

**MINUTES OF THE COUNCIL
HELD ON**

3 November 2022

7.30 - 9.42 pm

PRESENT

COUNCILLORS

Andrew Johnson (Chair)
Sue Livings (Vice-Chair)

David Carter	Colleen Morrison
Simon Carter	Kay Morrison
Jean Clark	Russell Perrin
Bob Davis	Daniella Pritchard
Jodi Dunne	Matthew Sagers
Tony Durcan	Stacy Seales
Tony Edwards	Lanie Shears
Michael Garnett	Clive Souter
James Griggs	John Strachan
Michael Hardware	Dan Swords
James Leppard	Chris Vince
Stephen Lemay	Nancy Watson
Ash Malik	

OFFICERS

Simon Freeman, Deputy to the
Chief Executive and Director of
Finance
Simon Hill, Director of
Governance and Corporate
Support
Hannah Marriott, Governance
Support Officer

45. **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Joel Charles, Nick Churchill, Alastair Gunn, Eddie Johnson, Nicky Purse and Mark Wilkinson.

46. **DECLARATIONS OF INTEREST**

None.

47. **MINUTES**

RESOLVED that the minutes of the meeting held on 22 September 2022 are agreed as a correct record and signed by the Chair.

48. **COMMUNICATIONS FROM THE CHAIR**

The Chair advised that he had attended a number of pleasurable events including; Civic Services, a quiz in Bishops Stortford, the Streets2Homes jazz night at Redchurch Brewery and the Parndon Mill "Communi-tea".

The Chair had also attended some sad events which included the memorial for the Shakoor family and the ceremony to add a new name to the war memorial at Netteswell Cross.

The Chair noted that there were a number of events coming up including; remembrance services on 11 November and 13 November, the bonfire night fireworks display on 6 November and the Civic Service on 20 November. The Chair advised that his photo competition closes on 20 November, therefore, encouraged any entries to be made before this date. The Chair also noted that the voting for the Town Centre Awards opened on 4 November.

49. **PETITIONS FROM THE PUBLIC**

None.

50. **QUESTIONS FROM THE PUBLIC**

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

51. **QUESTIONS FROM COUNCILLORS**

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

52. **MOTIONS FROM COUNCILLORS**

a) Cost of Living Crisis Support

Proposed by Councillor Chris Vince and seconded by Councillor Tony Edwards:

“This Council recognises the impact high inflation, particularly of food and fuel prices, is and will continue to have on the people of Harlow.

This Council notes:

- i) The strong strategic lead other councils across the country are providing in practically addressing fuel and food poverty issues;
- ii) That Harlow has some of the most deprived wards in Essex;
- iii) That the cost-of-living crisis is also hitting the wider Harlow community particularly hard, with people worried as to how they will pay their food, fuel, rent or mortgage bills; and
- iv) That winter is weeks away.

This Council will:

- i) By use of its own resources and through working closely with others, ensure that easily accessible places are available

where people can be warm and get advice and support this winter;

- ii) Ensure that all residents are aware of what support is available by the end November; and
- iii) Write to the Rt. Hon. Robert Halfon MP, and the appropriate Secretary of State to request any additional government funding required to enable the Council to fund “warm spaces” and address fuel and poverty issues strategically and practically within the Town.”

Councillor Dan Swords (seconded by Councillor Russell Perrin) proposed an amendment of the motion as follows:

a) After “This Council notes” insert the wording:

- i) The action Harlow Council took to help ease the cost of living in this municipal year’s budget with a £50 Council Tax Efficiency Dividend, a cancellation of the previously planned 1.99% increase of Harlow Council Tax, on top of the £150 Government Council Tax rebate for all Harlow households in Band A-D, therefore, delivering the UK’s biggest ever Council Tax cut;
- ii) The steps the Government are taking to help ease the cost-of-living pressures on Harlow households including the Energy Price Guarantee, £400 energy bills discount, Council Tax rebate, £1200 Cost of Living Payment, Universal Credit Taper Rate cut, Warm Homes discount, National Living Wage increase, Winter Fuel payment and much more besides;

b) Amend the line “The strong strategic lead other councils across the country are providing in practically addressing fuel and food poverty issues;” to read

“The strong strategic lead Harlow and other councils across the country are providing in practically addressing fuel and food poverty issues;”

c) After “This Council will” remove the wording (and renumber the subsequent paragraphs accordingly):

“By use of its own resources and through working closely with others, ensure that easily accessible places are available where people can be warm and get advice and support this winter;

“Ensure that all residents are aware of what support is available by the end November; and” and replace with:

“Continue the work the Council’s Communities Service is doing to support residents including the exploration of provision of “warm spaces”, ongoing work with the charitable sector and much more besides;

“Ensure as far as possible that all residents are aware of what support is available as soon as possible;”

- d) After the wording: “Write to the Rt. Hon. Robert Halfon MP, and the appropriate Secretary of State to request any additional government funding required to enable the Council to fund “warm spaces” and address fuel and poverty issues strategically and practically within the Town; and” insert the wording:

“Take all possible measures in next year’s budget setting process – as it did this year – to ease the cost of living through the Council Tax system and therefore the Budget will receive cross-party support.”

It was agreed that, under Rule 12.1.i, the meeting would be adjourned for 10 minutes to allow members to consider the amendment.

The amended motion was agreed by the consent of the meeting and became the substantive motion.

After a debate, Councillor Swords proposed that the matter was determined by a recorded vote. This was seconded by the required number of Councillors.

The details of the recorded vote are below.

Motion – Cost of Living Crisis Support	
Councillor David Carter	For
Councillor Simon Carter	For
Councillor Jean Clark	Abstain
Councillor Bob Davis	Against
Councillor Jodi Dunne	Abstain
Councillor Tony Durcan	Abstain
Councillor Tony Edwards	Abstain
Councillor Mike Garnett	For
Councillor James Griggs	Abstain
Councillor Michael Hardware	For
Councillor Andrew Johnson	Abstain
Councillor Steve LeMay	For
Councillor James Leppard	For
Councillor Sue Livings	For
Councillor Ash Malik	For
Councillor Kay Morrison	Abstain
Councillor Colleen Morrison	For

Councillor Russell Perrin	For
Councillor Daniella Pritchard	Abstain
Councillor Matthew Saggars	For
Councillor Clive Souter	For
Councillor Stacy Seales	For
Councillor Lanie Shears	Abstain
Councillor John Strachan	Abstain
Councillor Dan Swords	For
Councillor Chris Vince	Abstain
Councillor Nancy Watson	Abstain
Carried	

RESOLVED that the substantive motion (as amended) was carried as follows:

“This Council recognises the impact high inflation, particularly of food and fuel prices, is and will continue to have on the people of Harlow.

This Council notes:

- i) The action Harlow Council took to help ease the cost of living in this municipal year’s budget with a £50 Council Tax Efficiency Dividend, a cancellation of the previously planned 1.99% increase of Harlow Council Tax, on top of the £150 Government Council Tax rebate for all Harlow households in Band A-D, therefore, delivering the UK’s biggest ever Council Tax cut;
- ii) The steps the Government are taking to help ease the cost-of-living pressures on Harlow households including the Energy Price Guarantee, £400 energy bills discount, Council Tax rebate, £1200 Cost of Living Payment, Universal Credit Taper Rate cut, Warm Homes discount, National Living Wage increase, Winter Fuel payment and much more besides;
- iii) The strong strategic lead Harlow and other councils across the country are providing in practically addressing fuel and food poverty issues;
- iv) That Harlow has some of the most deprived wards in Essex;
- v) That the cost-of-living crisis is also hitting the wider Harlow community particularly hard, with people worried as to how they will pay their food, fuel, rent or mortgage bills; and
- vi) That winter is weeks away.

This Council will:

- i) Continue the work the Council's Communities Service is doing to support residents including the exploration of provision of "warm spaces", ongoing work with the charitable sector and much more besides;
- ii) Ensure as far as possible that all residents are aware of what support is available as soon as possible;
- iii) Write to the Rt. Hon. Robert Halfon MP, and the appropriate Secretary of State to request any additional government funding required to enable the Council to fund "warm spaces" and address fuel and poverty issues strategically and practically within the Town; and
- iv) Take all possible measures in next year's budget setting process – as it did this year – to ease the cost of living through the Council Tax system and therefore the Budget will receive cross-party support."

53. **REFERENCES FROM CABINET AND COMMITTEES**

- a) Referral from Electoral Review Working Group - Response to LGBCE Draft Recommendations

Full Council received the Electoral Review Working Group's response to the Local Government Boundary Commission for England (LGBCE) draft recommendations for the warding patterns and boundaries in Harlow.

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

RESOLVED that Full Council approved the response (attached as Appendix A to the report) to the Local Government Boundary Commission for England (LGBCE) draft recommendations for the warding patterns and boundaries in Harlow.

54. **REPORTS FROM OFFICERS**

None.

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

RESOLVED that the minutes of the following meetings be noted.

- a) Minutes of meeting Thursday, 22 September 2022 of Cabinet
- b) Minutes of meeting Tuesday, 27 September 2022 of Development Management Committee

- c) Minutes of meeting Wednesday, 5 October 2022 of Audit & Standards Committee
- d) Minutes of meeting Wednesday, 12 October 2022 of Development Management Committee

56. **MATTERS OF URGENT BUSINESS**

None.

CHAIR OF THE COUNCIL

Full Council – 3 November 2022

Questions from the Public

1 Gary Roberts to Councillor Russell Perrin (Leader of the Council):

You have claimed your administration is about regeneration of local areas and providing locally based council services. Therefore please explain why:

The former Potter Street neighbourhood office has remained empty for over ten years and when will locally based council services return to Potter Street?

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

Thank you for your question, Mr Roberts and I commend you for your ongoing campaign to improve community services in Potter Street.

As you will be aware, the neighbourhood office closed many years ago. I am committed to ensuring that building is no longer left vacant, and the Portfolio Holder for Regeneration will announce details of a scheme to regenerate that vacant building in the near future.

Supplementary question from Gary Roberts to Councillor Russell Perrin (Leader of the Council):

I thank the Leader of the Council for his answer. The former Potter Street neighboured council office was closed in 2002-2003 by some who are still sitting as Councillors today, Councillor Andrew Johnson and Councillor Simon Carter, and others despite the large Potter Street residents petition against this closure. A former council working group for which I was a member, without voting rights, was set up but it was closed anyway. By closing this office, I was told that the council would save £1 million. I doubted that figure but any savings has been lost as the office has been empty ever since. If the council has any plans to provide council services locally that office needs to be used. Doesn't it?

Supplementary reply from Councillor Russell Perrin (Leader of the Council):

As I said earlier, we are committed to regenerating the area and Councillor Swords will be announcing plans on that forthcoming. I would say that regeneration is one of the top priorities of my administration, not just locally, but in our town centre. There's lots of exciting plans coming forward and many will be announced imminently. Thank you Mr Roberts.

2 Gary Roberts to Councillor Russell Perrin (Leader of the Council):

In February this year you stated this to me:

"However, the Council is working with local residents to deliver a new Potter Street Health and Community Hub. This has been supported by the Council's staff to get this over the line. I am informed refurbishment work will start soon on the site"

Please explain why nothing has happened since on the refurbishment of the Potter Street Health and Community hub?

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

Thank you for your further question.

As you will be aware, the Portfolio Holder for HTS, Properties and Facilities is reviewing this project given the enormous rise in costs. This was not foreseen at the time I responded to your previous question and the relevant Portfolio Holder will be outlining the next steps for this project. I am aware he recently met with the Community Group and will update them again shortly.

Supplementary question from Gary Roberts to Councillor Russell Perrin (Leader of the Council):

Thank you again for your answer Council Leader. In February this year I attended this meeting to ask a question on service provision in both the town in general and Potter Street in particular. You, as the record shows, told me that refurbishment work on the Potter Street wellbeing hub is due to start then. I can confirm that since then no refurbishment work has been completed on the Potter Street wellbeing hub. You have also not had the courtesy to reply to my emails on this subject. That is not leadership, therefore, I am now asking you to tell your council officers to get the refurbishment completed by this Christmas, if not earlier, because if you do not, there is a real possibility that the current funding will be lost. Leadership is a difficult but invigorating challenge that in my long career I have proudly undertaken. In contrast, your leadership will be known as your warm words without authority if you do not get this refurbishment completed. Won't it?

Supplementary reply from Councillor Russell Perrin (Leader of the Council):

Mr Roberts, I really do sincerely agree with your ambition to see your local area regenerated. The very reason I became a Councillor was for similar motivations. I saw large parts of our town falling into decline and so that's why I have made it a priority of my administration. I would be disingenuous to say

that particular area is going to be done by Christmas but, what I can say is, is that the plans are being announced imminently. It takes an awful long time to pull all these plans together and they need to be done right because we need to make sure that they meet the needs of the community. So I'm sorry that I can't give you a more sort of pleasing answer, one that you would like to hear like it would be done by Christmas, but I will tell you this, I will work tirelessly to make sure that regeneration projects that we are announcing are coming on-stream. They will be more than warm words. I'm not entirely sure that leadership is invigorating but it certainly is challenging. Thank you very much for your question Sir.

3 Colin Thorpe to Councillor Steve LeMay (Portfolio Holder for HTS, Properties and Facilities – with special responsibility for the roads):

At the full Council meeting held on the 22nd July 2022 in answer to my supplementary question regarding the cost of repairs to Osler House Councillor LeMay stated "But I will review it all and I will meet with your group, and I will go through it line by line"

Following a brief meeting at Osler House on the 20th September 2022 with Councillors LeMay, Leppard and an officer in attendance Councillor Leppard sent an email on the 21st instant with the statement as follows;

1. Cllr LeMay to obtain an updated budget and spec from HTS as soon as possible and then review this with the officer and Colin Thorpe
2. Agree a final works schedule and budget.

At the Harlow Common Residents Forum held on the 5th October 2022 with Councillors LeMay, Leppard and Wilkinson in attendance the assurance was given that the repairs budget would be discussed in full

However at the meeting I attended held at the Civic Centre on the 14th October 2022 with Councillor LeMay and the officer the revised HTS tender was not available and Councillor LeMay refused to discuss any of the cost saving measures put forward by the group and with complete disregard to the following:

Harlow's 10 Wellbeing Plan 2018-2028

The Local plan section L2-L4

Harlow Councils Resilience Strategy 2021-2022 specifically the reference to Osler House

The Social Values Act regarding procurement

Harlow Council's procurement strategy

The Equalities Act

I ask again when will the Council fulfil its commitment made to the disadvantaged groups of Harlow and commence the repairs to Osler House as promised?

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

As I have explained to Mr Thorpe, I am committed to the best possible healthcare provision in our town. I was previously the Chair of the Harlow Health Centres Trust (HHCT) before resigning to become a councillor. This charity has done enormous amounts for healthcare in Harlow and I was a trustee for many years.

The meeting at Osler House was not brief, it was extensive, and I made very clear the financial constraints, we as a council face. The price of the works has nearly double and there is an extremely large funding gap. That is why I have made clear that small savings from the list Mr Thorpe has will not cover the funding gap.

I also met with the community group and made clear I am not dismissive of the project, I care passionately about healthcare provision, but explained in detail the financial constraints we as a council face and that we have a large gap in the finances/funding between what we have the allocated budget and what is required.

I have now received the revised figures from HTS and am working with officers to finalise the new project cost. Once I have this confirmed, I will do as I have always committed to doing, advise the community group on the way forward. I have done exactly as I promised to throughout.

This is purely based on what we can be afforded and the best value for money to the taxpayer.

Supplementary question from Colin Thorpe to Councillor Steve LeMay (Portfolio Holder for HTS, Properties and Facilities – with special responsibility for the roads):

At the council meeting held on 22 July of this year, Councillor LeMay stated that the costs of repairs to Osler House had almost doubled from the amount allocated for those repairs. This is incorrect as the amount budgeted for those repairs was £226,000, which had it almost doubled would be £452,000, whereas the tender for repairs resulted to £325,000 which is a shortfall of £99,000 and not the nearly £127,000 as suggested. Within the tender price, it allows for £22,000 for alterations which the trustees themselves have to pay for. My question is why is Councillor LeMay not taking into account the amount the trustees have to pay for these alterations suggested at £22,000,

and may have risen, and the loss of revenue from the rent of Osler House, some £68,000, and the suggested items which may be are cosmetic, being a further saving of £10,000 which amounts to £100,000 and is covering the sum of the adjusted overspend of £99,000?

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

Colin, as I've promised, as soon as I've finalised the figures with the officers, which will hopefully be the middle of next week, I will meet with you and I will go through it line by line as I've said all along.

4 Colin Thorpe to Councillor Alastair Gunn (Portfolio Holder for Governance):

Is it now par for the course that regardless of which side of this Chamber you sit for Councillors to disregard emails sent to them?

Out of the 33 emails I sent to the Councillors who supposed to be representing the people of Harlow I received 4 replies with one stating that the particular Councillor was on holiday giving dates in May 2022!!

With those emails was an attachment of the Potter Street Health and Wellbeing Trust's proposal for a Wellbeing Hub situated in Potter Street but available to all the residents of Harlow

Councillor Code of Conduct (Part 1) General Provisions

1 Introduction and Interpretation

1.1 As a Councillor you are a representative of this Council and the public will view you as such Your actions impact on how the Council as a whole is viewed and can have both positive and negative impacts on the Council

4 General Obligations

4.1 You must treat others with respect

As a resident of Harlow the Chair of Harlow Common Residents Forum and the Treasurer of the Potter Street Health and Wellbeing Trust by ignoring 29 out of the 33 emails sent have Councillors created a negative effect on the Council as a whole and treated me with respect as laid down in that Code of Conduct?

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

Councillors are elected to serve residents in their ward. Except insofar as they may have wider responsibilities such as being a Portfolio Holder or being a Member Champion, Councillors would not be expected to reply to any correspondence received from those they are not elected to represent and to whom they are not democratically accountable.

It is also important to recognise that Councillors are not full-time officers and have to balance their public sector responsibilities with jobs, families and other commitments.

I trust this explains to Mr Thorpe why he was unlikely to receive responses from Councillors that do not represent the Harlow Common ward.

Supplementary question from Colin Thorpe to Councillor Alastair Gunn (Portfolio Holder for Governance):

The reason I addressed the question to the 33 councillors of Harlow Council was that I wasn't sure that they actually know that what the health and wellbeing hub is proposing is for the entire Harlow and not just Potter Street, and therefore, if ever this Council was to have a vote on it they would need to know what it was all about. So my question is, how many of those councillors actually read the question that I sent to them and the business plan which I sent to them with that and do they understand what the Potter Street health and wellbeing hub is going to do for the disadvantaged groups of this town?

Supplementary reply from Councillor Dan Swords on behalf of Councillor Alastair Gunn (Portfolio Holder for Governance):

Thank you Mr Thorpe for this supplementary question. I recognise the point that you are making. You mentioned about the Council having a vote on the matter. The allocated budget was voted through the usual Cabinet process I believe by the previous Administration. The Capital Programme has since been updated as on-going. I noted that in your initial question you said that you only received four responses for the 33 Councillors so I do find it interesting that there is a lot of Opposition Councillors nodding but they didn't respond to your email. However, I think that the answer that you took as read set out very clearly that Councillors are accountable to those who elect them unless, as the response said, they are Portfolio Holders or other such rank and of course have a wider responsibility. There also is a realism that Councillors received hundreds of emails from lots of people. They would be doing a dis-service to those people who they are here to represent if they were to respond to and deal with every query that they received, therefore, it will be dealt with by the Portfolio Holder and the Administration when the appropriate time comes as all other matters that affect many wards around the town are and that's a well versed process.

5 Cliff Phillips to Councillor Simon Carter (Portfolio Holder for Housing):

We have received some contradictory replies to the questions regarding pitched roof surveys, the when and who will be carrying it out? Reply from Simon Carter on 19th August was that the pitched roof surveys will be carried out by Harlow Council and its specialist consultants Stace.

However that, it would seem is not the case now, answers received at a recent Cabinet meeting and also by emails suggests that the on-site building contractor will be carrying out the surveys.

So could you confirm that all pitched roof surveys are now being carried out after the scaffolding has been erected, and by the builders on site and not as firstly informed by a Harlow surveyor?

Reply from Councillor Simon Carter (Portfolio Holder for Housing):

Thank you for your question. I will reiterate for the benefit of all questioners tonight that you have a single point of contact for your questions who can provide more information, more quickly, than waiting for a Council or Cabinet meeting. I don't need to repeat who that is because the details have already been provided to you all.

I confirm that scaffolding has been erected at some of the flat blocks at Five Acres and surveys are being carried out to the pitch roofs. Once a contract has been awarded and the Contractor is on site it becomes their site and they become responsible for access to the site and all aspects of health and safety etc. Therefore, the Contractor would have had to grant access to the scaffolding for both STACE and Harlow Surveyor in order for them to carry out the surveys. The contractor would have assisted them by removing tiles and observed the condition of the roofs so that when the roofs are either repaired or replaced, part of the contract is for them to oversee this work.

Supplementary question from Cliff Phillips to Councillor Simon Carter (Portfolio Holder for Housing):

It would seem that at last some common sense may now prevail. We now have been informed in the last couple of days that the scaffolding is not now necessary for the roof surveys, even though the scaffolding on block one is fully erected and includes a tin hat for weather protection. The roof surveys will now be completed using a cherry picker. The scaffolding has an estimated cost of £3,000 per leaseholder. So why was a cherry picker not used to survey before the STACE report was configured and tender submitted? Would you not agree that this is another case of a farcical expense laid at our doors?

Supplementary reply from Councillor Simon Carter (Portfolio Holder for Housing):

Thank you for your question. This is a detailed operational matter which I don't have with me but I will make enquiries and get back to you.

6 Cliff Phillips to Councillor Simon Carter (Portfolio Holder for Housing):

When similar major works were proposed on the blocks of 30 flats at The Hides, a Report to Development Management Committee was produced laying out the proposal for works. This was before a Specification of Works was produced as carried out by Stace for the Five Acre site.

We have not been made aware of, or seen a Report of Development for proposed work on Five Acres. Why is this?

Reply from Councillor Simon Carter (Portfolio Holder for Housing):

Thank you for your question.

A report to Development Management committee is for planning permission and relates to the purpose of the site and its design and appearance. It has no operational connection to major works carried out by the landlord.

Reports were prepared for Planning Officers for the five blocks and four were approved under delegated powers and the fifth, for 45-49 Five Acres, was approved by the Development Management Committee on 27 September. Full details of the application and reports are available on the council website. Notice of the planning applications were advertised on yellow notices posted near the relevant buildings in accordance with planning regulations.

But I reiterate, these are entirely separate functions and have no relation to each other.

Supplementary question from Cliff Phillips to Councillor Simon Carter (Portfolio Holder for Housing):

What also concerns us is will it not be questionable that the builders who have been awarded a very high and almost non-competitive contract will carry out an unbiased survey to establish the need for the roof replacement? Especially when they already have the roof tiles on site ready to go?

Supplementary reply from Councillor Simon Carter (Portfolio Holder for Housing):

I'm not sure I understand the question. It has already been explained in previous questions that we are only using scaffolding or the cherry picker for the Council's surveyors to get up there. The area is now under the control and responsibility of the contractors and they have the responsibility of undertaking it. We have explained that the surveys are being done by the Council's surveyors and STACE as our consultants. The contractors are merely there to facilitate our inspection.

7 Janet Jackman to Councillor Simon Carter (Portfolio Holder for Housing):

I note that in the minutes of the Cabinet meeting on 24 March 2022 it states that Simon Carter said there has been no maintenance on the five acres blocks for over six years due to the council requirement to have to reduce council tenants rents. Due to this, there has been no funds available for maintenance. Also, in the minutes, it states that Simon Carter said because of this works will be more costly. I note that Simon Carter did also state four times there has been no maintenance for over 20 years but, for some reason, it is not in the minutes.

Simon Carter also stated that leaseholders would be invited at various stages during the works to express our view in an environment of openness and transparency to ensure works are fair and reasonable.

To this date we have been told there will be no meetings or discussions about the works. Due to this we are very unhappy with the way we have been treated. Please can you explain why no further meetings have taken place?

Reply from Councillor Simon Carter (Portfolio Holder for Housing):

Thank you for your question Ms Jackman.

The minutes of the Cabinet meeting of the 24 March 2022 state "Over the last five to six years there has been a shortage of funds in the HRA due to the requirements to lower rents which meant "some" maintenance couldn't be done earlier and resulted in higher costs." As previous advised Harlow Council has undertaken repairs and maintenance to the properties of Five Acres in accordance with the agreed repairs and maintenance strategy, prioritised within the budgets and resources available.

Harlow Council have not refused to meet with individuals on a one-to-one basis to discuss the works.

Supplementary question from Janet Jackmen to Councillor Simon Carter (Portfolio Holder for Housing):

We explained that Simon Carter says six years because he said four times in the other meeting that there has been no maintenance for 20 years. You can see it for yourself because there are trees growing out of the store cupboard roof and all sorts, it is pretty terrible. In the actual leases, it says that the freeholder of the properties should maintain their properties. Well, you can see that Harlow Council hasn't maintained the properties and I don't think that's a good enough excuse with budgets. Because you haven't maintained it means that the store cupboards, it's a little one with three doors, is going to cost us £13,000 because its gone to the state of non-repair. Why should it cost us more? It should cost the council more because they have not done their job and it says in the lease you should maintain your buildings and you haven't.

Supplementary reply from Councillor Simon Carter (Portfolio Holder for Housing):

As I say, we have maintained repairs and maintenance on an on-going basis for the day to day stuff, it is more the long-term. Repairs and maintenance have been happening on an on-going basis which we have to do to ensure the safety and sustainability of the property. Bigger works, like roofs and so forth, are obviously more expensive but they are not just more expensive for you, it is more expensive to us as well. We have to watch our pennies as well as you do. If you have day to day questions like rubbish bins you have a single point of contact available to all residents in Five Acres to report to and get stuff done quickly. You don't have to wait to come here as I said earlier. The other issue is if you are clearly unhappy with what the Council has done, rather than what it is going to do, you do have the ability to appeal to the First Tier Tribunal to which we have contact details.

8 Sally Jones to Councillor Simon Carter (Portfolio Holder for Housing):

Please can you provide me with the written brief to Stace LLP which led them to produce the Specification of Works for the External Repairs and Refurbishment Works on Five Acres?

Reply from Councillor Simon Carter (Portfolio Holder for Housing):

Thank you for your question Ms Jones.

As this request is not part of the statutory requirements under current legislation a request must be made via Freedom of Information Act 2000.

You can also email or write to Contact Harlow to request information. If you do this, you will need to include: your name and address for correspondence a description of the information or documents you would like to access. Once you have submitted your request, we will respond within 20 working days.

We may charge a fee for postage or photocopying if the cost is more than £5.00.

9 Jenny Cassidy to Councillor Simon Carter (Portfolio Holder for Housing):

On the Stace schedule of works for Five Acres, section 3, block 5 -17, item no. 7.04 I quote "The contractor cannot use any of the existing hard standing areas for vehicular parking or sitting storage containers. The landscaped areas may be used provided they are reinstated and made good on completion of works". End quote.

In September, Cosmur fenced off 5 spaces in the car park. This is the hard standing area that Stace referred to. On the 13th October Cosmur took another 2 more car park spaces for material storage. Altogether that's 7 spaces. There was no consultation beforehand with the residents.

I reside at Five Acres, I, with many other residents use and rely on the car parking area on a daily basis. This is a highly populated area with a number of elderly and disabled residents. My disabled elderly neighbour was recently in tears and very distressed at not being able to find a parking space near to where she lives due to the 7 parking spaces Cosmur have taken against the criteria laid down by Stace.

My question is; as the contractors should not use any of the existing hard standing areas when will the contractors be made to remove their containers and materials from the car park to the landscaped area that Stace specified.

Reply from Councillor Simon Carter (Portfolio Holder for Housing):

The STACE schedule of works for Five Acres, section 3, block 7-17 (not 5-17), item 7.04 the full quote states:

"The Contractor cannot use any of the existing hard standing areas for vehicular parking or siting storage containers. The landscaped areas may be used provided they are reinstated and made good on completion of the works, subject to prior agreement with the Local Authority. The Contractor is to provide proposals for the location of site accommodation, materials, compounds, hoardings, scaffolding and major plant. The locations are proposed must ensure that safe access is maintained to all residents' car parking areas and pedestrian footpaths."

When the schedule of works was put together it was the intent not to have the contractor assuming a certain area would be available or offered at the commencement of the project.

At a Pre-Contract meeting (following contract award) it is the duty of the client to assist the contractor in finding a suitable and appropriate areas for site compound/welfare. It was at this point that the area of the car park would be best suited, and permission was given by Harlow Council. To note, landscaped areas were considered but due to the size of the required compound and weight of the containers this would not have been suitable especially this time of year.

We can confirm that no spaces in the car parking area were designated disabled spaces.

Supplementary question from Jenny Cassidy to Councillor Simon Carter (Portfolio Holder for Housing):

In that case, why did STACE when compiling their specification work insist that the landscaped areas should be used and the hard standing must not be used for the site compound or contractor parking? Morally, I believe that, we the residents, are being rushed over and made to feel like second class citizens. How can you justify this?

Supplementary reply from Councillor Simon Carter (Portfolio Holder for Housing):

Those conditions would have been the normal conditions that we put into any contract regarding parking spaces and the use of other space available. With Five Acres, there's not a great deal of space but also, at this time of year, the use of open spaces would not be appropriate. This would obviously vary at the time of year but certainly at the moment with the amount of rainfall we are having it would do too much damage to the grass and wouldn't be safe to use. It would appear from the answer that we didn't notify you that this would happen for which I am obviously extremely sorry and I will take up with the officers about it.

10 Jan Addison to Councillor Simon Carter (Portfolio Holder for Housing):

Jan cannot attend the meeting in person. Due to her special circumstances, it has been agreed that her questions will be read out on her behalf.

Would the council clearly state whether the proposed roof survey at flats nos. 5 to 17 five Acres has actually been completed already. Yes or no?

Reply from Councillor Simon Carter (Portfolio Holder for Housing):

Please thank Ms Addison for her questions but will reiterate my opening comments about the Single Point of Contact for queries and questions relating to the site.

The flat block is 7 – 17 Five Acres and not 5 - 17 as stated. Yes, the roof survey is completed. When all the roof surveys have been completed Harlow Council will review them and as previously stated all Leaseholders will be provided with a copy.

11 Jan Addison to Councillor Simon Carter (Portfolio Holder for Housing):

Jan cannot attend the meeting in person. Due to her special circumstances, it has been agreed that her questions will be read out on her behalf.

Will the copy of the survey provided to leaseholders before work starts clearly state, in simple terms the identified problems that require the roof to be replaced rather than just repaired?

Reply from Councillor Simon Carter (Portfolio Holder for Housing):

Yes, the roof surveys are carried out by Chartered Surveyors STACE and are in a particular format. The survey will include photographs to support the reports' findings. When you receive a copy of the report should you require clarification of any of the content then you can contact the Single Point of Contact for Five Acres.

12 Denise Gillies to Councillor Simon Carter (Portfolio Holder for Housing):

At the last cabinet meeting the council spoke about how the cost of living is really affecting people, such as stress anxiety and mental health issues. which I am now suffering from myself.

So my question is to Councillor Carter is, how can you send leaseholders these ridiculous estimated bills of up to 30.000 and deliberately causing stress anxiety and mental health issues. Isn't this contradicting on what the council proposed at the last cabinet meeting?

Reply from Councillor Simon Carter (Portfolio Holder for Housing):

Thank you for your question Ms Gillies.

The Council are incredibly aware of the impact of the cost of living and energy crisis and we have reviewed the range of payment options. In answer to question from Councillor Edwards at the Cabinet meeting of 13 October 2022

I announced for those leaseholders who reside in their property the interest free loan has been extended from 5 to 10 years.

All buildings age and require care and maintenance from time to time. The Council has a duty to ensure its building are safe and secure for both its tenants and leaseholders. The Council also has a duty to ensure it obtains value for money both for itself and its leaseholders. All tenders are appropriately evaluated, carrying out intensive checks to ensure that tenders meet the Council's requirements which include quality and insurances, as well as financial and economic standing. You will note both quality and price are evaluated separately to ensure a balanced award of any contract, with quality evaluated first. The estimated figure is based on the tender submitted. When the works are completed and signed, an invoice will be raised, and a full breakdown of the works carried out to individual blocks will be supplied to all leaseholders. The values may alter as work progresses and individual aspects refined after investigation.

The Council has in place several repayment options to help Leaseholders spread the cost of these works. Occupying and investor leaseholders have been provided with their relevant information on several occasions.

Supplementary question from Denise Gillies to Councillor Simon Carter (Portfolio Holder for Housing):

Everybody sends you emails with questions. It seems to me that you do a group answer when people have asked you individual questions so why don't you answer those questions to individual questions?

Supplementary reply from Councillor Simon Carter (Portfolio Holder for Housing):

I have mentioned now that there is a single point of contact for all questions on Five Acres. As explained in a previous answer, I, as do all other Councillors, receive a lot of emails and obviously the Five Acres ones are more important. Either I try to answer them as soon as I can or I have to wait for technical support for the question. As I say, if you do have a question, your best bet is to contact your single point of contact.

Full Council – 3 November 2022

Questions from Councillors

1 Councillor Lanie Shears to Councillor Alastair Gunn (Portfolio Holder for Governance):

Following disastrous recent and ongoing events many residents in this town are worried about the future, they are concerned that their income is reducing or stagnating whilst prices are soaring in the most horrendous cost of living crisis.

Whatever reason may be given for these events be it Brexit, Putin, pandemic or government incompetence is beside the point.

The Council must ensure that the residents of Harlow are supported, and that information regarding that support is put out in an accessible and timely manner.

This information should be relevant, up to date and easily accessible. Information may change from time to time as the situation unfolds and residents will need to be updated.

Too often 'online' is seen as the way to publish information and whilst it is a really good platform to do so , many people are left out because they do not have access to or do not use the Internet.

Will you ensure that all information is delivered to every household, available in a plethora of venues such as libraries, shop windows, places of worship, given to voluntary groups and schools, put on notice boards, made available in sheltered housing complexes, supported housing, CAB and any other relevant places and ensure that the distribution of such information to these locations is repeated as soon as updates are available?

Will you also ensure that the operators at Contact Harlow are fully briefed on the available measures and how they can be accessed in order that they can speedily provide up to date information to residents?

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

Thank you for your question which raises many important points. The Council is absolutely committed to doing everything possible to ensure residents are well informed. The Council is actively working to improve communications and undertook a recent Local Government Association Peer Review of its communications and will take steps to improve further.

We are already doing a number of things to actively promote and address the issues you mention, including, but not restricted to:

- The Council is working very closely with health colleagues through the West Essex Health Inequalities Workstream on impacts of cost of living crisis and available support for residents. This work aims to ensure frontline services can refer people to the right sources of help and advice
- This is a cross sector issue and the Council is one of a number of bodies looking to address the issue locally, alongside NHS and County Council as well as advice groups and voluntary sector; all groups are working together to provide a joined up approach and same information across the board
- The Community Hub co-ordinated by Rainbow Services provides face to face advice and information through outreach sessions to the community and referral to services that can offer direct support such as the Foodbank, local Citizens Advice Bureau etc and is funded by Harlow Council
- Council's web pages dedicated to cost of living support are signposted from landing pages and cover a number of key questions residents may ask (Help with the cost of living | Harlow Council) this covers not only financial help from the Council and others, but also information on health and wellbeing, support for older residents and free and low cost activities. Again this is a source of information that can be used by frontline services to direct people to where they can find assistance
- Regular cost of living information has featured in Harlow Times since the summer. Information appeared in the autumn edition and will appear again in the winter edition out in December. The magazine is delivered to all Harlow households
- Signposting information has been included on the front of the quarterly rent statements sent out to council tenants
- A social media campaign is being developed to reach people within Harlow on Facebook and target different local interest groups with cost of living information. This will include targeting those looking for help and support, but also those who can pass on information to family, friends and neighbours
- Regular information will also be circulated to places around town to help reach those not online. As part of this we will investigate circulating information to as many of the locations as we can that Cllr Shears has suggested.
- Contact Harlow provide advice and information on a variety of services the Council offers and signposting residents to other available support remains part of the service they provide to residents.
- Report to Scrutiny Committee on 16 November includes recommendations to review locations and contents of community noticeboards to reflect key messages from the Council and public sector bodies, including within health sector.

- Working with our fantastic local news outlet, YourHarlow.com to ensure residents are fully engaged.

2 Councillor Tony Edwards to Councillor Simon Carter (Portfolio Holder for Housing):

As a Ward Councillor in the last three months, I have been made aware of three major roofing repairs.

The first was a top floor flat where guttering problems have caused significant water penetration; the repair has taken over a year to be addressed.

The second was a house where rain was pouring in through a porch way roof. Which has not been addressed properly for several years.

The third is a house with a young family, where in August due to rain penetration the kitchen ceiling collapsed. Where it took until the 14th of October to get the roof temporarily sheeted and made weather tight. And where the tenant still hasn't been told when the roof will be permanently fixed.

Can you tell me how many Harlow Council homes are there currently where reroofing is necessary and how long (in weeks) in the majority of such cases, does it take from the time a problem is first referred until reroofing is completed?

Reply from Councillor Simon Carter (Portfolio Holder for Housing):

Thank you for your questions. The Council is trying to deal with the roofing issues in date order with a priority influence. There are 47 Houses that do not have orders for work and 13 flat blocks. The waiting time can be anywhere between 1 and 4 years, as the revenue and capital budgets are under so much pressure and there are other priorities.

We do, however, expect that properties are kept watertight in between.

Supplementary question from Councillor Tony Edwards to Councillor Simon Carter (Portfolio Holder for Housing):

Could you please elucidate on what you mean by the revenue and the capital budgets are under so much pressure? Could you, for the record, please tell us how much pressure in terms of are the current capital budgets spent up for this year? Therefore people will have to wait for next year? What are the capital budgets? And what are the capital revenue budgets?

Supplementary reply from Councillor Simon Carter (Portfolio Holder for Housing):

There were quite a few points you covered there. Probably the basic one is what is the difference between the revenue and the capital programme. The others, if you would be kind enough to write to me for answers, I am sure I will be able to send the answers to you. The revenue budgets are more for day to day patches and repairs which can be done quite easily and simply. The capital programme will be for the major works like re-roofing. We have explained, several times before, all of our budgets are under pressure, particularly following the rent reduction for four years. That has had a major impact and it is taking a while to catch up. We will of course be reviewing our budget for 2023-24 and again it will be priority lead. If you let me know the other details, I will reply back to you.

3 Councillor Tony Edwards to Councillor Simon Carter (Portfolio Holder for Housing):

In addition to the three issues raised in my previous question, I have also been made aware of a fourth outstanding repair.

The fourth is a top floor flat where a hole in the ceiling due to rain penetration was first reported on Boxing Day of last year and where the ceiling still has not yet been fixed

Can the relevant portfolio holder please tell me.

How many Council roofs and / or ceiling repairs are currently outstanding and how long is it taking for such work to be completed in the majority of such cases?

Reply from Councillor Simon Carter (Portfolio Holder for Housing):

The total number of complete roof renewals referred for the re-roofing Capital Programme is 60, this figure includes both individual street properties and flat blocks. The Council has identified within its Housing Capital Programme the ongoing requirement to fund re-roofing projects as part of its Asset Management strategy and makes an annual allocation to fund these projects. Work is delivered through two programmes firstly through a Roof Renewal Programme and secondly through the wider Housing Investment Programme which scope includes roofing works. It will depend on when a property is referred as to when the works will be delivered.

Supplementary question from Councillor Tony Edwards to Councillor Simon Carter (Portfolio Holder for Housing):

Particularly given that you didn't answer my original question, my original question was how many council roofs and/or single repairs are currently

outstanding? It wasn't how many complete roofs renewals there are. My understanding from talking to officers is that we are talking in excess of 1,200 currently outstanding. So could you please confirm for me, the number of roofs and/or single repairs that are currently outstanding?

Supplementary reply from Councillor Simon Carter (Portfolio Holder for Housing):

As I mentioned, there are the revenue programme and the capital programme as well. The roofing number came from the capital programme but other repairs may well come under the repair programme. You mention a number of 1,200 but you have no indication as to how much work is actually involved. Some may be just a replacement tile, others may be several tiles but again its not the kind of operational information that I carry around with me. I will go away and find out and let you know.

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

Following comments online by the portfolio for strategic growth on the 8th August where he said 'Switch them off' can the leader of the council put on record his administration's support for the need for night time street lighting?

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

I fully appreciate the importance of street lighting and the strength of feeling many people have about this matter. There are currently no plans to turn off the streetlights.

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

At the cabinet meeting in September, I asked for figures related to vacancies within the council which I am yet to receive. Could the leader of the council tell me what work is being done or will be done to fill the vacancies which are across the organisation and ensure the retention of current staff?

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

I understand that the information you asked for was requested from the relevant Director of the Council after the meeting. I was unaware that this had not been provided to you and therefore, chased this yesterday. I have today been provided with that information and will send this to you. I can only apologise on the Directors behalf that this information took so long to reach you.

I have personally asked the Interim Chief Executive to oversee the ongoing recruitment and appointment of council staff noting the concerns you raise.

In terms of retention, I am absolutely committed to ensuring the Council is a fantastic place to work and that all members of staff feel valued with strong measures in place to retain staff. A number of such measures are in place and I understand that our turnover of permanent staff is below the national average, but there is always more to do and I will continue to work with the Interim Chief Executive to ensure that happens.

Supplementary question from Councillor Chris Vince to Councillor Russell Perrin (Leader of the Council):

Should we do a staff satisfaction survey could members see the results and potentially contribute to the staff satisfaction survey going forward to ensure that it is fit for purpose?

Supplementary reply from Councillor Russell Perrin (Leader of the Council):

You can certainly see the results. I am happy to take views on the construction thereof.

6 Councillor Jean Clark to Councillor Simon Carter (Portfolio Holder for Housing):

The Care Quality Commission inspected Sumners Farm Close in August and issued a damning report on the 'provider', as reported in Your Harlow recently.

What particular concerns did the government highlight about the provision of care for our highly vulnerable residents? What recommendations were made to improve the quality of care?

Reply from Councillor Simon Carter (Portfolio Holder for Housing):

The care agency at Sumners Farm is commissioned by Essex County Council who have met with the agency to talk through the report and awaiting an action plan to rectify the issues.

Supplementary question from Councillor Jean Clark to Councillor Simon Carter (Portfolio Holder for Housing):

When a meeting has been arranged and during discussion, could the report be publicised and the recommendations? Can we be involved in those

discussions and the recommendations rather than just reading the outcome in Your Harlow?

Supplementary reply from Councillor Simon Carter (Portfolio Holder for Housing):

I really think these questions ought to be aimed at the County Councillors who are much closer to the decision making. Certainly we will be involved to see what the outcome is, we would be able to write to you separately to release that information which comes out but if you approach the County Councillors which do have responsibility for this, I am sure they will assist you.

7 Councillor Bob Davis to Councillor Russell Perrin (Leader of the Council):

Will this Council submit an application to the Government to cancel the local elections in 2023 as those elected will only serve a period of 12 months before all 33 councillors in Harlow will be up for election due to the boundary changes?

Whilst in a cost- of- living crisis this seems a waste of a considerable amount of Harlow Council taxpayers money.

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

The requirement to hold yearly elections for a third of its seats is set out in law in section 7 of the Local Government Act 1972 which also provides the years in which County elections are also held.

Any desire to cancel elections would need legislation or government order to vary, as was the case during the pandemic when the government introduced such provisions as part of the Coronavirus Act. The Local Government Boundary Commission have also confirmed that it couldn't form part of the warding order that they will be bringing forward as part of their review.

As such, I believe that such a request wouldn't find favour given its timing and would in effect be denying the community their right to choose their representative. Several Councillors elected in 2019 will have reached the end of their four-year terms of office and should be expected to seek consent from their ward electors to continue to represent them.

I understand from the Council's Returning Officer that planning and implementation of the arrangements for May's elections are already well underway in any event.

However, there are options for saving the Council's expenditure on elections were it to decide to move to 'all-out' elections after those scheduled for 2024 which does have the potential for saving a significant amount and minimising voter fatigue. This administration is supportive of this approach and would welcome cross-party support in exploring this option further.

Supplementary question from Councillor Bob Davis to Councillor Russell Perrin (Leader of the Council):

You state "I believe that such a request wouldn't find favour." Have you asked? Please be aware that both the Council and voluntary services could use this money in the near future as they may well need it.

Supplementary reply from Councillor Russell Perrin (Leader of the Council):

There are two points I would like to make. First of all, I am more than happy to write to the Secretary of State to put forward this proposal and ask that our MP also asks the Secretary of State to look upon our request. But I would also continue to extend that the Chamber looks at, very seriously, moving to all out elections every four years which I know that when I have been in previous discussions with the Leader of the Opposition, they have been opposed to do so. Because I presented the case, not only would it mitigate or reduce the effect of voter fatigue of having to vote every single year but it would provide an efficiency for the tax payer themselves as well by reducing the overall costs of elections so I really would urge the opposition to re-look at their long standing view, as the Leader of the Opposition said to me personally, that they are opposed to four yearly elections