

CALL IN SUB COMMITTEE
Thursday 7 January 2021 at 7.30 pm
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 and Substitutions

2. Declarations of Interest

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

3. Procedure for the Meeting

To note the following procedure, which will apply for this meeting:

- (i) The Councillors who called-in the decision will explain their reasons for doing so.
- (ii) The Sub Committee will consider information in relation to the background to the decision and receive evidence from relevant Councillors and Officers.
- (iii) Members of the Sub Committee will question the information received and ask questions of the witnesses.
- (iv) The Sub Committee will determine what action to take in response to the call-in. The decisions available to the Sub Committee are:
 - (a) Not to take any further action;
 - or
 - (b) To refer the decision back to the Cabinet for reconsideration. (Such a reference would need to be accompanied by a written statement of the Sub Committee's concerns).

(c) Separately, to refer the matter to the Scrutiny Committee.

4. Call In of Decision of Cabinet on 3 December 2020: Development of Options for a Harlow Metro System (Pages 3 - 17)

REPORT TO: CALL IN SUB COMMITTEE

DATE: 7 JANUARY 2021

TITLE: CALL IN OF DECISION OF CABINET ON 3 DECEMBER 2020: DEVELOPMENT OF OPTIONS FOR A HARLOW METRO SYSTEM

PORTFOLIO HOLDER: COUNCILLOR DANNY PURTON, PORTFOLIO HOLDER FOR ENVIRONMENT

LEAD OFFICER: ANDREW BRAMIDGE, HEAD OF ENVIRONMENT AND PLANNING (01279) 446410

RECOMMENDED that:

- A** The Sub Committee considers the decision of Cabinet, Development of Options for a Harlow Metro System, 3 December 2020, in accordance with the meeting procedure as set out in Agenda Item 3.

BACKGROUND

1. A valid call in request (attached as Appendix A to the report) has been received in relation to the decision taken by Cabinet on 3 December 2020. The Cabinet's decision was as follows, where Cabinet:
 - a) Endorsed the principle of establishing a sustainable transport system to meet the modal shift and climate change aspirations to support the future growth of the town.
 - b) Approved, subject to c below, the commissioning of a first stage feasibility study to explore different innovative transport technologies that a 'Harlow Metro' might bring and to advise the Council on operational and business models.
 - c) Delegated authority to the Chief Executive, in consultation with Leader of the Council, and Portfolio Holder for the Environment to identify a budget and scope for the first stage feasibility study to be commissioned in conjunction with the Council's external partners.
2. The original report considered by the Cabinet in relation to this decision is attached as Appendix B to this report.
3. The reasons for the call in are set out in the call in notice, which is attached as Appendix A. Officers have determined that the call in notice is valid as it satisfies relevant constitutional requirements.

4. The Call In Sub Committee must consider the Cabinet's decision to determine whether it has concerns with it and, if so, what action it wishes to propose back to the decision making body. The procedure for this investigation is explained at Item 3 on the agenda for this meeting.

Appendices

Appendix A – Call In Notice dated 11 December 2020

Appendix B – Original Report to Cabinet on 3 December 2020

Background Papers

None.

Glossary of terms/abbreviations used

None.

Appendix A

HARLOW COUNCIL

Notice of Call In

Agenda Item 16A

CABINET 3 December 2020

Reason:

Cabinet was not provided with sufficient information from which to reach a reasoned conclusion.

Cabinet was asked to commit the Council to expenditure for an unknowable amount on a feasibility study on options for a sustainable transport system for the Harlow and Gilston Garden Town concept on the basis of support from other members of the HGGT.

There was some evidence of research into the project but surprisingly little into costs of either the study or of a transport system. Despite the portfolio holder claiming at the start of his presentation of “overwhelming and enthusiastic support” for his project, no evidence of that support was provided.

Costs

In order to put both the study and project into some form of context and scale there should have been some indication of the costs so that members of the Cabinet could give some weight to the practicality of finding the required funding.

There are no comments in either the report or the committee presentation to give any idea how much was being considered. It was only after probing questions, which were cut short by the chairman, did Cllr Purton agree that costs of the project could be in the order of £20M per kilometre.

In her contributions to the debate, the deputy leader was not telling the whole story about two towns in France. Angers is the centre of a conurbation of around 420,000 with two universities. She could have added to the debate by referring to the construction of a new tram line of 10 km at a cost of EU245M (£222M) with a state subsidy of EU36M (£32.5M), suggesting a very high level of debt.¹ Nancy is a *department* capital in a conurbation of 435,000 which also hosts two universities and a host of colleges. So we are not comparing like with like.

Cllr Harvey referred to “eleven” other tram systems in UK; Birmingham, Croydon, Docklands Light Railway Edinburgh, Manchester, Newcastle, Nottingham, Sheffield, most of which were built on existing rail lines to a greater or lesser extent, plus Blackpool, which is nine. All of these places are major conurbations with substantial populations. It is a very small list, omitting

such cities as Bristol and Liverpool. Glasgow has the only other underground system in the UK.

Geographically, Harlow is a small town covering some four square miles and the population of a 'greater Harlow' will only be in the order of 150,000. There must be a reason why there are so few tram systems in the UK. They require a substantial critical mass of population to justify such schemes.

Support

Following a presentation to the HGGT board of a Metro system there was only an agreement "in principle" with no commitment towards funding either the study or a Metro system. At the Technical Briefing for members of the Development Management committees of East Herts and Harlow councils on 7 December the chair of East Herts committee said she "admired the ambition" of the Metro project.

There was no evidence provided of support from Essex County Council, responsible for highways and transport, who have already presented their proposals in the HGGT Transport Strategy - New Public Transport Routes which will:

" Be used by modern, high quality, low emission buses"

During the Technical Briefing the representative from Places for People, the principle developer and funder, said because of costs, separate 'tram' routes were not supported. Without the support, financial and in principle, of the main developer, it is going to be very difficult to encourage other investors to get involved.

In answer to questions about subsidy for operating costs Cllr Purton said that "operators already agreed to cover early years", giving no indication as to who those operators of an, as yet unidentified, Metro system might be. Places for People are offering subsidies for buses from Gilston to the town station, the High and employment areas.

So where is this overwhelming and enthusiastic support? Cabinet needs to know who are the supporters and the degree of support, other than just 'in principle' before committing the council to unlimited expenditure.

There also appears to be some confusion as to what Cabinet was being asked to endorse. The principle of a sustainable transport system for HGGT is not in doubt as it is fundamental to the proposals put forward by HGGT and adopted by this council, such as the Transport Plan and Infrastructure Delivery Plan, the latter including connections with employment areas, which the Metro proposals do not:

The Sustainable Transport Corridors (STC) will form a strategic network of routes, principally, north-south and east-west across the Garden Town, connecting the new neighbourhoods and villages to Harlow Town Centre, the existing neighbourhoods of Harlow new town and key locations including the railway stations and employment areas.

The deputy leader said she was endorsing a viability study and not endorsing a scheme, yet the title of the Report refers to a 'Harlow Metro System' and paragraph 8 covering the focus of the study says:

Identify a range of (current and future) potential public transport technology system options considered suitable for the Harlow Urban Metro proposal

restricting the scope of the study to a guided bus/rail system as portrayed in the video presentation circulated in advance of the meeting. HGGT already has a sustainable transport proposal, accepted by all of the other HGGT partners and designed by Essex County Council. None of this was referred to in the report or accompanying presentation by the Cabinet Member.

Paragraph 7 of the report refers to

The commission (sic) should identify and assess the feasibility of existing and emerging public transport technologies that might be suitable to operate on the Sustainable Transport Corridors that are to be implemented across Harlow and the Garden Town.

without pointing out that this work has already been undertaken by the transport consultants to Places for People, the principle developer.

The viability study is supposed to answer many of the detail questions but there are some specific issues which require more preparation such as the impact of a high level interchange on a Grade II listed building, the station, which would make profound changes to its site and setting. And the two right angle turns on Edinburgh Way and Fifth Avenue.

Conclusion

Cabinet needs more specific information on the level of support for such a scheme, and the size of costs for both the study and the scheme. This proposal requires more preparation and a resubmission before meaningful conclusions can be reached by Members.

Cllr Simon Carter Cllr David Carter
Members of the Call in-In Committee

11 December 2020

¹ <https://tramway.angersloiremetropole.fr/ligne-b-c/le-reseau-des-3-lignes/>

Appendix A

Agenda Item 16A

Decision

Development of Options for a Harlow Metro system

Key decision? Yes

RESOLVED that Cabinet:

- A Endorsed the principle of establishing a sustainable transport system to meet the modal shift and climate change aspirations to support the future growth of the town.
- B Approved, subject to C below, the commissioning of a first stage feasibility study to explore different innovative transport technologies that a 'Harlow Metro' might bring and to advise the Council on operational and business models.
- C Delegated authority to the Chief Executive, in consultation with Leader of the Council, and Portfolio Holder for the Environment to identify a budget and scope for the first stage feasibility study to be commissioned in conjunction with the Council's external partners.

Reasons for Decision

- A As a core partner in the Harlow and Gilston Garden Town, Harlow Council is committed to developing sustainable transport solutions to serve both the existing population of Harlow and also to support the future growth of the town, including settlements that will lie beyond the town's boundary. The Vision for the Harlow and Gilston Garden Town, and also its Transport Strategy, identify a requirement for a significant modal shift in the use of transport mechanisms so that 60% of journeys from the new housing sites, and 50% of those within the existing town, are undertaken by sustainable means.
- B It is unlikely that such a modal shift, which would be an achievement of national significance, can be attained through an expectation that there will be a greater use of existing public transport systems. Particularly in a post-Covid world, there will be additional challenges in persuading people to use an alternative to private cars. To achieve this is likely to require the development of a transport system that also has national significance and provide the opportunity for Harlow to develop an aspirational network that is genuinely seen to be a better alternative.
- C To achieve the objectives and vision that the Council has set in its forthcoming Local Plan will require some bold thinking and transportation will be very high within that. The Council should set its aspirations at a high level and ask questions as to what can be achieved.
- D The report set out a proposal to endorse the principle and embark on a first stage feasibility study to explore what a Harlow Metro system might look like, how it would operate, initial engineering issues and what business models could be employed. Depending upon the outcome of this, further work will be required

to look at engineering details, to market test the concept as well as more detailed business planning. However, this work will not be commissioned until the first stage feasibility work has been undertaken and the outcome of this and proposals for any additional work will be the subject of a future Cabinet report.

Appendix B

REPORT TO: CABINET

DATE: 3 DECEMBER 2020

TITLE: DEVELOPMENT OF A HARLOW METRO SYSTEM

PORTFOLIO HOLDER: COUNCILLOR DANNY PURTON, PORTFOLIO HOLDER FOR ENVIRONMENT

LEAD OFFICER: ANDREW BRAMIDGE, HEAD OF ENVIRONMENT AND PLANNING (01279) 446410

CONTRIBUTING OFFICERS: ADAM HALFORD, HARLOW GARDEN TOWN LEAD OFFICER
TOM DEWEY, INTERIM DIRECTOR HARLOW AND GILSTON GARDEN TOWN

This is a Key Decision

It is on the Forward Plan as Decision number I012107

Call-in Procedures may apply

This decision will affect all wards.

RECOMMENDED that Cabinet:

- A** Endorses the principle of establishing a sustainable transport system to meet the modal shift and climate change aspirations to support the future growth of the town.
- B** Approves, subject to C below, the commissioning of a first stage feasibility study to explore different innovative transport technologies that a 'Harlow Metro' might bring and to advise the Council on operational and business models.
- C** Delegates authority to the Chief Executive, in consultation with Leader of the Council, and Portfolio Holder for the Environment to identify a budget and scope for the first stage feasibility study to be commissioned in conjunction with the Council's external partners.

REASON FOR DECISION

- A** As a core partner in the Harlow and Gilston Garden Town, Harlow Council is committed to developing sustainable transport solutions to serve both the existing population of Harlow and also to support the future growth of the town, including settlements that will lie beyond the town's boundary. The Vision for the Harlow and Gilston Garden Town, and also its Transport Strategy, identify a requirement for a significant modal shift in the use of transport mechanisms so that 60% of journeys from the new housing sites, and 50% of those within the existing town, are undertaken by sustainable means.

- B** It is unlikely that such a modal shift, which would be an achievement of national significance, can be attained through an expectation that there will be a greater use of existing public transport systems. Particularly in a post-Covid world, there will be additional challenges in persuading people to use an alternative to private cars. To achieve this is likely to require the development of a transport system that also has national significance and provide the opportunity for Harlow to develop an aspirational network that is genuinely seen to be a better alternative.

- C** To achieve the objectives and vision that the Council has set in its forthcoming Local Plan will require some bold thinking and transportation will be very high within that. The Council should set its aspirations at a high level and ask questions as to what can be achieved.

- D** This report sets out a proposal to endorse the principle and embark on a first stage feasibility study to explore what a Harlow Metro system might look like, how it would operate, initial engineering issues and what business models could be employed. Depending upon the outcome of this, further work will be required to look at engineering details, to market test the concept as well as more detailed business planning. However, this work will not be commissioned until the first stage feasibility work has been undertaken and the outcome of this and proposals for any additional work will be the subject of a future Cabinet report.

BACKGROUND

1. At its meeting on 7 September 2020, the Harlow & Gilston Town Board endorsed the principle of supporting the commissioning of a feasibility study into the development of a Harlow Metro system to support the wider sustainable transport ambitions of the Garden Town. In particular, there was interest in exploring the potential of connectivity with the Hertfordshire Mass

Rapid Transit scheme, being developed by Hertfordshire County Council, and also wider developments in Essex.

2. An opportunity exists to procure a professional team to undertake the proposed first stage feasibility. As a signatory to the Scape procurement framework, Harlow Council can procure an experienced team, including AECOM and Gleeds, through an OJEU compliant process. This would have some synergy since AECOM have already undertaken significant work in the area on infrastructure matters for the Garden Town. They are also undertaking work for Hertfordshire County Council on their Rapid Transit proposals.
3. The current Scape procurement framework expires in early January 2021 and so an in principle commitment, subject to contract, needs to be entered into before Christmas in order to take advantage of this.

ISSUES/PROPOSALS

Methodology

4. The development of a Harlow Metro system is at an initial concept stage and further feasibility work is now required to explore options for providing high quality public transport services across Harlow and the Garden Town that will interface with and operate upon the network of Sustainable Transport Corridors, currently under design development.
5. This should seek to achieve the Garden Town Vision of providing “innovative, affordable public transport” and “set the agenda for sustainable living”; and support the ambition that “50% of all trips originating from and ending within the whole Garden Town should be by active and sustainable travel modes, and this target rises to 60% for trips originating from and ending within the new Garden Communities”.
6. The business case and design phase will need to, as a minimum, identify the mode of transportation, explore the engineering requirements and identify potential operating models. This will require the engagement of a suitably experienced transportation design consultancy to produce the options and recommendations. These recommendations will inform future stages of work and inform public transport infrastructure and service design and delivery and future operational partnerships decisions through identifying optimum short and long term technologies for providing high quality public transport services across the Garden Town that will operate along Sustainable Transport Corridors.

7. To achieve this the commission should identify and assess the feasibility of existing and emerging public transport technologies that might be suitable to operate on the Sustainable Transport Corridors that are to be implemented across Harlow and the Garden Town, including, to compare the suitability of those technologies for the Garden Town over the short, medium and long term, taking account of the allocated and anticipated growth in homes and jobs, emerging technologies, changing travel habits and the Vision for the Garden Town.
8. The first stage feasibility work will focus on three areas:-
 - a) Technology
 - i) Identify a range of (current and future) potential public transport technology system options considered suitable for the Harlow Urban Metro proposal to operate upon Garden Town Sustainable Transport Corridors over the short (0-5years), medium (6-15 years) and long (16-25 years) term, including identifying and comparing (where possible)
 - ii) The role the Harlow Urban Metro may play in helping to achieve the Garden Town Vision and ambition that that “50% of all trips originating from and ending within the whole Garden Town should be by active and sustainable travel modes, and this target rises to 60% for trips originating from and ending within the new Garden Communities.”
 - iii) Identifying the appropriate remotely controlled sustainable Rapid Transit vehicle type
 - iv) Safety and Accessibility across different environments within the Garden Town and to different user groups
 - v) Ability to operate alongside other mobility modes including walking, cycling, other local public transport systems, public and commercial on-demand services (e.g. taxi and on-demand bus) and local freight delivery. Assessment to include ability both in terms of supporting linked trips or shared infrastructure uses and possible options for co-location (e.g. safety or delay impact to other modes operating in close proximity)
 - vi) Speed, reliability and resilience (e.g. weather, breakdowns, power-cuts)

- vii) Appeal for different journey types (e.g. business, leisure, education)
- viii) Environmental impact of technologies (e.g. air quality, operational and embedded carbon, material production and waste)

b) Implementation

- i) Specific associated infrastructure requirements for power, routing, embarking, ticketing, staffing and depot/maintenance
- ii) Time of implementation and ability to implement in phases or be extended both within the Garden Town and to neighbouring settlements and key destinations
- iii) Economic benefit to local, regional and national economy (e.g. job creation and local construction, manufacturing, maintenance)
- iv) Flexibility of the public transport system and/or its infrastructure to adapt to or interact with other public transport systems or advancements in technologies
- v) Any other means of comparison identified through scoping
- vi) Spatial layout plan with reference to STC design development and interface with Hertfordshire MRT and Essex MRT proposals

c) Business Case

- i) Financial projections for the Urban Metro system to include capital and revenue requirements including operating and maintenance costs to include:
 - Cost of implementation (excluding operating costs)
 - Operating costs taking account of life of technology, replacement and renewal
 - Fare regime based upon a range of 'affordable' fares and existing or potential reduced/free fares for different user groups
 - Subsidy requirements, including eligibility for external public or commercial subsidy/support (e.g. grants, sponsorship, advertising)

- The form a potential operating contract with an Operating Company and or partnership could take
- The added value that such an aspirational system could bring to all aspects of the Garden Town
- Once a consultancy team has been commissioned, it is proposed to hold a Member workshop to present and debate initial findings. This workshop will then be used to steer to the final stages of the commission through to the presentation of the feasibility findings

Funding

9. The Harlow and Gilston Town Board have agreed in principle to make a financial contribution towards the costs of this initial feasibility study. Delegated authority has been provided by the Board to the Harlow and Gilston Garden Town Interim Director, and the Harlow and Gilston Garden Town Chair to liaise with Harlow Council to determine the financing, content and appropriate procurement of a Harlow and Gilston Garden Town/Harlow District Council Urban Metro business case and design report. The level of this contribution will be determined upon resolution of the Garden Town's funding settlement with Homes England, the outcome of which is likely to be known early in the New Year.
10. It is proposed that Harlow Council will also contribute to the costs of the study and authority is delegated to the Leader of the Council, Portfolio Holder for the Environment and the Chief Executive to agree a budget for this in discussion with partners.

Timescale and Next Steps

11. Following agreement of a funding package with partners to support this work, Harlow Council will enter into a contract with the consultancy team via the Scape procurement framework.
12. Following initial discussions with Scape and AECOM, a six month timeframe for the completion of the initial feasibility study has been identified. This would see a final report being produced in mid-summer 2021. Prior to this, an outline report will be provided for partners to comment on, with a Member workshop planned to follow the production of the outline report.
13. A further report will be brought back to Cabinet in Autumn 2021 with the findings of the feasibility study and any proposals for any further action.

IMPLICATIONS

Environment & Planning

As set out in the report.

Author: Andrew Bramidge, Head of Environment & Planning

Finance (Includes ICT and Properties and Facilities)

The cost of the proposed feasibility study and the extent of the external contributions towards the cost are not known at the time of presenting this report and therefore have not been included within it. The proposals set out within the report will require some as yet to be determined level of funding by the council currently not anticipated within the 2020/21 approved budget (revenue or capital) The approval of a supplementary budget may need to be agreed by Cabinet and Council at a point in the future if the required resources cannot be identified within the Council's existing approved budgets.

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

Housing

None specific.

Author: Andrew Murray, Head of Housing

Community Wellbeing (Includes Equalities and Social Inclusion)

Undertaking feasibility work into sustainable transport options and delivery models will help to successfully deliver on the desired modal shift required for the growth of the Garden Town. The work will help establish at an early stage the interdependences of such a scheme with other regeneration projects taking place across the town. The successful delivery of sustainable transport schemes is important for local communities and their health.

Author: Jane Greer, Head of Community Wellbeing

Governance (Includes HR)

The report outlines the proposal to let the feasibility study using an existing framework arrangement which is in line with procurement rules Section E & 9.10.

Author: Simon Hill, Head of Governance

Background Papers

None.

Appendices

None.

Glossary of Terms/Abbreviations Used

None.