

**CHELMSFORD CITY COUNCIL**  
**MINUTES OF THE MEETING OF THE COUNCIL**  
held on 17 July 2024 at 7pm

**PRESENT:**

The Mayor, J Potter  
The Deputy Mayor, S Sullivan

Councillors C Adutwim, J Armstrong, N Chambers, D Clark, H Clark, P Clark, P Davey, S Davis, A E Davidson, C K Davidson, J Deakin, S Dobson, D Eley, K Franks, J Frasca, I D Fuller, M C Goldman, S M Goldman, I S Grundy, J Hawkins, R J Hyland, B Knight, J Lardge, R J Lee, L Mascot, B. Massey, R J Moore, M O'Brien, V Pappa, G H J Pooley, J M C Raven, E Sampson, S Scott, T Sherlock, M Sismey, A B Sosin, J E Sosin, M S Steel, M Taylor, A Thompson, A G Thorpe-Apps, N M Walsh, R T Whitehead, P Wilson, and S Young.

### 1. Apologies for Absence

Apologies for absence had been received from Councillors Bugbee, Canning, Dudley, Foster, Hall, Jeapes, John, Rajesh, Robinson and Tron.

### 2. Mayor's Announcements

The Mayor congratulated the three MP's on their election for the Chelmsford area, the Hon Marie Goldman, Kemi Badenoch and John Whittingdale. They also informed Council that their early months in the role had been a pleasure and that they and the Deputy Mayor had attended over 60 engagements and that it had been a particular honour to see many Councillors at their Civic Service in June. The Mayor also told Council, that they were excited to undertake, participate in and promote more fundraising events for their charity, Farleigh Hospice.

### 3. Declarations of Interest

Members were reminded to declare at the appropriate time any interests in the business on the meeting's agenda. None were made.

### 4. Minutes

The minutes of the meetings held on 20 March and 15 May 2024 were confirmed as a correct record. It was noted that the 20th March minutes contained an addendum which was also approved.

## 5. Public Questions

One public question had been submitted in advance of the meeting, which was asked in person [and can be seen via this link](#).

The question asked about the Climate Emergency declared by the Council in July 2019 and queried what evidence had been presented, discussed or debated at the meeting. The question also asked if a cost benefit analysis had been carried out at the time, stated that the science was not settled on the topic of climate change and that the IPCC had not declared a Climate Emergency. The Council were also asked if they still agreed with the position from 2019 and if any direction or funding had been received from Central Government in relation to declaring the Climate Emergency. The Council were also asked to review the declaration via it's Overview and Scrutiny Committee.

In response the Cabinet Member for a Greener Chelmsford, thanked the member of the public for their question. The Cabinet Member stated that the Intergovernmental Panel on Climate Change did not carry out their own research and produced neutral, policy relevant reports and it was not within their remit to declare a Climate Emergency or recommend so. The Cabinet Member also referred to observed impacts on Climate Change that were human induced and included more frequent and intense extreme events, causing widespread adverse impacts and related losses and damages to nature and people, going beyond natural climate variability. They also referred to the near-term risks of global warming and noted that the level of risk depended on the actions being taken now and that they trusted the science.

The Cabinet Member also stated that they were not aware of any correspondence or funding from Central Government, encouraging the Council to declare a Climate Emergency. They stated that the decision had arisen locally via their motion to the public Full Council meeting, where it received unanimous cross-party support, had been fully debated and been an example of Democracy in action. They also referred to the Council's Our Chelmsford Our Plan document, which outlined the Council's key strategic priorities. They also referred to the Climate and Ecological Emergency Plan agreed by Cabinet, that had since been reviewed by other Council bodies and a further report was expected at the Overview and Scrutiny Committee in early 2025.

The Cabinet Member concluded by saying that even if someone chose to deny the reality of human induced climate change, the Council, through its actions was creating a greener and cleaner Chelmsford, fit for the generations to come.

(7.05pm to 7.16pm)

## 6. Cabinet Question Time

The following questions from Councillors were put to members of the Cabinet:

### Question from Councillor B Massey to the Cabinet Member for a Safer Chelmsford

“At the December meeting of this Council, a resolution was passed that included a commitment by this council to not allow the sale of vaping products in any 'Chelmsford City Council run premises'. May I ask whether this definition includes High Chelmer and Cornhill, which are currently host to three shops selling vapes and drug paraphernalia?”

In response the Cabinet Member for a Safer Chelmsford confirmed that the premises referred to were not included in the definition of 'City Council run premises' as they were on a long lease and operated by a third party, the terms of which did not allow the Council to control trading policies.

In response to a follow up question on how many businesses had been stopped selling vaping products, the Cabinet Member confirmed that one market trader had been stopped from selling vaping products, but that they would find out more information and supply it after the meeting to Councillor Massey.

### Question from Councillor P Clark to the Leader of the Council

"On the 20th March 2024, this Council conducted a recorded vote to implement the results of the tender for the Waterside Development. This meeting excluded the Press and Public, most of the information is in the minutes published. My question to the Leader of this Council is, why was this brought to Full Council with a provision of there being Due Diligence after the vote? The Due Diligence should have been completed before it was decided by Full Council. This would have saved much time and taxpayers money being wasted, by the negligence of the Administration and Executive of this Council. Is there an apology anywhere on the horizon to the residents of Chelmsford who have seen a lot of their money wasted on this process?"

The Deputy Leader responded to the question, in the Leader of the Council's absence. They stated that some assumptions in the question were inaccurate, the Council had been reliant on support from Homes England and the Council had been bound by Homes England's guidelines and deadlines. The Council also heard that the Special Council meeting had been required before 31<sup>st</sup> March as the deadline had been set by Homes England and that at the time, it was said that further due diligence would be required, which did then find some issues. It was noted that it was not always possible to carry out all due diligence in advance, but that no money had been wasted, as much of it had gone towards preparatory work which would have been required at a later stage, but instead had already been done.

In response to a follow up question asking why the due diligence and legal advice had not been sought before the vote, the Deputy Leader stated that, Councillors had been

welcome to raise concerns before the March meeting, that due diligence had taken place as part of the process and that money had not been wasted as a result.

(7.16pm to 7.23pm)

## 7. Report from Cabinet

### 7.1 Proposed Changes to the Constitution

The Council received a report asking them to consider the recommendations of the Constitutional Working Group arising from its reviews of the City Council's Constitution. It was noted that there were some changes being proposed, which had already been recommended by the Working Group, the Governance Committee and Cabinet.

The Council heard that the changes removed and added some panels or groups to the Constitution, alongside a new model Planning Code of Conduct. It was noted that Appendix 4 detailed some changes to the model Planning Code to retain some of the Council's current practices.

In response to a question the Council's Monitoring Officer clarified why it had been recommended that the Council relies upon the model planning code which had been prepared by Lawyers in Local Government (LLG).

RESOLVED that the amendments to the Constitution detailed in appendices 1-4 be approved.

(7.24pm to 7.30pm)

## 8. Treasury Outturn 2023/24

The Council received a report which detailed the findings of the annual review of the Council's Treasury Management function and the rates of investments in 2023-24. The Council heard a verbal update from the Chair of the Treasury Management and Investment Sub Committee, due to the relevant meeting taking place on 16<sup>th</sup> July. The Council were informed that the Treasury Management and Investment Sub Committee had noted the report and that it highlighted the finance team had operated within the parameters set by Council for 2023-24. It was also highlighted to the Council that investments were no longer held in the CCLA property fund.

RESOLVED that the Treasury Management Outturn report for 2023-24 be approved.

(7.31pm to 7.32pm)

## 9. Budget Framework 2025/26

The Council considered a report which provided them with the framework to manage the Council's 2025-26 budget process. The Council heard that the proposed approach recommended a change from previous years, but that Full Council would still set and

approve the Council's budget in February of each year. The Council heard that the changes had been proposed to reflect the different financial environment the Council was now operating in and some decisions would be moved to Cabinet as they were not matters requiring Full Council attention.

It was noted that the proposals would ensure budget information remained transparent and would be published at a time when robust information could be made available for members. The Council heard that in place of previous reports an Annual Financial Review would be made to Cabinet in October, detailing a forecast of budget, borrowing and budget shortfalls and it would identify any decisions regarding extra in-year spending that Cabinet or Council might need to take. The Council also heard that the S151 Officer would still assess the robustness of the budget proposals and reserves in the 2025/26 budget report made to January Cabinet and February Full Council. It was also noted that a review of the new reporting arrangements would be undertaken by the S151 Officer and Cabinet Member for Finance, along with consultation with opposition groups and any proposals to amend the Constitution would be made via the appropriate route.

In response to questions, the Cabinet Member for Finance stated that, a report to Council in December would not add value, as it would by then be two months out of date but that the procedures would be reviewed and if extra meetings were needed they could be added. They also stated that staffing levels had reduced in the finance team as a result of budget pressures but also due to different working methods, but that this was the case in many departments due to lower funding levels.

RESOLVED that the below be approved;

1. an Annual Financial Review report, which will include both revenue and capital budgets, will be made to Cabinet in October. The report includes a review of finances for the current year and future years. This is a change to the existing constitutional reporting arrangements for the Medium-Term Strategy which requires approval by Council, usually in July and;
2. the proposed new arrangements will be subject to a review in 2025/26 undertaken by the s151 officer and Cabinet Member for Finance after consultation with opposition groups.

(7.33pm to 7.41pm)

## 10. Notice of Motion

The Mayor informed the Council that the notice of motion had been withdrawn and would therefore not be considered.

The meeting closed at 7.43pm

Mayor