite (the Union that represents some of the Hackney Carriage trade).
- g) On 30 January 2020 'Your Harlow' published an article on the consultation with a link to the online questionnaire.
- h) On 10 February 2020 the Licensing Team sent an email to Hackney Carriage drivers reminding them of the consultation deadline and a link to the Harlow Council web page to submit an online response.

CONSULTATION RESULTS

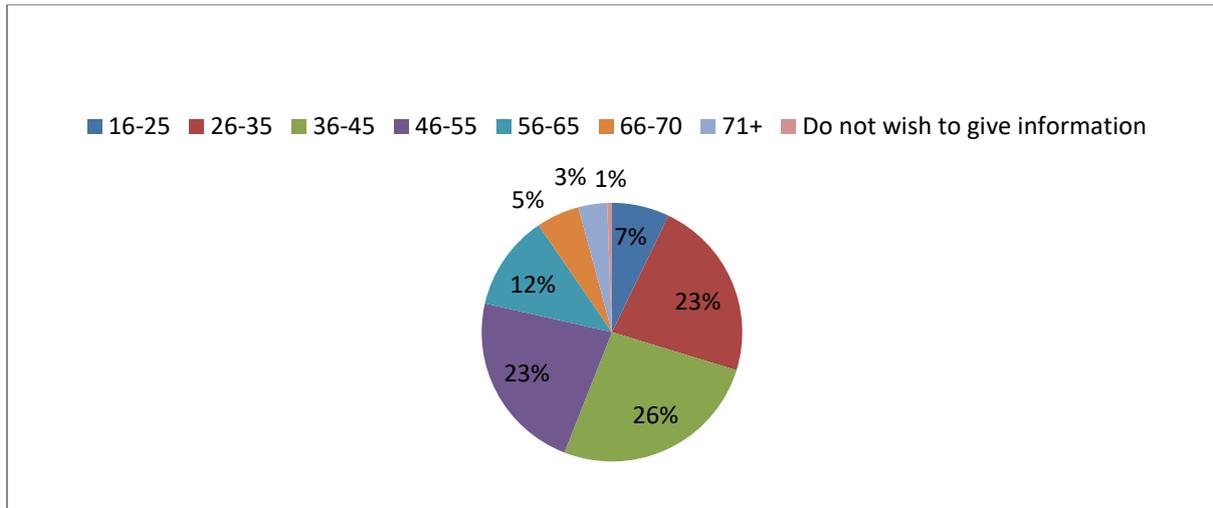
5. There were a total of 168 responses of which 157 were received electronically and 11 were on paper. The responses to each question are set out below.

6. Q1. Are you?



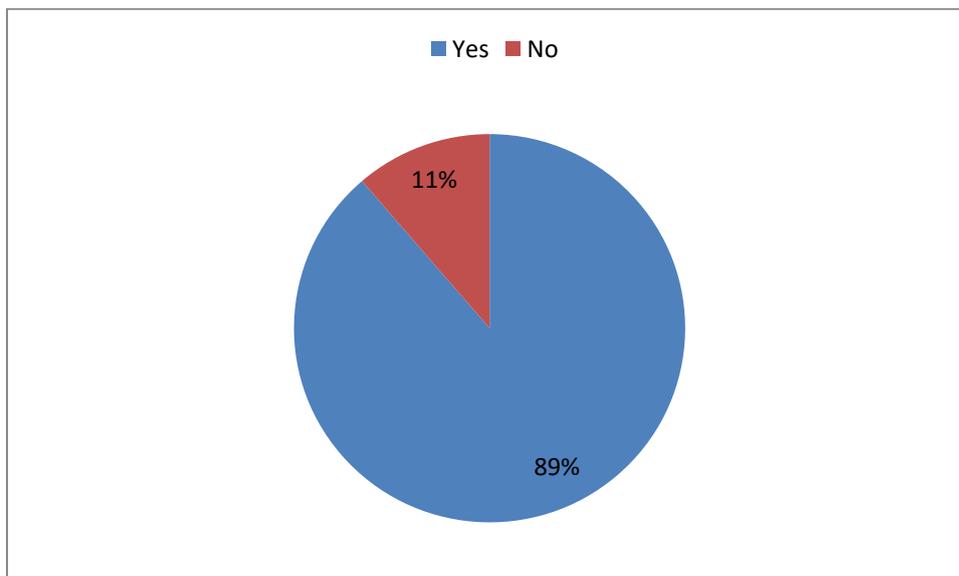
7. A total of 129 (77%) of respondents were members of the public, 33 (19%) responses were from the hackney carriage trade, 3 (2%) from the private hire trade and 3 (2%) from someone else which included a taxi industry support worker.
8. In Harlow there are currently 65 licensed Hackney Carriage vehicles (or drivers). Thus, the 33 responses from the Hackney Carriage trade that were received equates to a 51% response from the trade.

9. **Q2. Please indicate your age category**

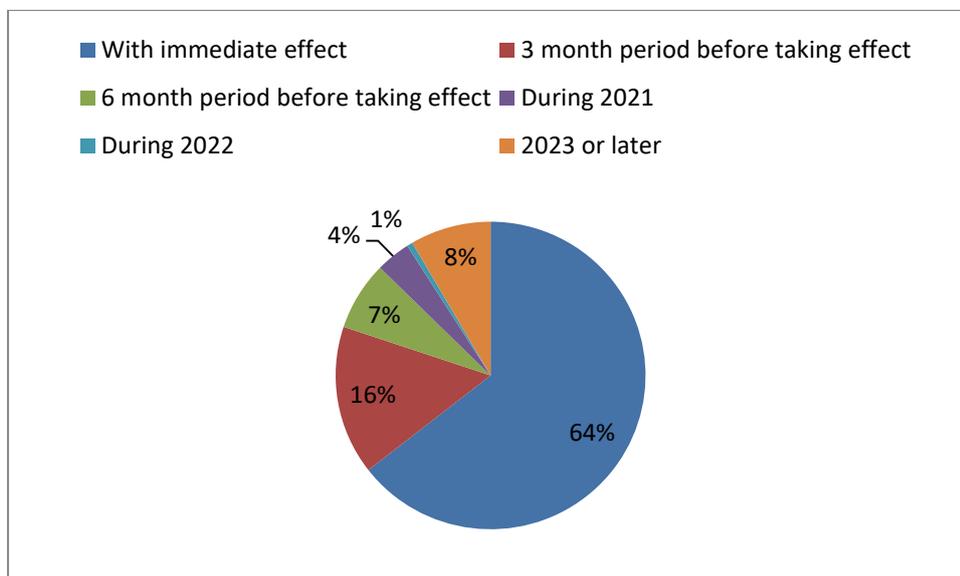


10. The majority (84%) of the respondents were in the 26 to 65 age categories. Representations were received from across all age categories.

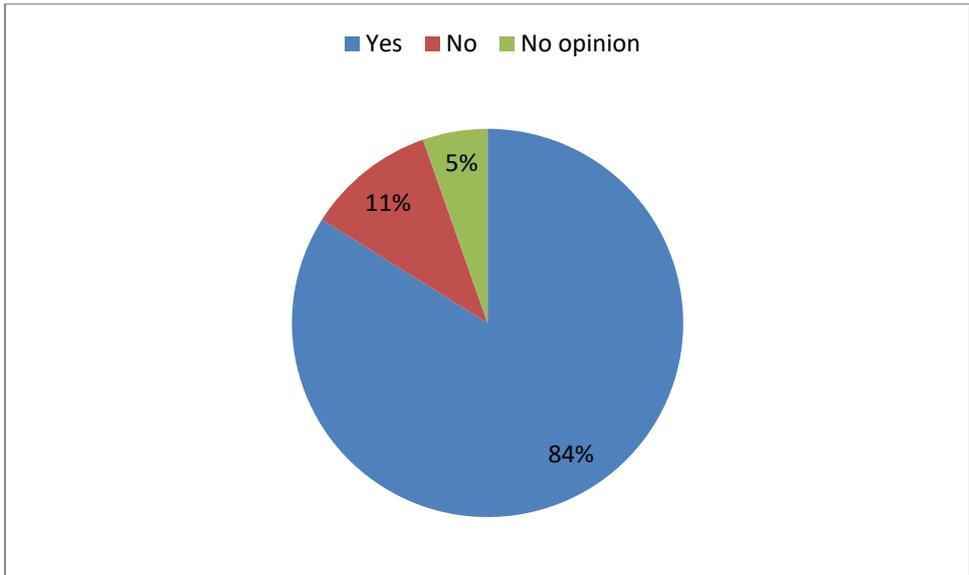
11. **Q3. Do you think that all licensed taxis (London-style black cabs) in Harlow should have to offer passengers the option of paying by credit or debit card?**



12. A total of 149 (89%) of respondents were in favour of Hackney Carriage taxis offering passengers the option to pay by credit or debit card.
13. Of the 33 responses submitted by the Hackney Carriage trade a total of 18 (55%) were in favour and 15 (45%) were not in favour of offering passengers the option to pay by card.
14. The Committee will wish to be aware that a petition opposing any compulsory implementation of electronic fare payment, signed by 36 Hackney Carriage drivers was received on 6 January 2020 from Mr C Holding as lead signatory. The text of the petition was as follows: ‘Please find enclosed a list of Hackney Carriage drivers who are opposed to the compulsory implementation of electronic fare payment.’
- 15. Q4. When do you think any potential new requirement should be introduced?**



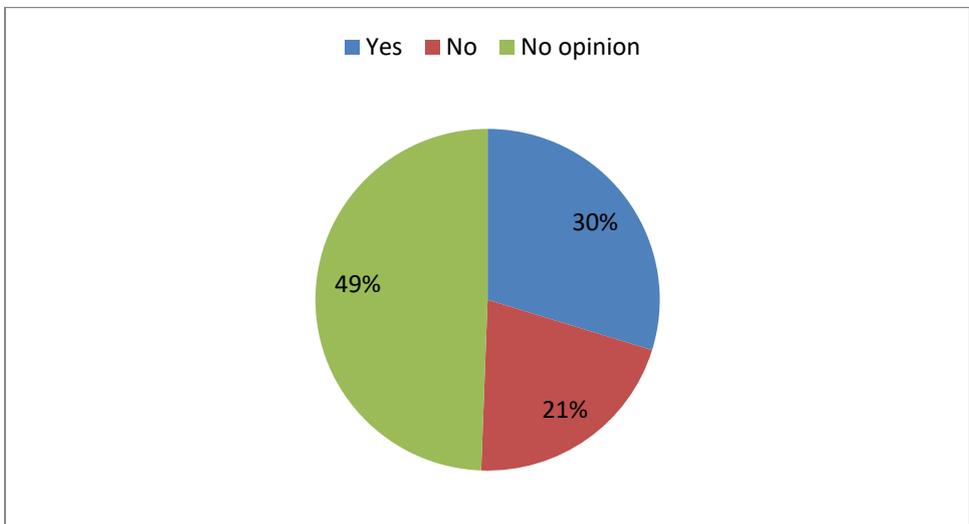
16. The majority of the public responses would like to see any potential new requirement introduced with immediate effect.
17. A total of 14 out of 18 (78%) of the Hackney Carriage drivers that are in favour of introducing such a condition would like it introduced immediately or by a three month period.
- 18. Q5. Should all taxis accept contactless payments in addition to Chip and PIN?**



19. The majority of the responses (84%) would like to see all taxis accept contactless payments in addition to Chip and PIN.

20. A total of 18 (100%) of the Hackney Carriage drivers that are in favour of introducing a card mandate condition agree that taxis should accept contactless payments in addition to chip and pin.

21. **Q6. Should other methods, in addition to Chip and PIN and contactless, of accepting card payments be available in taxis?**

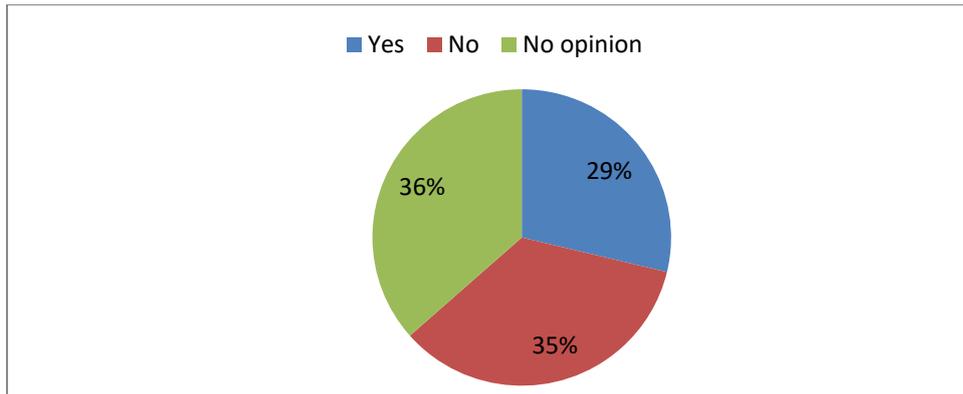


22. Of the 30% of respondents that specified that other methods should be available the majority specified smart phone based methods of payment. The most popular method (17 responses) was apple pay. Other phone based apps that were stated include: google pay, pay pal and android pay.

23. 70% of respondents did not think that other methods should be available or they had no opinion.

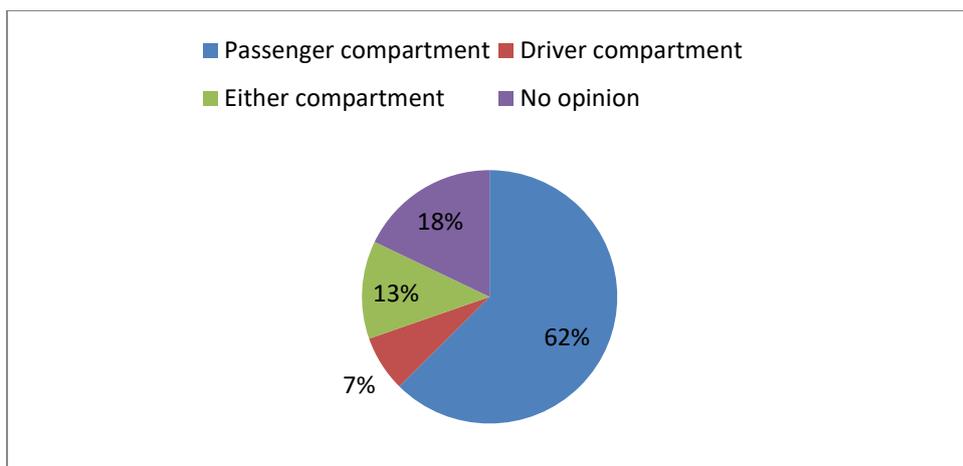
- 24. One respondent mentioned a system called 'Corporate Telecard Sales'.
- 25. A total of 12 respondents specified that cash should still be a method available. The Council is clear that the proposal to mandate card payment is in addition to paying by cash and not a replacement.
- 26. A copy of all of the responses can be seen at Appendix C to the report.

27. Q7. Should the card payment devices in taxis be fixed in one position in the vehicle?



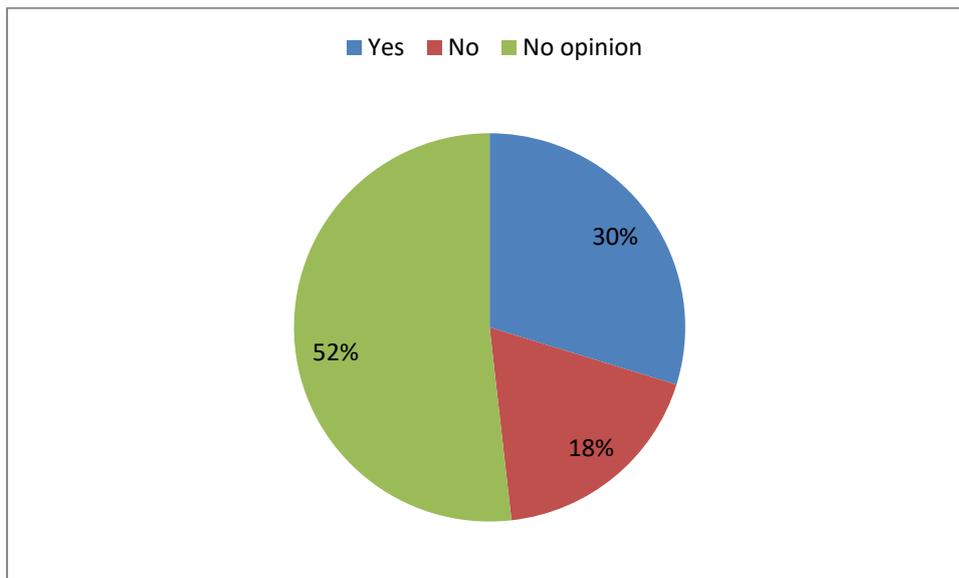
- 28. 29% of respondents (48 responses) believed that card payment devices should be fixed in one position in the vehicle.
- 29. Only 1 (6%) of the Hackney Carriage drivers that are in favour of offering passengers the option to pay by card agreed that the device should be fitted in one position.

30. Q7a. Please specify where using the options below



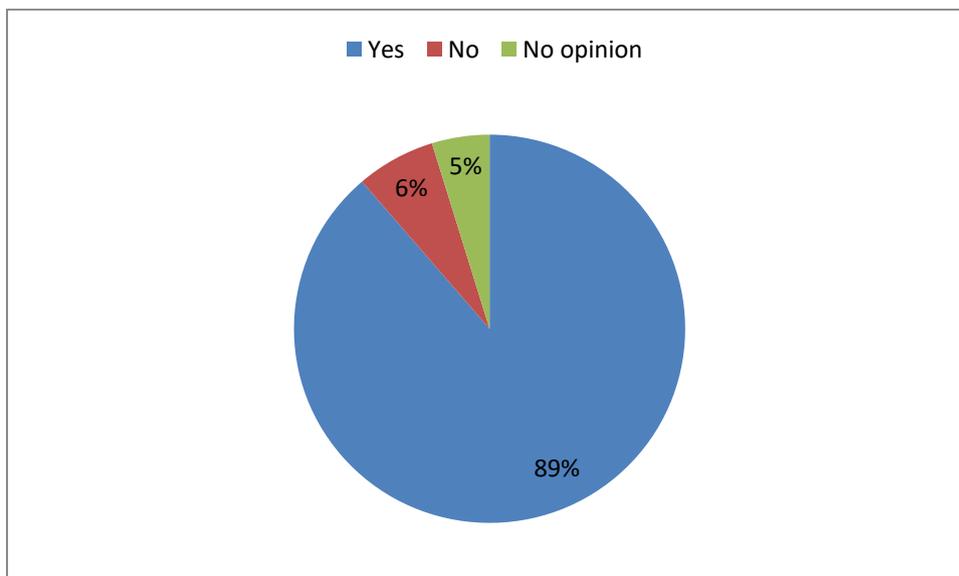
- 31. A total of 35 respondents (21% of all responses received) specified that the card payment device should be fitted in the passenger compartment.

32. Q8. Should other cards, in addition to MasterCard and Visa, be accepted?



33. 30% of respondents (50 responses) specified that alternative cards should be accepted. Details of the responses can be seen at Appendix D to the report. Of the 50 responses a total of 30 (60%) specifically mention American Express (also known as Amex). Other card names such as Monzo / Maestro / travel cash cards were only mentioned once each. A few respondents specified 'all major cards' or something similar.

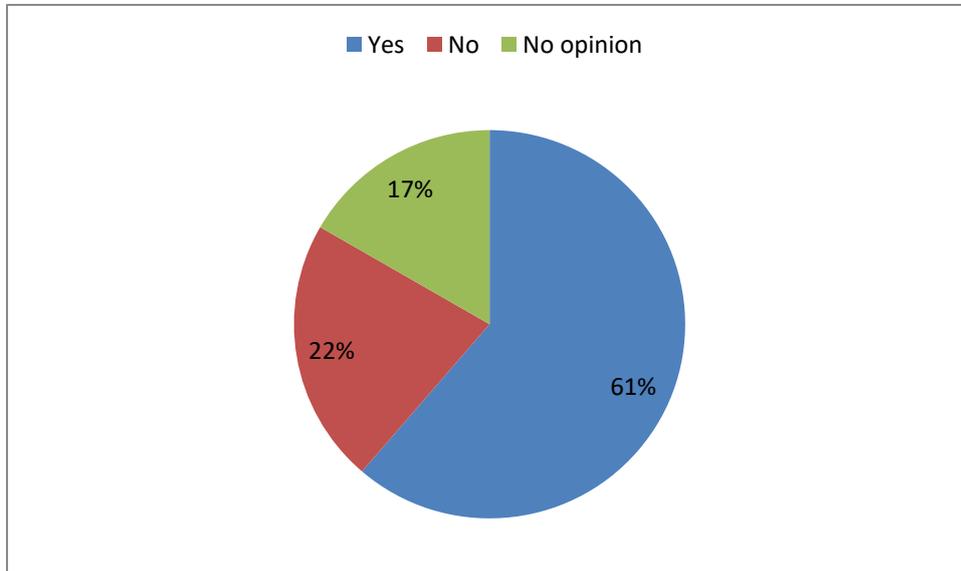
34. Q9. Do you think signs should be displayed on the vehicle that identify that card payments are accepted?



35. 89% of respondents (149 responses) think that signs should be displayed on the vehicle that identify that card payments are accepted.

36. Of the 18 responses from the Hackney Carriage trade that are in favour of introducing such a condition a total of 14 (78%) also think that signs should be displayed on the vehicle that identify that card payments are accepted.

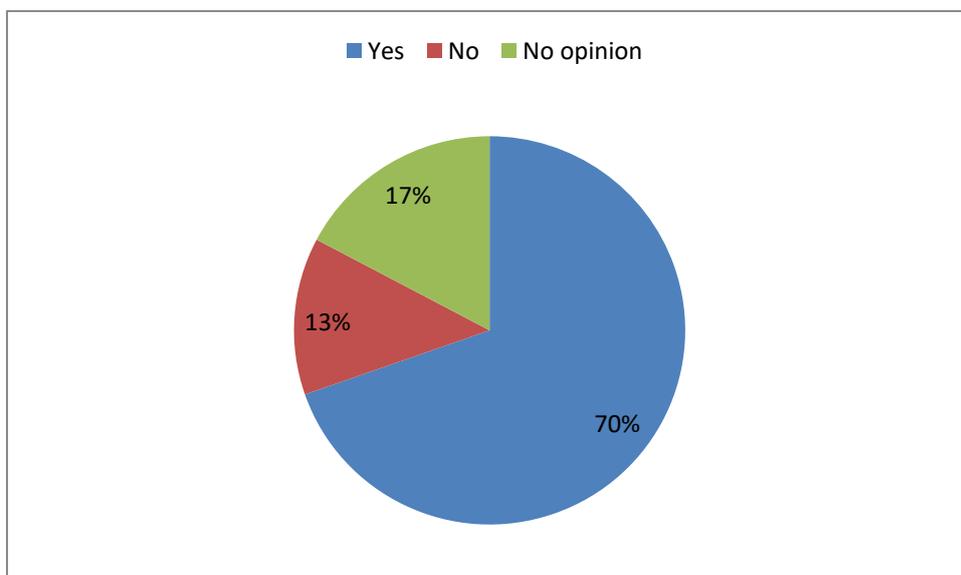
37. Q10. Do you think that electronic printed receipts should be provided?



38. A total of 61% of respondents (103 responses) think that electronic printed receipts should be provided.

39. Of the 18 responses from the Hackney Carriage trade that are in favour of introducing an electronic payment condition only 1 (5.5%) agrees that electronic receipts should be provided, a further 3 (16.5%) had no opinion. The remaining 14 responses (78%) do not think that electronic receipts should be provided.

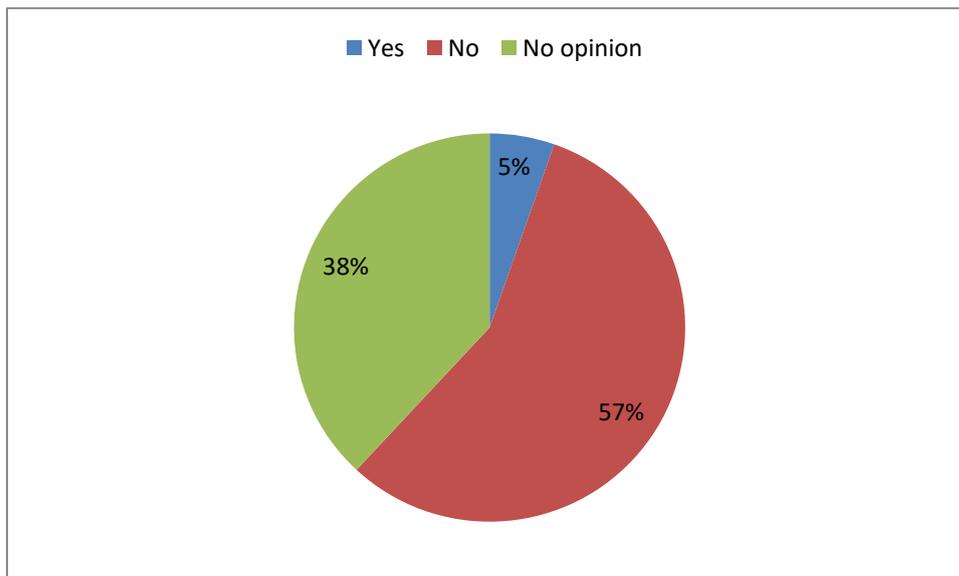
40. Q11. Should other methods of providing a receipt be made available? Such as email receipts or hand written receipts?



41. A total of 70% (117 responses) agree that other methods of providing a receipt should be made available.

42. Of the 18 responses from the Hackney Carriage trade that are in favour of introducing a card payment condition 17 (94%) agree that other methods of providing receipts should be made available. The remaining Hackney Carriage driver had 'no opinion' on this.

43. Q12. Do you think there should be any exemptions from any potential card payment mandate?

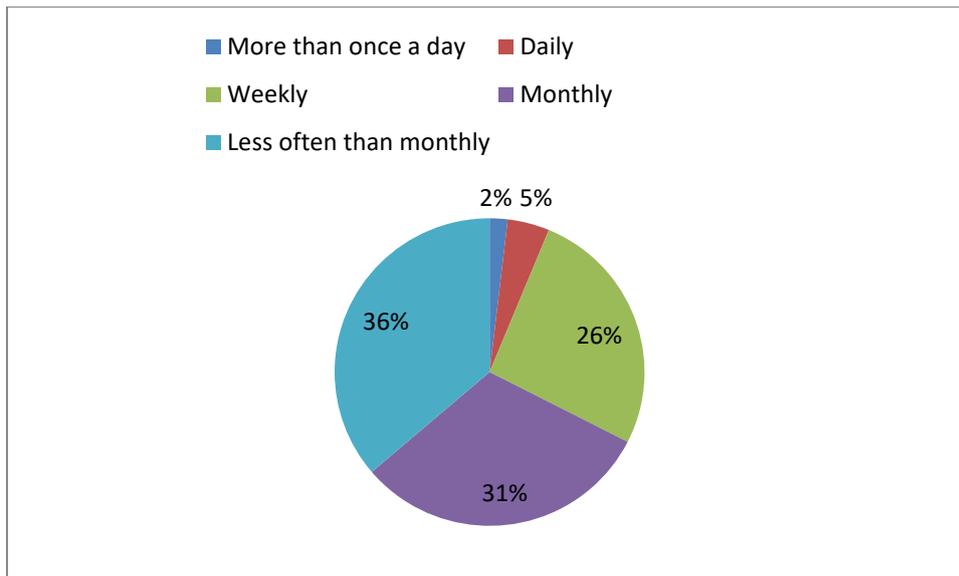


44. Only 5% of respondents (9 people) felt there should be exemptions from the card mandate.

45. Of the 18 responses from the Hackney Carriage trade that are in support of a card condition a total of 15 (83%) believed that there should be no exemptions. 2 of the remaining responses had no opinion and 1 replied 'yes' there should be an exemption.

46. Respondents were asked to specify the reasons why they felt there should be exemptions. The responses can be seen in Appendix E to the report. There are no clear exemptions specified.

47. Q13. Please indicate how often you use taxis (London-style black cabs)



48. A total of 62% (99 respondents) replied that they use taxis on a regular basis i.e. daily / weekly / monthly.

49. Q14 If you are a licensed driver then it would be useful to know what equipment you currently use?

50. A copy of all of the responses received can be seen at Appendix E to the report. It is noted that only three different types of card reader were specified by the trade. A few drivers reported that they had more than one device. A total of 12 drivers are using a 'paypal' system, 11 are using a 'sum-up' system and four are using the 'izettle' system.

51. Q15 Please use the box below to make any relevant comments regarding the proposal.

52. A copy of all 69 comments received from both the public and the trade can be seen at Appendix F to the report.

PROPOSALS

53. It is proposed that, subject to Committee decision, a requirement for a means of electronic payment for Hackney Carriage fares be made as set out below:

Timescales

54. It is proposed that there be a three month implementation period for the introduction of the new Hackney Carriage vehicle condition. The condition will only apply to new vehicle licences and renewals thus, it will take a full 12 month period for all vehicles to go through a licence renewal. The Licensing Team would write to all Hackney Carriage drivers with any update on vehicle conditions.

Contactless payments / cards accepted / other payment methods

55. It is proposed that the Council will publish a list of approved card readers that the Harlow Hackney Carriage Trade will be permitted to use. Transport for London (TfL) have published a list of 16 different providers that they have approved for their Hackney Carriage trade. This list includes the Paypal, Sum Up and Izettle systems that some of our drivers have already specified that they are using.
56. These three systems offer contactless payment, and in addition to mastercard and visa payments customers can also pay by American Express and phone payment methods such as Apple Pay.
57. It is suggested that these three systems are approved as a minimum and that the Licensing Team will consider the other 13 TfL approved providers and any additional provider that may be proposed by the trade to check their availability for Harlow vehicles and their compatibility with any potential Harlow condition.

Position of card payment equipment

58. It is proposed that there will be no requirement to fix a card reader in one position.

Signage

59. It is proposed that signage will be a requirement and as a minimum stickers are applied to both rear passenger door windows and with at least one further sticker clearly visible within the passenger compartment. It is proposed that the stickers will be provided free of charge to the trade and that the cost of this is met from within existing Council budgets.

Receipts

60. It is proposed that drivers will have to provide a receipt on request. It is proposed that there will be no mandate to provide portable printers and that drivers can chose to offer email, text, printed, hand written or equivalent receipts. The receipt must include date, vehicle registration, vehicle licence number, drivers licence number and the amount (£).

Exemptions

61. No exemptions are proposed. At the annual vehicle licensing inspection a card reader from the approved list must be available and in an operational condition.

CONCLUSIONS

62. It is clear that there is a high level of support from the public in relation to such a mandate. There is a clear split of opinion amongst the trade. The public support, together with the comments provided by the public, might offer encouragement to

the Hackney Carriage drivers that are opposed as in general terms it might benefit business to offer a service or facility that customers value. Making electronic payment a requirement would also offer consistency and a 'level playing field' across the fleet.

63. There are benefits to mandating card payments in terms of public safety, further information was contained within 19 November 2019 Committee report.

64. The approach set out under Proposals above is calculated to offer the benefits of electronic payment whilst minimising the cost and inconvenience to the trade of compliance.

IMPLICATIONS

Environment and Planning (Includes Sustainability)

As set out in the report.

Author: Andrew Bramidge, Head of Environment and Planning

Finance (Includes ICT, and Property and Facilities)

None specific.

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

Housing

None specific.

Author: Andrew Murray, Head of Housing

Community Wellbeing (Includes Equalities and Social Inclusion)

Knowledge that all Hackney Carriages take cashless payments may increase confidence to travel and reduce the risk that members of the public choose potentially less safe ways of making journeys.

Author: Jane Greer, Head of Community Wellbeing

Governance (Includes HR)

Due regard should be given to the outcome of the consultation. Any decision should be proportionate, considering the potential cost of implementing the proposal.

Author: Simon Hill, Head of Governance

Appendices

Appendix A - Committee report dated 19 November 2019

Appendix B- Consultation questionnaire

Appendix C- Response to consultation question 6a

Appendix D - Response to consultation question 8a

Appendix E - Response to consultation question 12a

Appendix F - Response to consultation question 14

Appendix G - Response to consultation question 15

Glossary of terms/abbreviations used

TfL – Transport for London

REPORT TO: LICENSING COMMITTEE

DATE: 19 NOVEMBER 2019

TITLE: ELECTRONIC PAYMENT OF FARES IN LICENSED VEHICLES

LEAD OFFICER: MICHAEL PITT, ENVIRONMENT AND LICENSING MANAGER (01279) 446114

CONTRIBUTING OFFICER: CHRIS BENNETT, PRINCIPAL ENVIRONMENTAL HEALTH OFFICER (01279) 446113

RECOMMENDED that:

- A** The Committee approve consultation with the Hackney Carriage trade and travelling public the proposal that the Council require that a suitable form of electronic fare payment be available for all journeys.
- B** Subject to A, authority to approve the details of consultation be delegated to the Environment and Licensing Manager, in consultation with the Chair of the Licensing Committee.

BACKGROUND

1. The Council licenses Hackney Carriage Vehicles under the provisions of the Town Police Clauses Act 1847 and The Local Government (Miscellaneous Provisions) Act 1976, and licenses Private Hire vehicles under provisions in the latter. Conditions may be attached to Hackney Carriage vehicle licenses, and to the licences of Private Hire vehicles operators and drivers. Bye laws can be made to regulate the conduct of Hackney Carriage drivers. The primary purpose of both licensing regimes is public safety.
2. Private Hire vehicles may only carry passengers who have booked their journey through an Operator. A Hackney Carriage need have no Operator and can “ply for hire” (be hailed in the street) and “wait on a Hackney Carriage stand” (use a taxi rank). There are currently three taxi ranks in Harlow; the Playhouse, Terminus Street and Harlow Town railway station.
3. Rank etiquette requires that the vehicle at the front of the rank takes the next available fare. When a Hackney Carriage driver is approached at a rank, the driver is to take that person to the destination requested.

4. Electronic payment for everyday purchases is increasingly common and many travellers find it more convenient than cash. Further, it might be supposed that some potential customers of Hackney Carriage or Private Hire services, happening to be without cash at a time when they wished to make a journey, might perceive that they could not pay electronically and therefore might choose to walk or use some other option that might be less safe than a licensed vehicle. There is a case that this could make such potential customers more vulnerable than they need be.
5. Officers have, at the request of the Committee, considered whether there is sufficient case to ensure that electronic payment can be used for all journeys in licensed vehicles and some of the practical issues that might arise in that case.

ISSUES / PROPOSALS

6. Officers have sought information from licensing authorities elsewhere that have made electronic payment a licensing requirement. Transport for London (TfL) have, after considerable work, set out detailed requirements. It appears that outside London, only Liverpool, Reading and Guilford have made a requirement of this kind.
7. Officers have taken some soundings within the licensed trades. It appears that approximately a third of the Hackney Carriage trade accept fares electronically, and of those that do not, many prefer not to do and have some concerns about the additional cost of equipment and processing fees that might be charged. At times accommodating a passenger without cash at a rank can be confusing and cause some disarray, as that passenger would not always be able to take the first Hackney Carriage waiting at the rank and would have to ask each until they found one willing to take them. It might arise that there were no Hackney Carriages at a rank who would take electronic payment, in which case there is a potential concern that the passenger would walk or find another less safe way of completing their journey.
8. In the case of Private Hire journeys, the contract to travel is made in advance with the Operator and the passenger in has wider choice. If the operator selected first is not willing to provide a vehicle equipped to take fares electronically, another operator can be chosen. In many cases operators are able to accept cash less fares by telephone at the point of booking, even when the driver is not equipped to take cash less fares. While operators generally appear positive about a requirement on drivers to take fares electronically, anecdotally many drivers are more reluctant. This may be due in one case to the understanding that it might benefit business while enforcement of availability would become a Council responsibility and, on the other, to concern about equipment and transaction costs.

9. Enforcement of a licensing requirement for electronic payment raises a number of issues. In the case of Hackney Carriages, conditions may be placed on the vehicle licence, but drivers' licences may have no conditions. Outside London, while it might be reasonably straightforward to require that a cashless device be present, requiring the driver to use it might be more challenging. Making replacement bylaws which are to be approved by a minister is less straightforward and more costly than applying conditions which would lie within Council control. Arguably a vehicle condition would require any device to be fixed safely within to the vehicle, which may increase the costs involved, exclude the simplest and cheapest systems, and reduce flexibility. If proprietors are required to provide equipment, proprietors of multiple vehicles potentially could face considerable costs.
10. Whilst it might appear straightforward to adopt wholesale the rules and requirements introduced by TfL, the Council should be aware that licensing in London has a different basis in law than outside London. Furthermore, TfL have done considerable research and understand the reasons behind their requirements. Adopting them wholesale without research is likely to lead to unintended consequences and possibly costs. It is the case, for example, that TfL require the capability to issue printed receipts. This restricts the type of device that may be used and significantly increases cost, possibly without a strong justification in the Harlow market.
11. If payment devices were to become a vehicle requirement, they would become part of the compliance testing requirements and this would place an additional burden on the test station, of which they were not aware when tendering for the contract. Whilst the Council would wish to be sure that transactions were safe and low risk, it would be prudent to ensure that any testing requirements were as straightforward as possible.
12. If payment devices were to become driver licensing requirement, checking compliance would become a new burden for the Licensing team, which has limited staff resources.
13. Any condition imposed is subject to appeal by licensees, and whilst the Council will defend its position if necessary, so the Council would wish to be sure that its proposals were no more contentious than necessary, and that it could demonstrate that conditions were reasonably necessary.
14. Considering the issues outlined above, it appears that there is a reasonable public safety case for ensuring electronic payment can be taken universally by the Hackney Carriage trade in Harlow, and that the case in respect of Private Hire trade is less easy to defend. Further, there is a strong case for consulting the trade formally before imposing any requirements to ensure that any contention is minimised by avoiding unnecessary costs and operational

difficulties which should help the trade in implementing any proposals, and minimise the risk of any challenge.

15. Following consultation, a further report will be presented to the Committee setting out the outcome of consultation with recommendations regarding the way forward with electronic fare payment. Consideration of a requirement for electronic fare payment in the Private Hire Trade will therefore be deferred pending the outcome of the consultation.

IMPLICATIONS

Environment and Planning (includes Sustainability)

As set out in the report.

Author: Andrew Bramidge, Head of Environment and Planning

Finance (Includes ICT)

None specific.

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

Housing

None specific.

Author: Andrew Murray, Head of Housing

Community Wellbeing (includes Equalities and Social Inclusion)

Reducing barriers to safe modes of transport where practicable will assist community safety objectives.

Author: Jane Greer, Head of Community Wellbeing

Governance (includes HR)

The report only commits the council to consultation at this stage therefore there are no direct legal implications at this stage. The results of the consultation will be summarised in a further report back to Cabinet.

The report recommends that Cabinet instructs officers to conduct a public consultation on proposals to introduce cashless payments in Hackney Carriages. The consultation must be undertaken when proposals are at a formative stage, it should provide sufficient reasons to enable the consultees to be able to consider the proposal and formulate a response. There will need to be sufficient time to for considered responses to be formed, and the outcome of it must be conscientiously taken into account when the ultimate decision is taken.

Similarly due regard must be had to the impact a proposal may have on persons with protected characteristics under the Equality Act 2010, if any.

Author: Amanda Julian, Legal Services Manager, on the behalf of Simon Hill, Head of Governance

Glossary of terms/abbreviations used

TfL – Transport for London

Have your say on proposals for paying by credit / debit card in taxis

Consultation period 20 January 2020 to the 14 February 2020

Harlow Council is currently consulting on whether passengers should be able to pay for journeys in all licensed hackney carriage (London style) taxis by debit or credit card.

Electronic payment for everyday purchases is increasingly common, and many travellers clearly find it more convenient than cash. Furthermore, it might be supposed that some potential customers of hackney carriage, happening to be without cash at a time when they wished to make a journey, possibly returning home late at night, might perceive that they could not pay electronically, and might choose to walk or use some other option that might be less safe than a licensed vehicle. There is a case that this could make such potential customers more vulnerable than they need be.

It is important to note that we are not proposing that taxis stop accepting cash payments or become 'cashless'. If it was decided that passengers should be able to pay by card in all licensed taxis then this would be in addition to being able to pay by cash and not a replacement for cash payments.

Please tick as appropriate;

1. Are you:

- A member of the hackney carriage (taxi) trade
- A member of the private hire trade
- A member of the public

Someone else (please specify)

2. Please indicate your age category:

- | | | | | | | |
|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| 16-25 | 26-35 | 36-45 | 46-55 | 56-65 | 66-70 | 71+ |
| <input type="checkbox"/> |

3. Do you think that all licensed taxis (London style cabs) in Harlow should have to offer passengers the option of paying by credit or debit card?

- Yes
- No

4. When do you think any potential new requirement should be introduced?

- With immediate effect
- 3 month period before taking effect
- 6 month period before taking effect
- During 2021
- During 2022
- 2023 or later

Please note: it takes 12 months to fully implement a new condition due to licences renewing throughout the calendar year.

5. Should all taxis accept contactless payments in addition to chip and pin?

- Yes
- No
- No opinion

6. Should other methods, in addition to Chip and PIN and contactless, of accepting card payments be available in taxis?

- Yes
- No
- No opinion

6a. If yes, please specify:

7. Should the card payment devices in taxis be fixed in one position in the vehicle?

- Yes
- No
- No opinion

7a. If you answered yes to question 7, please specify using the options below:

- Passenger compartment
- Driver compartment
- Either compartment
- No opinion

8. Should other cards, in addition to MasterCard and Visa, be accepted?

- Yes
- No
- No opinion

8a. If yes, please specify examples:

9. Do you think signs should be displayed on the vehicle that identify that card payments are accepted?

- Yes
- No
- No opinion

10. Do you think that electronic printed receipts should be provided?

- Yes
- No
- No opinion

11. Should other methods of providing a receipt be made available? Such as e-mail receipts or hand written receipts?

- Yes
- No
- No opinion

12. Do you think there should be any exemptions from any potential card payment mandate?

- Yes
- No
- No opinion

12a. If yes, please specify:

13. Please indicate how often you use taxis (London style hackney carriages)

- More than once a day
- Daily
- Weekly
- Monthly
- Less often than monthly

14. If you are a licensed driver then it would be useful to know what equipment you currently use? (please specify make and model)

.....

15. Please use the box below to make any relevant comments regarding the proposal.

Personal details (these will not be published)

Name

Address

Email

Telephone

Please return the questionnaire to licensing@harlow.gov.uk or post to:

Licensing Department
Harlow Council
Civic Centre
The Water Gardens
Harlow
Essex
CM20 1WG

Appendix C

Q6a Please specify other methods of payment

Apple/Google pay
Cash
paypal
Phone NFC payments
Apple Pay etc...
cash
Cash should be an option.
Credit cards
All card and cash options
Pay pal Amex etc.
Cash
Paypal
Cash
any other method
Cash
App based payment e.g. Apple pay
Pay with phones. Such as Apple Pay.
Apple pay
Apple pay
Cash
Paypal, Applepay
e.g. apple pay, android pay
Apple Pay etc.
Cash alternatively for those who use it
Phone pay
Apple Pay
Apple pay
Cash
Apple Pay
Cash
Cash
corporate telecard sales
Cash
Pay Pal. Apple Pay.
pay pal
Cash
Cash
Phone payments
All card, apple and Android payments
Apple pay
Cash

Apple Pay
Apple, google, paypal
Apple pay
apple pay etc
Cash
Cash. Apple pay. Google pay
Card and cash
Apple pay
payment from phone (apple pay etc)

Appendix D

Q8a Examples of other cards

Am Ex
0)
Ones children hold
All cards
Amex
American Express
American Express
American Express
Amex
American Express
Amex should ALWAYS be accepted. This outdated rubbish about fees no longer carries any weight.
Monzo, American Express
All the major cards
American Express
American express
All credit and debit cards
amex, paypal
I currently accept all major credit cards, Google Pay, Apple Pay and many more.
American Express
Every payment possible
All credit should be expected.
Amex
Amex
Travel cash cards
All major credit and debit cards Including AMEX
All
apple pay etc
Both Visa and Mastercard
Amex
Amex
AMEX
Amex
American Express
American Express
American Express, apple pay Maestro etc
Pre paid credit cards

Appendix E

Q12a. Do you think there should be any exemptions from any potential card payment mandate?

take the to a cash point like we have always done
If someone doesn't want to do it
Cash
Debit cards only
£x amount limit - if the fare exceeds this with the first year or so of the introduction of card payment then it must be paid in cash however this should be made clear on the interior or exterior of the vehicle
If the driver doesn't have a bank account for some reason
I think it should be voluntary and let natural progression dictate as has happened in my time as a taxi driver 34 years
It should be freedom of choice
No one should have to have one

Appendix F

Q14. If you are a licensed driver then it would be useful to know what equipment you currently use?

There are a number of hand held card machines to use.
Cash only.
PAYPAL HANDHELD DEVICE
I PERSONALLY use a hand held izettle machine
PayPal
Sum Up
No equipment
I HAVE A SUM CARD READER AND A PAY PAY READER AS BACK UP
As a hackney carriage driver, I use izettle I email receipts as well as do handwritten ones? I find this to the tool for the job in my opinion.
Sum
Izettle chip and pin and contactless
Sumup
SumUp and PayPal
I use a card reader from a company called SumUp. £30 initial purchase for the reader and 1.7% on transac
Sum up card reader
sum up payment card reader, set to transfer sales weekly for ease of use and clarity of bookkeeping.
For the last 5 years I have used iZettle and SumUp without any problems whatsoever. I also have a printer to the card readers.
Pay Pal.
I use a Sum Up device, excellent, qiuck snd very reliable.
Don't understand this question.
Paypal reader ,worldpay
I use a paypal card machine which i can text or email reciept to customer as well as a hand written reciept book which is what is the most requested form of reciept by my customers
PayPal cars machine
Paypal hand held device
Paypal and sum up as back up
Paypal - very happy with system, wouldn't change

Appendix G

Q. 15 Please use the box below to make any relevant comments regarding the proposal.

With the decrease of cash machines available to the public and the use of plastic being a popular option to pay for everyday essentials now is the time to introduce card payments.

I think this is a great idea but should be paid for by the council and not the drivers.

The trade needs to move with the times. The public are moving away from cash. The trade needs to provide a service to the public and embrace card payments. London Taxis introduced this facility about four years ago without problem and the public can't understand why Harlow Council and the Trade is so far behind the times. This is not some new radical payment method but is something 99% of the population have been using on a daily basis for many years. The focus has always been and needs to be on what the Public wants. I see the Public frustration over this matter on a daily basis.

Although I use a card reader myself I don't think it should be mandatory to all drivers, there are costs involved and depending on the amount of work you do this would be a lowering of income.

Although we are here to serve the public we are also here to make a living, if licensing want go and make cards mandatory I would like to see what could be done with licensing working with the Hackney Carriage trade in Harlow to help encourage the public to use us more, rather than London licensed mini cabs with no ties to the Town, after all it's a very special service Harlow Town has with a full fleet of wheelchair accessible vehicles.

It should be optional to drive

I really do think it's too early for us to all accept card payments. There is enough card holders on the ranks to cover the public. I get maybe one a day with the public coming up with a card and then I take them to a cash point. With the card you don't know where there's any money on it some of the others complain they don't get a good connection outside Harlow so you're losing money and things have to be paid. There's no rush for this card machine yet there's enough out there with a card machine. We are not a city like London. Thank you for listening.

Put the customers first they should be telling us how they want to pay, we are offering a service and should not be turning fares away.

Many times passengers don't have money in their account and blame the driver for equipment that is faulty. Many times they make excuses at final destination that they lost their wallet and cards. They threaten the driver to let them go or they will damage the taxi. Many times there are 4 or 5 passengers and they trick each other to pay by their card and eventually run away. Wasting time and the journey of the driver and giving them threats. There should be an option to ask for payment upfront whether by card or cash. Many times at final destination/countryside electronic equipment don't pick signal and the driver is left with no option to charge fare.

I think it would be beneficial for the trade to take card payments I also think that for practical reasons hand held readers that the driver can move with them from taxi to taxi makes the most sense especially for drivers that choose to lease their vehicles or that are supplied to them from insurance companies.

As a hackney carriage driver I can see the trade changing in real time. I believe we need card payments in every vehicle for the public's use and the easiest of operation on the rank. I also strongly recommend that we are being supported in other ways regarding the trade

There are times when there is no wi-fi if we are forced to use payment cards. Who picks up the bill for the day

This should be implemented immediately so the daily routine of 1st come 1st cab can be used and that no passengers are about the cabs happens anymore.

It is staggering that in this day and age there are still cabs not utilising modern methods of payment. This restricts the clientele available to them and leaves gaps for more efficient services like Uber and other minicab providers to make their mark. Black taxi's will find themselves redundant very soon if they do not adapt. The trend of people carrying less and less physical cash with them and instead opting for alternative secure methods of electronic payment is well known now for many years. People do not like carrying lots of cash or avoid the hassle of having to find an appropriate cash point to withdraw cash.

None

Why does Harlow Licensing need to adopt conditions imposed on the London TFL HC trade. Totally unnecessary! The Private Hire trade is the largest between the two passenger trades of HC and PH in Harlow. There is low demand by the public for card machine payment. Most customers pay by cash but if necessary request going to an ATM machine. I am a Private Hire driver for ABC Cars I have a Sumup GPS card reader. Since 15/1/20 to 1/2/20 I've done 76 transactions, totaling £677.50. I earn more money than a HC driver and I handle many more passengers than a HC.

Licensing are cherry picking the TFL condition they want to adopt - Why? Let's have all HC vehicles in Harlow Electric. See how that condition goes down with the trade. The use of card readers should be up to the drivers. If the demand is there, I am sure many more drivers will purchase a card reader device. ABC Cars of Harlow has a record of drivers that have a card reader and can dispatch a vehicle equipped with a card reader on request.

Licensing should stop making new conditions without proper research into the demand for these conditions in Harlow. So forget about the demand in London and concentrate on Harlow. Harlow has a small fleet of HC vehicles and Licensing seem to want to impose more and more conditions on drivers, causing increased financial hardship on both passenger trades, with little statistical data to justify imposing conditions in the first place. Instead Licensing make sweeping fake comments, relying on supposition without facts.

I did not want to provide an answer to 4 (When do you think any potential new requirement should be introduced?) as I don't agree on any introduction. However I could not complete the consultation without selecting an option I don't agree with. This is a poor consultation and the options are worded to impose card readers on the trade

I would potentially use the cabs more if they took card. I work in London and come back on late trains after some drinks and it would be good to be able to get a black cab without worrying if I have the cash or having to take a detour to Sainsbury's to get cash really late at night. This costs me more and also makes me feel uneasy about getting cash out in a desolate place at night as a female.

The lifestyle in London is to pay with contactless or chip and pin and therefore cash isn't something that I carry anymore. Cabs in harlow are one of the only services that now only accepts cash. And I think you would get more service to offset the charge of transactions if card readers could be mandated.

There are also so many different options available now that do not cost lots of money for transactions.

I would highly recommend this is changed.

We have to move on like you do in London. Buses don't take money only debit cards.

The only reason I don't use black cabs is because I rarely have cash. I'd use them more than Uber if it was easier to pay.

Accepting card payments is essential to help black cabs survive in this market. Many people including myself do not carry cash.

I have be turned away from black taxis countless times due to driver having no device to except card payments. In the times we live it is much more sensible not to carry cash so card payments should be available as with London black taxis.

The licencing authority should pay for the inclusion of card payment systems, receipts etc, if introduced. Most taxi drivers i know struggle to make a living without putting more costs to them. Do buses have card payments if not then licenced cabs should not as both are public services.

Taxis and mini cabs should not be segregated and if cards are introduced in one it should be introduced in all.

Your question which is required to answer....when should this be implemented indicates this has been decided as there is no option to not tick a date to implement.

not sure why need to to ask us and it is not upto the independent taxi.

It's time the cabs provided this more convenient option for their customers.

A great idea

Would be great for people who think they would have to walk home or to town to get some cash out to then get a taxi from there.

Card payments are accepted in every major city. Many people no longer carry cash. Time to catch up.

I think this would also help prevent cabbies from not declaring their takings as card payments would have to go through the books. I also think it's important to not charge for card payments as a minimum price for a ride is already set

All black cabs in London and Uber offer an electronic way of paying. Black cabs in Harlow should be no different

Good idea - put into practice as soon as pos.

As a pensioner I very rarely have cash on me so card payment would be ideal and encourage me to use black cabs...

Harlow permit HC licenced by other authorities to operate in Harlow how can you enforce this on all Taxis in Harlow

I'm surprised this is even being asked. I haven't been in a black cab that didn't accept cards and if i knew one i was about to get in, didn't have it, i would refused to board and wait for another. This is 2020 and backwards, belligerent cabbies who just want to cream off cash (and probably not declare it all) should be a thing of the past!

It's 2020. The fact that card payments are not fully available is ludicrous.

I think it would prevent potentially vulnerable people walking home... meaning people would be safer. It also means more business for the cabbies, rather than Uber. Black cabs need to diversify in this day and age, and this seems like an easy win to be... benefits everyone. Fingers crossed.

We all know why the drivers don't want card payments don't we. They'll have to declare all earnings to the tax man. Drag the drivers into the 21st century and card payments.

Having contactless and chip and pin would make taxi use so much more accessible and safer for the public too

Time to catch up with the rest of the world !

Everywhere and everyone else accepts card payments why not Harlow Taxis ?

I don't care how they provide it butidont often carry cash and it's stressful never knowing if you can get taxi when get off train or if they take it or not.

Great idea for an age in which not many people carry cash anymore

When I travel home from London I do not always have cash and trying to find a taxi that will take my card is quite traumatic and I have in the past been left behind. I have been offered to be taken to a cashpoint but I am elderly and just want to get home if it's late. If I could just go to the first taxi and be sure that card is accepted I would feel much happier.

As a PH driver I have noticed that more and more customers wish to pay by card. I am of the older generation where we only used our cards for big purchases but this has changed. The younger generation use cards for very small transactions.

Card readers are now very cheap and the transaction costs are low

I pay 1.7% per transaction. So the fee on a £10 fare would be a small 17p.

I don't think it should be mandatory for every cab/taxi to take card payments. There are already more than enough drivers that accept card payments should the customer need to pay this way all they have to do is inform the staff when booking the cab and then can do so. Making it mandatory is just another unnecessary requirement that would be added to our licensing requirements which always ends up costing us more money as drivers.

If card payment is not standardised amongst taxis, then all modes of payment prevalent to that driver's cab should be advertised prominently on the exterior of the cab.

It is a fact now that worldwide more than 50% of all financial transactions are digital, ATM's are on the decline and large numbers of the travelling public do not carry cash. There can be no good reason for not taking card payments as the initial outlay is low, around £25 for a card reader, and no ongoing subscriptions and transaction fees are around 1.75%. All that is required in addition is a smart or android phone and a bank account. Receipt printers should be optional as they can easily be sent via text or e-mail, or written. If required a small fare increase, say 20p per journey, would easily counter the additional costs. Following the example of London, where it is mandatory for taxis to take card payments, the public expect/presume that all taxis take card payments and this presumption is causing more and more problems, especially for commuters travelling to and from London via the railway station, who are often left chasing from taxi to taxi trying to find one that takes card, and on occasions there are none. This is the 21st Century and it is vital that we as a trade need to move on, modernise and provide a consistent forward thinking service in order to try to compete with the ever growing, innovative competition threatening our very existence.

In this day and age this method of payment should most definitely be available.

Black Taxis are offering a service and it should be the customer's choice on how to pay. We are more of a cashless society today and we need to move with the times. Too many customers are being turned away from Black taxis who are cash only which is embarrassing and not good for the trade.

I have had cash stolen in the past, so I don't like carrying it with me. I only ever have my card for the worry of getting mugged. I know many people who feel the same.

My daughter was stranded at Harlow town station as she only had her card and no cash. She has also been asked where she is going before the driver said whether he took card or not. This is not right!

Put card payment in cabs but only to be used over a certain amount of distance as the cab drivers will not benefit from the pickups he/she does in a day's work

This would make it easier to use Taxi's in Harlow. There has been an occasion when I was told to get out of the taxi to climb over a small wall into a garage and get change. I had £10 note and the fare was about £8-£9. I was on my own and it was not in a very built up area so I felt very vulnerable. I now no longer use the Taxi company and use a different one.

This proposal is standard practice in London. Don't understand why a consultation is needed for what should be a usual thing. Card or cash to suit the passenger

Card payments would make the drivers less likely to be robbed if they are carrying less cash.

Should keep them inline with other private hire choices

In this day and age not many people carry cash

I use taxis often. And uber. I stopped using black cabs because they DONT offer paying by card. I dont carry cash usually, so I use Uber atleast twice a week.

I use Harlow black cabs regularly when working late and coming home from central London. I am often concerned that there may not be a cab that accepts cards, as I don't always carry cash. I have a regular driver who does accept cards, and this makes a huge difference. Taking card will benefit a lot of people, and enhance safety.

At present more likely to use Uber because of the card payments but would rather be giving my money to black cab drivers.

Very rarely carry cash

Scheme should be same as London. No option to opt out

I feel there is only a demand for card payments when at the train station. The town centre ranks there is very rarely demand for card payment. So the actual demand for the entire town needs to be taken into consideration not just the demand at the train station.

Its 2020 and the majority of our customers now wish to pay via card. Black Taxis are there to serve the public not themselves.

I've heard of many drivers that reach destination and card declined or no signal

I understand that the trade have been pushing for this. I put it to the trade that there are more pressing things to sort out.

I am very happy with the system I use in providing the public a means of paying by card facility offering both contactless and chip and pin. I would be totally against being told what system to use and I believe it should be drivers choice if they offer the service. I would be against a fixed machine.

Some of the questions are absolutely ridiculous in my opinion. If you were to ask members of the public if they want more of something, the answer will always be yes. As with council budgets we will do as we think necessary within our budget. The question not asked to the public, are you willing to pay extra for credit card facility, because for us it is not free. The trade has not had a tariff increase in 5 years, why do you think that is? let me tell you, we do not want to lose customers, and stay competitive. There is never a mention from the Hackney Carriage Licensing Dept about combating out of town cabs using Harlow (cross border hiring) no checks, nothing, and you know it happens daily, no mention of UBER, the damage done by the affor mentioned is a massive impact on your patch. How about helping our trade as I've said in the questionnaire, credit card facility should be voluntary and let natural progression dictate, as had happened in my 35 yrs in the trade.

Harlow Council should be looking at ways to stop cross border hiring. The ones on ABC & Metro are not x border hiring they are the circuits

Council should not enforce all drivers to accept card payments. It should be by choice- card payment has transaction fees between 2.5% - 2.9% which would be taken from my earnings, this would increase my running costs.

Working until the last train. In your scenario passengers can be taken to a cash point (no extra cost) or can hire a licensed private hire at their office 100yd from taxi rank; card payments in office. A democratic vote to all have card facilities or not would be helpful- respecting the out come result. Out of town work, poor signal in Country areas making payment difficult.

I only get 1 or 2 people come up to me in a day and then I take them to the cash point. There is not a great demand yet because we are only Harlow not London. The signal for the card machines dose not work some times around here so you don't get paid. The citys have better signals. 2 or 3 years time for the card machine would be suitable. Thank you

I feel this is beneficial to safeguarding the general public. General public already used to card payments if travelling to / from London. Hackney carriage drivers picking / choosing jobs. Unfair on drivers who accept cards getting stuck with multiply cards on trott. Non card payment driver making big deal over whos fare is whos / shouting / intimidating other drivers, making passengers change viecles multiply times.

REPORT TO: **AUDIT AND STANDARDS COMMITTEE**

DATE: **10 JUNE 2020**

TITLE: **AUDIT AND STANDARDS COMMITTEE ANNUAL REPORT**

LEAD OFFICER: **SARAH MARSH, INTERNAL AUDIT MANAGER
(01279) 446884**

RECOMMENDED that it is recommended to Full Council that:

The Annual Report for the Audit and Standards Committee for 2019/20 be agreed.

BACKGROUND

1. The effective operation of the Audit and Standards Committee forms a key element of the Council's assurance framework. By fulfilling its responsibilities as detailed in this annual report the Committee supports the Council to maintain a high standard of corporate governance.
2. The Annual Report of the Audit and Standards Committee outlines its work and achievements during the year ending 31 March 2020. The Annual Report helps to demonstrate to residents and the Council's other stakeholders the vital role that the Committee fulfils and the contribution that it makes to the Council's overall governance arrangements.
3. The Audit and Standards Committee role is two-fold:
 - a) Audit - To oversee the Council's internal audit and risk functions; receive and approve external audit reports; scrutinises the Annual Statement of Accounts; make reports and recommendations to the Cabinet, Committees and the Council as a whole on the adequacy of its corporate governance and risk management arrangements and the associated control environment.
 - b) Standards - To deal with a range of matters including issues concerning Councillors' conduct, provide advice and guidance to the Council, the Cabinet and individual Councillors and advise on the application and review of the Constitution.
4. Whilst there is no statutory obligation for a local authority to establish an Audit Committee, they are widely recognised internationally across the public and private sectors as a key component of effective governance. Similarly, it is considered good practice for the Committee to report annually to the Council on its work.
5. The key benefits of an effective Audit Committee are to:

- a) Increase awareness regarding the effectiveness and continued development of the Council's governance arrangements;
- b) Provide additional assurance on the robustness of the Council's governance arrangements through a process of independent and objective review;
- c) Reduce the risks of illegal or improper acts;
- d) Increase public confidence in the objectivity and fairness of financial and other reporting;
- e) Contribute to performance improvements in assurance levels and awareness of the need for strong internal control including the implementation of audit recommendations; and
- f) Reinforce the importance and independence of internal and external audit and similar review processes.

Assurance Activity 2019/20

- 6. To help the Committee draw conclusions about the effectiveness of the Council's internal control framework, governance and risk management it gained assurances from the following sources:

Internal Audit

- 7. The Accounts and Audit (England) Regulations 2015 require the Council to maintain an adequate and effective Internal Audit function which is discharged by the Head of Finance as Section 151 Officer. Internal Audit is a key source of independent assurance for both Members and management on the effectiveness of the control framework. The Committee has a responsibility for ensuring that Internal Audit is effective in the provision of this assurance.
- 8. The Committee considered and agreed reports regarding the Internal Audit Strategy, Internal Audit Charter and Annual Plan 2019/20. It has also monitored progress made by management in implementing audit recommendations and received regular progress reports on the work and performance of Internal Audit. These reports have helped in ensuring that reported weaknesses have either been addressed or the identified risks adequately mitigated by management and that there is an effective system of governance, risk management and internal control in place.

Assurance Framework / Annual Governance Statement

9. The Committee's terms of reference include advising on the effectiveness of the Council's internal controls and assurance framework including the production of the Annual Governance Statement.
10. During the year, the Committee has received reports on the control framework and how the annual review and assurance process is undertaken. Members are provided with progress made on the issues raised in respect of the Annual Governance Statement and of the annual service assurance process. The Assurance Framework is compiled from various sources of assurance, for instance Heads of Service and other key officers.
11. The Internal Audit Manager provides an annual report and opinion regarding the Council's control, governance and risk management framework. This opinion is considered by the Committee alongside other sources of assurance.
12. The Committee reviewed the Annual Governance Statement (AGS) for 2018/19 which identified governance issues requiring further ongoing improvement or monitoring relating to:
 - a) Keeping the governance arrangements for Harlow Trading Services (HTS) Group under review;
 - b) The impact of Brexit on the Council's strategic aims and objectives;
 - c) Enhancing the Council's operational risk management and project management frameworks.
13. The assurance framework and the Council's Code of Corporate Governance remained unchanged during 2019/20. The Code was reviewed by the Committee in November 2019 ensuring it remained compliant with the CIPFA/SOLACE framework – Delivering Good Governance in Local Government and no changes were required.
14. The Committee was able to be satisfied that there is a robust assurance framework in place to safeguard the Council's resources through reliance on the annual review of the Council's system of internal control and the Internal Audit Manager's annual opinion.

Anti-Fraud and Corruption

15. Countering fraud and corruption is the responsibility of every Member and officer of the Council. The Committee's role in this area has been to monitor and support the actions taken by officers to counter fraud including the work of the Corporate Fraud Group.

16. The Committee receives reports and presentations on such work undertaken in the Council and proactive fraud work, for example participation in the National Fraud Initiative (NFI) and the work of the Housing Fraud Officer.
17. The Council continues to send out a strong message that fraud will not be tolerated and that where fraud is proven the strongest possible actions of redress will be taken.
18. Based on the work to date, coupled with no major incidences of fraud and corruption being highlighted by management or Internal Audit, the Committee concludes that there is a sound anti-fraud framework in place. The Council's Anti-Fraud and Corruption Strategy was reviewed and approved by the Committee in November 2019.

Risk Management

19. The Committee receives and discusses reports relating to risk management. Work continues to enhance monitoring and reporting mechanisms to ensure there is adequate scrutiny and challenge of risk across the Council and aligning this with the service planning process. Committee members are presented with the corporate strategic risk register with a rolling review of individual risks contained within it.
20. At its March 2020 meeting the Committee approved the revised risk strategy and agreed the Council's risk appetite and the introduction of risk appetite thresholds to improve transparency.

Statement of Accounts and External Auditors

21. Since 2018 the Audit and Standards Committee has delegated authority to each year approve the Annual Governance Statement and the Annual Statement of Accounts. In addition, the Chair of the Audit and Standards Committee, rather than the Leader of the Council, has the authority to sign both of these key documents off.
22. At its September 2019 meeting the Committee reviewed and approved the Council's Annual Governance Statement. The Committee considered the draft Statement of Accounts for 2018/19 and agreed to delegate final approval of the Statement to the Head of Finance in consultation with the Committee Chair because the audit had not been fully concluded.
23. During the year the Committee received a number of reports from the External Auditors, BDO, who attend most meetings. These reports include the Audit Results Report 2018/19. When reviewing the reports the Committee considered audit risks highlighted by the External Auditors.

Committee Working Arrangements

24. The Committee has a rolling and flexible programme of work for its main areas of activity which is proactively reviewed and amended throughout the year to reflect changes in policies, priorities and risks. The Committee met four times in 2019/20. The Committee considered items which are presented annually, such as audit results, the statement of accounts, the annual governance statement, and audit plans; as well as a number of other items including a review of the Audit and Standards Committee's terms of reference.
25. Training sessions have been held before most Committee meetings and the agreed work programme enables the Committee to provide an independent assurance to the Council as to the adequacy of the risk management framework and the associated control environment. Training provided in 2019/20, open to all Councillors, included the role of External Audit, risk management and fraud awareness.
26. In November 2019 the Committee undertook its own effectiveness review and reviewed its Terms of Reference, the results of which concluded its Terms of Reference were still fit for purpose and the Council was able to demonstrate compliance with recommended best practice for an effective Audit Committee.
27. Some minor areas for improvement were identified and are being addressed including the inclusion of an independent member and repeating the skills and knowledge analysis last undertaken in 2017. Progress has been made in relation to the independent member with interest in the role expressed following an open recruitment process. However, recruitment to the role is currently on hold following the outbreak of Covid-19 and subsequent lockdown rules.
28. Members of the Committee have a wide range of both experience and professional knowledge. The Committee has the benefit of being well supported by Council Officers. This included the Head of Finance, who is also the Section 151 Officer, the Council's Monitoring Officer, and the Internal Audit Manager as well as the Council's External Auditors.
29. No major breakdowns in internal control, governance and risk management that have led to a significant loss in one form or another have been recorded or reported. Nor has any major weakness in the governance systems that has exposed, or continues to expose, the Council to an unacceptable level of risk. This includes the period to the end of March 2020 after the government announced on the 23 March 2020 a full scale lock down of the country due to Covid-19.
30. The purpose, strategy and work programme of the Committee mitigates against any major failure by the Council to obtain independent assurance in relation to the governance processes underpinning:

- a) An effective risk management framework and internal control environment including audit;
- b) The effectiveness of financial and non financial performance (to the extent that it affects exposure to risk and poor internal control); and
- c) The compilation and consideration of the Annual Governance Statement.

CONCLUSION

31. Through its work, the Committee's main outcome is in the additional assurance provided of the robustness of the Council's arrangements regarding corporate governance, risk management and internal controls.
32. The Committee has added value through its activity and in particular:
- a) It has continued to increase the importance placed upon governance issues, particularly risk management, anti-fraud and corruption and the assurances sought that key risks are being mitigated; and
 - b) It has continued to raise the profile of internal control issues across the Council and to seek to ensure that audit recommendations are implemented.
33. The Committee's remit is achieved firstly through it being appropriately constituted, and secondly by the Committee being effective in ensuring internal accountability and the delivery of Audit and a robust assurance framework. The Committee has received and challenged reports from management and both internal and external audit.
34. The Committee has continued to have a real and positive contribution to the governance arrangements of the Council. The Committee's key achievement is in the additional assurance provided of the robustness of the Council's arrangements regarding corporate governance, risk management and the control environment.

IMPLICATIONS

Environment and Planning (includes Sustainability)

None specific.

Author: Andrew Bramidge, Head of Environment and Planning

Finance (includes ICT)

There are no financial implications and no direct risk management implications arising from the recommendations.

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

Housing

None specific.

Author: Andrew Murray, Head of Housing

Community Wellbeing (includes Equalities and Social Inclusion)

None specific.

Author: Jane Greer, Head of Community Wellbeing

Governance (includes HR)

There is no legal or constitutional requirement for the Committee to report to the Council on its work, however, it is considered good practice to do so.

The effective operation of the Audit and Standards Committee forms a key element of the Council's assurance framework. By fulfilling its responsibilities as detailed in its annual report the Audit Committee helps the Council to maintain a high standard of corporate governance.

Audit Committees in local authorities are necessary to satisfy the wider requirements for sound financial management, internal controls and risk as set out in the Accounts and Audit (England) Regulations 2015.

Author: Simon Hill, Head of Governance

Background papers

Audit Committees: Practical Guidance for Local Authorities and Police (2018 Edition)

Glossary of terms/abbreviations used

AGS – Annual Governance Statement

CIPFA – Chartered Institute of Public Finance and Accountancy

SOLACE – The Society of Local Authority Chief Executives

Annual Reports from Councillors Appointed to Outside Bodies 2019/20

1 Age Concern – Bob Davis

Age Concern was supporting residents with a number of engagement activities. The Corona virus brought this to an abrupt end with all the activities including trips to the seaside on hold. There is regular contact with participants via phone conversations all looking forward to the centre re opening.

2 Fawbert and Barnard’s Educational Foundation – Joel Charles

It has been another busy year for the foundation. My colleagues and I who sit on the Board of Trustees have been working closely with Sue Spearman, the Headteacher of Fawbert and Barnard’s Primary School, to identify new opportunities to support the education of children who come from disadvantaged backgrounds. The school receives pupil premium funding for a number of pupils but the funds do not always cover all the extra-curricular activities organised during the academic year.

The foundation’s steady income means that it is able to fund small grants for educational trips and resources to help improve the attainment of, primarily, disadvantaged pupils. In 2019, the foundation received a total income of £1,775.99 and spent £1,509 on school grants.

Trustees agreed to provide grant funding to support a number of activities undertaken by pupils during Arts Week 2019. The school also invited back the Young Shakespeare Company because the workshops were so well-received by pupils. Sue Spearman said that the pupils produced a significant amount of high-quality work as a result of the drama workshops. Trustees were delighted to support these opportunities.

The school also submitted a request to fund the cost of class dictionaries, atlases and maths equipment to help with in-year budget pressures. Trustees normally provide grants for extra-curricular activities but took the decision last year to support the school to ease its budget challenges.

Later in the year, the foundation also allocated funding to help with the cost of the school pantomime, new reading books and a grant to be used at the Headteacher’s discretion to offer further help to disadvantaged pupils.

At each Board meeting, Trustees receive an update from the Headteacher about wider school business. A funding application has been submitted to reopen the front entrance of the school, which will need to include additional safety measures on London Road. Sue Spearman has also started a park and stride scheme to encourage more pupils to walk to school. The team at

Fawbert and Barnard's continues to work with parents to address parking concerns during peak drop-off and pick-up times.

The Board is keen to receive more grant requests from external applicants and will be looking at options to encourage more submissions. I am personally interested to look at wider opportunities to fund specific educational projects submitted by individual pupils who want to further an interest in their studies. The foundation looks forward to building on the success of last year and supporting more children to achieve their educational ambitions.

3 Harlow Arts Council – Jean Clark

The Harlow Arts Council is a voluntary umbrella organisation for the visual and performing arts in the Harlow area. Its role has been greatly reduced, as it no longer gives grants, lends technical equipment or administers rehearsal space. Its main function is to monitor the arts and host a summer festival/Garden Party.

Last year, we met early in the year. We initially had real funding problems. When we eventually managed to secure funding, we had to delay the Festival from July to September 8th. This was organised mostly through email. Some performers struggled to come, due to the later date. However, it was still a very positive, enjoyable Festival. The weather was fine and holding it in the museum gardens is always a huge part of its success.

We met this year in February and early March. Incidentally, I was appointed the official room booking person, due to a change in council rules! We had set the date for this year's Art of the Garden Party for July 12th. We were looking forward to this and had many creative ideas for both performing and funding. And then Covid 19 accelerated and we went into lockdown. Obviously, the Festival had to be abandoned.

The future of the arts is a matter of gloomy debate in the press. Hopefully, Harlow Arts will be more resilient!

4 Harlow Occupational Health Centre – Frances Mason

There have been 3 Board Meetings, the 4th cancelled due to Covid-19. I was unable to attend 1 of the 3 Board Meetings, due to hospital treatment.

Overall, for a relatively small organisation up to December 2019 they had seen an increase in new business through their web-site. The figures for the year-end October 2019 has reported a profit of £11,264 which is encouraging especially when the previous year a loss of £6K was recorded.

A Loan taken out with Harlow Health Centres Trust will have been completed by 31.12.2019 saving £6390.00 for 2020.

Staff received a 2% increase with effect from January 2020.

Across the board increases at an inflationary rate of 1.75% were made.

Christmas Card Charity Donation for 2019 was made to The Chocolate Run, (helping Harlow's Homeless and vulnerably housed) with the company matching monies raised by employees.

Contract meetings took place with Epping Forest District Council and Princess Alexandra Hospital. Other work comes from Essex Police, Essex Fire & Rescue Service and Harlow Council, to name a few.

HOHC have been having problems in Edinburgh Place where seemingly a 'new site' for dumping 'white goods' seemed to be developing, these matters were reported to Harlow Council and Environmental Health Team were involved.

Additional Expense will be incurred this year with IT moving to Windows 10.

The Coronavirus (Covid-19) pandemic has created new challenges to HOHC. As the work tends to come in within a 2 week timeframe and with Essex Police initially stopping recruitment, they were faced with the situation to furlough most staff, with the exception of the Chief Executive and a Health Professional who remained in place to keep business ticking over. Business quickly increased and it has been a particularly challenging 3 months. They took advantage of the 'bounce back' loan, (£560 pm) particularly as they had finished the loan to Harlow Health Centres Trust. Very soon afterwards recruitment screening interviews started to be booked again along with occupational health screening etc.

HOHC have adapted their building to ensure processes in place to meet the challenges of Covid-19 with Social Distancing, Sanitisers, PPE etc. Limited staff (4) have now returned working a couple of days a week from home, or in the office. Although technology has been used for some assessments there is still need for face to face assessments with Doctor. In total HOHC have current staff of 12, 3 employees are full-time, there is a flexible workforce to ensure satisfactory home life at the same time covering the requirements of the business.

For information HOHC offer the following services to local companies:

Medical Assessment (initial and new)
Assessments other inc Drivers/Confined Space
Screening Tests All inc COSHH
Audio/Vision/Blood/Lung Function
New Starter & Paper Screens
Health Promotion inc OHA Screens Voluntary
Physiotherapist
Counselling
Training Courses All
Immunisations Work

In the way most Companies may be considering doing things differently, this pandemic has created opportunities which will be under review. They are

currently involved in screening Shielded staff who will be in the process of returning to work for a number of organisations.

5 Essex Police & Fire Commissioner Panel – Frances Mason

In the role as a Panel Member ie critical friend, I have attended Essex Police & Fire Crime Panel Meetings in July, October, December 2019, February and June 2020.

In addition, I have been on a number of sub groups attending additional meetings in Chelmsford & Witham in relation to:

Essex Fire & Rescue IRMP (Integrated Risk Management Plan 2020-2024)
Essex Police & Crime Plan Extension (2020-21)

The sub groups have been with 4/5 panel members and have worked through to final publication of both documents. EPFC Roger Hirst personally thanked the group for involvement of the recent Extension Plan which was completed within a very short time short timeframe.

Decisions made during 2019/20 relate to:

Appointment of Essex Fire & Rescue Section 151 Officer
Appointment of 2 Independent Panel Members
Budget Setting Process
Essex Precept (2.94%)
Quarterly Performance Reports

Although operational issues are not discussed in this panel, I have influenced important decisions from Harlow's perspective and raised important issues i.e. Permitted Development in terms of Essex Fire & Rescue Service IRMP.

6 Stansted Airport Consultative Committee (STACC) – Danny Purton

I have continued to play an active role on this statutory body that seeks to represent the views of many sectors of the society to the Airport Management.

Due to a change in Representation following last year's Council Elections in Uttlesford and retirements I was asked and agreed to take the leadership on Environmental Issues and have since led and Chaired the EI Group focussing on:

- Noise Action Plan
- Benchmarking with other Airports
- New Aircraft Routing system

I am also playing a part on a study into the Regional effect of Stansted in terms of Traffic, Public Transport, Skills Training, the Economy and other strategic issues

Since Lockdown virtual meetings have been held most recently to consider the Airport management Recovery Plan including safety measures for passengers – maintaining highest levels of Public Transport access – Border Force – rising re-introduction of flights.

7 North Essex Parking Partnership – Danny Purton

I continued to play a very active role in this organisation as a representative from Harlow but also as Vice-Chairperson. Apart from ensuring that we established our quota of schemes for the coming year I also participated in the introduction of 3PR school safety projects in Harlow.

8 Great Parndon Community Association – Danny Purton

I have been working with the Management Group to assess the Lease arrangements with Harlow Council and since lockdown the Access to Grants available through various schemes. I am an active user of the GPCA facilities.

9 Epping Forest Community Transport – Danny Purton

I attended the Annual Meeting and was informed about the activities of the service which is expanding in the Harlow Area – I was urged to raise the issues of financial support from Harlow Council towards the service which is in need of funds.

10 Essex Waste Partnership – Essex Flood Prevention Board – Danny Purton

The Environment Portfolio covers both of these functions and I have continued to attend the meetings held in Chelmsford to discuss co-operation and joint activities for the benefit of Harlow.

11 PATROL – Stansted Gateway Transportation Board – Danny Purton

There have been no meetings of these bodies although most of the issues have been covered by other organisations.

12 Essex Health Scrutiny and Overview Committee – Tony Edwards

Reviews and scrutinises matters relating to the planning, provision and operation of health services in the County of Essex. Including primary, secondary, tertiary care, and public health, and may involve reviewing the work of commissioners (such as local clinical commissioning groups), providers of health services (such as hospitals) and other organisations in the health sector. I have attended Committee Meetings and undertaken training. Items discussed have included the re provision of Princess Alexandra Hospital, the performance of Clinical Commissioning Groups and latterly the impact of Covid19 on the Care Sector.

13 Harlow Arts Trust – Tony Edwards

I have attended a number of Committee meetings which have concentrated upon developing a sound Business Plan. Together with Councillor Harvey I spoke at a Seminar extolling Harlow as a Sculpture Town. The Gibberd Gallery curated a number of exhibitions including the Harlow 20/20 Open. The Trust also successfully launched a Sculpture Town digital App and Website which encourages and facilitates people to visit and learn about the sculptures. <https://sculpturetown.uk/>

14 Welfare Panel – Tony Edwards

Along with other Councillors I have been a member of the Welfare panel. The primary role of the panel is to look at what assistance may be given to tenants who have significant arrears. It also agrees recommendations in the unfortunate event of the Council having to consider eviction proceedings.

**MINUTES OF THE LICENSING COMMITTEE
HELD ON**

21 January 2020

7.30 - 7.55 pm

PRESENT

Committee Members

Councillor Frances Mason (Chair)
Councillor Shannon Jezzard (Vice-Chair)
Councillor Nick Churchill
Councillor Maggie Hulcoop
Councillor Andrew Johnson

Officers

Chris Bennett, Principal Environmental Health Officer
Hannah Criddle, Governance Support Officer
Michael Pitt, Environment and Licensing Manager
Dimple Roopchand, Principal Solicitor

30. **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Michael Garnett, Tony Hall and Lanie Shears.

31. **DECLARATIONS OF INTEREST**

None.

32. **MINUTES**

a) Minute 25 - Committee Work Plan

In response to Councillor Churchill's question regarding the work plan, Councillor Mason confirmed that the advice received from Governance was that the preference is for the whole year to be included on the work plan so the pathway for each item could be followed.

b) Minute 26 - Harlow Council Food Safety Enforcement Plan 2019/20

The Committee noted that Michael Pitt, Environment and Licensing Manager, circulated a note to provide an explanation on what the risk categories A to E represent.

33. **MATTERS ARISING**

Michael Pitt advised the Committee that the consultation on electronic payment of fares in Hackney Carriage and Private Hire Vehicles had gone live. Consultation finishes on 14 February 2020.

34. **WRITTEN QUESTIONS AND PETITIONS**

Councillor Mason confirmed a petition had been received on electronic payment in Hackney Carriage and Private Hire Vehicles. It did not have enough signatures to trigger the petitions procedure, however, the number of signatures had been considered as significant for the matter. The petition would therefore be considered as part of the consultation which had gone live. The Council had written to the lead petitioner to confirm this.

35. **COMMITTEE WORK PLAN**

The Committee noted that Electronic Payment of Fares in Hackney Carriage and Private Hire Vehicles – Outcome of Consultation needs to be added to the work plan for the committee on 10 March 2020.

Michael Pitt advised the Committee that updated Licensing Committee Terms of Reference would be brought to the next meeting for recommendation to Full Council.

36. **CONSIDERATIONS REGARDING CCTV IN HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLES**

The Committee received a report on an overview of matters relevant to any licensing requirements regarding the use of CCTV in Hackney Carriage and Private Hire Vehicles. Councillor Johnson requested further details on the estimated prices provided in paragraphs 24 and 25.

RESOLVED that:

A The Committee noted the report.

B A further report would be presented to the Committee following the publication of guidance arising from the Department for Transport's consultation "Taxi and Private Hire Vehicles Licensing: Protection of Users, Statutory Guidance for Licensing".

37. **REFERENCES FROM OTHER COMMITTEES**

None.

38. **MATTERS OF URGENT BUSINESS**

None.

CHAIR OF THE COMMITTEE

**MINUTES OF THE CABINET
HELD ON**

23 January 2020

7.30 - 8.40 pm

PRESENT

Committee Members

Councillor Mark Ingall, Leader of the Council
Councillor Eugenie Harvey, Deputy Leader and Portfolio Holder for Community and Wellbeing
Councillor Mike Danvers, Portfolio Holder for Resources
Councillor Tony Durcan, Portfolio Holder for Economic Growth
Councillor Danny Purton, Portfolio Holder for Environment
Councillor Lanie Shears, Portfolio Holder for Governance, Equality and Diversity
Councillor John Strachan, Portfolio Holder for Regeneration
Councillor Mark Wilkinson, Portfolio Holder for Housing

Additional Attendees

Councillor Tony Edwards
Councillor Stefan Mullard

Other Councillors

Councillor David Carter
Councillor Simon Carter
Councillor Joel Charles
Councillor Andrew Johnson
Councillor Russell Perrin
Councillor Chris Vince

Officers

Brian Keane, Chief Executive
Andrew Bramidge, Head of Environment and Planning
Simon Freeman, Head of Finance and Deputy to the Chief Executive
Jane Greer, Head of Community Wellbeing
Simon Hill, Head of Governance
Andrew Murray, Head of Housing
Adam Rees, Governance Support Officer

95. **APOLOGIES FOR ABSENCE**

None.

96. **DECLARATIONS OF INTEREST**

None.

97. **MINUTES**

RESOLVED that the minutes of the meeting held on 5 December 2019 are agreed as a correct record and signed by the Leader.

98. **MATTERS ARISING**

None.

99. **WRITTEN QUESTIONS FROM THE PUBLIC**

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

100. **WRITTEN QUESTIONS FROM COUNCILLORS**

None.

101. **PETITIONS**

- a) **Stop Expansion of Harlow and Building on Green Wedges with 23,000 New Houses**

Cabinet received a petition which requested that the Council stop development of a number of sites within Harlow, as well as the Gilston/Hunsdon Garden Villages.

RESOLVED that the petition was noted.

102. **FORWARD PLAN**

Councillor Mark Ingall, Leader of the Council, said that the item 'Town Wide Employment Sites Article 4 Direction' no longer needed to be considered by Cabinet as the Council had received no objections to the proposed Article 4 Direction at the Pinnacles. He added that a prior notification of a development had been received. Due to the Article 4 Direction, the application could not proceed automatically under Permitted Development Rights and would be subject to the full planning application process.

RESOLVED that the Forward Plan is noted.

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

None.

104. **CORPORATE PLAN 2020/21**

Cabinet received a report proposing a Corporate Plan for 2020/21 to 2022/23.

Proposed by Councillor Mark Ingall (seconded by Councillor Eugenie Harvey) it was:

RESOLVED that Cabinet recommends to Full Council that:

- A** The Corporate Plan 2020/21, attached as Appendix A to the report, is adopted.

- B** Authority be delegated to the Chief Executive, in consultation with the Leader of the Council, to make minor and inconsequential amendments to the Corporate Plan.

105. **MEDIUM TERM FINANCIAL STRATEGY 2020/21 - 2022/23**

Cabinet received a report proposing a Medium Term Financial Strategy for the Council from 2020/21 to 2022/23.

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

RESOLVED that Cabinet recommends to Full Council that:

- A** The Medium Term Financial Strategy for 2020/21 to 2022/23 (attached as appendix B to the report) is adopted.
- B** The planned Council Tax increase of 1.99 per cent for 2020/21 as set out in the Medium Term Financial Plan be approved.
- C** The proposals in relation to reserves as set out in this report at paragraphs 23 to 29 of the report and contained within Section 8 of the Medium Term Financial Strategy be approved.

106. **GENERAL FUND BUDGET 2020/21**

Cabinet received a report which set out the annual General Fund Budget for the Council. The report included a proposed increase to the Council Tax charge of 1.99 per cent.

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

RESOLVED that Cabinet recommends to Full Council that:

- A** The General Fund estimates for 2020/21, as set out in Appendix A to the report, are approved.
- B** The proposed transfers between the General Fund and Earmarked Reserves, referred to in paragraphs 28 to 30, Table 3 of this report and set out in Appendix C to the report, are approved.
- C** The proposed Fees and Charges, as set out in Appendix E to the report, are approved.
- D** The Pay Policy Statement, as set out in Appendix G to the report, is approved.

- E The Council's Band D Council Tax for 2020/21 is set at £283.26 representing an increase in Council Tax of 1.99 per cent for the forthcoming year.

107. **HOUSING REVENUE ACCOUNT BUSINESS PLAN 2019-2049**

Cabinet received a report proposing a formal update of the Council's Housing Revenue Account Business Plan.

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

RESOLVED that Cabinet recommends to Full Council that:

- A The Housing Revenue Account (HRA) Business Plan, as set out in Appendix A to the report, be approved.
- B Authority be delegated to the Chief Executive, in consultation with the Portfolio Holder for Housing, to make minor amendments to the Plan, if necessary, following consultation.

108. **HOUSING REVENUE ACCOUNT BUDGET 2020/21**

Cabinet received a report which provided a forecast of the outturn budget for the Council's Housing Revenue Account for the current financial year, as well as a proposed budget for 2020/21.

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

RESOLVED that Cabinet recommends to Full Council that:

- A The rents for individual dwellings as set out in paragraph 28 of this report are approved with effect from 6 April 2020. This equates to an average weekly rent of £92.28 an increase of 2.7 per cent.
- B Service charges for individual dwellings, as set out in paragraphs 21 to 27 of this report are approved with effect from 6 April 2020 for tenants and from 1 April 2020 for leaseholders. This equates to an average weekly service charge to tenants of £2.79.
- C Heating charges as set out in paragraphs 29 to 34 of this report are approved with effect from 6 April 2020 for tenants and from 1 April 2020 for leaseholders. Average weekly general needs charges are £9.23 per week (leaseholders 223 Agenda Item 14 £18.19 per week, equivalent) and, for sheltered accommodation, £6.84 per week.
- D Rents for garages held within the category 'Retain and Invest' as defined in the 'Garages and Hardstanding Improvement Strategy

2015' will increase by five per cent, to £10.67 per week (for a standard garage) and proportionate increases for other garages, car ports and car spaces from 1 April 2020, as set out in paragraphs 35 and 36 of this report.

- E** Housing related support charges are as set out in paragraphs 17 to 19 and Table 1 are approved for service users with effect from 6 April 2020.
- F** Other Leasehold charges set out in paragraphs 25 and 37 of this report are approved with effect from 6 April 2020.
- G** Other Tenant charges are set out in paragraphs 38 and 39 and are approved with effect from 1 April 2020.
- H** The growth items outlined in paragraph 42 in respect of 2020/21 are approved.
- I** The Housing Revenue Account (HRA) budget (attached as set out in Appendix A to the report) is approved.
- J** The minimum HRA working balance shall be £4 million as at 31 March 2021.

109. **CAPITAL AND TREASURY REPORT 2020**

Cabinet received a report which provided a forecast of the outturn budget for the Council's Housing Revenue Account for the current financial year, as well as a proposed budget for 2020/21.

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

RESOLVED that Cabinet recommends to Full Council that:

- A** The following Capital and Treasury Reports be approved:
 - i) The Capital Strategy Report (attached as Appendix A to the report)
 - ii) The Capital Programme Strategy Statement 2020/21 (attached as Appendix B to the report)
 - iii) The Investment Strategy Report 2020/21 (attached as Appendix D to the report)
 - iv) The Minimum Revenue Provision Statement 2020/21 (attached as Appendix E to the report).

- B** The proposed revised Treasury Management Strategy Statement 2020/21 (attached as Appendix C to the report) be approved for implementation with effect from 1 April 2020.

110. **CAPITAL PROGRAMMES 2019/20 - 2021/22**

The Cabinet received a report on the outturn for 2019/20 and proposed programmes for 2020/21.

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

RESOLVED that Cabinet recommends to Full Council that:

Housing Capital Programme

- A** The Housing Capital Programme 2019/20 revised outturn of £23,005,000, as set out in Table 2 of the report is noted.
- B** The Housing Capital programme 2020/21 of £27,739,000, as set out in Table 5 of the report is approved, including £10.2 million of external borrowing in 2020/21 and a further £8.7 million in the following two years to support building council homes. Total borrowing £18.9 million.

Non Housing Capital Programme

- C** The revised Non Housing Capital Programme 2019/20 of £13,738,000, as set out in Table 6 of the report is noted.
- D** The Non Housing Capital Programme for 2020/21 £11,048,000 including the Enterprise Zone (Modus), £5,363,000, and Elm Hatch £1,185,000, as set out in Table 10 of the report is approved.
- E** External borrowing of £13.8 million is approved to support the Non Housing Capital Programme in 2020/21 and a further £10.2 million in respect of the Housing Capital Programme.

111. **DEBT WRITE OFFS**

Cabinet received a report which requested approval to write off irrecoverable debts totalling £500,373.19.

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

RESOLVED that:

- A** Irrecoverable non domestic rates amounting to £500,373.19 (as set out in Appendix A to the report) be written off.

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

None.

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

RESOLVED that the minutes of the following meetings are noted.

- a) Minutes of meeting Thursday, 28 November 2019 of Cabinet Overview Working Group

114. **MATTERS OF URGENT BUSINESS**

None.

LEADER OF THE COUNCIL

Cabinet – 23 January 2020

Questions from the Public

1 Mr Nicholas Taylor to Councillor Mark Ingall, Leader of the Council

The Harlow Alliance Party and no doubt hundreds of residents were delighted to see the Main Modifications made by the Inspector of Harlow Council's Local Plan. These changes will see a reduction of some 200 homes being built on Council owned playing fields and green spaces between housing estates.

Members will be aware that despite this, the Plan if implemented in full will still see 1600 more homes being constructed in the area than is required by government targets.

It was announced last week that the Council would be commencing a £12 million house building programme shortly. How does the Council plan to meet the shortfall in Council house building numbers as a result of the Inspectors findings?

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

The Council is developing a proposed housing delivery programme, comprising a number of sites that can be developed for council housing over the coming years.

It is anticipated that there will not be a shortfall in the required council house building numbers as a result of the Inspector's Main Modifications.

Supplementary Question from Mr Nicholas Taylor to Councillor Mark Ingall, Leader of the Council

Does this mean that sites outside of those identified in Local Plan will be built on?

Supplementary Reply from Councillor Mark Ingall, Leader of the Council

No, it does not.

2 Mr Nicholas Taylor to Councillor Mark Ingall, Leader of the Council

The Conservative Government said in 2012 that for every Council house sold under the Right to Buy, a Council house would be built to replace it. Since then, nationally, a new house has been built only when seven Council homes have been sold. In view of these figures, can you tell me how many homes Harlow Council owned in April 2012 compared with in April 2019?

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

The Council's stock in April 2012 was 9,824. The Council's stock in April 2019 was 9,180.

Supplementary Question from Mr Nicholas Taylor to Councillor Mark Ingall, Leader of the Council

Will there still be a lower level of council stock by the end of the Local Plan period?

Supplementary Reply from Councillor Mark Ingall, Leader of the Council

The Council has an ambitious pipeline of developments, but Government action is needed to address this issue.

3 Mr Alan Leverett to Councillor Mark Ingall, Leader of the Council

In March last year the Council undertook to consult with residents about the proposed sustainable transport corridors, after the Local Elections in May.

Until now, almost nothing has been done by Harlow Council to advertise exhibitions held in respect of the Plans relating to Gilston and Latton Priory. It has to be said that these included only very vague details of the transport proposals. The exhibition which took place yesterday (22 January) was not advertised on the Council's website or that of the Harlow and Gilston Garden Town.

Is yesterday's event the sole attempt by Harlow Council to consult residents? If not, when and how is the Council going to consult with residents in Harlow about these specific plans?

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

I am pleased to be able to say that public consultation on the Harlow and Gilston Garden Town Transport Strategy will commence at the end of January and run until the beginning March 2020. There was in fact no event that took place yesterday, which is why neither the Council nor the Garden Town team had publicised anything. This was a tentative date for the launch of the consultation which erroneously found its way into the local media.

The consultation exercise, when it is launched next week, will see material available on the Garden Town website for review and comment and this will be supported by social media activity through the Harlow and Gilston Garden Town team. Harlow Council's communications team will also support this activity. There will be two staffed exhibitions in the Harvey Centre (dates are currently being confirmed with the Harvey Centre's management team) with Officers available to hand out materials

and answer questions. A similar event is also planned for Harlow College and a presentation is to be given to the Harlow Chamber of Commerce on 19 February.

During the entire length of the consultation period there will also be exhibition panels on display in the Civic Centre reception. We welcome as many people as possible to get involved with this consultation process, which will be the first in a series of consultation exercises on the Garden Town proposals in the coming months and years.

Supplementary Question from Mr Alan Leverett to Councillor Mark Ingall, Leader of the Council

Are you going to engage with Residents Associations during the consultation?

Supplementary Reply from Councillor Mark Ingall, Leader of the Council

We will ask the Garden Town Board about their plans to engage with Residents Associations.

4 Mr Alan Leverett to Councillor Mark Ingall, Leader of the Council

With over 4000 applicants on the Housing Register, what analysis if any has been carried out to determine the most useful type of home the Council should build to make best use of its stock of homes and reduce the number of applicants on the Housing Register?

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

The Council's strategic housing market assessment (SHMA) sets out the number of homes needed in future to inform our local plans and housing strategies. This seeks to meet housing need, support a healthy local economy and achieve a 'balanced' housing market.

Harlow's overall housing needs require all dwelling types. Current indicators show there is a significant need for two bedroom properties and a need for bungalows to meet the aging population in Harlow.

Supplementary Question from Mr Alan Leverett to Councillor Mark Ingall, Leader of the Council

Is the Council aware that a number of council tenants wish to downsize their properties?

Supplementary Reply from Councillor Mark Ingall, Leader of the Council

The Council is aware that some tenants wish to downsize. Where tenants wish to downsize they should contact the Council.

**MINUTES OF THE SCRUTINY COMMITTEE
HELD ON**

18 February 2020

7.30 - 9.00 pm

PRESENT

Committee Members

Councillor Tony Edwards (Chair)
Councillor David Carter (Vice-Chair)
Councillor Simon Carter
Councillor Joel Charles
Councillor Bob Davis
Councillor Maggie Hulcoop
Councillor Shannon Jezzard
Councillor Shona Johnson
Councillor Emma Toal
Councillor Chris Vince

Also Present

Councillor Eugenie Harvey

Officers

Simon Freeman, Head of Finance and Deputy to the Chief Executive
Jane Greer, Head of Community Wellbeing
Christine Howard, Youth and Citizenship Manager
Adam Rees, Governance Support Officer

35. **APOLOGIES FOR ABSENCE AND SUBSTITUTIONS**

None.

36. **DECLARATIONS OF INTEREST**

None.

37. **MINUTES**

RESOLVED that the minutes of the meeting held on 15 October 2019 are agreed as a correct record and signed by the Chair.

38. **MATTERS ARISING**

None.

39. **WRITTEN QUESTIONS FROM MEMBERS OF THE PUBLIC**

None.

40. **WRITTEN QUESTIONS FROM COUNCILLORS**

None.

41. **RESPONSES OF THE CABINET TO REPORTS OF THE SCRUTINY COMMITTEE**

RESOLVED that the following response was noted.

- a) Response of the Cabinet to the Review of Overview and Scrutiny - Initial Report

42. **REVIEW OF PADDLING POOLS - FINAL REPORT**

The Committee received a final report on the review of paddling pools. It was recommended that health and safety issues across the sites were addressed, opportunities to improve toilet and changing facilities were explored and that a pilot scheme at Staple Tye to introduce toilet and changing facilities, along with a splash park facility alongside the paddling pool was approved.

The Committee agreed that health and safety works should be prioritised. Councillor Charles requested that a timeline for the works was provided, along with a detailed breakdown of costs. It was agreed that these would be provided.

RESOLVED that it was recommended to Cabinet that:

- A** Health and safety issues including staff access to the pump rooms at Norman Booth and Town Park be addressed.
- B** Perimeter railings at Town Park paddling pool to prevent water contamination mainly from domestic and wild animals, particularly at times when the pool is 'closed' and therefore unsupervised would be installed.
- C** On a site-by-site basis, opportunities for the provision of either mobile toilet/changing facilities sited for the duration of the school summer holidays or the provision of permanent toilet/changing facilities where possible would be considered.
- D** Internal railings to separate play park equipment from water play at Sumners, Norman Booth and Staple Tye would be installed.
- E** A pilot scheme at Staple Tye to introduce toilet and changing facilities, with a new splash park alongside the paddling pool was approved.
- F** Detailed timelines and costings in respect of each of the proposals would be provided.

43. **REVIEW OF ADULT SOCIAL CARE IN HARLOW - AGREEMENT OF QUESTIONS**

It was agreed this would be considered in the next council year, following the implementation of new work planning procedures due to be considered at the next Committee meeting on 17 March 2020.

44. **WORK PLAN**

The Committee received a report summarising its work plan for 2019/20. It was agreed that a note on the review of Permitted Development would be circulated to Committee members. This would be in place of the report due to be considered at the meeting on 17 March 2020.

RESOLVED that the work plan be noted.

45. **REFERENCES FROM OTHER COMMITTEES**

None.

46. **MATTERS OF URGENT BUSINESS**

None.

CHAIR OF THE COMMITTEE

**MINUTES OF THE CABINET
HELD ON**

27 February 2020

7.40 - 9.45 pm

PRESENT

Committee Members

Councillor Mark Ingall, Leader of the Council
Councillor Eugenie Harvey, Deputy Leader and Portfolio Holder for Community and Wellbeing
Councillor Mike Danvers, Portfolio Holder for Resources
Councillor Tony Durcan, Portfolio Holder for Economic Growth
Councillor Danny Purton, Portfolio Holder for Environment
Councillor John Strachan, Portfolio Holder for Regeneration
Councillor Mark Wilkinson, Portfolio Holder for Housing

Other Councillors

Councillor David Carter
Councillor Simon Carter
Councillor Joel Charles
Councillor Michael Hardware
Councillor Andrew Johnson
Councillor Russell Perrin

Officers

Brian Keane, Chief Executive
Andrew Bramidge, Head of Environment and Planning
Simon Freeman, Head of Finance and Deputy to the Chief Executive
Jane Greer, Head of Community Wellbeing
Simon Hill, Head of Governance
Andrew Murray, Head of Housing
Adam Rees, Governance Support Officer

115. **APOLOGIES FOR ABSENCE**

None.

116. **DECLARATIONS OF INTEREST**

None.

117. **MINUTES**

RESOLVED that the minutes of the meeting held on 23 January 2020 are agreed as a correct record and signed by the Leader.

118. **MATTERS ARISING**

None.

119. **WRITTEN QUESTIONS FROM THE PUBLIC**

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

120. **WRITTEN QUESTIONS FROM COUNCILLORS**

None.

121. **PETITIONS**

None.

122. **FORWARD PLAN**

RESOLVED that the Forward Plan is noted.

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

RESOLVED that following decisions are noted.

- a) Portfolio Holder for Housing - 11 February 2020
- b) Leader of the Council - 18 February 2020

124. **LOCAL DEVELOPMENT PLAN - MODIFICATIONS PRIOR TO CONSULTATION**

Cabinet considered a report which sought approval to begin a formal consultation on the Planning Inspector's Main Modifications, as well as a number of minor modifications to the Local Plan.

Proposed by Councillor Danny Purton (seconded by Councillor Mark Ingall) it was:

RESOLVED that Cabinet:

- A** Approved the proposed Main Modifications to the Harlow Local Development Plan and the amendments to the Policies Map, as set out in Appendix B, C and D to the report, and provided authority that these now be subject to formal public consultation.
- B** Delegated authority to the Head of Environment and Planning, in consultation with the Portfolio Holder for Environment and the Chair of the Local Development Plan Panel, to forward any responses received to the consultation to the Planning Inspectorate.
- C** Noted the updated Local Development Scheme, as set out in Appendix E to the report, and approved it for publication.

125. **TOWN CENTRE AREA ACTION PLAN - FINALISATION OF REGULATION 19 AND SUBMISSION TO PLANNING INSPECTORATE FOR EXAMINATION UNDER REGULATION 22**

Cabinet considered a report which sought approval to finalise aspects of the Regulation 19 of Town Centre Area Action Plan, and then to submit the Plan for inspection under Regulation 22.

Proposed by Councillor Danny Purton (seconded by Councillor John Strachan) it was:

RESOLVED that:

- A** Approved the publication of the revised draft Town Centre Area Action Plan (as set out at Appendix A to the report), for the purposes of consultation under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended).
- B** Delegated authority to the Chief Executive, in consultation with the Portfolio Holders for Environment and Regeneration, to make and approve any minor or inconsequential amendments to the Town Centre Area Action Plan arising from the completion of ensuing technical documents and any further legal advice prior to formal publication.
- C** Delegated authority to the Chief Executive, in consultation with the Portfolio Holders for Environment and Regeneration, following the consultation exercise, to submit the Town Centre Area Action Plan to the Planning Inspectorate for Examination under Regulation 22.

126. **TOWN WIDE HMO ARTICLE 4 DIRECTION**

Cabinet considered a report to approve 12 month notification period for a subsequent Article 4 Direction which would remove permitted development rights from properties for conversion to Houses in Multiple Occupation.

Proposed by Councillor Danny Purton (seconded by Councillor Mark Wilkinson) it was:

RESOLVED that:

- A** Covenants restricting the use of properties to single family dwellings be enforced, where applicable, with any variation to this being agreed by the Head of Environment and Planning, in consultation with Portfolio Holder for the Environment.
- B** Cabinet approved the making of a non-immediate Direction under Article 4 of the Town and Country Planning (General

Permitted Development) (England) Order 2015 across the whole District to remove permitted development rights from properties for conversion to Houses in Multiple Occupation.

- C** Cabinet agreed that the final decision on the implementation of the Article 4 Direction will be taken by Cabinet following the completion of the 12 month notification period.

127. **DISPOSAL OF MOBILITY HOUSE AND MOBILITY HOUSE ANNEX**

Cabinet received a report which sought approval to dispose of Mobility House and Mobility House Annex.

Proposed by Councillor John Strachan (seconded by Councillor Eugenie Harvey) it was:

RESOLVED that:

- A** Declared Mobility House and Mobility House Annex (the Properties) are surplus to requirements.
- B** Approved plans to dispose of the freehold interest in the Properties conditional upon the purchaser delivering a satisfactory scheme of redevelopment.
- C** Delegated authority to the Head of Finance and Deputy to the Chief Executive, in consultation with the Portfolio Holder for Regeneration, to negotiate and finalise the terms of the disposal and (subject to being satisfied that it would be for the best consideration reasonably obtainable) thereafter procure the legal completion of the sale documentation.

128. **CHARGING POLICY FOR PRE-APPLICATION ADVICE**

Cabinet received a report to approve the introduction of a charging scheme for pre-application advice.

Proposed by Councillor Danny Purton (seconded by Councillor Mark Wilkinson) it was:

RESOLVED that:

- A** Approved the introduction of a charging scheme for pre-application planning advice in accordance with the proposed Charging Schedule and exemptions as set out at Appendix A, to take effect from 1 April 2020.
- B** Delegated authority to the Head of Environment and Planning, in consultation with the Head of Finance and the Portfolio Holder for Environment, to review or update the Charging Schedule.

- C Delegated authority to the Planning and Building Control Manager, in consultation with the Head of Environment and Planning, to decide on the scale of the fees for any mixed-use developments on a case by case basis and clarify exemptions.

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

As the duration of the meeting would exceed two hours, it was agreed under paragraph 9.1 of the Council Procedure Rules that the meeting would continue until the remaining business on the agenda had been considered.

a) Recommendations from Religious Diversity Working Party

Cabinet considered the recommendations from the Religious Diversity Working Party.

Proposed by Councillor Eugenie Harvey (seconded by Councillor Mark Ingall) it was:

RESOLVED that the Action Plan, attached as Appendix 1 to the report, be approved.

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

RESOLVED that the minutes of the following meetings are noted.

a) Minutes of meeting Tuesday, 19 November 2019 of Housing Standards Board

131. **MATTERS OF URGENT BUSINESS**

None.

LEADER OF THE COUNCIL

Cabinet – 27 February 2020

Questions from the Public

1 Mr David Forman to Councillor Mark Ingall, Leader of the Council

In response to the BBC's Panorama programme aired on 3 February regarding the conversion of office blocks to temporary accommodation, much reaction has centred on ending Permitted Development Rights to convert offices.

Consequently, does the Leader of the Council agree:

- a) That a more fruitful discourse would be to formulate a national plan for large scale investment in affordable and, in particular, social rented accommodation;
- b) That one solution is offered by the National Housing Federation in its report 'Capital grant required to meet social housing need in England 2021 – 2031' published in June 2019, that details a viable financial model for building 137,059 affordable homes, of which 80,285 are social rented, each year for ten years from 2021. This would require Government capital grant funding of £12.8bn per year at 2019/20 prices, producing an average grant funding rate of 44% of total scheme costs;
- c) That the National Housing Federation are correct about the necessity of this scale of building and Government investment when it says: "Given the pressures facing the housing market, it is also the only route to reaching the Government's target of building 300,000 homes per year"?

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

The problems that have arisen from some of the Office block conversions in Harlow have their roots in Government Policy. Since the introduction of Universal Credit there has been a significant rise in homelessness resulting in increased demand for temporary accommodation.

The decision in 2016 to freeze the Local Housing Allowance Cap, that limited the maximum rent a Council could pay to the bottom third of the market in its area at a time when rents were rising fast, has meant that many Councils can no longer find any accommodation within their borders that they can legally afford to rent for those on housing benefit.

Permitted Development Rights, agreed in 2013 allowing for the conversion of office blocks into residential accommodation without planning permission, has enabled

private companies to cash in on the problems caused by Universal Credit and the Local Housing Allowance Cap and provide accommodation that often falls short of decent space standards. The profits these companies make from housing benefit relies on a model of full occupancy hence their less than scrupulous vetting of the mix of tenants they house.

You are entirely right that a national plan for large scale investment is the only long term answer to solving the national housing crisis and that the National Housing Federation solution makes some sense.

Supplementary Question from Mr David Forman

What will Harlow Council do to support people behaving in an anti-social manner who may well have been traumatised by their displacement to our town?

Supplementary Reply from Councillor Mark Ingall, Leader of the Council:

For some time Harlow Council has adopted a multi-agency approach to help identify and support families through the transition period.

The police do work with landlords to support and deal with matters relating to antisocial behaviour

Harlow Council also produce a leaflet that helps families and other households through the transition period. This signposts to services and facilities available and helps those new to the town settle into their new community.

2 Mrs Sheila Sullivan to Councillor Mark Wilkinson, Portfolio Holder for Housing

At present all Houses in Multiple Occupation (HMO) in Harlow need to be licensed by the local authority. This ensures all HMO tenants are protected and all landlords are treated equally. Large HMOs (5 or more occupants) are licensed under the Statutory Licensing Scheme. Small HMOs (4 or fewer occupants) are licensed under the Additional Licensing Scheme which Harlow Council established in April 2015.

That scheme expires in April 2020, but can be renewed. As the Council's website explains, it just needs to advertise its intention to establish an Additional Licensing Scheme for 10 weeks before bringing it into force. Together the Statutory and Additional Licensing Schemes also provide a database for future planning decisions looking to control the frequency of HMOs in a community.

Does Harlow Council plan to renew the Additional Licensing Scheme when the present one expires in April 2020?

Reply from Councillor Mark Wilkinson (Portfolio Holder for Housing):

Nearly every HMO that was covered by the five-year Additional Licensing scheme adopted by the Council is now subject to national mandatory licensing under Part 2 of the Housing Act 2004, since the definition of HMOs to be licensed in that way was changed by central government with effect from 1 October 2018. The new requirement extends to HMOs that are occupied by five or more people in more than one household. The Council's Additional Licensing scheme applied to HMOs occupied by two or more people.

In practice six smaller dwellings with fewer than five residents were included in the Council's Additional scheme, which will not need to be licensed under the national mandatory licensing powers. Once their current licenses expire these dwellings would not need to be licensed in future, unless another new five-year Additional Licensing scheme were put in place specifically to bring that about.

To designate their areas for an additional licensing scheme a Local Housing Authority has a statutory obligation to show that a significant proportion of the HMOs in question are being managed sufficiently ineffectively as to give rise, or to be likely to give rise, to one or more particular problems either for those occupying the HMOs or for members of the public, and that other measures to address the particular problems will not be sufficient. Further, designation of areas for such Additional Licensing schemes is subject to confirmation by central government.

There is not at this time substantive evidence of such particular problems associated with the small number of small HMOs in question so as to satisfy the statutory requirements for proposing such a designation. In these circumstances, and in the light of the fact that government has quite recently considered which HMOs ought to be licensed by default when extending the mandatory requirements, and has determined that such smaller HMOs would not be included, it appears most unlikely that central government would approve such a designation. For these reasons the Council has no current plan to introduce a further Additional Licensing scheme.

The dwellings concerned have however been brought to the Council's adopted standards for fire safety and standard amenities, and remain subject to inspection and remedial action where necessary even though they will no longer be licensed. The Council will keep the position under review in case circumstances change.

Supplementary Question from Mrs Sheila Sullivan

I am concerned that there is a loophole within the system. What will the Council do about this?

Supplementary Reply from Councillor Mark Wilkinson, Portfolio Holder for Housing:

Whilst smaller HMOs do not tend to have the same negative effects as larger ones, we will keep the situation under review.

3 Mr Nicholas Taylor to Councillor Mark Ingall, Leader of the Council

The Harlow and Gilston Garden Town Plan will see hundreds of homes being built on Green Belt land to the west and south west of Harlow, clearing away many acres of greenhouses used for food production, jeopardising the importance of the Lee Valley as a food production area. The Lee Valley Growers Association formed in 1911 formally objected to the Plans of Epping Forest DC at the Local Plan examination.

The Harlow Alliance Party are aware that a number of the land owners of this land, some of whom have had businesses there for many decades, do not want to sell their livelihoods and then try to find land which someone else might want to sell to be used for food production.

Can you tell me why this Labour controlled Council are in favour of building on the green belt, the destruction of local businesses and jobs and the loss of food production, threatening the importance of the Lee Valley as a centre of food production in this country?

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

The sites referred to are located within Epping Forest District and so are contained within Epping Forest District Council's Local Plan. The Lee Valley Growers Association should refer their concerns to Epping Forest District Council.

Policy E3 in the EFDC draft Local Plan specifically provides policies to promote and protect the glasshouse industry in the Lee Valley with an aim of increasing production by 20% in the Local Plan period. It should also be noted that the land within the Water Lane masterplan area has been consistently promoted by the landowners for inclusion within the Plan and for future residential-led development.

4 Mr Nicholas Taylor to Councillor Mark Ingall, Leader of the Council

In view of the response to my questions last month, it is clear that come the end of the current Local Plan period in 2033, that despite Harlow Council's house building programme, it will have less homes than it did in 2012. The Plans of neighbouring authorities for new homes on Harlow's borders will not see any Council owned

homes built, at best a small number of the overall number of new builds may be owned by Housing Associations.

Can you explain how these Plans help the thousands of families living locally, desperate for a Council home, who will never be able to afford to buy even a so called "affordable" home?

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

In 2012 Harlow had a stock of 9,824. In 2019 the stock had fallen to 9,180, a reduction of 644 properties over a seven year period. The local plan provides for 10,620 new homes, with the policy being that 30% of these should be available as affordable housing.

Supplementary Question from Mr Nicholas Taylor

Of the 10,620 homes, how many will be publically owned, rented properties?

Supplementary Reply from Councillor Mark Ingall, Leader of the Council:

It is too early to say.

5 Mr Alan Leverett to Councillor Mark Ingall, Leader of the Council

The outcome of the Inspectors examination of Harlow Council's Local Plan will be known later this year. It is noted that the Council produced a document a couple of months ago which set out how it was going to engage with residents in the future.

Harlow Council will very soon now need to consult residents about the changes which the Inspector finally makes to The Local Plan. Can you give specific examples of what residents can expect to be different as a result of the recent undertaking compared with the consultation it carried out with residents during the 4 year period that it took to construct it's Local Plan?

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

The latest phase of creating Harlow's Local Plan now provides certainty to local residents. Previous consultations, over several years, have focussed on looking at options for growth locations. The conclusion of this process now fixes these and so residents of Harlow will have certainty about which areas of the town will be available to be developed and which will not.

In terms of what will be different in the Local Plan, the Inspector has removed seven sites from the list of sites allocated for housing development and so these will now remain as green space. There are also a number of minor amendments to Green

Belt boundaries in Harlow and there is a new policy requiring developments to contribute to the health and wellbeing of the town.

6 Mr Alan Leverett to Councillor Mark Ingall, Leader of the Council

Councillors from both Parties as well as Harlow residents have expressed concerns about the plight of many of the residents uprooted from the area they live to be placed in office conversions in Harlow often miles from their extended families and support network. The hope must be that councils will cease this practice.

If this was ever the case, do you or indeed the Council have any thoughts about what these office conversions will be used for in the future?

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

The Council does not own any of the buildings that have been converted to residential use and so cannot control their future use unless Permitted Development Rights are ended and they become subject to planning control. In the event that this does happen it is hoped that some may be suited for conversion to better quality residential development or that those in industrial areas can be re-converted back to employment use.

7 Mrs Sue Lydamore to Councillor Mark Ingall, Leader of the Council

Many residents have expressed concerns that at the same time as Occasia House has remained empty for a considerable period, there are homeless families being placed in unsatisfactory accommodation and individuals are living on the street.

Are you able to give an update on what is the future of this building and has the Council given any thought about purchasing it and converting it into family sized homes for people on Harlow Council's Housing Register?

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

Harlow Council is discussion with the owners of the building regarding its future use. This dialogue is ongoing and for commercially sensitive reasons it is not possible to give more information on the progress of these discussion at this time.

8 Mrs Sue Lydamore to Councillor Mark Ingall, Leader of the Council

The towns Masterplan of the 1940's envisaged that the towns hospital would be sited in the centre of town, giving easy, quick access to as many residents as possible. Over a decade later this proposal had stood the test of time and the

hospital was built as originally proposed. Early responses to a survey presently being carried out by The Harlow Alliance Party show that 66 % want the new hospital to be located on it's present site.

Can you advise me what is Harlow Council's preferred option, building a new hospital on the present site or near to the new junction 7a some 3 miles from the present site?

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

Whilst there are many strong arguments to rebuild the hospital on it current site, there are also strong arguments for a new hospital to be built on a new site. Harlow Council, working with the MP for Harlow, have taken the view that what matters is that Harlow has a new hospital. Ultimately the location of the new hospital is a decision that will be made by the PAH trust and the Department for Health.

9 Mr Steve Dean to Councillor Mark Ingall, Leader of the Council

At last year's examination of Harlow Council's Local Plan, an officer of the Council, was asked about the consultation which the Council had carried out with residents living near those sites being considered for building homes on them. The officer stated that the Council had employed a business to do this, the responses then formed one element of the matrix used to determine whether the sites should remain on the list. Having spoken to hundreds of residents living near these sites, members of the Harlow Alliance Party have yet to come across anyone who was approached on this subject.

Can you tell me how many residents were consulted at each site, whether it be at the first stage when hundreds of sites were identified, the second stage when the number was less than eighty or the final stage for just 20 sites, and when this took place?

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

Consultants LUC undertook an Open Spaces Study which included the auditing of open spaces across the district. As part of this, public consultation was undertaken in a number of ways, in order to try and reach a broad range of Harlow residents:

- a) 850 individuals were contacted to take part in a telephone interview;
- b) a letter was sent to 4,000 residents, local groups and stakeholders to asking them to participate in the study by filling in a questionnaire;
- c) two workshops were undertaken for local residents and local groups;

- d) two focus groups were undertaken focusing on underrepresented groups;
- e) a total of 356 responses were received from the questionnaire and telephone interviews (118 phone and 238 questionnaires). In addition to this were detailed views of those individuals that attended the two workshop events and the two focus groups (which targeted children and young people).

In terms of the Local Plan, in addition to exhibitions, press notices/articles, website notices, notices in local libraries and the Civic Centre, the following numbers of people were sent notification letters/emails at each stage of the Local Plan production:

- a) Issues and Options stage – approximately 1,800 contacts;
- b) Emerging Strategy and Further Options stage – approximately 2,381 contacts;
- c) Development Management Policies stage – approximately 2,231 contacts; and
- d) Pre-Submission Publication stage – approximately 2,800 contacts.

The contacts comprised consultees on the Council's database, including individuals who expressed an interest, environmental organisations, resident associations and adjoining Councils.

10 Mr Steve Dean to Councillor Mark Ingall, Leader of the Council

Back in the 1990's Harlow Council carried out work to a number of sites around the town to stop travellers from occupying Council land. In view of the recent case involving Bromley Council, Harlow Council may find they are unable to get a further injunction against travellers setting up encampments in Harlow when the existing legal restriction expires in June of this year.

Has the Council any plan in place to carry out physical works around the town to stop travellers from being able to gain access to sites which they have used before?

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

The procedure Bromley Council used to seek an injunction was very different to the procedure used by Harlow. Our advice is that Bromley's failure to secure an injunction does not make Harlow Council's plans to renew our successful injunction any the less likely.

Work has already been carried out to secure vulnerable parts of the town. Should further areas be deemed to be vulnerable, the Council will look at the possibility of protecting that piece of land. We ask members of the public to remain vigilant, and to report any areas of concerns regarding the vulnerability of land that they may have.

11 Mrs Kimberley Dew to Councillor Mark Wilkinson, Portfolio Holder for Housing

For decades Harlow Council had a repair and painting programme for the external fabric of its houses, effectively protecting its asset. Houses have not had such work carried out for at least 15 years and many houses are now suffering defects and looking shabby as a result. When can the tenants of Harlow Council's houses next expect their homes to be repaired and painted externally?

Reply from Councillor Mark Wilkinson (Portfolio Holder for Housing):

The Council has a programme of cyclical painting which is prioritised annually based on resources available, priorities, and the condition of dwellings. These programmes include painting and associated repairs of both the external fabric of flat blocks and houses and the internal decoration of communal areas within flat blocks.

A programme of external painting of estates on the Council website will be updated in May 2020.

12 Mrs Kimberley Dew to Councillor Mark Wilkinson, Portfolio Holder for Housing

Work to construct homes at Bushey Croft and at the former Lister House site (and Elm Hatch) are due to commence later this year. Can you advise what sort of tenure these new homes will be?

Reply from Councillor Mark Wilkinson (Portfolio Holder for Housing):

The new homes planned for Bushey Croft and Elm Hatch will all be council homes. We expect all of these homes to be rented and offered to people from Harlow's Housing Register.

**MINUTES OF THE AUDIT & STANDARDS COMMITTEE
HELD ON**

4 March 2020

7.30 - 9.10 pm

PRESENT

Committee Members

Councillor Stefan Mullard (Chair)
Councillor Shannon Jezzard (Vice-Chair)
Councillor Jean Clark
Councillor Jodi Dunne
Councillor Eddie Johnson
Councillor Frances Mason
Councillor Russell Perrin
Councillor Chris Vince

Officers

Simon Freeman, Head of Finance and Deputy to the Chief Executive
Simon Hill, Head of Governance
Natalie Hook, Senior Auditor
Sarah Marsh, Internal Audit Manager
Stuart Moseley, Senior Insurance Officer
Adam Rees, Governance Support Officer

Also Present

Francesca Palmer, External Audit Manager - BDO

40. **APOLOGIES FOR ABSENCE AND SUBSTITUTIONS**

Apologies for absence were received from Councillor Simon Carter.

41. **DECLARATIONS OF INTEREST**

Councillor Chris Vince declared a pecuniary interest as a remunerated Council appointed Director of HTS (Property and Environment) Ltd.

42. **MINUTES**

RESOLVED that the minutes of the meeting held on 27 November 2019 are agreed as a correct record and signed by the Chair subject to the addition of Councillor Eddie Johnson to the list of those who gave apologies.

43. **MATTERS ARISING**

None.

44. **WRITTEN QUESTIONS AND PETITIONS**

None.

45. **NON CONTENTIOUS BUSINESS**

None.

46. **COMMITTEE WORK PLAN**

The Committee received its current work plan. Simon Freeman, Head of Finance and Deputy to the Chief Executive, said there was no requirement for the annual report on the Certification of Grant Claims and Returns to be considered by the Committee. It was agreed that the qualification letter would be circulated to the Committee members instead.

RESOLVED that the work plan is noted.

47. **ANNUAL AUDIT LETTER**

It was agreed that items 8, 9 and 10 would be considered together.

Francesca Palmer, External Audit Manager - BDO, said that the audit letter was not ready as the audit had not been completed and there were a number of material errors which needed to be resolved. The issues were technical adjustments and did not affect the headline figures within the accounts.

48. **ANNUAL REPORT ON THE CERTIFICATION OF GRANT CLAIMS AND RETURNS**

This item was considered as part of Minute Item 47.

49. **EXTERNAL AUDITOR - AUDIT PLAN 2019/20**

This item was considered as part of Minute Item 47.

50. **INTERNAL AUDIT STRATEGY AND PLAN 2020/21**

The Committee received a report proposing the Internal Audit Strategy and Plan for the 2020/21 municipal year.

Members of the Committee considered that the effectiveness and contribution that the Strategy and Plan made, met the criteria within the Council's assurance framework.

RESOLVED that:

A The Internal Audit Strategy and Plan for 2020/21 is approved.

51. **PERIOD 11 INTERNAL AUDIT ACTIVITY REPORT 2019/20**

The Committee received the Period 11 Internal Audit Activity Report which showed the progress being made against the Audit Plan since the last meeting of this Committee.

Noting the various delays relating to external data transfers between the Council and HTS. It was agreed that the Chair would write to HTS requesting an update including a date for final implementation.

RESOLVED that:

A The report be noted.

52. **AUDIT AND STANDARDS COMMITTEE WORK PLAN AND TRAINING PROGRAMME**

The Committee received its proposed 2020/21 work plan and proposed training programme for Councillors.

RESOLVED that the work plan and training programme for the 2020/21 municipal year are agreed.

53. **RISK MANAGEMENT PROGRESS REPORT**

The Committee received a report on the Risk Management Appetite. The Committee noted the moderate risk appetite currently assigned to a Clean and Green Environment. In light of the Council's declaration of a Climate Emergency it was agreed that the Senior Management Board should look at how the risk appetite could be adjusted to 'hungry'. This would be reported back to the Committee.

RESOLVED that the Committee:

A Noted Senior Management Board revisions to the corporate Risk Appetite General Statement (attached as Appendix 1 to the report).

B Noted the amended Risk Rating Matrix (attached as Appendix 2 to the report) which further defines impact ratings by type of risk.

C Noted the introduction of risk appetite definition thresholds in respect of risks reported to Senior Management Board for review.

D Approved the updated Risk Strategy Version 3.1, as set out in Appendix 3 to the report, which includes the amended Risk Matrix and revised 'Risk Appetite' section.

54. **AMENDMENTS TO CODE OF CONDUCT**

The Committee considered a report which set out a number of amendments to the Code of Conduct for Councillors.

The Committee discussed the threshold for declarations to be included on the Register of Gifts and Hospitality. It was agreed that the limit should be £25, or £50 over a year from a single source.

RESOLVED that the Committee recommended to Full Council that the revised Code of Conduct (attached as Appendix A to the report) be adopted, subject to the amendment of paragraph 14.1 of the Code to set a limit of £25 or totalling £50 over a year from a single source.

55. **REFERENCES FROM OTHER COMMITTEES**

None.

56. **MATTERS OF URGENT BUSINESS**

None.

CHAIR OF THE COMMITTEE

**MINUTES OF THE LICENSING COMMITTEE
HELD ON**

10 March 2020

7.30 - 8.10 pm

PRESENT

Committee Members

Councillor Frances Mason (Chair)
Councillor Shannon Jezzard (Vice-Chair)
Councillor Nick Churchill
Councillor Michael Garnett
Councillor Lanie Shears
Councillor Nancy Watson

Officers

Chris Bennett, Principal Environmental Health Officer
Hannah Criddle, Governance Support Officer
Michael Pitt, Environment and Licensing Manager
Dimple Roopchand, Principal Solicitor

39. **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Tony Hall, Maggie Hulcoop and Andrew Johnson.

40. **DECLARATIONS OF INTEREST**

None.

41. **MINUTES**

- a) Minute 36 - Considerations regarding CCTV in Hackney Carriage and Private Hire Vehicles

The Committee noted that Michael Pitt, Environment and Licensing Manager, circulated a note to provide an explanation on the prices quoted in the report.

42. **MATTERS ARISING**

None.

43. **WRITTEN QUESTIONS AND PETITIONS**

None.

44. **COMMITTEE WORK PLAN**

Michael Pitt advised that reports on Licensing Sub Committee Decisions in 2019-20 and Enforcement Action completed by the Licensing Team in 2019-20 would be presented to the Committee at the first meeting of the next municipal year.

45. **PRIVATE HIRE OPERATOR CONDITIONS AND THE PROVISIONS OF ADAPTED VEHICLES (SUBJECT TO NATIONAL GUIDANCE)**

The Committee received a report on wheelchair accessibility in the licensed fleet.

RESOLVED that:

A The Licensing Team would work with the trade, as set out under proposals at paragraph 14 of the report, to support good practice in the operation of designated Wheelchair Accessible Vehicles (WAVs) and better promote information about their availability.

B A further report would be brought to Licensing Committee examining the merits of a formal survey of unmet need for WAVs in Harlow at a time when revised central government guidance on licensing of the Hackney carriage and private hire trades is available.

46. **ELECTRONIC PAYMENT OF FARES IN HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLES - OUTCOME OF CONSULTATION**

The Committee received a report on the outcome of consultation on electronic payment of fares in licensed vehicles.

RESOLVED that:

A The Licensing Committee recommend to Full Council that a condition be attached to Hackney Carriage Vehicle Licences to require that Hackney Carriage Vehicles be equipped with electronic payment facilities as set out in Proposals at paragraphs 54 to 61.

B Subject to A, authority to approve the details of the condition is delegated to the Environment and Licensing Manager, in consultation with the Chair of the Licensing Committee.

47. **UPDATED LICENSING COMMITTEE TERMS OF REFERENCE**

The Committee received a report on amendments to the Licensing Committee's Terms of Reference.

RESOLVED that:

- A** The Licensing Committee recommend to Full Council that the revised Licensing Committee, Licensing Sub Committee and Regulatory Sub Committee Terms of Reference (attached as Appendix A to the report) are adopted.

48. **REFERENCES FROM OTHER COMMITTEES**

None.

49. **MATTERS OF URGENT BUSINESS**

None.

CHAIR OF THE COMMITTEE

**MINUTES OF THE DEVELOPMENT MANAGEMENT COMMITTEE
HELD ON**

27 May 2020

7.30 - 9.12 pm

PRESENT

Committee Members

Councillor Phil Waite (Chair)
Councillor Nancy Watson (Vice-Chair)
Councillor Jean Clark
Councillor Mike Danvers
Councillor Bob Davis
Councillor Michael Garnett
Councillor Michael Hardware
Councillor Maggie Hulcoop
Councillor Sue Livings
Councillor Clive Souter

Officers

Jade Clifton-Brown, Principal Planning Officer
Patricia Coyle, Principal Planning Officer
Hannah Criddle, Governance Support Officer
Alex Chrusciak, Planning and Building Control Manager (Interim)
Nicholas Fu, Planning Officer
Julie Galvin, Assistant Solicitor
John Harrison, Senior Development Management Officer
Simon Hill, Head of Governance
Sangeeta Ratna, Senior Planning Officer
Adam Rees, Governance Support Officer

1. **APOLOGIES FOR ABSENCE AND SUBSTITUTIONS**

None.

2. **DECLARATIONS OF INTEREST**

Councillor Bob Davis declared a non-pecuniary interest in agenda item 8 as a Mark Hall Ward Councillor.

Councillor Mike Garnett declared a non-pecuniary interest in agenda items 8 and 10 as Harlow North County Councillor.

Councillor Michael Hardware declared a non-pecuniary interest in agenda item 7 as a Staple Tye Ward Councillor.

Councillor Clive Souter declared a non-pecuniary interest in agenda item 7 as his lives in the Staple Tye ward.

3. **MINUTES**

RESOLVED that the minutes of the meeting held on 15 January 2020 are agreed as a correct record and signed by the Chair.

4. **MATTERS ARISING**

None.

5. **WRITTEN QUESTIONS**

None.

6. **PROCEDURE FOR CONSIDERATION OF PLANNING APPLICATIONS**

RESOLVED that the procedure for the conduct of the meeting is noted.

7. **HW/FUL/18/00064 - ENTERPRISE HOUSE, PERRY ROAD**

The Committee received a report and application (HW/FUL/18/00064) on the change of use from B8 storage and distribution to Sui Generis (gym studio and beauty space).

RESOLVED that the application is **DEFERRED**. The deferment is to allow for further engagement with the Applicant on possible changes to the application in order to address the concerns raised.

8. **HW/FUL/19/00257 - SERVICE INDUSTRY BAYS, THE STOW**

The Committee received a report and application (HW/FUL/19/00257) on the re-development of existing service bays (employment use) into a mixed use development comprising of 88 no. 1 and 2 bedroom apartments, 10 no. live/work unites and 545 sqm of B1 use. The proposals also incorporate an Undercroft Car Parking, Mews Courtyard and Residential Gardens.

RESOLVED that planning permission is **GRANTED** subject to the applicant entering into an appropriately worded Section 106 legal agreement to secure:

- (i) A £50,000 contribution towards the requirements indented by the NHS and Essex County Council;
- (ii) The provision of a management company to ensure that waste is moved at the appropriate times to the required locations to allow for its collection by Council operatives; and the conditions detailed in the supplementary documents.

And the conditions detailed in the supplementary documents.

9. **HW/FUL/20/00049 - TELECOMMUNICATION MAST, JUNCTION WITH TILLWICKS ROAD, SOUTHERN WAY**

The Committee received a report and application (HW/FUL/20/00049) on a proposed telecommunications upgrade for a Phase 7 monopole complete with wraparound cabinet at based and associated work.

RESOLVED that planning permission is **GRANTED** subject to the conditions detailed in the report.

10. **HW/FUL/20/00095 - BURNT MILL COMPREHENSIVE SCHOOL, FIRST AVENUE**

The Committee received a report and application (HW/FUL/20/00095) on the retention of a modular classroom block to provide 4 classroom accommodation block for Sir Fredrick Gibberd College for an additional one academic year granted a temporary planning permission with reference HW/FUL/19/00074.

RESOLVED that planning permission is **GRANTED** subject to the conditions detailed in the report.

11. **HW/HSE/20/00037 - 34 SHELDON CLOSE, HARLOW**

The Committee received a report and application (HW/HSE/20/00037) on a single storey side and rear extension.

RESOLVED that planning permission is **GRANTED** subject to the conditions detailed in the report.

12. **REFERENCES FROM OTHER COMMITTEES**

None.

13. **MATTERS OF URGENT BUSINESS**

None.

CHAIR OF THE COMMITTEE

**MINUTES OF THE DEVELOPMENT MANAGEMENT COMMITTEE
HELD ON**

3 June 2020

7.30 - 9.22 pm

PRESENT

Committee Members

Councillor Phil Waite (Chair)
Councillor Nancy Watson (Vice-Chair)
Councillor Jean Clark
Councillor Mike Danvers
Councillor Bob Davis
Councillor Michael Garnett
Councillor Michael Hardware
Councillor Maggie Hulcoop
Councillor Sue Livings
Councillor Clive Souter

Officers

Alex Chrusciak, Interim Planning and Building Control Manager
Hannah Criddle, Governance Support Officer
Patricia Coyle, Principal Planning Officer
Julie Galvin, Legal Services Manager
Simon Hill, Head of Governance
Nicholas Fu, Senior Planning Officer
Sangeeta Ratna, Senior Planning Officer
Adam Rees, Governance Support Officer

14. **APOLOGIES FOR ABSENCE AND SUBSTITUTIONS**

None.

15. **DECLARATIONS OF INTEREST**

Councillor Jean Clark declared a non-pecuniary interest in agenda item 9 as a Little Parndon and Hare Street Ward Councillor.

Councillors Mike Garnett and Sue Livings both declared a non-pecuniary interest in agenda item 7 as an Old Harlow Ward Councillors.

Councillor Clive Souter declared a non-pecuniary interest in agenda items 8, 9 and 10 as Harlow West County Councillor.

16. **MINUTES**

RESOLVED that the minutes of the meeting held on 27 May 2020 are agreed as a correct record and signed by the Chair.

17. **MATTERS ARISING**

None.

18. **WRITTEN QUESTIONS**

None.

19. **PROCEDURE FOR CONSIDERATION OF PLANNING APPLICATIONS**

RESOLVED that the procedure for the conduct of the meeting is noted.

20. **HW/REM/19/00494 - CP2B, CP2, BARNFIELD WAY, NEW HALL**

The Committee received a report and application (HW/REM/19/00494) on the planning permission for the erection of 117 residential units and associated infrastructure (all reserved matters – access, appearance, landscaping, layout and scale) for area CP2B following approval of outline consent (HW/PL/04/00302).

The Committee also received two supplementary reports containing information which had been received after the publication of the agenda. The information included additional representations received from the applicant. Supplementary report 1 recommended conditions 1 and 3 be amended and supplementary report 2 recommended condition 5 be amended.

Presentations were heard from the applicant's agent.

RESOLVED that planning permission is **GRANTED** subject to the conditions as detailed in the report and as updated by the two supplementary reports.

21. **HW/FUL/19/00426 - NEW FRONTIERS LEISURE CLUB, PARINGDON ROAD**

The Committee received a report and application (HW/FUL/19/00426) on the retrospective application for the retention of 11 containers and the change of use of the tennis court to store cars.

The Committee also received a supplementary report containing information which had been received after the publication of the agenda. The information included additional representations received from the applicant.

Presentations were heard from three supporters of the application and the applicant.

Councillor Bob Davis declared a pecuniary interest as a remunerated Council appointed Director of HTS (Property and Environment) Ltd. HTS provided funding to the sports facility, of which he was also a member. Councillor Davis withdrew from the debate.

Councillor Michael Hardware (seconded by Councillor Mike Danvers) proposed that planning permission is deferred to allow for further engagement with the Applicant to consider solutions to the storage but with the view to remove the car parking on the tennis court from the application.

RESOLVED that planning permission is **DEFERRED**.

22. **HW/OUTAM/19/00474 - POLICE OFFICE KENNELS, 286A FOLDCROFT**

The Committee received a report and application (HW/OUTAM/19/00474) on the planning permission for the erection of 3 no. dwellings with associated car parking and infrastructure.

Presentations were heard from one objector and the applicant's agent.

RESOLVED that planning permission is **GRANTED** subject to the conditions as detailed in the report.

23. **HW/HSE/20/00047 - 16 BURNETT PARK**

The Committee received a report and application (HW/HSE/20/00047) on the planning permission for two storey front and rear extensions.

Presentations were heard from two objectors and the applicant.

Councillor Mike Garnett (seconded by Councillor Jean Clark) proposed an additional condition for the working hours. The amendment was carried.

RESOLVED that planning permission is **GRANTED** subject to the conditions as detailed in the report and the additional following condition:

No construction work shall be carried out or plant operated other than between the following hours: 08:00 hours to 18:30 hours on Mondays to Fridays; and between 08:00 hours to 13:00 hours on Saturdays. no construction work shall take place on Sundays, Bank Holidays or Public Holidays.

Reason: in the interest of residential amenity of neighbours and to accord with policy BE1 of the adopted replacement Harlow Local Plan, July 2006

24. **REFERENCES FROM OTHER COMMITTEES**

None.

25. **MATTERS OF URGENT BUSINESS**

None.

CHAIR OF THE COMMITTEE

**MINUTES OF THE AUDIT & STANDARDS COMMITTEE
HELD ON**

10 June 2020

7.30 - 8.30 pm

PRESENT

Committee Members

Councillor Stefan Mullard (Chair)
Councillor Shannon Jezzard (Vice-Chair)
Councillor Simon Carter
Councillor Jean Clark
Councillor Jodi Dunne
Councillor Maggie Hulcoop
Councillor Eddie Johnson
Councillor Frances Mason
Councillor Russell Perrin

Officers

Natalie Hook, Senior Auditor
Simon Freeman, Head of Finance and Deputy to the Chief Executive
Sarah Marsh, Internal Audit Manager
Adam Rees, Governance Support Officer

Also Present

Lisa Clampin, BDO
Francesca Palmer, BDO

1. **APOLOGIES FOR ABSENCE AND SUBSTITUTIONS**

Apologies for absence were received from Councillor Michael Hardware.

2. **DECLARATIONS OF INTEREST**

Councillor Simon Carter declared a pecuniary interest in Item 10 as Council appointed Director of HTS (Property and Environment) Ltd. He would leave the meeting if matters related to HTS were discussed.

3. **MINUTES**

RESOLVED that the minutes of the meeting held on 4 March 2020 are agreed as a correct record and signed by the Chair.

4. **MATTERS ARISING**

a) Minute 47 - Annual Audit Letter

Francesca Palmer, BDO, gave an update on the finalisation of the Council's accounts for 2018/19. She explained that a number of outstanding issues had been resolved and the accounts were close to being in a position where they could be signed off.

5. **WRITTEN QUESTIONS AND PETITIONS**

None.

6. **NON CONTENTIOUS BUSINESS**

None.

7. **COMMITTEE WORK PLAN**

The Committee received its current work plan. It noted that the Audited Annual Accounts 2019/20, Management Letter of Representation, and External Auditors Audit Results Report 2019/20 (ISA 260) would be considered at the November meeting. The Annual Audit Letter 2019/20 would be considered at the March meeting. It was also noted that the Review of Internal Audit Charter, Review of Audit & Standards Committee Effectiveness and Terms of Reference, Review of Code of Corporate Governance and Review of Anti-Fraud and Corruption Strategy would be considered at the August meeting in light of the other changes agreed.

RESOLVED that the work plan is noted.

8. **AUDIT AND STANDARDS COMMITTEE ANNUAL REPORT 2019/20**

The Committee received its annual report, which outlined its activities during the last municipal year.

RESOLVED that it is recommended to Full Council that the Annual Report for the Audit and Standards Committee for 2019/20 be agreed.

9. **INTERNAL AUDIT ANNUAL REPORT 2019/20**

The Committee received the Internal Audit Team's annual report, which summarised the results of the internal audit work they had undertaken during the year ending 31 March 2020, and included an overall opinion of the Council's governance, risk management and control framework.

10. **PERIOD 2 INTERNAL AUDIT ACTIVITY REPORT 2020/21**

The Committee received the latest Internal Audit Activity report and reviewed the work undertaken by the Internal Audit Team since the last report received by this Committee.

RESOLVED that the report is noted.

11. **REVISED 2020/21 INTERNAL AUDIT PLAN**

The Committee considered the revised Internal Audit Plan for 2020/21. The Committee discussed a number of further revisions and it was agreed that the following changes would be made:

- i) The Equalities Act and Impact Assessments audit is carried out in 202/21;
- ii) Work on the Performance Management Framework be deferred; and
- iii) Service/business planning and risk management be deferred.

RESOLVED that the Committee approved the revised Internal Audit Plan for 2020/21 subject to the following changes:

- A** The Equalities Act and Impact Assessments audit is carried out in 202/21;
- B** Work on the Performance Management Framework be deferred; and
- C** Service/business planning and risk management be deferred.

12. **REFERENCES FROM OTHER COMMITTEES**

None.

13. **MATTERS OF URGENT BUSINESS**

None.

CHAIR OF THE COMMITTEE