

CHELMSFORD CITY COUNCIL

MINUTES OF THE MEETING OF THE COUNCIL

held on 21 July 2021 at 7pm

PRESENT:

The Mayor (Councillor J A Deakin)

Councillors R H Ambor, P Clark, W Daden, A Davidson, C Davidson, S Dobson, N Dudley, I Fuller, R Gisby, M Goldman, I S Grundy, P V Hughes, J Lardge, R Lee, M J Mackrory, L Millane, R Moore, S J Robinson, M Sismey, A B Sosin, M S Steel, A Thorpe-Apps, C Tron, N Walsh, R T Whitehead and S Young

1. Apologies for Absence

As the number attending the meeting had been limited to 31 members, it was taken that those not present had submitted their apologies for absence.

2. Mayor's Announcements

The Mayor welcomed Councillor Thorpe-Apps to his first meeting of the Council.

The Council was informed that the Mayor had attended 44 meetings and engagements since her election in May and a further 60 had been confirmed or were planned.

The Mayor hoped that members of the Council would be able to attend the Mayor's Quiz Night on 4 September 2021 and the Murder Mystery Event on 20 November, both of which were in aid of her charities. A Just Giving page for those charities had recently been relaunched.

3. Declarations of Interest

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

4. Minutes

The minutes of the meetings held on 24 February and 19 May 2021 were confirmed as correct records.

5. Public Question Time

A member of the public asked what action the Council intended to take about a parish council that had recently held a meeting in licensed premises in contravention of provisions of the Local Government Act 1972 which prohibited the holding of meetings in such premises. Whilst he had been informed that the matter did not come within the jurisdiction of the Council, the questioner said that the Monitoring Officer was responsible for ensuring that members of parish councils observed the Code of Conduct and he asked whether any action would be taken for breaches of the Code in this instance.

The Monitoring Officer confirmed that the Council had no jurisdiction over the arrangements made by other public bodies for their meetings. The Monitoring Officer explained that this was not a valid question to raise at the City Council meeting and noted an item on the agenda that would result in the advance notice of public questions in future. The questioner had previously been advised as to the position by the Monitoring Officer who would provide further clarification as necessary.

6. Cabinet Question Time

The following questions were put to members of the Cabinet:

1. Question from Councillor M Steel to the Cabinet Member for Connected Chelmsford

"As a former employee of GEC-Marconi, it was with great sadness that I hear that the Marconi Veteran volunteers, who maintain and exhibit a range of equipment located at Sandford Mill, have been told by Chelmsford City Council to remove all their equipment. Those that have visited the site on one of the open days, will know that the range and size of it is not something that can easily be moved in the short time given to them.

I understand that the future of the site is still to be fully determined, so with the site being currently closed to the public whilst the future is determined, I do not understand the urgent need to remove the Marconi equipment.

On the 7th to 11th September, Chelmsford will be hosting the British Science Festival with a range of activities and events. On the one hand, we intend to celebrate Science and Engineering, but on the other, so easily erase the magnificent contribution made by Chelmsford. In my 20 years at the company, I was involved in ground breaking design and manufacturing with products that led to today's technologies of the internet and cellular devices. When I see the things in Sandford Mill, I feel an emotional attachment to this history, made all the more poignant by the fact that the volunteers manage to keep some of it operating. I can't be the only one. This archive is not just for ex-employees and enthusiasts – it is the history of GEC's world-beating, ground breaking technology. I ask the City Council Administration to reconsider and, at the very least, continue to store the equipment whilst the future of the site is determined. If the equipment is removed now and returned to the attics and garages of the volunteers, it will never come back together again."

The Cabinet Member for Connected Chelmsford was pleased that the Marconi Volunteers had such enthusiasm and passion for the preservation of an important part of the City's technological heritage. She wished to see that enthusiasm continue and for future generations to be able to appreciate and admire that heritage. The Council had no wish to erase the Marconi collection but wished to see it preserved and conserved. The Museum team shared Councillor Steel's passion for Marconi's heritage, innovation and associated legacy.

The team welcomed volunteers and everyone who used to be based at Sandford Mill had been invited to stay on in that capacity. The location may be different, but there would be as many, if not more, opportunities to keep Chelmsford's past alive and to meet up and share this experience together.

The Cabinet Member had been reassured that the team were working extremely hard to ensure volunteer opportunities were inclusive and accessible to people from all backgrounds.

Councillor Steel had mentioned in his question that the future of the site was still to be fully determined and that he understood the urgent need to remove Marconi equipment. The Museum's accreditation bid and the future development of the Sandford Mill site, though, were two separate issues.

The Museum was preparing for Arts Council UK Museum Accreditation, which prompted the need to revise procedures at the Sandford Mill site, including the return of items which were not part of the Museum's own collections. The Museum had been preparing for the accreditation for 18 months, carrying out an extensive assessment of all their practices, including what items it held, a review of how they were handled and worked upon, the insurance policies they held, and an audit of the collections at the main Oaklands site and at storage facilities such as Sandford Mill.

The Museum was expecting to receive an invitation to apply for accreditation in the autumn with an assessment early next year, which was why the changes were happening now.

The Cabinet Member assured Councillor Steel that the process had nothing to do with future plans for the Sandford Mill site – it was about how the collections (on display and in storage) were managed and how the Museum was run now. The industrial collection (including the Museum's own extensive range of Marconi items) in storage at Sandford Mill was already part of the accreditation process, which was why items not in the Museum's own collection were being returned to their owners.

The Cultural Services Manager had agreed to meet with Brian Izzard, Chair of the Marconi Veteran Association and Roy Clare OBE, Chair of Chelmsford Cultural Development Trust to discuss the groups' aspirations and what might be possible. However, for a number of reasons the activities at Sandford Mill or at any site could not continue using the Museum's collection as they had been in the past.

Asked whether the Museum store could be used to house the equipment, the Cabinet Member replied that the Council had explored with the Volunteers ways in which it could assist them and had agreed to help transport some of the larger items and to make the removal of the equipment as easy as possible. However, it could not store items that did not belong to the Council and to do so would harm the application for accreditation.

2. Question from Councillor M Steel to the Cabinet Member for Greener and Safer Chelmsford

"In the Cabinet Meeting, it was said that Admirals Park was already in effect operating as a Nature Reserve. Therefore, I ask what will actually change if it is formally designated as a Nature Reserve. For example, will it continue to host the beer festival, or will this be barred from operating in a Nature Reserve?

If it is barred, has the Administration given any thought to an alternative venue?"

The Cabinet Member for Greener and Safer Chelmsford replied that the intention to declare Admirals Park as a Local Nature Reserve was included as an action in Our Chelmsford Our Plan, reflecting the ambitions set out in the Council's Climate Change and Ecological Emergency Action Plan and the Chelmsford Green Infrastructure Strategic Plan, which was adopted as part of the Local Plan in May 2020.

In preparation for the declaration, Admirals Park had been and continued to be managed and maintained in accordance with an appropriate management plan since 2018 and this plan was approved and validated by Natural England in December 2020 in preparation for this declaration.

The management of Admirals Park as an LNR did not preclude the current uses of the park, for example, for events or informal recreation and outdoor sport, in the areas which were close mown, as those areas sat comfortably alongside areas which were providing habitat, refuge for wildlife and wildlife travel corridors connecting the river valley, wider countryside and, in the case of Admirals Park, with Marconi Ponds Local Nature Reserve (also a registered LNR).

A similar approach had been taken in the river Chelmer Valley with Chelmer Valley LNR (which was also registered) sitting comfortably alongside Springfield Hall Park.

The declaration of a local nature reserve committed the City Council to ensuring that the LNR was protected and appropriately managed for the future. Public access was recognised as an important part of that and LNRs were listed on the Natural England national register as well as the City Council's website, ensuring public awareness and recognition.

The Cabinet Member said that CAMRA had decided not to proceed with the beer festival this year owing to the difficulty of holding the event during the pandemic. However, other community and fund-raising events were planned later in the year and the Council would continue to welcome and work with anyone wishing to hold events in the park if they met the Council's policy.

3. Question from Councillor R Gisby to the Cabinet Member for Fairer Chelmsford

"It is accepted that there is an on-going consultation on the proposals for car parking charges at Hylands Park and Members are making representations to this.

Whilst we will no doubt be advised of the result of this consultation, this question relates to a matter of policy.

The proposed charges are completely different to those already in existence for Essex County Council Country Parks. To remind Members, for £75 per annum, or £60 for over 60's, you get, amongst other discounts, the following with Essex County Council

- Car Parking at 7 country parks for a whole year – Belhus Woods, Cudmore Grove, Danbury, Great Notley, Hadleigh, Thorndon and Weald.
- 2 days free parking for family or friend
- Discounts are various refreshment facilities in the Country Parks.

Could the Cabinet Member advise me whether the charging system adopted by ECC was considered by the City Council and the reason it was rejected?"

The Cabinet Member thanked Councillor Gisby for the question, which referred to "on-going consultation". This was the legal process for the Traffic Regulation Order – the TRO – that was needed to give effect to the proposals for parking charges at Hylands. As stated in the question, members were entitled to submit their objections to or their support for the draft TRO and the Cabinet Member was confident that all responses would be taken into consideration.

With regard to whether the Council had considered Essex County Council's (ECC's) charging system in arriving at its proposals, it had compared the pricing structures at various other parks in Essex, including those run by ECC.

The Cabinet Member believed that the proposals compared very favourably with other parks. Visitors who came to Hylands would be able to stay as long as they liked for a single price, unlike other parks that increased the price the longer the visitor stayed. Alternatively, they could choose to leave and return later in the day at no additional cost.

In particular, it was known from the consultation earlier in 2021 that 90% of visitors stayed for more than an hour. The £3 discounted charge available to Chelmsford residents parking for over one hour would be cheaper than, or the same as, the rates charged to park at all seven ECC country parks mentioned in the question. For the 30% of visitors who stayed more than 2 hours, Hylands would be the cheapest of the eight parks.

Concerning the point about ECC's annual season ticket, the Council had put forward proposals for a Hylands season ticket at a cost of £5 a month, or £60 for those who wanted to pay a full year in advance. That was in the view of the Cabinet Member a fair price and reflected the unique factors set out in the consultation summary document, which was available on the Council's website.

Finally, Councillor Gisby had referred to the additional discounts ECC offered with their annual season ticket. This was a point the Council was looking at. The Hylands season ticket could evolve into a pass with visitor benefits and rewards but this meeting was not the occasion for saying any more about this.

4. Question from Councillor R Whitehead to the Cabinet Member for Greener and Safer Chelmsford

"Chelmsford Market is a very valuable asset and it has been much affected by the Covid pandemic, with footfall greatly reduced.

In particular the large number of people passing through it who work at County Hall and the Civic Centre is currently a small fraction of the usual number who use the Market.

The City Council did reduce rents for market traders but these have now gone back to previous figures.

However, as the number of shoppers is still way below what it was previously and will, despite the so-called 'Freedom Day' on Monday be likely to remain low, will the City Council again assist traders before many of them go out of business?"

The Cabinet Member replied that, since 23 March 2020 when the first lockdown had been imposed, the Council had supported both the High Street and Retail/Charter Markets. Whilst market traders had not been eligible for support from the Business Support Grants Scheme, the Council had recognised the threat the pandemic posed to all market traders and had taken the following measures to support them:

- a week's refund of rent in March 2020
- from April to July 2020 the suspension of the full rents of all market traders
- from August to October 2020 a tiered discount on rents
- the suspension of all rents between November 2020 and April 2021
- a 50% rent discount in May 2021

The use of the markets had increased since then, although the Charter Market continued to struggle to attract customers. This needed to be seen in the context of other effects of the pandemic such as on people's buying patterns and reductions in the number of people currently working in the city centre. Even before the pandemic there had been a general decline in the usage of weekly markets. However, the Council would continue to recognise the markets as an important part of the City's culture by supporting, promoting and investing in them, with the aim of exceeding the 68% pre-Covid levels of uptake in the Charter Market and seeing at least 20 pitches regularly in use on the High Street.

(7.10pm to 7.41pm)

7. Reports from the Cabinet Member for Fairer Chelmsford

7.1 Treasury Management Outturn 2020-21

The report to the meeting detailed the findings of the annual review of the Council's Treasury Management function and the rates of return on investments in 2020-21.

Councillor P Clark requested that his opposition to one of the investments detailed in the report be recorded.

RESOLVED that the Treasury Management Outturn report for 2020-21 be noted.

(7.41pm to 7.44pm)

7.2 Capital Programme Update and Provisional Outturn 2020-21

The report to the meeting detailed capital expenditure incurred in 2020-21 and the resources used to finance it; set out variations to approved capital schemes and the Asset Replacement Programme; and presented a budget for asset replacements in 2021-22. At its meeting on 13 July 2021 the Cabinet had approved the proposed Capital Scheme cost increases of £188,000 shown in Appendix 1 of the report to the meeting and detailed in paragraph 3.1 of the report. It had also agreed the proposed Asset Replacement Programme for 2021-22, the increase in scheme costs of £19,000 and the rephasing of spend of £269,000 from 2020-21 as shown in Appendix 3 and detailed in paragraph 4.2 of the report.

The Cabinet Member highlighted the following schemes in the capital programme:

- the completion of the work on Saltcoates Park and Compass Gardens in South Woodham Ferrers
- the purchase of 13 houses for temporary accommodation, with a further seven planned
- the refurbishment of the toilets of Writtle Road car park
- plans for improvements to Hylands totalling over £350,000
- investment of £600,000 in the Retail Market
- over £2million investment in infrastructure through contributions from developers

RESOLVED that the Council note the following:

1. the latest proposed budgets for capital schemes of £131.379m, shown in Appendix 1 and detailed in paragraph 3.1 of the report to the meeting;
2. the outturn on the 2020-21 Asset Replacement Programme of £2.565m, shown in Appendix 3 and detailed in paragraph 4.1;

3. the Asset Replacement Programme for 2021-22 of £5.328m as shown in Appendix 3 and detailed in paragraph 4.2;
4. the proposed Asset Replacement Programme deferred approved schemes from 2021-22 to 2022-23, totalling £1.534m, shown in Appendix 3 and detailed in paragraph 4.2 of this report, be noted; and
5. the method of funding of the capital expenditure incurred in 2020-21, as set out in the table in paragraph 5.

(7.44pm to 7.47pm)

7.3 Medium-Term Financial Strategy

The Council received an update on the Medium-Term Financial Strategy (MTFS) for the period 2021-22 to 2025-26, approved by the Council in July 2021. The MTFS provided a financial framework to support delivery of the Council's priorities as set out in "Our Chelmsford; Our Plan".

The Cabinet Member emphasised that the financial scenarios described in the report were not firm predictions and much depended on the progress of the pandemic and future government funding. At present there was a budget shortfall of £1.7million in 2022-23 and with the Council dependent for two-thirds of its funding from income-generating sources, the options were either to increase that income or reduce costs if additional government funding was not available.

RESOLVED that the following be approved:

1. the approach to reserves set out in the report to the meeting and Appendix 1;
2. the updates to the capital strategy indicators set out in Appendix 2;
3. the Financial Strategy as set out and the budget guidelines for preparation of the 2022-23 budget in Appendix 5; and
4. the carry forward of budgets of £272,000 from 2020-21 for initiatives delayed due to Covid, as detailed in Appendix 5, funded from unearmarked reserves.

(7.47pm to 7.53pm)

8. Annual Report of the Audit and Risk Committee

The Council considered the Annual Report of the Audit Committee for 2020-21, submitted in accordance with the Chartered Institute of Public Finance and Accountancy's (CIPFA) recommended practice.

The report included among other things a review of the Committee's terms of reference; its work on the audit charter and internal audit strategy; the publication of information about the audit function; the Committee's work programme for 2020-21 and its planned work for 2021-22.

RESOLVED that the Annual Report of the Audit and Risk Committee for 2020-21 be approved for publication.

(7.53pm to 7.55pm)

9. Annual Report of the Governance Committee

The Annual Report of the Governance Committee for 2020-21 was presented for approval. It provided information on the statutory and procedural requirements of the standards regime; the terms of reference and membership of the Governance Committee; the work carried out by the Committee in 2020-21; details of complaints received about councillors; the training and development carried out for members; and the Committee's future work programme.

RESOLVED that the Annual Report of the Governance Committee for 2020-21 be approved for publication.

(7.55pm to 7.56pm)

10. Amendments to the Constitution

The Council had been recommended by the Governance Committee and Cabinet to approve proposed changes to the Constitution in respect of the terms of reference of the Chelmsford Policy Board, the Treasury Management Sub-Committee and the Community Funding Panel; the procedure for budget amendments; the arrangements for public speaking at the Planning Committee; and the general arrangements for public speaking at meetings.

RESOLVED that the amendments to the Constitution detailed in the appendix to the report to the meeting be approved.

(7.56pm to 7.57pm)

11. Code of Conduct for Members

The Council was informed that the Constitution Working Group had considered proposed revisions to the Council's Code of Conduct for Members, which incorporated some aspects of the Model Code published by the Local Government Association.

On the advice of the Monitoring Officer, the Working Group did not recommend adoption of the full model Code at this time as it was felt to be inadequate in certain respects, particularly in relation to the declaration of interests.

However, it supported a recommendation by the Committee on Standards in Public Life that the Code should include reference to harassment as well as a definition of bullying and harassment. This and two other changes recommended by the Working Group, namely extending the Code to include equality and diversity and a review of gifts and hospitality requirements, had the support of the Governance Committee and the Council was recommended to adopt it as part of the Constitution.

RESOLVED that the revised Code of Conduct for Members submitted to the meeting be approved and adopted as Part 5.1 of the Constitution.

(7.57pm to 7.59pm)

12. Amendments to the Terms of Reference of the Community Governance Review

The original Terms of Reference for the review of the governance of the entire Chelmsford City Council area were approved by Council on 9 December 2020.

The initial consultation was completed earlier in 2021 and over 1000 consultation responses had been received. The Connectivity and Local Democracy Working Group had reviewed progress on the review and felt that more time was needed to draft specific proposals. Accordingly, it had recommended an adjustment to the timetable for the review.

It was now proposed that the Governance Committee in September would consider the draft recommendations and submit them to a special meeting of Full Council later that month, before the final stage of consultation took place in the Autumn. The final decision would be made by Full Council in February 2022 rather than December 2021.

The Council considered that the proposed adjustments to the middle stages of the timetable were appropriate in the circumstances, did not impact upon the overall timetable for the completion of the review, and were therefore acceptable.

RESOLVED that the amended terms of reference for the Community Governance Review submitted to the meeting be approved.

(7.59pm to 8.02pm)

13. Review of Parliamentary Boundaries

The Council was requested to agree a response to the initial consultation by the Boundary Commission for England on the latest proposals for the review of parliamentary boundaries. The initial proposals had the following effect on the existing constituencies in the City Council's administrative area:

- Chelmsford constituency - the re-allocation of Galleywood ward (parliamentary electorate of 4,231) to the Maldon constituency to bring the total electorate of the Chelmsford constituency in line with the new electorate rules with a proposed electorate of 76,163
- Maldon constituency - the ward of Little Baddow, Danbury and Sandon (parliamentary electorate of 6,524) to become part of the Braintree constituency
- Saffron Walden constituency – that part in the Chelmsford local authority area would move all four wards currently in the Saffron Walden constituency to the Braintree constituency.

Members recognised that the criteria being used by the Boundary Commission would inevitably result in anomalies, with residents of some areas being placed in constituencies with which they had no historic or community affinity. The fact that the connection between constituency and local authority areas would be lost in some cases could also cause confusion among residents but that was likely to be the case whatever the proposals.

RESOLVED that the following be submitted as the Council's response to the Boundary Commission for England's initial proposals for the Review of Parliamentary Boundaries 2023:

1. The Council is broadly supportive of the proposals made by the BCE with regards to the constituencies in the local area.
2. It is acknowledged that the Chelmsford constituency is currently too large to meet the rules of the review and therefore must be reduced. In the draft proposals for the 2003 review, the Commission excluded Galleywood from the proposed constituency, but it was added back in after the public inquiry. Since one ward has to be removed, it would follow the previous proposals for that ward to be Galleywood. The Council therefore supports the Commission's proposal for minimum change to the Chelmsford constituency and raises no objection to Galleywood ward becoming part of the Maldon constituency to achieve the target electorate size.
3. The Council also supports the Commission's proposal for the Maldon constituency, with the minimal change necessary to meet the target electorate number.
4. The reallocating of all electors currently living in Saffron Walden constituency to Braintree, as well as Little Baddow, Danbury and Sandon, is the most significant change within our local authority area. However, it is noted that it is inevitable that there has to be significant change in the Suffolk/Essex sub-region to create the new constituency allocated by the overall review. Therefore, we raise no objection to this.
5. It is noted that many electors currently living in the Saffron Walden constituency do not feel as though they are part of this community, noting geographical distance as a significant contributing factor to this. This has been raised as an issue in recent elections and consultations but is largely outside the scope of the review, which is driven by the legal direction to make all constituencies virtually the same size. Some residents have expressed that they do feel affiliation to both Chelmsford and Braintree.

6. The Council intends to request that the boundaries between Broomfield, Springfield and Little Waltham are looked at in greater detail. This is to explore whether the boundaries can be adjusted slightly so that new electors in the Beaulieu development would be best represented by one constituency (being either Chelmsford or Braintree). At present, the boundary weaves between houses in multiple streets and electors have expressed a lack of understanding of the community identity. Often, they expect to live in the Chelmsford constituency and find that they do not, but their neighbour does.

(8.02pm to 8.13pm)

14. Membership of Committees

The Council was requested to approve two changes to the membership of committees.

RESOLVED that Councillor Andrew Thorpe-Apps be appointed to replace Councillor Barry Knight as a member of the Audit and Risk Committee and Councillor Nicolette Chambers as a member of the Governance Committee.

(8.13pm to 8.14pm)

15. Authorised Absence of Councillors

This report had been withdrawn.

The meeting closed at 8.14pm

Mayor