

**MINUTES OF THE COUNCIL
HELD ON**

23 May 2024

7.30 - 8.45 pm

PRESENT

COUNCILLORS

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

| | |
|------------------|---------------------|
| Danielle Brown | Mark Ingall |
| David Carter | Kay Morrison |
| Joel Charles | Stefan Mullard-Toal |
| Jodi Dunne | Aiden O'Dell |
| Tony Durcan | Russell Perrin |
| Tony Edwards | Daniella Pritchard |
| Hannah Ellis | Nicky Purse |
| Michael Garnett | Matthew Saggars |
| Emma Ghaffari | Stacy Seales |
| James Griggs | Lanie Shears |
| Alastair Gunn | Jake Shepherd |
| Michael Hardware | Clive Souter |
| Michael Houlihan | Dan Swords |
| Luke Howard | Chris Vince |
| Maggie Hulcoop | Nancy Watson |

OFFICERS

Yvonne Rees, Interim Chief Executive
Alan Evans, Interim Strategic Director
Hannah Marriott, Governance Support Officer
Niel Churchill, Communications Manager
Emma Crouch, Corporate Support Officer
Julie Galvin, Legal Services Manager
Paul Keen, Communications Officer
Jacqui Van Mellaerts, Assistant Director - Finance

1. **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.

2. **APOLOGIES FOR ABSENCE**

None.

3. **DECLARATIONS OF INTEREST**

None.

4. **MINUTES**

RESOLVED that the minutes of the meeting held on 11 April 2024 are agreed as a correct record and signed by the Chair.

5. **COMMUNICATIONS FROM THE CHAIR**

The Chair welcomed all new Councillors to their first Council meeting. The Chair also paid tribute to two former Councillors, Simon Carter and John Steer. The Chair presented both with a gift and thanked them for their service to Harlow.

The Chair advised that throughout the year he had enjoyed hosting a number of events to celebrate the “Gems of Harlow” including; the blue light services, sporting groups, the arts community and educational groups. The Chair also advised that over the year he had attended many events across Essex and Hertfordshire.

The Chair thanked his Vice Chair (Councillor Sue Livings), council officer Emma Crouch, Rory Davies and the Playhouse Team, Reverend Martin Harris and his wife and daughter.

The Chair announced that, in total, he had raised £18,000 for his two charities, PACT for Autism and Plant Pots and Wellies. He presented both charities with cheques for £9,000 each.

6. **PRESENTATION OF CIVIC AWARDS**

The Chair presented the following people and organisations Civic Awards in recognition of their commitment and contribution to the local community.

June Fleming – Citizen of the Year
Paul Blake – Citizen of the Year
Brenda Taylor – Sports and Culture Award
Nicole Murton – Sports and Culture Award
Donna Harvey – Sports and Culture Award
Harlow Jui Jitsu – Sports and Culture Award
Risden Wood Youth FC – Sports and Culture Award
Harlow Cricket Club – Sports and Culture Award
Harlow Youth Council – Young Citizens of the Year Award

7. **ELECTION OF THE CHAIR OF THE COUNCIL AND DECLARATION OF ACCEPTANCE OF OFFICE**

Councillor David Carter proposed and Councillor Alastair Gunn seconded the nomination of Councillor Andrew Johnson as Chair of the Council.

Councillor Mark Ingall proposed and Councillor Michael Houlihan seconded the nomination of Councillor Kay Morrison as Chair of the Council.

Upon being put to the vote, it was:

RESOLVED that Councillor Andrew Johnson is elected as Chair of the Council for 2024/25 and is invested with the chain and badge of office.

Councillor Johnson signed the Declaration of Acceptance of Office and announced that his chosen charities for the year were Harlow Steel Band and Harlow Dementia Friendly Communities.

8. **APPOINTMENT OF THE VICE CHAIR OF THE COUNCIL AND DECLARATION OF ACCEPTANCE OF OFFICE**

Councillor David Carter proposed and Councillor Alastair Gunn seconded the nomination of Councillor Sue Livings as Vice Chair of the Council.

Councillor Mark Ingall proposed and Councillor Michael Houlihan seconded the nomination of Councillor Kay Morrison as Vice Chair of the Council.

Upon being put to the vote, it was:

RESOLVED that Councillor Sue Livings is appointed as Vice Chair of the Council for 2024/25 and is invested with the chain and badge of office.

Councillor Sue Livings signed the Declaration of Acceptance of Office.

9. **ELECTION OF LEADER OF THE COUNCIL**

Councillor Michael Hardware proposed and Councillor Matthew Sagers seconded the nomination of Councillor Dan Swords as Leader of the Council.

Councillor Chris Vince proposed and Councillor Mark Ingall seconded the nomination of Councillor James Griggs as Leader of the Council.

Upon being put to the vote, it was:

RESOLVED that Councillor Dan Swords is elected as Leader of the Council.

10. **APPOINTMENT TO THE CABINET**

RESOLVED that Council notes that the following Councillors are appointed to the Cabinet:

Councillor David Carter – Deputy Leader and Portfolio Holder for Housing

Councillor Hannah Ellis – Portfolio Holder for Corporate Services and Transformation

Councillor Michael Hardware – Portfolio Holder for Finance

Councillor Joel Charles – Portfolio Holder for Public Protection

Councillor Alastair Gunn – Portfolio Holder for Harlow Gilston Garden Town and Planning

Councillor Danielle Brown – Portfolio Holder for Community and Wellbeing
Councillor Nicky Purse – Portfolio Holder for Environment

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

Full Council received a report on appointments to committees, sub committees and panels of the council.

RESOLVED that:

- A** The Council notes the political balance calculations for 2023/24 and agrees that Committee seats are allocated to political groups as set out in the report in Tables 1 and 2.
- B** Councillors are appointed as members/substitute members of Council Committees, Sub Committees and Panels as set out in Appendix A.
- C** Chairs and Vice Chairs of Committees, Sub Committees and Panels are appointed as set out in Appendix A.

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

RESOLVED that Councillors are nominated for appointment to the outside bodies as appended to the minutes.

13. **APPOINTMENT OF INDEPENDENT PERSONS**

Full Council received a report on the appointment of Independent Persons.

Proposed by Councillor Dan Swords and seconded by Councillor Russell Perrin it was:

RESOLVED that:

- A** The Council appoint David Irvine and Sarah Cooper James as the Council's independent persons for the purposes of section 28 of the Localism Act 2011 (subject to usual due diligence processes) to commence from 1 June 2024 for a term of up to 36 months.
- B** Establishes up to three additional independent persons for the purposes of the Localism Act 2011 to ensure sufficient succession planning and cover in the event of nonavailability or conflict of interest issues and the Constitution is amended to reflect this change.

- C Agrees an allowance of £520 per annum to undertake this role and the Council's Member Allowance Scheme is amended to reflect this change.

14. **MODERNISATION OF HDC GOVERNANCE AND DEMOCRATIC ARRANGEMENTS**

Full Council received a report on the modernisation of Harlow District Council's governance and democratic arrangements.

Councillor Dan Swords requested (seconded by five supporting Councillors) a recorded vote on the recommendations. The recorded vote is appended to the minutes.

RESOLVED that:

- A The Monitoring Officer, in consultation with the Leader of the Council and Chief Executive is given delegated powers to finalise a governance structure to create a Personnel Committee.
- B The draft terms of reference for the Personnel Committee as shown at Appendix A of this report is noted and approved.
- C The required minor amendments to the Constitution to facilitate the Personnel Committee as shown at Appendix B of this report are noted and approved.
- D Members note and approve the draft changes as shown in Appendix B.

15. **MATTERS OF URGENT BUSINESS**

None.

CHAIR OF THE COUNCIL

Cabinet Appointments 2024/25

| Portfolio Holders 2024/25 | |
|--|------------------|
| Leader of the Council | Dan Swords |
| Deputy Leader and Portfolio Holder for Housing | David Carter |
| Portfolio Holder for Corporate Services and Transformation | Hannah Ellis |
| Portfolio Holder for Finance | Michael Hardware |
| Portfolio Holder for Public Protection | Joel Charles |
| Portfolio Holder for Harlow Gilston Garden Town and Planning | Alastair Gunn |
| Portfolio Holder for Community and Wellbeing | Danielle Brown |
| Portfolio Holder for Environment | Nicky Purse |

Nominations for Appointment to Committees, Sub Committees, Panels and Substitutes 2024/25

| Audit & Standards Committee (9) | Hearing Sub Committee (6) |
|---------------------------------|--|
| Matthew Saggars (c) | Mike Garnett (c) |
| Emma Ghaffari (vc) | Matthew Saggars (vc) |
| Jodi Dunne | David Carter |
| Mike Garnett | Jodi Dunne |
| Michael Houlihan | Michael Houlihan |
| Stefan Mullard-Toal | Stefan Mullard-Toal |
| Aiden O'Dell | |
| Russell Perrin | |
| Stacy Seales | |
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| Scrutiny Committee (9) | Call In Sub Committee |
| Tony Edwards (c) | The membership of the Call In Sub Committee is to be the same as the Scrutiny Committee |
| Matthew Saggars (vc) | |
| Tony Durcan | |
| Mike Garnett | |
| Emma Ghaffari | |
| Mark Ingall | |
| Kay Morrison | |
| Russell Perrin | |
| Stacy Seales | |
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| Licensing Committee (11) | Licensing Sub Committee & Regulatory Sub Committee |
| Clive Souter (c) | Licensing Committee & Regulatory Sub Committee members form a pool from which individual Licensing Sub Committees & Regulatory Sub Committees of 3 members are drawn |
| Andrew Johnson (vc) | |
| Danielle Brown | |
| Joel Charles | |
| James Griggs | |
| Alastair Gunn | |
| Luke Howard | |
| Michael Houlihan | |
| Maggie Hulcoop | |
| Russell Perrin | |
| Lanie Shears | |
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| Development Management Committee (9) | |
|--|---|
| Mike Garnett (c) | |
| Sue Livings (vc) | |
| Danielle Brown | |
| Emma Ghaffari | |
| Maggie Hulcoop | |
| Kay Morrison | |
| Russell Perrin | |
| Jake Shepherd | |
| Nancy Watson | |
| Clive Souter (sub) | |
| Andrew Johnson (sub) | |
| Matthew Saggars (sub) | |
| Michael Houlihan (sub) | |
| Civic Awards Panel (4) | |
| | Andrew Johnson (c) |
| | Sue Livings (vc) |
| | Matthew Saggars |
| | Jake Shepherd |
| | James Griggs (sub) |
| | Maggie Hulcoop (sub) |
| Personnel Committee (9) | Appointments Panel (3) |
| Dan Swords (c) | Personnel Committee members form a pool from which individual Appointments Panel (of 3 politically balanced members) are drawn. |
| Hannah Ellis (vc) | |
| David Carter | |
| Joel Charles | |
| Tony Edwards | |
| James Griggs | |
| Luke Howard | |
| Nicky Purse | |
| Lanie Shears | |
| Investigatory and Disciplinary Committee (Statutory Officers and Directors) (5) | Investigatory and Disciplinary Committee (Statutory Officers and Directors) Appeals Panel (5) |
| Dan Swords (c) | Hannah Ellis (c) |
| David Carter (vc) | Mike Garnett (vc) |
| Mark Ingall | Michael Houlihan |
| Kay Morrison | Stefan Mullard-Toal |
| Nicky Purse | Matthew Saggars |
| | |

Council Representatives on Outside Bodies 2024/25

| Outside Body | Appointments |
|---|--|
| Active Harlow Partnership | Danielle Brown |
| Age Concern | Maggie Hulcoop |
| Citizens Advice Bureau | James Griggs |
| District Councils' Network | Dan Swords |
| East of England Local Government Association | Dan Swords |
| Essex County Council's Essex Health Overview and Scrutiny Committee | Emma Ghaffari |
| Essex Police and Crime Panel | Mike Garnett |
| Fawbert & Barnard Educational Foundation | Sue Livings Joel Charles Tom Newens |
| 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 | Jake Shepherd (if vacancy arises) |
| Harlow-Stansted Gateway Transportation Board | Alastair Gunn |
| Housing Welfare Panel | David Carter Sue Livings Stacy Seales Danielle Brown Emma Ghaffari Tony Durcan Tony Edwards James Griggs Mark Ingall Kay Morrison |

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| Local Government Association General Assembly | Dan Swords |
| Local Government Association District Council's Network Assembly | Dan Swords |
| PATROL Adjudication Joint Committee | Tony Durcan |
| Safer Harlow Partnership | Joel Charles |
| St Johns Arts & Recreation Association | Sue Livings |
| Stansted Airport Consultative Committee | Alastair Gunn |
| Veolia Partnership Board | Nicky Purse |
| Waste Member Partnership Board and IAA Member Working Group | Nicky Purse |
| Young Concern Trust | Chris Vince |

Recorded Vote- Full Council

Date: 23 May 2024

Item: Modernisation of HDC Governance and Democratic Arrangements

| Name | Vote |
|---------------------|----------------|
| Danielle Brown | For |
| David Carter | For |
| Joel Charles | For |
| Jodi Dunne | For |
| Tony Durcan | Abstain |
| Tony Edwards | Abstain |
| Hannah Ellis | For |
| Mike Garnett | For |
| Emma Ghaffari | For |
| James Griggs | For |
| Alastair Gunn | For |
| Michael Hardware | For |
| Michael Houlihan | Abstain |
| Luke Howard | Abstain |
| Maggie Hulcoop | Abstain |
| Mark Ingall | Abstain |
| Andrew Johnson | For |
| James Leppard | Absent |
| Sue Livings | For |
| Kay Morrison | Abstain |
| Stefan Mullard-Toal | For |
| Aiden O'Dell | For |
| Russell Perrin | For |
| Daniella Pritchard | For |
| Nicky Purse | For |
| Matthew Saggars | For |
| Stacy Seales | For |
| Lanie Shears | For |
| Jake Shepherd | Abstain |
| Clive Souter | For |
| Dan Swords | For |
| Chris Vince | For |
| Nancy Watson | Abstain |
| | |
| Result | Carried |