

CHELMSFORD CITY COUNCIL
MINUTES OF THE COUNCIL MEETING

held on 26 February 2020 at 7pm

PRESENT:

The Mayor (Councillor R Massey)
The Deputy Mayor (Councillor J A Potter)

Councillors

R H Ambor	I S Grundy	S J Robinson
L Ashley	P V Hughes	T E Roper
H Ayres	R J J Hyland	E J Sampson
K Bentley	A M John	C M Shaw
M W Bracken	D G Jones	A B Sosin
D J R Clark	G B R Knight	J E Sosin
P H Clark	J C S Lager	M Springett
W A Daden	J S Lardge	M S Steel
A E Davidson	R J Lee	N M Walsh
C K Davidson	M J Mackrory	M D Watson
J A Deakin	L A Mascot	R T Whitehead
S M Dobson	L A Millane	T N Willis
N A Dudley	R J Moore	I Wright
J A Frasca	G H J Pooley	S Young
I D Fuller	R J Poulter	
J Galley	S Rajesh	
M C Goldman	J M Raven	
S M Goldman	I Roberts	

1. **Apologies for Absence**

Apologies for absence were received from Councillors N Chamber, N Gulliver, R J Shepherd, M Sismey and C Tron.

2. **Mayor's Announcements**

The Mayor asked members to notify the Civic Services Manager if they were intending to bring guests to the Community Evening on 9 April 2020.

The Mayor also welcomed to the meeting a representative of the Backnang Town Twinning Association.

3. **Declarations of Interest**

Members were reminded to declare at the appropriate time any personal and prejudicial interests in any of the items of business on the meeting's agenda.

4. **Minutes**

The minutes of the meeting on 22 January 2020 were signed as a correct record.

5. **Public Question Time**

A member of the public spoke in favour of the Council retaining the conduct of prayers immediately before the start of each Council meeting. He emphasised that they were a public act which reflected the self-understanding of the nation and were an opportunity for decision-makers to focus on issues of justice, truth and the common good.

7.06pm to 7.09pm

6. **Cabinet Question Time**

No questions to Cabinet Members had been submitted for this meeting.

7. **Police, Fire and Crime Commissioner**

Jane Gardner, the Deputy Police, Fire and Crime Commissioner (PFCC) for Essex, attended the meeting as part of her Office's engagement with local authorities on the work and plans of the PFCC for policing, community safety and fire and rescue services in their areas. She was accompanied by Area Manager Dave Barnard of the Essex Fire and Rescue Service, Inspector Barry Booth of Essex Police and Darren Horsman of the Office of the PFCC.

The role of the PFCC was to:

- set the priorities for policing and fire and rescue
- set the budgets for Essex Police and Essex County Fire and Rescue Service and the council tax precepts for each service
- appoint and dismiss the Chief Constable and Chief Fire Officer
- actively monitor and scrutinise both services
- hold the Chief Constable and Chief Fire Officer to account
- regularly engage with the public and local communities
- allocate grants through the Community Safety Development Fund and commission local services
- bring together community safety partners to reduce crime and support victims of crime across Essex

Referring to crime statistics, the incidence of theft, burglary and anti-social behaviour had fallen in Essex in the last 12 months, but for some time there had been a trend towards more complex crimes such as online and cybercrime and the rise of county lines, drugs and knife crime. In response, over the past two years

- 368 extra officers had been recruited
- Town Centre Teams had been established
- more officers had been dedicated to tackling gangs and serious crime
- a new Business Crime Team had been set up
- schools' officers had been appointed, and

- the Rural Engagement Team had been expanded

The increase of 151 officers had brought the total number in Essex Police to 3,369, a total growth of 519 officers.

Funding of over £2.5 million had been made available from various sources to tackle violence and vulnerability and examples were given of the initiatives being taken on prevention and education programmes, training for professionals, targeted Intervention programmes, specialist support and Health Intervention activities.

Turning to the Fire and Rescue Service, consultation was taking place on the draft integrated risk management plan, the priorities of which were prevention, protection and response, improve the safety of roads, help the vulnerable to stay safe, promote a positive culture in the workplace, develop and broaden the roles and range of activities undertaken by the Service, be transparent, open and accessible, collaborate with partners and make the best use of resources.

In response to questions from members, Jane Gardner said that:

- a dedicated team for cybercrime had been set up by Essex Police and this was working closely with businesses in Essex as well as supporting the public;
- the current average response time to 111 calls of 11 minutes was improving but the aim was to reduce it to four minutes or less. The public was being encouraged to make greater use of the online reporting system, which often provided a quicker response;
- the consultation on increasing the PFCC precept had resulted in 4,500 responses, which was considered to be good number. All possible channels to communicate with the public had been employed but efforts would continue to try to increase response rates to future consultations and surveys;
- by the end of 2022 the number of police officers in Essex would be higher than in 2010;
- the proportion of crimes solved was fairly static but more resources were being devoted to it and more investigators had been appointed. The increase in certain crimes, such as violence against the person which was up 11%, partly reflected changes to the definition and recording of such crimes;
- whilst it was correct that the number of fire fighters had reduced over the last decade, their operational availability had increased and efforts were being made to encourage more people to join the on-call service, especially in rural areas. The number of fires had decreased over recent years and more resources were being put into prevention and education;
- both the police and fire and rescue services were involved in programmes involving children and young people to educate them about crime, personal safety and healthy relationships;
- the refurbishment of the New Street police station was expected to be completed in October. There were plans to invest in the police estate in Chelmsford but also in the use of technology to enable the police to be out more and visible to the public. Fire stations were also being made more accessible to police staff.

Jane Gardner was thanked for her attendance and the presentation.

7.09pm to 7.58pm

8.1 **Treasury Management Strategy for 2020/21**

The Council was requested to endorse the strategy for the management of the Council's financial investments in 2020/21 and to approve those prudential indicators that applied to the strategy.

RESOLVED that the following be approved:

1. the proposed Treasury Management Strategy for 2020/21 submitted as Appendix 1 of the report to the meeting; and
2. the proposed Treasury Management Indicators in Appendix 2.

7.58pm to 8.02pm

8.2 **Capital and Investment Strategy for 2020/21**

In accordance with Government guidance and the CIPFA Prudential Code, a Capital and Investment Strategy had been produced to give a high-level overview of how capital expenditure, capital financing and treasury management activity contributed to the provision of public services; describe how the associated risks were managed; and assess the future financial sustainability of the Council. The Cabinet on 28 January 2020 had recommended that the Council approve the strategy.

In response to questions, the Cabinet Member for Fairer Chelmsford said that the £10 million referred to in the report for new loans would enable the Council to lend money to others, for example to housing associations to provide affordable housing. A decision on whether to make such loans would be referred to the Council. The loss allowance of £122,000 in respect of Chelmsford City Football Club was a provision against the risk of not recovering that amount of the loan to the Club and was intended to protect the interests of local tax payers. The Cabinet Member also confirmed that the percentages relating to financing costs set out in the second table on page 12 of the report were the limits on investments and not the forecast of borrowing costs. The impact of the proposals was likely to be negligible.

RESOLVED that the Capital and Investment Strategy for 2020/21 be approved.

8.02pm to 8.12pm

8.3 **Revenue and Capital Estimates for 2020/21**

The Mayor reminded members that whilst each had a Disclosable Pecuniary Interest in this item, the Governance Committee had granted a general dispensation to allow councillors to speak and vote on the revenue estimates and level of Council Tax for 2020/21.

The Council had before it a report and recommendations from the Cabinet on the revenue budget for 2020/21 and its capital investments for that year. The proposed Council Tax resolution for the 2020/21 budget was included as part of the report to the meeting.

The Cabinet Member for Fairer Chelmsford gave a presentation on the budget during which he explained the connection between the planned expenditure and the priorities in "Our Chelmsford, Our Plan". It was, he said, an ambitious plan, the main priorities of which were tackling the climate emergency and homelessness in the city. A total of £60 million had been provided for new capital schemes, with revenue funding of approximately £500,000 in 2020/21 and £750,000 in 2022/23 to meet the costs, which would be funded primarily by increasing income and making efficiency savings. The proposed increase in Council Tax of just under 3% was similar to that in each of the previous seven years. In terms of the sustainability of the budget, uncertainties arising from the government's failure to set a clear path for local government meant that there could be no guarantees, but based on the available information, the Director of Financial Services was of the opinion that the budget and financial strategy were sound, sustainable and robust. In view of the need to make savings in future years, the process for reducing costs and identifying increased income had already started.

During the debate on the budget, members made the following comments:

- Whilst the plans for increasing the supply of affordable housing were supported in principle, there was scepticism about the financial viability of the proposals. The planned expenditure needed to be justified and supported by a business case.
- The shortfall of £1.1 million was being met from reserves, which were important to maintain in the current uncertain financial climate. The use of Community Infrastructure Levy (CIL) funds to support the capital programme would also slow down the delivery of vital infrastructure projects.
- It was not clear whether there would be incentives for individuals or bodies to plant trees.
- More detail was needed on the sums identified for efficiencies on page 11 of the report.
- A large proportion of the budget focused expenditure on the urban area of Chelmsford, with rural areas receiving comparatively little.
- A lot of the proposed spending would be approved by Cabinet and under delegation to officers, limiting the ability of councillors to engage in discussion on it. This was particularly the case on the spending of the capital provision to purchase properties to provide temporary accommodation for the homeless.
- More emphasis was needed on the provision of charging points for electric vehicles.
- There was an imbalance between planned spending on tree planting and the provision of play areas.
- There appeared to have been further overspend on the Riverside project.

Responding to those comments and associated questions, Cabinet Members said that:

- Any property purchases would be based on financial viability and would be subject to the normal scrutiny arrangements. The administration was committed to transparency and would not circumvent members' right to challenge and review its actions.
- The estimated cumulative budget shortfall over the next three years was £2.7 million. This was a challenging but, in historical terms, not an abnormal amount.
- Borrowing from the CIL fund would be short term and would not prevent other

capital schemes proceeding.

- Parish Councils had expressed an interest in helping with the tree planting project and one way to do so was by identifying suitable land in their ownership. CIL monies allocated to parishes could also be used to fund planting schemes. The project was being promoted with the public and through the Woodland Trust.
- The cost reductions and income generation plans had been shared with members previously.
- The Council was keen to see more charging points but would prefer that they be provided by developers where possible, although more were planned for the Council's car parks.
- Play areas in rural areas were mainly provided by parish councils.
- A Task and Finish Group had been established to look at the spending on the Riverside project.

On being put to the vote, the resolutions below were passed, the voting being as follows:

<u>For</u>		<u>Against</u>	<u>Abstain</u>
Councillors		Councillors	Councillor
R H Ambor	M J Mackrory	P Clark	R Massey
L Ashley	L A Mascot	W Daden	
H Ayres	L A Millane	R J Hyland	
K Bentley	R J Moore		
M W Bracken	G H J Pooley		
D J R Clark	J A Potter		
A E Davidson	R J Poulter		
C K Davidson	S Rajesh		
J A Deakin	J M Raven		
S M Dobson	I Roberts		
N A Dudley	S J Robinson		
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J Galley	C M Shaw		
M C Goldman	A B Sosin		
S M Goldman	J E Sosin		
I S Grundy	M Springett		
P V Hughes	M S Steel		
A M John	N M Walsh		
D G Jones	M D Watson		
G B R Knight	R T Whitehead		
J C S Lager	T N Willis		
J S Lardge	I Wright		
R J Lee	S Young		

RESOLVED that

1. The following aspects of the budget for 2020/21 set out in Appendix 1 of the report to the meeting be approved:

(a) the new capital and revenue investments in Council services set out in Section 4;

- (b) the Revenue Budgets in Section 9 and Capital Budgets in Section 10;
 - (c) the delegations to undertake capital schemes in Section 4, Table 5;
 - (d) an increase to the average level of Council Tax for the City Council which would increase the average annual Band D Council Tax to £199, as shown in Section 8;
 - (e) the fees and charges outside the budget guidelines as set out in Section 3 of the report;
 - (f) the movement in reserves shown in Section 6;
 - (g) the special expenses and Parish and Town Council precepts identified in Section 8, Table 11;
 - (h) authority to the Chief Executive to agree, after consultation with the Leader of the Council, the pay award for 2020/21, within the normal financial delegations.
2. The Budget Forecast set out in Section 8 of the report of the Director of Finance and the assessment of the risks and robustness of the budget in Section 7 be noted.
 3. In the unlikely event that the Government Settlement is amended by Parliament after this meeting, reserves be used to fund any shortfall in income or an additional contribution to General Balance be made if extra funding is awarded, the legal resolution being amended to reflect such change (it being noted that this practice would be in line with existing financial delegations and that a further Council meeting would be required only if the funding altered by more than £1million).
 4. The Council Tax resolution in Appendix 2 be approved.

8.12pm to 9.04pm

8.4 **Council Tax Premium on Long Term Empty Properties for 2020/21**

Legislation gave the Council power to increase Council Tax charges for long term empty properties. The Cabinet had considered the effect and desirability of using those powers in Chelmsford and had recommended that increasing the premiums was most likely to achieve the objective of encouraging owners of long-term empty properties to bring them back into use as early as possible.

RESOLVED that

1. an Empty Homes premium of 200% as specified in section 11B of the Government Finance Act 1992 (as amended), be levied on dwellings which have been unoccupied and substantially unfurnished for more than five years immediately before the day in question (i.e. "long term empty dwellings"), the total charge to be 300% of the Council Tax that would be payable if the dwelling was occupied by two adults and no discounts were applicable, the charge to take effect from 1 April 2020; and
2. an Empty Homes premium of 300% as specified in section 11B of the Local Government Finance Act 1992 (as amended), be levied on dwellings which have been unoccupied and substantially unfurnished for more than 10 years immediately before the day in question (i.e. "long term empty dwellings"), the total charge to be 400% of the Council Tax that would be payable if the dwelling was occupied by two adults and no discounts were applicable, the charge to take effect from 1 April 2021.

9.04pm to 9.06pm

9.1 Pay Policy Statement

The Council was requested formally to approve the annual Pay Policy Statement in accordance with section 38 of the Localism Act 2011.

RESOLVED that the Pay Policy Statement for 2020/21 be approved.

9.06pm to 9.07pm

9.2 Cabinet Deputies

The Leader of the Council informed members that he has appointed Councillor Dan Clark as Cabinet Deputy for Strategy to support him in promoting the new "Our Chelmsford, Our Plan" and on related communications issues, and to support the Deputy Leader where necessary. He had also appointed Councillor Smita Rajesh to the role of Acting Cabinet Deputy for Affordable Housing as maternity leave cover for Chloe Tron.

The Leader said that the precise role of Cabinet Deputies would be clarified as part of the current review of the Constitution.

RESOLVED that the changes to the appointment of Cabinet Deputies be noted.

9.07pm to 9.10pm

9.3 Chair of Audit and Risk Committee

The Leader of the Council reported that Councillor Dan Clark had stood down from the position of Chair of the Audit and Risk Committee. The Council was requested to elect Councillor Nora Walsh in his place.

RESOLVED that Councillor Nora Walsh be elected Chair of the Audit and Risk Committee.

9.10pm to 9.11pm

10. **Notice of Motion – Charter Against Modern Day Slavery**

Pursuant to notice given in accordance with Council Rule 4.1.11, Councillor R J Hyland moved, and Councillor M Goldman seconded, a motion requesting that the Council sign and adopt the principles of the Charter Against Modern Day Slavery.

During the debate on the motion it was emphasised that modern slavery was a local as well as a national and international problem, with 336 referrals in Essex last year and speakers giving a number of examples in Chelmsford where individuals had been exploited. One in four cases of modern slavery involved children and all who contributed to the debate saw it as something that everyone should actively seek to eradicate. For its part the Council took seriously its duty of enquiry under the Act; to identify victims; to refer any suspicions to the Home Office; and to ensure as far as possible that its supply chains were free of modern slavery.

In summing up the debate, Councillor Hyland thanked members for their cross-party support of his motion, which he said would provide a baseline on which to build the Council's continued commitment to eliminate modern slavery.

RESOLVED that

"This Council notes:

Modern Slavery is happening nationwide and locally. Traffickers and slave masters use whatever means they have at their disposal to coerce, deceive and force individuals into a life of abuse, servitude and inhumane treatment. This can include sexual and criminal exploitation.

This Council believes:

- that action needs to be taken to raise awareness of modern slavery and the fact that it is happening all over the UK
- that councils have an important role to play in ensuring their contracts and supplies arrangements are set up to combat modern day slavery and exploitation.

This Council resolves:

To sign and adopt the principles of the Charter against Modern Slavery to ensure our procurement practices do not support slavery.

The 10 pledges Chelmsford City Council is committing to by signing and adopting the principles of the Charter Against Modern Day Slavery are as follows:

1. Train its corporate procurement team to understand modern slavery through the Chartered Institute of Procurement and Supply's (CIPS) online course on Ethical Procurement and Supply.
2. Require its contractors to comply fully with the Modern Slavery Act 2015, wherever it applies, with contract termination as a potential sanction for non-compliance.
3. Challenge any abnormally low-cost tenders to ensure they do not rely upon the potential contractor practising modern slavery.
4. Highlight to its suppliers that contracted workers are free to join a trade union and are not to be treated unfairly for belonging to one.
5. Publicise its whistle-blowing system for staff to blow the whistle on any suspected examples of modern slavery.
6. Require its tendered contractors to adopt a whistle-blowing policy which enables their staff to blow the whistle on any suspected examples of modern slavery.
7. Review its contractual spending regularly to identify any potential issues with modern slavery.
8. Highlight for its suppliers any risks identified concerning modern slavery and refer them to the relevant agencies to be addressed.
9. Refer for investigation via the National Crime Agency's national referral mechanism any of its contractors identified as a cause for concern regarding modern slavery.
10. Report publicly on the implementation of this policy annually.

Councils are uniquely placed to be at the forefront of the fight against modern day slavery and are demonstrating awareness and ethical leadership by voluntarily signing the charter against modern day slavery. This will give us a baseline to build on previous statements; to implement year-on-year improvements and evidence the progress on how we are tackling the risks and incidence of modern day slavery in our operations and supply chains."

9.11pm to 9.25pm

11. **Prayers at Council Meeting**

At its meeting on 22 January 2020 the Council had agreed that all members should be consulted on a proposal that prayers no longer be held in the Chamber immediately before the start of Council meetings, but should take place in another room 10 to 15 minutes before Council meetings for those who wished to participate in them.

The Mayoral Working Group had considered the results of the consultation, which had shown that, of the 49 who had responded, 28 wished to retain the existing arrangements, 11 would prefer prayers to be held in another room, and 10 had no preference, had suggested another option or did not believe that prayers should continue to be held.

The Working Group had suggested to the Council that each Mayor be given discretion to decide for the duration of their office whether the Council should observe some form of reflection before the start of each Council meeting, whether it be, for example, prayers, another act of worship or a period of contemplation.

In opening the discussion, Councillor Wright said that the majority of those who had responded to the consultation favoured retention of the current arrangements and he did not believe that it was the role of the Mayor to decide whether prayers should be held before meetings. He proposed that prayers continue to be held in the Chamber immediately before the start of Council meetings. His motion was seconded by Councillor Poulter.

It was apparent during the ensuing discussion that members held strong views on the issue, with speakers both for the motion and for introducing alternative arrangements. Many echoed the views expressed by the member of the public on the issue during question time, referring to the Christian majority in the city and country and the traditions associated with Council meetings. Others said that the present practice did not reflect a multi-cultural society and obliged councillors and the public alike to participate in prayers, even if they felt uncomfortable doing so. Still others felt that the suggestion that each Mayor decide the arrangements for their year in office was the best compromise. One speaker said that if things were left as they were, the concerns of those who opposed the present arrangements, perhaps because they felt uncomfortable taking part in prayers or because they felt that entering the Chamber after they were finished would offend the Mayor and tradition, would need to be addressed.

On being put to the vote the motion to retain prayers in the current form was carried by 26 votes to 20, with six abstentions.

RESOLVED that prayers continue to be held in the Council Chamber immediately before the start of each meeting of the Council.

9.25pm to 9.50pm

The meeting closed at 9.50pm

Mayor