

**MINUTES OF THE COUNCIL
HELD ON**

9 December 2021

7.30 - 8.25 pm

PRESENT

COUNCILLORS

Clive Souter (Chair)
Simon Carter
Joel Charles
Jean Clark
Mike Danvers
Bob Davis
Jodi Dunne
Tony Durcan
Tony Edwards
Michael Garnett
Eddie Johnson
James Leppard

Sue Livings
Ash Malik
Colleen Morrison
Russell Perrin
Nicky Purse
Matthew Saggars
John Steer
Dan Swords
Chris Vince
Nancy Watson

OFFICERS

Brian Keane, Chief Executive
Lisa Thornett, Corporate
Governance Support Officer
Simon Hill, Director of
Governance and Corporate
Support

55. **APOLOGIES FOR ABSENCE**

Apologies for absence were received from David Carter, Nick Churchill, Alastair Gunn, Michael Hardware, Eugenie Harvey, Maggie Hulcoop, Andrew Johnson, Shona Johnson, John Strachan, Mark Wilkinson and Gareth Williams.

56. **DECLARATIONS OF INTEREST**

None.

57. **MINUTES**

RESOLVED that the minutes of the meeting held on 28 October 2021 are agreed as a correct record and signed by the Chair.

58. **COMMUNICATIONS FROM THE CHAIR**

None.

59. **PETITIONS FROM THE PUBLIC**

None.

60. **QUESTIONS FROM THE PUBLIC**

None.

61. **QUESTIONS FROM COUNCILLORS**

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

62. **MOTIONS FROM COUNCILLORS**

None.

63. **REFERENCES FROM CABINET AND COMMITTEES**

- a) Referral from Licensing Committee - Adoption of Street Trading Policy

Proposed by Councillor Joel Charles (seconded by Council John Steer) it was:

RESOLVED that Full Council agrees the adoption of the proposed Street Trading Policy 2021-2026 as set out in Appendix 2 to the report.

- b) Referral from Audit and Standards Committee - Auditor Appointment

Proposed by Councillor Matthew Saggars (seconded by Councillor James Leppard) it was:

RESOLVED that:

A Full Council agrees that Harlow Council participates in the national procurement process led by Public Sector Audit Appointments Limited (PSAA) for the appointment of its external auditors.

B Delegated authority be granted to the Director of Finance, as the Council's statutory officer under Section 151 of the Local Government Act 1972 to formally give notice of the Council's intention to opt in to the PSAA procurement exercise.

- c) Referral from Electoral Review Working Group - Harlow Council Electoral Cycles

Proposed by Councillor Simon Carter (seconded by Councillor James Leppard) it was:

RESOLVED that the Council does not proceed with public consultation on opting for all out elections at this time.

- d) Referral from Cabinet - Corporate Strategy

Proposed by Councillor Russell Perrin (seconded by Councillor Joel Charles) it was:

RESOLVED that:

- A** A new Corporate Strategy for 2021- 2023, attached at 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 consequential amendments to the Corporate Strategy following strategic stakeholder consultation.

- e) Referral from Cabinet - Local Council Tax Support Scheme Proposals

Proposed by Councillor Russell Perrin (seconded by Councillor James Leppard) it was:

RESOLVED that the current Local Council Tax Support Scheme (LCTSS) remains unchanged for the 2022/23 financial year.

64. **REPORTS FROM OFFICERS**

- a) Polling Station Review

Proposed by Councillor Russell Perrin (seconded by Councillor Joel Charles) it was:

RESOLVED that:

- A** The following changes to the Polling Districts and Places will take place with effect from 1 December 2021:
 - i) CA – Great Parndon East - Great Parndon Community Association to be designated as the polling place for all elections.
 - ii) DB – Harlow Common West - The Royal British Legion to be designated as the polling place for all elections.
 - iii) EB – Little Parndon and Hare Street South - Harlow Youth Centre to be designated as the polling place for all elections.
 - iv) EC – Little Parndon and Hare Street West - St Thomas More Church Hall to be designated as the polling place for all elections.

B A further consultation is to be carried out to create two polling districts and two polling places in the Netteswell ward.

65. **APPOINTMENT TO COMMITTEES, SUB COMMITTEE AND PANELS OF THE COUNCIL AND THEIR CHAIRS AND VICE CHAIRS**

Full Council received a report which set out updated appointments to Committees, Sub Committee and Panels of the Council and their Chairs and Vice Chairs.

Proposed by Councillor Russell Perrin (seconded by Councillor Joel Charles) it was:

RESOLVED that Councillors are appointed as members/substitute members of the Council Committees, Sub Committees and Panels as set out in the report.

66. **APPOINTMENT OF COUNCIL REPRESENTATIVES ON OUTSIDE BODIES**

Full Council received a report which set out updated appointments to Council Representatives on Outside Bodies.

Proposed by Councillor Russell Perrin (seconded by Joel Charles) it was:

RESOLVED that Councillors are appointed as Council Representatives on Outside Bodies as set out in the report.

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

RESOLVED that the minutes of the following meetings are noted.

- a) Minutes of meeting Thursday, 14 October 2021 of Cabinet
- b) Minutes of meeting Thursday, 4 November 2021 of Cabinet
- c) Minutes of meeting Tuesday, 16 November 2021 of Licensing Committee
- d) Minutes of meeting Wednesday, 24 November 2021 of Audit and Standards Committee

68. **MATTERS OF URGENT BUSINESS**

None.

CHAIR OF THE COUNCIL

Full Council – 9 December 2021

Questions from Councillors

1 Councillor Chris Vince to Councillor James Leppard (Portfolio Holder for Finance):

Will the council confirm that the council tax cut that was promised before last May's election to be 'immediate' will be incorporated into their budget next year?

Reply from Councillor James Leppard (Portfolio Holder for Finance):

As we have previously stated, the Cabinet has been reviewing the Council's finances since taking control in May and will be finalising its financial plans and budgets prior to the Cabinet in January.

Supplementary question from Councillor Chris Vince to Councillor James Leppard (Portfolio Holder for Finance):

I know this Administration is keen on the detail but considering Harlow District Council only takes about 17 per cent of the Council Tax collected, the Conservative Police, Fire and Crime Commissioner of Essex has already said that he will be looking to raise his element of the Council Tax by 5 per cent and we are likely to see a rise from Essex County Council, although they froze part of it last year, they still raised the bit on social care. Can the Portfolio Holder give some indication as to what percentage decrease will be in your budget so we have got an idea as to where those cuts can be made?

Supplementary reply from Councillor James Leppard (Portfolio Holder for Finance):

Actually, the Harlow share of the Council Tax is 15.2 per cent. As we all know the financial year commences at the beginning of April and we assumed office towards the end of May so the financial year had already started. Furthermore, and without labouring the point, our task has not been assisted by the fact that the Council's accounts had not been signed off by the Auditors since 2018/19. However, that issue looks like it is shortly to be resolved at long last. The next agenda item, or one of the forthcoming agenda items, by the Leader of the Council will announce our new Corporate Strategy where you will see the key objective to become a low tax authority. Given the much publicised attention our tax policy has attracted amongst the opposition as well and their clear excitement that they have shown almost to the point of exuberance given the number of announcements we've had, I can only

confidently anticipate that the Leader of the Opposition will entreat his Members to support our new Corporate Strategy tonight.

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

Fireworks are used by people throughout the year to mark different events. While they can bring much enjoyment to some people, they can cause significant problems and fear for other people and animals. What work did the council do to encourage residents to attend our own, excellent display, opposed to their own private displays?

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

Harlow Council encouraged residents to attend the Town Park fireworks display through advertising on the Council's website with a dedicated events page, which received over 27,000 visits. The event was also advertised on the Council's Facebook and Twitter pages. 50,000 Facebook users were reached by the Council's posts. Press releases were also issued and published by Your Harlow alongside other local media outlets. The Council also shared advice on social media from the Essex Fire Service, which encouraged people to attend public firework displays where possible. Posters advertising the event were also put up on-site.

The Council's approach to promotional activity was proportionate and appropriate given the on-going concerns about public gatherings as a result of Covid-19, weighed against the benefits of providing a safe public display. All the press releases issued by the Council about fireworks night carried our administration's latest position on the pandemic.

In the lead up to fireworks night, an officer-led working group plans for and assesses risk factors when organising the event logistics and also considers the best approach for managing the flow of people attending. Animal welfare is an important area of focus too, particularly because Pets' Corner is in close proximity to the fireworks display. Work is always undertaken to mitigate the impact on the animals housed at Pets' Corner on the night. The outcome of the work undertaken by the Council was one of the best attended fireworks displays in recent years with an estimated crowd of over 20,000 people.

Supplementary question from Councillor Chris Vince to Councillor Joel Charles (Deputy Leader and Portfolio Holder for Business and Community Resilience):

Thank you for your full answer Councillor Charles. The only comment I was going to make there, and I appreciate what you just said and it was an

excellent display I could see it from my house but it was just to say that probably more than 20,000 people saw it, but I was just going to say that we are aware that fireworks don't just happen in November and on fireworks night. We are coming to the New Year and certainly there is going to be fireworks, I am assuming there will be the annual ones in London. Are we going to have similar work done to deter people from having their own private displays across the New Year as well?

Supplementary reply from Councillor Joel Charles (Deputy Leader and Portfolio Holder for Business and Community Resilience):

Thank you Chair and there are three elements in this response to Councillor Vince. First of all, of course as part of our preparations, our commitment to this town is to host fireworks displays every year whilst we are in Administration and that is the commitment that we can hold dear to us because those kind of public gatherings are really important to us. Taking into consideration the public safety element, the welfare of individuals that are sensitive to noise at night and, of course, the animals, one of the campaigns that the Council has supported historically is the "Bang out of Order" campaign and it does join in not only with our Community Safety Team but with Essex Police. The last two years they haven't been able to do that campaign for obvious reasons because of the pandemic but it is our intention in 2022 to embark on that campaign again to raise awareness of the issues of private displays as opposed to the brilliant public display that we put on in this town. I've also been approached by residents around a RSPCA campaign around animal welfare and, of course, the Council takes this very seriously. With the working group that officers lead to develop the fireworks display every year, we will of course, as we do every year, take into consideration animal welfare and I've asked officers when they are considering the event planning of fireworks night next year that we look that all considerations have been looked at to ensure that animal welfare is at the forefront of our minds and public safety but also that we are putting on a fantastic public display.

3 Councillor John Steer to Councillor Dan Swords (Portfolio Holder for Regeneration):

What steps are being taken to regenerate the town centre?

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

The administration is working around the clock to plan and deliver the rebuilding of the town centre. The new Corporate Strategy upon which we will vote tonight made very clear that regeneration is our number one corporate priority.

That means not just talking about regeneration and designing pretty images of plans, but finally getting on to deliver the regeneration that our town centre needs.

We have already passed a key milestone in the name of the town centre masterplan planning framework, which is the first planning framework the Council has ever put in place for the town centre. That document begins to tackle the historic land ownership issues in the town centre and for the first time arms our planning colleagues with the material considerations they need to take back control of our town centre. I cannot understate the importance of that document which is the first in the history of the Council.

To that end, a series of announcements will be made in due course setting out how we will deliver that regeneration.

Our ambition knows no bounds, but that ambition will not just be a pipedream as has been the case in the past, it will be realised.

Harlow town centre will be thriving as one of the best places in the country to enjoy high-end retail, leisure, hospitality, arts and culture including a night-time economy and an excellent quality of environment and public realm with people travelling to the town centre from other areas in the region to enjoy its offerings.

Supplementary question from Councillor John Steer to Councillor Dan Swords (Portfolio Holder for Regeneration):

I am pleased by the commitments he has set out and the work that has already been undertaken. The regeneration of our town centre has been spoken about and promised for years so what reassurance can he give that it will finally happen?

Supplementary reply from Councillor Dan Swords (Portfolio Holder for Regeneration):

If anyone had any doubt over our commitment to delivering, they need not. We have already in short order passed the first ever planning framework for the town centre – the first in this town's history and the first major step towards delivering this.

I do however, understand why people are sceptical. The regeneration has never happened. We've had years of unmet promises and failure to deliver. In recent years alone we had and you may recall on Friday 8th June 2018 "a major facelift" to the quote "new" Market Square. Remember that? Probably not, but you'll remember the Council Tax bill...

In fact, in an interview from the former portfolio holder he said about the town centre regeneration and I quote “it is an evolution not a revolution”. My goodness, what stage did he leave that at? Perhaps with the benefit of the doubt, Homo Habilis, whom I think was out of the water at least.

In the seriousness of the matter, I do totally understand why people are sceptical, but we are getting on with the job and I would add – if we do not deliver the rebuilding, if we do not transform our town centre, we will have failed. There are challenges, but there are no excuses.

But we are going to build, build, build. To that end, there will be a series of announcements in the New Year.

We will get on and deliver what the people of this town voted for and what I have set out a number of times – a rebuilding of our town centre to attract high-end retail, hospitality, leisure and entertainment - one that our town can be proud of.

4 Councillor Matthew Sagers to Councillor Nicky Purse (Portfolio Holder for Environment):

First may I welcome you to you to your new post and I would like to ask you if you can tell me what your plan is to do with regards the bushes and overgrowth in many of the estates as it is a thorn in the side of most residents in Harlow, but up to now we have been told it was due to Covid-19 and staffing and then it was the wrong season to cut them due to wildlife they cannot be trimmed?

Now we are in the winter wonderland do we now have a plan that the last administration did not as this time of year to look after the green areas and return them to a manageable level I hope you can bring some festive joy to those in Harlow and not turn it into the winter of discontent and you are not another scrooge.

Reply from Councillor Nicky Purse (Portfolio Holder for Environment):

Rather than scrooge, I would like to think of myself more as the ghost of Christmas future. We are working around the clock to restore pride in our estates, including by:

- Reviewing the service level agreement between HTS and the Council
- Walking ward-by-ward with HTS and Officers to carry full environmental and street scene audits

- Speeding up the planned roll out of the winter programme works through the delivery of a new Task Force
- Visiting each area after the winter programme work has been carried out to see if the work meets the expectations of residents and the administration
- Beginning work on a new tree maintenance policy

There is much more work going on but we will do whatever it takes to fully restore pride in our wonderful estates as the people of Harlow elected us to do.

As with the winter of discontent caused by the Labour party in 1978, it is the Conservatives that have to clean it up and we will.

Supplementary question from Councillor Matthew Sagers to Councillor Nicky Purse (Portfolio Holder for Environment):

As with the winter of discontent was in 1978, do you agree that the old Labour Administration decided to stand down their workers at times of need? The fact that they never had a policy to deal with the problem, nor did they enforce the policy that they did have, but they blamed everybody else for the fact that the winter of discontent as far as the environment for Harlow estates is concerned but left a decade of discontent especially in Mark Hall and the Stow where there is a lovely little Christmas market tomorrow and Saturday if anybody wants to go.

Supplementary reply from Councillor Nicky Purse (Portfolio Holder for Environment):

I'm hoping to change that winter of discontent with reviewing the service level agreement first of all and by the ward. The last Administration did stand down last year the green teams which other Council's didn't, they took the view of keeping green spaces nice and clear for people to have their 30 minutes of leisure and exercise. We stood them down and it has to be said it has cost us in the long run to actually do that. We are now having to pay back to get the levels of work back to the expectations of the residents and this is going to be a task that will go on ward by ward, audit by audit and the service level agreement will be reviewed to make it fit for purpose because we have had a decade now of ignoring this segment of the service level agreement. It is a not fit for purpose document and, on top of that, the recovery plan that has been put forward is a can't do document, not a can do.

5 Councillor Tony Durcan to Councillor Russell Perrin (Leader of the Council):

Would you agree with me that it's important that all councillors of the planning committee are independent in regards to any decision they make as a collective committee.

Whilst not making any reference to the actual planning appeal would you please reassure all councillors that as stated in the CRC Church's open letter that you oppose her derogatory comments that the committee were "so openly discriminating against a Christian church" and that the councillors on this committee "so easily swayed by what we see as irrefutable discrimination against our organisation and church".

In light of the Church's statement can you question why officers have accepted such an appeal in such an unfair and unbalanced application in this type of format?

Reply from Councillor Russell Perrin (Leader of the Council):

The letter referred to in the question relates to an appeal statement issued by the CRC church in relation to their planning application for part of the Leisurezone site. This is an appeal made to the independent Planning Inspectorate, not to Harlow Council. It is the Planning Inspectorate that has accepted the appeal, not Harlow Council officers. Any appellant is entitled to make their own statement to the Inspectorate and as this is now part of a formal appeal process the Council cannot request a retraction of their statement. The Council is simply a party to the appeal process and is not in control of it.

However, Harlow Council has to submit its own statement to the Planning Inspectorate on this matter by 28 December. Within this statement we will be making it clear that Councillors are entitled to express their views as part of the democratic process and also that all decisions of the Development Management Committee are collective decisions. Given that this is a quasi-judicial process I am not able to make any further comment on this matter.

Supplementary question from Councillor Tony Durcan to Councillor Russell Perrin (Leader of the Council):

Whilst I welcome the Leader's acceptance of the decisions made by the Planning Committee are a collective decision, could I press you further and can I push you to openly declare that you agree with me that the comments associated to the Church are unfounded and offensive to our colleagues on this committee? If you are not able to do that is this going to be seen as another example of your inability to lead anything, let alone lead a Council?

You should be standing with me defending the democratic right of our democratically elected comrades and we should not be tolerating and we should not be accepting these offensive words. Will you agree with me?

Reply from Councillor Russell Perrin (Leader of the Council):

As ever Chair I'm not really sure which one of the several supplementary questions I am meant to be answering there but I will do my best. I will take the one about my ability to lead, give me a chance Tony, it has only been a month and you had ten years. On the one about discriminatory comments, I'll refer back to previous statements I've made on this that I do not believe that there is a place for any discrimination against any religion, faith or anybody of any sex, gender or creed as so I would fully support any attempts to try and stamp that kind of thing out. As I say I cannot make any further comment on this particular matter as this is a quasi-judicial process and I think I have made my statement clear what I think about people that are intolerable about others faiths. Equally, individual councillors are accountable for their own words if they breach any of those rules and that is not for me to decide on a whim.