

## MINUTES OF COUNCIL MEETING HELD ON

10 December 2009

8pm-9.20pm

### PRESENT

### COUNCILLORS

Edna Stevens (Chairman)

David Carter  
Nick Churchill  
Sarah Dangerfield  
Tony Durcan  
Tony Hall  
Shona Johnson  
Patrick McClarnon  
Linda Pailing  
Clive Souter

Simon Carter  
Jean Clark  
Bob Davis  
Mike Garnett  
Andrew Johnson  
Muriel Jolles  
Nick Macy  
Russell Perrin  
Lorna Spenceley

Joel Charles  
Lee Dangerfield  
Manny Doku  
Mark Gough  
Eddie Johnson  
Sue Livings  
Chris Millington  
Lesley Rideout  
Mark Wilkinson

### APOLOGIES

Maggie Hulcoop  
John Strachan

Joshua Jolles

Eleanor Macy  
Robert Thurston

### 53. DECLARATIONS OF INTEREST

All Members were recorded as having a personal interest in agenda item 10(2) (Members Allowances Scheme). However legal advice was given that their interest was not prejudicial under the Members Code of Conduct and therefore they might speak and vote on the matter.

### 54. MINUTES

**RESOLVED** that the minutes of the Council meeting held on 15 October 2009 be agreed as a correct record and signed by the Chairman.

### 55. COMMUNICATIONS FROM THE CHAIRMAN

#### (a) Tribute

The Chairman noted with sadness the recent deaths of Ian Tremayne, Planning Consultant and ex-Councillor Ralph Rowland.

The Council stood for a minute's silence in their memory.

(b) Help for Heroes

The Chairman informed Members that a collection tin was available in Reception for donations, which would be gladly accepted for 'Help for Heroes' (the charity supported by the Council).

(c) Business Award

The Chairman reported that the Council had won an Essex Federation of Small Businesses' award for supporting small businesses.

56. **PETITIONS FROM THE PUBLIC**

(a) Council Rent Subsidy

The Council received a petition containing 604 signatures requesting the Council to reconsider accepting the Government's offer to halve rent increases for Council tenants this year.

Moved by Councillor Andrew Johnson and seconded by Councillor Simon Carter it was:

**RESOLVED** that this issue be considered by the Housing Committee upon receipt of further information from CLG, with a view to determining whether a recommendation is required to Council in respect of rent levels.

57. **QUESTIONS FROM THE PUBLIC**

Attached at Appendix A.

58. **MOTIONS FROM MEMBERS**

None.

59. **REFERENCES FROM COMMITTEES**

(a) Environment & Community Committee  
17 November 2009

Review of Gambling Act Licensing Policy (Reference from Licensing Committee)

The above Committee recommended that the revised Gambling Act Licensing Policy be adopted.

**RESOLVED** that the above recommendation be agreed to.

- (b) Environment & Community Committee (Special)  
25 November 2009

Parking Standards – Design and Good Practice

The above Committee recommended that the Parking Standards: Design and Good Practice, September 2009, be adopted.

**RESOLVED** that the above recommendation be agreed to.

- (c) Audit Committee  
18 November 2009

Report from the Constitution Working Group

The above Committee recommended that the amendments to the Constitution at paragraphs 1(i) and 2(a) and (b) be agreed to.

**RESOLVED** that the above recommendations be agreed to.

60. **QUESTIONS FROM MEMBERS**

Attached at Appendix B.

61. **REPORTS FROM OFFICERS**

- (a) Council Tax Base

The Council received a report which set out the tax base for the forthcoming year, together with the basis of the calculation.

**RESOLVED** that

- (i) locally defined discounts be maintained at the minimum level;
- (ii) the Council's tax base for the year 2010/2011 is 28,541.23.

- (b) Member Allowances Scheme

The Council received a report from the Independent Remuneration Panel proposing amendments to the Member Allowances Scheme.

**RESOLVED** that the amended Member Allowances Scheme proposed by the Independent Remuneration Panel, attached at Appendix A, be agreed.

62. **COMMUNICATIONS FROM COMMITTEES**

**RESOLVED** that the minutes of the following committee meetings be noted:-

Housing	12/11/09
Environment & Community	15/09/09
	17/11/09
	25/11/09
Audit	18/11/09
Policy & Resources	15/10/09
	26/11/09

63. **MATTERS OF URGENT BUSINESS**

None.

CHAIRMAN OF THE COUNCIL

## QUESTIONS FROM THE PUBLIC

1. **Mr D J Croager, Davycejoid, 160 Felmongers, Harlow to the Chairman of the Planning Committee**

Can the Council explain why planning permission was given for the construction of 37 dwelling units on top of Adams House, knowing that in a very short time they would be pulled down to make room for the redevelopment of town centre north in Harlow?

**Cllr Mike Garnett, Chairman of the Planning Committee:**

*Planning Permission was granted on 10 January 2006 for the development of 34 Flats at Adams House. The decision of the Planning Committee was made in accordance with the relevant planning policies in force at that time.*

*When the application was determined there were no approved planning strategies or proposals in place that would otherwise have prevented or obstructed the passage of the application towards planning permission.*

2. **Mr D J Croager, Davycejoid, 160 Felmongers, Harlow to the Chairman of the Environment & Community Committee**

Can the Council explain why, in the face of public opinion and being so deep in debt, they have persisted in going ahead with forcing people to have wheelie bins in their place of residence and flouting local democracy?

**Cllr Tony Hall, Chairman of the Environment and Community Committee:**

*Public opinion, as expressed in the People's Panel survey of 2007 showed that over half of residents consulted thought recycling receptacles were too small and wanted wheelie bins. These views were therefore borne in mind when a new system for Harlow was being considered by the all-party Member working group. The decision about the choice of the new methodology was taken by elected representatives in committees of the Council before a public audience and can therefore in no way be regarded as a flouting of local democracy.*

*There have been other assertions that people were not consulted about the introduction of the new collections. It took a working party of*

*Councillors, with advice from experts and senior Council officers, two years to finalise this scheme. A total of fourteen different schemes were considered in depth.*

*No doubt there are many residents who would choose different methods that suit their individual circumstances. I have likened the process to trying to design a new airliner from scratch. If we were to have gone out to consultation at every critical decision with whom would we have consulted? Such a process would likely have then taken three or four years, so would the consultees have been prepared to have given up many hours a month to read and digest documents and attend meetings over such a period? What if they could not reach agreement? Even if they did there would doubtless still be hundreds of residents who would disagree with the outcome.*

*These are precisely the sort of issues Councillors are elected to take on and make decisions about, with proper information and guidance.*

*Were the Council to have baulked at the challenge of introducing this new system the costs to Harlow taxpayers for failure to divert waste from landfill would be far greater than the costs we face now as a result of introducing wheelie bins, but more importantly, in my view, is that we must reduce drastically the effects of landfill on our environment. This country lags behind much of Europe in this respect and Harlow has a poor recycling rate compared to similar Councils, especially those that have moved to wheeled bins.*

*This new methodology is not unique to Harlow and I encourage residents to maximise their recycling and waste minimisation so that they and future generations not only benefit financially but also from a cleaner and healthier environment.*

**3. Mr Hoad, 114 Greenhills, Harlow to the Chairman of the Policy & Resources Committee**

At the Full Council meeting on 19 February 2009, in response to my question you stated that no increase would be applied to the 2008/09 rates for councillor's allowances during the following year and no large increase would be applied to these rates for 2010/11.

Can the Chairman of the Policy & Resources Committee tell me what the RPI increase from the 2008/09 rates will be?

**Councillor Simon Carter, Chairman of the Policy & Resources Committee:**

*As agreed at Full Council last year, no RPI increase at all was applied to Member Allowances for the year 2009/10. As you will see from the report on the agenda tonight, Members Allowances have been reviewed by an independent panel against the work they do and the time that Members spend on their activities rather than inflation.*

**4. Mr Hoad, 114, Greenhills, Harlow to the Chairman of the Environment & Community Committee**

Could the Chairman of the Environment & Community Committee tell me what the cost of fitting the bus station with new seating was?

**Councillor Tony Hall, Chairman of the Environment & Community Committee:**

*The cost of replacing the broken seats at the bus station was £49,341.32 and funded from Section 106 monies.*

## QUESTIONS FROM ELECTED MEMBERS

1. **Councillor Nick Macy to the Chairman of the Environment & Community Committee**

Cllr Hall has stated in a letter to the 'Harlow Herald' on 25 November 2009 that "No-one except Liberal Democrat and Labour councillors has suggested digging up your garden to accommodate your bins"

The 'Daily Mail' on 27 November 2009 quotes a Council official saying to a Harlow resident "I can let you know that they (the Council) will do gardening work to remove shrubs and can lay paving slabs if you wish.."

Will Cllr Hall explain the apparent contradiction between the two statements and let us know whether or not the Council are prepared to dig up gardens for the accommodation of wheelie bins?

**Cllr Tony Hall, Chairman of the Environment and Community Committee:**

*I am surprised that Councillor Macy believes what he reads in the Daily Mail. I can only surmise that the resident has been listening to Liberal Democrat propaganda because they are the only one's I have previously heard using that phrase. The Council does not specify where residents store their wheeled bins – there is no power to do so, it is entirely a matter for residents. The only specified place is the collection point, usually at the front boundary of the property. The Daily Mail article refers to the resident being visited by Council Officers. This is likely to have been a member of Council staff in company with a representative from the charity 'Waste Watch'.*

*I am aware from newspaper reports there is a hard-standing at the front of the resident's house capable of storing the bins, and I am aware there is a step down to the boundary. Residents who are unable through infirmity or disability to place bins on their boundary for collection are offered Assisted Collections. The newspaper reports identify that the resident was offered a service to have slabs laid. This would be a reference to the Youth Offending Team, which has volunteered that if residents would like slabs laid but are unable to do the work themselves, this would be suitable work for those on Community Service Orders. I understand they have done this for three residents so far. Residents have the option of making their own arrangements for their waste collection and disposal, subject to this being approved by Environmental Health. So far 19 out of 27,000 households*

*have refused the bins and we are waiting to see whether they will wish to make their own arrangements.*

*Wheeled bins were the option chosen by the Waste Contract Member Working Party for the Contract Tender Document issued in May 2008 under the previous administration and Chaired by a Liberal Democrat Member, with a Labour Member making up the other Member of the Administration and myself as the opposition representative. The following month, after Conservatives took control of the Council and during the campaign for the Harlow Common by-election, the Labour candidate inexplicably began a campaign against the new contract, apparently without the knowledge of the Labour Member of the Working Party, also then Chairman of Harlow Labour Party. He did not win the seat but this Labour campaign was joined by Councillor Macy's Liberal Democrat colleagues.*

*As there appeared no reason to reverse the decision, taken after all the consideration by Members and advice of the previous 8 months from consultants and officers during 14 meetings of the Sub-Committee and having looked at evidence from across the country and our neighbours, we have pursued the contract in the form decided upon by the previous administration and all indications are that this will be a resounding success. This is the biggest contract for services this Council has ever entered , or is ever likely to enter, and not only will it save this council and our Essex Partners from severe landfill costs and penalties for failing to reach recycling targets, it will contribute massively to reducing Harlow's Carbon Footprint, something I know he and his party wholeheartedly favour.*

*Therefore I hope he will now join me in once again thanking the staff who have contributed to this, often working long hours and weekends without compensation. Labour Members, traditionally great supporters of the workers, may also wish to join that vote of thanks to staff, many of whom will doubtless be members of Unison, from whom their party derives much support.*

**2. Councillor Sarah Dangerfield, to the Leader of the Council**

Could the Leader of the Council please tell me the total cost including officer time of the CPA breakfast?

**Councillor Andrew Johnson, Leader of the Council:**

*Catering costs for the event totalled £1,785 (+VAT). It is believed that more than 150 people attended, stakeholders as well as staff were invited. Staff were not asked to sign in and out, so there is no record of the exact*

*number of attendees, or how long they stayed. It is therefore not possible to put a cost to officer time.*

**3. Councillor Sarah Dangerfield, to the Leader of the Council**

In the last few weeks I understand the Leader of the Council collected an award on behalf of the Council. Could he explain what this award was for?

**Councillor Andrew Johnson, Leader of the Council:**

*I am pleased to tell the Member that the award was made by the Essex Federation of Small Businesses for being the Council most supportive of business in the last year. I am sure you will agree that, given that last year (for the first time ever) working with business in Harlow was a key priority of this administration, winning such an award is a reflection of the hard work put in by our staff in following that administration priority.*

**4. Councillor Sarah Dangerfield, to the Chairman of the Environment & Community Committee**

Could the Chairman of Environment & Community Committee give me the latest information on how the new waste contract is progressing?

**Councillor Tony Hall, Chairman of Environment & Community Committee:**

- *Rollout is now complete – all containers delivered apart from some kitchen caddies which will be completed tomorrow.*
- *Each low rise property will have received at least one collection by the end of this week.*
- *Contact Harlow state calls are starting to reduce.*
- *Only 19 residents in the district have refused the system.*
- *Figures show 268 tonnes of food waste was collected during October and November which has been diverted from landfill.*
- *Based on current performance, we're set to exceed the 28.95% target for 09/10.*

**5. Councillor Lee Dangerfield, to the Leader of the Council**

Can the Leader of the Council break down expenditure of Christmas cards and Christmas parties in the years 2006, 2007 and 2008?

**Councillor Andrew Johnson, Leader of the Council:**

*The Chief Executive and Leadership sent e-cards in 2008 so there was no cost for cards or postage. In 2007/08 the Chief Executive and Leadership spent £780.95 on cards and postage. In 2006/07 the amount was £224.85.*

*The only Christmas party that has been held was the Chief Executive's Mince Pie Reception, for which a caterer was used. The cost of this was £358 in 2006 and £313 in 2007 (all figures exclude VAT). In 2008 no event was held.*

**6. Councillor Lee Dangerfield to the Leader of the Council**

Can the Leader of the Council inform me of the budget and actual spend of the Chairman of this Council in the Municipal Year of 2007/08?

**Councillor Andrew Johnson, Leader of the Council:**

*The budget for the Chairman of the Council for the Municipal Year 2007/08 was £15,350. The actual expenditure was £17,279.47.*

**7. Councillor Lee Dangerfield, to the Chairman of the Licensing Committee**

Can the Chairman of the Licensing Committee inform me as to the amount of alcohol that has been confiscated from children in this financial year?

**Councillor Nick Churchill, Chairman of the Licensing Committee:**

*The amount of alcohol confiscated from children as part of Operation Nano during this financial year is as follows:*

*61 cans and 90 bottles of beer.*

*7 quarter bottles and 1 full size bottle of spirits.*

*7 litres of Spirits mixed with fizzy drinks (coke/sprite).*

*13 bottles of Alco pops (WKD etc.)*

*4 bottles wine.*

