

**MINUTES OF THE COUNCIL
HELD ON**

22 February 2024

7.30 - 8.51 pm

PRESENT

COUNCILLORS

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

David Carter	Colleen Morrison
Simon Carter	Kay Morrison
Joel Charles	Aiden O'Dell
Jodi Dunne	Daniella Pritchard
Tony Durcan	Nicky Purse
Tony Edwards	Matthew Saggars
Michael Garnett	Lanie Shears
James Griggs	John Steer
Alastair Gunn	Dan Swords
Eddie Johnson	Chris Vince
James Leppard	Nancy Watson
Ash Malik	Mark Wilkinson

OFFICERS

Niel Churchill,
Communications Manager
Simon Freeman, Deputy Chief
Executive and Director of
Finance
Simon Hill, Director of
Governance and Corporate
Services
Amanda Lucas, Graphic
Designer
Adam Rees, Senior
Governance Support Officer
Yvonne Rees, Interim Chief
Executive

82. **WEBCAST INTRODUCTION**

The Chair said the meeting was being webcast live and would be available for repeated viewing after the meeting has ended. By continuing to attend the meeting, you were consenting to being filmed and to appearing in the webcast.

83. **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Nick Churchill, Michael Hardware, Maggie Hulcoop, Rusell Perrin, Stacy Seales and Clive Souter.

84. **DECLARATIONS OF INTEREST**

Councillor Matthew Saggars declared a pecuniary interest in items 10a-c as a council appointed director of HTS (Property and Environment) Ltd.

Councillors Saggars and Aiden O'Dell both declared a non-pecuniary interest in items 10a-c as leaseholders of council properties.

85. **MINUTES**

RESOLVED that the minutes of the meeting held on 14 December 2023 and 29 January 2024 are agreed as a correct record and signed by the Chair.

86. **COMMUNICATIONS FROM THE CHAIR**

The Chair said that the picture of His Majesty Charles III was now on display in the Chamber. It was now two years since the invasion of Ukraine and he read a prayer in commemoration.

87. **PETITIONS FROM THE PUBLIC**

None.

88. **QUESTIONS FROM THE PUBLIC**

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

89. **QUESTIONS FROM COUNCILLORS**

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

90. **MOTIONS FROM COUNCILLORS**

None.

91. **REFERENCES FROM CABINET AND COMMITTEES**

Full Council agreed to take items 10a-e together. As required by the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014 a recorded vote would be taken. Details of the recorded vote are appended to the minutes.

- a) Referral from Cabinet - Medium Term Financial Plan 2024/25 - 2027/28 and General Fund Budget 2024/25

Full Council received a referral from Cabinet to approve the Medium Term Financial Plan 2024/25 – 2027/28 and General Fund Budget 2024/25.

Proposed by Councillor Dan Swords (seconded by Councillor James Leppard) it was:

RESOLVED that:

- A** The Medium-Term Financial Plan 2024 - 2028, and the General Fund Budget for 2024/25 attached as Appendix A to the report, be approved.

- B** The Council's Band D Council Tax for 2024/25 be set at £288.90 representing a 0% increase as set out in the 2024/25 Medium Term Financial Plan.
- C** The General Fund estimates for 2024/25, as set out in Appendix B to the report, be approved.
- D** The proposed transfers between the General Fund and Earmarked Reserves, referred to within the report and set out in Appendix A to the report, be approved.
- E** The proposed Fees and Charges, as set out in Appendix C to the report, be approved.
- F** The Pay Policy Statement, as set out in Appendix E to the report, be approved.

- b) Referral from Cabinet - Housing Revenue Account Budget 2024/25 and Housing Revenue Account Business Plan 2023-2053

Full Council received a referral from Cabinet to approve the Housing Revenue Account Budget 2024/25 and Business Plan 2023-2053.

Proposed by Councillor Dan Swords (seconded by Councillor James Leppard) it was:

RESOLVED that Full Council approved:

- A** The Housing Revenue Account (HRA) estimates as set out in Appendix A to the report.
- B** That tenant rents are increased by 7.7 percent with effect from 1 April 2024. This equates to an average weekly rent of £112.20 an increase of £8.02 as set out in paragraph 2 of the report.
- C** That the rents and personal charges for temporary accommodation are increased with effect from 1 April 2024 as set out in paragraph 3 of the report.
- D** That garage rents within the 'retain and invest' category are increased by 5 percent with effect from 1 April 2024. This equates to an average weekly rent of £12.97, an increase of £0.62. Also approve the proportionate increases for other garages, car ports and car spaces as set out in paragraph 4 of the report.

- E** That tenant service charges are increased to recover full cost with effect from 1 April 2024 (see paragraphs 5 to 7 of the report and Appendix C attached to the report).
- F** That the leasehold service charges are increased with effect from 1 April 2024 to ensure that all leaseholder costs are recovered (see paragraphs 8 to 11 of the report and Appendix C attached to the report).
- G** That all other tenant charges are increased with effect from 1 April 2024 in order to recover cost (see Appendix C attached to the report).
- H** The Housing Revenue Account Business Plan, as set out in Appendix B to the report.

c) Referral from Cabinet - Capital and Treasury Budget Report 2024-25 to 2027-28

Full Council received a referral from Cabinet to approve the Capital and Treasury Budget Report 2024/25 – 2027/28.

Proposed by Councillor Dan Swords (seconded by Councillor James Leppard) it was:

RESOLVED that Full Council approved:

- A** The 2024/25 Housing Capital Programme (HCP) totalling £60.409 million as set out in Appendix A to the report.
- B** The 2024/25 Non-Housing Capital Programme totalling £32.782 million as set out in Appendix A to the report.
- C** The following Capital and Treasury Reports:
 - i) The Capital Strategy Report (Appendix B to the report);
 - ii) The Treasury Management Strategy Statement 2023/24 (Appendix C to the report);
 - iii) The Investment Strategy Report 2023/24 (Appendix D to the report); and
 - iv) The MRP Statement 2023/24 (Appendix E to the report).

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

Full Council received a referral from Cabinet on the Local Council Tax Support Scheme and Council Tax Premium Proposals for 2024/25.

Proposed by Councillor Dan Swords (seconded by Councillor James Leppard) it was:

RESOLVED that Full Council approved that:

- A** The current Local Council Tax Support Scheme remained unchanged for the 2024/25 financial year.
- B** A Council Tax premium of 100% be levied in respect of empty and substantially unfurnished properties 12 months after the property becomes vacant, with effect from 1 April 2024.
- C** The application of a Council Tax premium of 100% be levied in respect of dwellings which are unoccupied but substantially furnished (second homes) with effect from 1st April 2025.
- D** The proposed Empty Homes and Second Homes Policy 2024/25 be adopted, and that the Section 151 Officer is given delegated powers to implement the policy in regard to empty properties in line with the council's requirements and any guidance given by the Secretary of State or regulation.

- e) Referral from Cabinet - Treasury Management Strategy Statement 2023/24: Mid-Year Review

Full Council received a referral from Cabinet on the Treasury Management Strategy Statement 2023/24: Mid-Year Review.

Proposed by Councillor Dan Swords (seconded by Councillor James Leppard) it was:

RESOLVED that the Mid-Year Review of the Treasury Management Strategy, as set out in Appendix A to the report, be noted.

92. **REPORTS FROM OFFICERS**

- a) Council Tax Resolution 2024/25

Full Council received a report to approve the Council Tax Resolution for 2024/25.

As required by the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014 a recorded vote was taken, details of which are appended to the minutes.

Proposed by Councillor Dan Swords (seconded by Councillor James Leppard) it was:

RESOLVED that the Council Tax Resolution for 2024/25 as set out in Appendix A to the report be approved.

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

RESOLVED that the appointment of council representatives on outside bodies be approved as appended to the minutes.

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

RESOLVED that the minutes of the following meetings be noted.

- a) Minutes of meeting Wednesday, 22 November 2023 of Audit & Standards Committee
- b) Minutes of meeting Thursday, 30 November 2023 of Cabinet
- c) Minutes of meeting Tuesday, 5 December 2023 of Scrutiny Committee
- d) Minutes of meeting Wednesday, 6 December 2023 of Development Management Committee
- e) Minutes of meeting Wednesday, 10 January 2024 of Development Management Committee
- f) Minutes of meeting Monday, 15 January 2024 of Cabinet
- g) Minutes of meeting Tuesday, 16 January 2024 of Licensing Committee
- h) Minutes of meeting Monday, 29 January 2024 of Cabinet

95. **MATTERS OF URGENT BUSINESS**

None.

CHAIR OF THE COUNCIL

Full Council – 22 February 2024

Questions from the Public

1 David Forman to Councillor James Leppard (Portfolio Holder for Finance and Governance):

On examining councillor Nicky Purse's Register of Interests published 15 September 2023 the following entry in Section 11 caught my attention:

"Accepted a ticket and attended the St Clare Hospice Charity Winter Ball. Received on behalf of HTS was on the HTS Table of 10. Approximate value £100".

Consequently, I would like to know:

(a) How ethical is it for the Environment portfolio holder with responsibility for oversight of HTS to be accepting hospitality from HTS, and

(b) Is it reasonable for HTS funds, which largely derived from council taxpayers pockets, to be used to entertain councillors and

(c) On what date did the practice of HTS providing hospitality to councillors begin?

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

I thank Mr Forman for his question. I note from the entry that this relates to the portfolio holder attending a locally based charity event, with which HTS has provided ongoing charitable support for a number of years. The attendance has been correctly recorded on the members interests as required by the Code of Conduct.

Supplementary question from David Forman:

Do you think that in the middle of a cost of living crisis, that council tax payers should be treated like fairy godmothers, sending Cinderella to the ball?

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

I will provide you with a written answer.

2 David Forman to Councillor James Leppard (Portfolio Holder for Finance and Governance):

On examining councillor Clive Souter's Register of Interests published 17 January 2023 the following entry in Section 11 caught my attention:

"Accepted a ticket and attended the St Clare Hospice Charity Winter Ball. Received on behalf of HTS was on the HTS Table of 10. Approximate value £100."

Consequently, I would like to know:

(a) How ethical is it for the Council's non-executive director on the HTS (Housing and Regeneration) Board to be accepting hospitality from HTS, and

(b) I assume given the date of publication this relates to Christmas 2022. Was this hospitality for councillor Souter repeated in December 2023?

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

I thank Mr Forman for his question. I note from the entry that this relates to the portfolio holder attending a locally based charity event, with which HTS has provided ongoing charitable support for a number of years. The attendance has been correctly recorded on the members interests as required by the Code of Conduct. Any repeat of the hospitality I would expect to have been recorded by the member.

Supplementary question from David Forman:

Could you tell me whether LGA Peer Review uncovered the trips to the ball and failed to report them, or whether it failed to spot them?

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

No.

3 Stuart Bolwerk to Councillor Dan Swords (Leader of the Council):

Could you please answer as to why the number spaces on the Hackney Carriage rank at the Playhouse has been decreased to 5?

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

The council has reduced the number of Hackney Carriage rank spaces to provide more disabled parking spaces. These disabled spaces will be provided until work on the new Cultural Arts Quarter commences. I do apologise that the trade was not informed or consulted before this happened. As Mr Bolwerk knows I am committed to ensuring improved ranks in the town centre and other areas of the town which will happen as part of the regeneration work.

Supplementary question from Stuart Bolwerk:

Can we have assurances that future changes are consulted on?

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

Yes, I can offer that assurance.

4 Lee Dangerfield to Councillor Dan Swords (Leader of the Council):

At the cabinet meeting last week, a question was asked in relation to the amount of checks that have taken place on Hackney Carriage and private hire vehicles which includes vehicles from other areas. Can I have a breakdown of the total amount of vehicles over the last year month by month including Epping Forest, Uttlesford, Wolverhampton and Uber?

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

I have been provided with the figures from February 2023.

These figures only include Harlow licenced vehicles as even when there is a joint operation with another council, that would keep their own inspection records.

Harlow's licensing team have carried out the following number of vehicle checks in the last 12 months:

February 23 - 2
March 23 - 2
April 23 - 2
May 23 - 6
June 23 - 6
July 23 - 2
August 23 - 4
September 23 – 15

October 23– 14
November 23 – 29
January 24-1
Feb 24 – checks due to take place in next few days.

As Mr Dangerfield knows, these figures are below the numbers I would expect and have committed to seeing. I apologise for this and I will ensure that swift action is taken to get these figures up to the level he and I would expect.

Supplementary question from Lee Dangerfield:

In last week's Cabinet, you said hundreds of checks had been made. Can you explain the figures above?

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

It is these figures and the other authorities figures that make the total I referred to last week.

5 Lee Dangerfield to Councillor Dan Swords (Leader of the Council):

On the 31st of December 2023, I emailed you, informing you that I would be emailing him on the 2nd January 2024 with a list of questions that are outstanding, that was duly sent on that date with a response from you saying you would respond in full by the 6th. Can you please explain to me and the whole Hackney carriage and Private Hire trade why we are still awaiting that full response?

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

I apologise that the response has not been forthcoming. A full response will be provided within the next five working days.

Supplementary question from Lee Dangerfield:

Does the Leader not adhere to the council's service standards.

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

I apologise that I fell short of these standards.

Full Council – 22 February 2024

Questions from Councillors

1 Councillor Alastair Gunn to Councillor Dan Swords (Leader of the Council):

What can Harlow Council, working with other parties, do to improve amenities for older people living in the Staple Tye ward and surrounding areas?

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

I thank Cllr Gunn for his question and his characteristic championing of the Staple Tye community. He has been an extraordinary advocate for those residents, particularly older people and as a direct result of his lobbying the council is taking a number of steps to improve amenities for his residents.

Whether it is the forthcoming upgrade to all of our hatches, including Maunds Hatch, or the continued work we are doing to improve transport infrastructure and bus provision across our town, we are committed to improving amenities for all older people in the town.

I will write to Cllr Gunn with further details next week on the specific measures we are pursuing, but thank him again for his question and continued championing of his ward and residents.

Supplementary question from Councillor Alastair Gunn:

Can I seek assurance that older residents will be involved in discussions as town evolves.

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

They will be to the benefit of all Harlow residents and all residents will be involved.

Recorded Votes - Full Council

Date: 22 February 2024

Name	Items 10a-e (Budget)	Item 11 (Council Tax Resolution)
David Carter	For	For
Simon Carter	For	For
Joel Charles	For	For
Nick Churchill	Absent	Absent
Jodi Dunne	Against	Against
Tony Durcan	Against	Against
Tony Edwards	Against	Against
Mike Garnett	For	For
James Griggs	Against	Against
Alastair Gunn	For	For
Michael Hardware	Absent	Absent
Maggie Hulcoop	Absent	Absent
Andrew Johnson	Abstain	Abstain
Eddie Johnson	For	For
Steve LeMay	Absent	Absent
James Leppard	For	For
Sue Livings	For	For
Ash Malik	For	For
Kay Morrison	Against	Against
Colleen Morrison	For	For
Aiden O'Dell	Against	Against
Russell Perrin	Absent	Absent
Daniella Pritchard	Against	Against
Nicky Purse	For	For
Matthew Saggars	For	For
Clive Souter	Absent	Absent
Stacy Seales	Absent	Absent
Lanie Shears	Against	Against
John Steer	For	For
Dan Swords	For	For
Chris Vince	Against	Against
Nancy Watson	Against	Against
Mark Wilkinson	Against	Against
Result	Carried	Carried

Changes in bold

Council Representatives on Outside Bodies 2023/24

Outside Body	Appointments
Active Harlow Partnership	John Steer
Age Concern	Maggie Hulcoop
Citizens Advice Bureau	James Griggs
District Councils' Network	Dan Swords David Carter (Sub)
East of England Local Government Association	Dan Swords David Carter (Sub)
Epping Forest Community Transport	Simon Carter
Essex County Council's Essex Health Overview and Scrutiny Committee	John Steer
Essex Police and Crime Panel	Mike Garnett
Fawbert & Barnard Educational Foundation	Sue Livings (12/3/21) Joel Charles (25/5/21) Tom Newens (29/5/21) <i>(Three year terms of office)</i>
Great Parndon Community Association Board	Tony Durcan
Harlow Art Trust	Sue Livings
Harlow Homelessness Prevention Partnership	Maggie Hulcoop
Harlow Occupational Health Service	Tony Edwards
Harlow Recreation Trust Fund – Advisory Panel	<i>Appointed when vacancies arise</i>
Harlow-Stansted Gateway Transportation Board	Michael Hardware
Local Government Association General Assembly	Dan Swords David Carter (Sub)
Local Government Association District Council's Network Assembly	Dan Swords David Carter (Sub)
PATROL Adjudication Joint Committee	Tony Durcan

Playhouse Trust	Sue Livings
Safer Harlow Partnership	John Steer
St Johns Arts & Recreation Association	Sue Livings
Stansted Airport Consultative Committee	Michael Hardware
Town Centre Partnership	Dan Swords
Veolia Partnership Board	James Leppard
Waste Member Partnership Board and IAA Member Working Group	James Leppard
Welfare Panel	David Carter Simon Carter Nick Churchill James Griggs Tony Edwards Sue Livings Kay Morrison Lanie Shears John Steer
Young Concern Trust	Stacy Seales