

Cabinet – 13 July 2023

Questions from Councillors

1 Councillor Chris Vince to Councillor Dan Swords (Leader of the Council):

A number of trees have been cut down by Essex highways as part of the sustainable transport corridor. Although I understand trees will be replaced, I am concerned replacing mature trees with new saplings is not like for like. Can you tell me what warning Essex Highways gave Harlow council about these trees being cut down, what justification they gave to them being cut down so far in advanced of any planned highways work and what evidence they provided that the scheme will be carbon neutral?

Reply from Councillor Dan Swords (Leader of the Council):

Thank you for your question regarding the significant investment secured to massively upgrade our transport infrastructure on this key route between Gilston, the train station and our town centre.

In addition to the response to Question 6 in the Questions from the Public, ECC advise that scheme briefings were held with District Councillors in August 2022, both online and in person, and prior to the tree removal a briefing note was issued. Notices were also sent to residents advising of the works, including the need for tree removal and their replacement. In addition, these works were flagged up in a joint press statement by HGGT partners, where the then Leader of the Council, Councillor Perrin, acknowledged that “whilst some trees are being removed to enable the works, these will all be replaced with semi-mature trees with long-term maintenance plans to ensure they flourish. More trees will be planted than removed and a number of trees being removed are diseased, dying or affected by ash dieback. The nearby Town Park will not be impacted. No trees from the Town Park or the row of trees along the boundary of the park will be removed.”

I strongly welcome the fact that the transport infrastructure upgrades are being put in place before the development is constructed. This is key to our priority to secure investment into Harlow. However, in light of your question, I have asked for reassurances on the works programme and timescales. We are also taking further steps to advertise the works and the significant investment to upgrade our transport infrastructure.

Supplementary question from Councillor Chris Vince:

Do you share the frustration that the trees were removed so far in advance of the works?

Reply from Councillor Dan Swords (Leader of the Council):

I will raise your concerns.

2 Councillor Chris Vince to Councillor David Carter (Deputy Leader and Portfolio Holder for Housing):

In a previous meeting we were told that with regards the experiences of the residents of Five Acres about major works the council had 'recognised the need to improve communication on major works schemes and to ensure better processes are in place for future schemes. Bearing in mind lease holders of Wedhey have been hit with a potential bill of £46,000, a decision taken outside of a council or cabinet meeting, how has the process of consulting with residents been improved?

Reply from Councillor David Carter (Deputy Leader and Portfolio Holder for Housing):

Thank you for your question regarding major works to upgrade our flat blocks which is part of our £122 million Housing Capital Programme to fix council housing.

There is an ongoing review into this process which is being finalised. Officers have reviewed the process in line with the statutory requirements of Section 20 Leasehold consultation and have enhanced the consultation process, prior to works commencing, during works and post works. In addition to introducing two internal reviews of the proposed scope and scheduling of works along the scope has been reviewed to focus only on component failure.

Key changes to the process are:

- a) Due to escalating cost of works, the scope of works will now only include health and safety works, fire safety works and component failure, which is a move away from the Housing Investment principles of total block refurbishment;
- b) Built into the process now are two opportunities to review the scope and if required value engineer the scope, to minimise the financial impact for leaseholders, and to take account of consultation feedback; and
- c) Earlier engagement on works planned with all residents, enhanced engagement whilst works are in progress with the introduction of a newsletter and closure letter post works.

These principles were applied to the Wedhey project, and through the value engineering process the overall cost of works was reduced £58,000 to £46,000. Financial support packages are available for leaseholders whereby the property is their one and only principal home. The new process is robust and ensures that the Council meets its statutory requirements aligned to the Leaseholder Consultation requirement as set out in the act, whilst giving residents more opportunity to discuss concerns at an earlier stage.

Once the final review is completed, it will be reported as a Portfolio Holder decision for full transparency and scrutiny.

Supplementary question from Councillor Chris Vince:

Will you consider further support for vulnerable residents?

Reply from Councillor David Carter (Deputy Leader and Portfolio Holder for Housing):

Yes.

3 Councillor Tony Durcan to Councillor Nicky Purse (Portfolio Holder for Environment and Sustainability):

Over the weekend I have been approached over concerns raised about vandalism of council property at Riden Woods.

An open letter has appeared in your Harlow that could appear to lay the blame over the damage being carried out by someone from the horse riding stable. This is purely based on the evidence of horse droppings. As you can imagine this has caused huge offence.

Could you please provide an update on what actions are being taken to mitigate possible further escalation of this situation, including:

- a) What has been the cost of installing these barriers to date;
- b) What will be the cost to recover and repair;
- c) Providing the risk assessment to show why these type of barriers were justified; and
- d) Finally whether you would agree that whilst these barriers may stop young people enjoying horse riding it also may be a breach of the equality act by preventing others from enjoying and accessing these woods.

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

Thank you for your question regarding the repeated damage being caused at Ridsen Woods.

In respond to the four parts of our question:

- a) £0. The restrictions were installed using materials already to hand and using volunteers to install them and supervised by a Council Officer.
- b) £0.
- c) Unauthorised horse riding and motorcycle riding in the woods has been prohibited for a significant number of years as notified on signage at 2 of the entrances to the woods. The barriers were installed because of unauthorised use of the woods continued in spite of the restrictions which have been in place for many years as advertised by the signage.
- d) The Equality Act requires Councils to make reasonable adjustments to be able to offer access to their facilities to all. What is classed as a reasonable adjustment relies on a number of factors which include, amongst other things, how practicable the changes are, how much money and resources are available and the cost of making the changes. Due to the SSSI status of Hospital & Ridsen Woods, it is not possible to alter the terrain and surfacing to enable accessibility, due to the steep gradients and uneven surfaces. Constraints associated with SSSI sites limit the balancing of access with the conservation of our natural heritage.

Parndon Wood Nature Reserve which is adjacent to the Hospital and Ridsen Woods SSSI offers accessibility for all users with access to several key features which include a bird hide, conservation centre, outdoor seating area, café, toilets and along some areas of permissive footpath. There is also an accessible car park located near to the entrance.

Supplementary question from Councillor Tony Durcan:

Are you seriously suggesting the cost was nothing?

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

I can provide more detail of the costs in writing.

4 Councillor Tony Edwards to Councillor David Carter (Deputy Leader and Portfolio Holder for Housing):

Given that it was reported in the minutes of the Housing Standards Board 15 May that:

- a) The costs for aborting the Five Acres Flat Block Contract was £191,221;
and
- b) Only £13,742 of repair work was carried out.

Please can you give precise reasons for aborting the contract and detail the specific lessons learnt by the Council.

Reply from Councillor David Carter (Deputy Leader and Portfolio Holder for Housing):

The major works contract at Five Acres was stopped because of concerns received from leaseholders which included formal representations to Cabinet in October and November 2022 in relation to the consultation process and cost of works.

As a result of the concerns raised by the leaseholders at these meetings, Officers were instructed to cease all works at Five Acres pending a review of the Major Works Process. Letters detailing this decision were sent to all residents.

That letter stated that any future decision about the need for works, would not be made until the council has fully reviewed its major works processes, including resident and leaseholder consultation. Therefore, a decision would not be made until the 2023/24 financial year.

Whilst the works were halted, there was a need to complete urgent works to block 7 – 17 Five Acres.

The costs of the aborted works were originally estimated at £500k however the final costs were £476,259 broken down as follows:

Cost of aborting Cosmur contract – includes site set up costs etc - £191,221

Cost of materials purchased and stored pending commencement of works and scaffold costs - £271,296

Repairs to 7 – 17 Five Acres, - includes tiles, gutters etc. - £13,742

The review of the major works processes is nearing completion and once the final review is completed, it will be reported as a Portfolio Holder decision for full transparency and scrutiny.

Supplementary question from Councillor Tony Edwards:

Given the project was abandoned in November 2022 it is shocking there still haven't been lesson learned.

Reply from Councillor David Carter (Deputy Leader and Portfolio Holder for Housing):

I will let you know the outcome of the review.