

# Full Council – 28 July 2022

## Questions from Councillors

### 1 Councillor Kay Morrison to Councillor Alastair Gunn (Portfolio Holder for Governance):

The late, much-missed and highly-regarded Cllr Frances Mason devoted a good deal of her time and expertise on an equality, diversity and inclusion strategy, a crucial initiative of benefit to Harlow.

What are we doing, and I could refer to the shocking actions of my immediate predecessor, to ensure that those who live and work here including, obviously, minority groups and individuals, feel safe, valued and respected?

### Reply from Councillor Alastair Gunn (Portfolio Holder for Governance):

Firstly, can I start by condemning the conduct of the former Councillor for Bush Fair and, in doing so, also commending the Leader of the Council Russell Perrin for taking swift action which led to his suspension of the Conservative Whip and resignation as a Councillor. This is zero tolerance in action.

In June 2021 the Council adopted a revised Equality, Diversity and Inclusivity policy. I join Cllr Morrison in paying tribute to the work of Frances Mason for her work, which allowed this administration to move swiftly and make this our first acts after the 2021 local elections.

Under the Equality Act 2010, the Council must have due regard to its Public Sector Equality Duty when making decisions and implementing policies that may impact on those people who have protected characteristics. The Council's new policy goes beyond just the legal requirements and sets out its three key objectives which are:

- a) The Council's services are accessible to everyone and do not discriminate on any unjustifiable ground;
- b) The Council's services seek to meet the needs of our customers and local communities can influence our services; and
- c) Equality and diversity is championed within the Council and our workforce, at all levels, is representative of the local community.

In order to achieve these objectives, the Council has an Equality Action plan which sets out a number of officer led actions. One of the many actions

completed to date includes the Council's Complaints Policy being re-written to allow for further learning to take place following complaint outcomes.

The Council now publishes an annual Equality, Diversity and Inclusivity report to detail the Council's achievement towards its objectives and to show the initiatives undertaken throughout the year to promote equality and diversity across the Council and town as a whole. The LGA Framework for Equality and Diversity is also currently being completed to ascertain where the Council sits within the framework. This will then allow for a greater understanding on how we can drive the equality and diversity programme forward.

Furthermore, whilst there is no specific duty to make an Equality Impact Assessment (EIA), when dealing with service provision, policies, procedures, functions and projects where the Public Sector Equality Duty is a significant factor, the policy now requires the Council to complete an EIA form. Further training is currently being sourced to assist officers with completing the EIA process.

All Councillors and Council Officers are required to complete require online Equality and Diversity training. The Council's Procurement strategy and the Modern Slavery statement also meet the required equality and diversity standards.

## **2 Councillor Kay Morrison to Councillor Dan Swords (Portfolio Holder for Regeneration):**

Planning applications for telecommunications masts have been lodged, affecting several parts of Harlow, and 2 are in my ward. With residents, I have learned that that some aspects of the decision-making process are either obscure or simply not apparent, leaving concerned citizens to figure it out by submitting questions ..... or by osmosis, possibly.

Objections, comments and petitions have been submitted in numbers but contributors are mystified by the recording system. Hard copy letters aren't counted publicly or displayed as online submissions are. Regardless of the integrity of contributions or of their number, we are told, the decision remains delegated. What is the justification for this when a committee, given the volume of submissions, would provide transparency while acknowledging residents' very real anxieties and their strength of feeling?

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

Thank you for your question and I understand the concerns you raise. A number of ward councillors have raised objections and questions with me about the recent spate of applications for telecommunications masts.

On the specific masts Cllr Morrison raises, she may be aware that one has been determined and refused and the other will shortly be determined. I would like to pay testament to the vociferous campaigning from residents in these areas. Having spoken to a number of those residents, given the outcome, they too are reassured that this process has worked.

In response to Cllr Morrison's specific questions:

i) Are all representations made against planning applications recorded?

I can confirm that all representations received, whether online or hard copy, are recorded on the Council's systems and those representations are considered as a part of the officer's assessment of the development. Details of which are set out in the delegated report that accompanies the decision notice and is publicly available on the Council's website for all determined applications.

ii) How are applications determined?

For telecommunications mast applications, the process from receipt to determination (including a consultation period and assessment) must be completed within 56 days. Failure to determine the application in that time will result in the development automatically gaining a deemed consent.

On the matter of how these applications (known as Prior Approvals) are assessed, subject to compliance to part 16 of the Town and Country General Permitted Development Order, Local Authorities are only permitted to assess the 'siting' and 'appearance' of the proposal. No further considerations are allowed.

iii) Why are Prior Approvals not determined by the Planning Committee?

Prior Approval (PA) applications for Telecommunications masts fall within part 1 of the Council's Scheme of Delegation. This means such applications are delegated to Officers and therefore cannot be determined by the Planning Committee. The decision to delegate these applications to officers was in part taken due to the fact that PAs of this nature must be determined within 56 days of receipt. If applications are not determined within that time period the application will, as stated above, gain a deemed consent. Given the sensitivity of timing, it is not possible to call these applications before the Planning Committee that meets once a month, on average.

However, it should be noted that Harlow Council has only approved 2 telecommunications masts in the last two years. Furthermore, all applications that have been determined from the latest round of applications to date, have been refused.

By that very point, I am confident that the process works.

**3 Councillor Jean Clark to Councillor Alastair Gunn (Portfolio Holder for Governance):**

In view of record-breaking weather extremes (heatwaves, droughts, floods and wildfires), indicating an escalation of the climate emergency, what strategies are the council adopting in response?

For example, does it not underline the need to install more rapid electric vehicles charging points, even if more expensive? In addition, what plans are there to prepare our housing stock- present and future- to meet the challenges of the escalating climate crisis?

**Reply from Councillor Alastair Gunn (Portfolio Holder for Governance):**

Reducing the town's carbon footprint to zero will be a long and complex journey of which the Council in common with other similar authorities is only at the beginning. The Council's forthcoming climate change strategy will outline in greater detail the challenges for us, for business, and for residents. Having said this the Council has been working with suppliers and we expect to see the first EV charge points in Council car parks by the end of the municipal year, while the rest of that car park estate will be assessed for viability; that Council buildings have recently seen photovoltaic solar panels installed that are making a real difference to energy consumption; that the Council housing team have begun to identify what measures are necessary to decarbonise the housing stock; that together the measure that have already been taken have made a reduction in the Council's carbon footprint .

In addition to reducing the amount of carbon that we emit, there is also ongoing work in relation to climate change adaptation i.e. capital schemes in conjunction with Essex County Council to mitigate against flooding, new and improved biodiversity across the town, changes in the planning process so that new developments do not worsen the environment/climate.

The Council is currently undertaking a review of all its stock in terms of EPC ratings and retesting on completion of works. Where possible through grant funding it is upgrading both cavity wall and loft insulation to improve on SAP rating.

The Council is also developing up a brief and schedule of works ready to make a bid for the next wave of SHDF for flat block works across the town which is due to be released in August 2022.

There are two retrofit pilots within the Housing Capital Programme for this year and it is currently scoping works for a further refurb/rebuild/retrofit out of a former shared temporary accommodation unit.

EV charging points are now built into the specification for all new builds.

The Council does work closely with all stakeholders (including major utilities) across the County to ensure resilience and that information is shared and should form part of our Severe Weather plan. The Severe Weather plan includes for drought, extreme heat, flooding, extreme cold (including snow and ice).

As part of flooding and drainage, we work in close partnership with Essex County Council to ensure resilience and mitigation against future flooding events. Partnership working has led to flood alleviation schemes being developed for Harlow to protect properties against flooding. The partnership includes all districts (including Southend and Thurrock unitaries), Environment Agency and water undertakers.

The Council fully acknowledges that the Council is only at the beginning of its journey.

**4 Councillor Chris Vince to Councillor Russell Perrin (Leader of the Council):**

Following the revelation that an independent watchdog is going to investigate the claim by the Prime Minister that 40 new hospitals will be built, will the Leader of Harlow Council recognise the concerns of local residents particularly with news from the hospital's chief executive that their business plan has not yet been approved, and join with me in asking for reassurances from the town's MP and also the health secretary that Harlow will get its new hospital, which at time of writing had been delayed by at least 4 years?

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

I thank Cllr Vince for his question.

As he knows the Government's Levelling Up White Paper made crystal clear the announcement for Harlow's new hospital. I am aware the Robert Halfon MP has met with the Health Secretary twice in recent weeks about this matter and that it is progressing – as has also been confirmed in Parliament many times.

Council officers and the Portfolio Holder for Regeneration have also recently met with the Hospital Trust about progress of the project and continue to work with the Trust to see our new hospital delivered.

**5 Councillor Chris Vince to Councillor Steve LeMay (Portfolio Holder for HTS, Properties and Facilities – with special responsibility for the roads):**

Can you inform me what the situation is with financial support for the old Osler House site in Potter street is, my understanding is that monies have been ring fenced in 2020/21 to support local community groups in turning this site into a wellbeing hub which will support the community of Potter Street. Is this still the case?

**Reply from Councillor Steve LeMay (Portfolio Holder for HTS, Properties and Facilities – with special responsibility for the roads):**

There was a £220k budget allocated to the works. The HTS business case for the planned works shows that this cost has nearly doubled. As such the council has asked the Osler House group for a revised business case to reflect this. Once this revised business case has been reviewed, we will meet with the group.

**6 Councillor James Griggs to Councillor Steve LeMay (Portfolio Holder for HTS, Properties and Facilities – with special responsibility for the roads):**

The previous Portfolio Holder for HTS issued firm assurances that it was safe in his hands.

May I invite Cllr LeMay to confirm that the position hasn't changed by offering the same assurance. Will HTS be retained as a company solely owned by Harlow Council for the purpose of delivering services for the benefit of Harlow residents and that the undefined Conservative election pledge to make it 'commercially savvy' is not another way of saying privatisation?

**Reply from Councillor Steve LeMay (Portfolio Holder for HTS, Properties and Facilities – with special responsibility for the roads):**

Yes.