

**CHELMSFORD CITY COUNCIL****MINUTES OF THE COUNCIL MEETING****held on 27 February 2019 at 7pm****PRESENT:**

The Mayor (Councillor Y M Spence)  
The Deputy Mayor (Councillor C Garrett)

**Councillors**

E.A. Ahmed	P.J.L. Hutchinson	M. Springett
R.A. Alcock	J. Jeapes	D.W. Stevenson
L. Ashley	A.M. John	S.R. Sullivan
N. Chambers	G.B.R. Knight	R.A. Villa
J.E. Chandler	D.A. Lumley	L.M. Ward
S.A. Cook	R.A. Madden	M.D. Watson
P.J. Cousins	A.J. McQuiggan	R.T. Whitehead
J.A. Deakin	L.A. Millane	P.R.A. Wilson
L.P. Denston	F.B. Mountain	I. Wright
R.F. Denston	J. Murray	
J. De Vries	J.A. Potter	
M.J. Flack	R. J. Poulter	
S.D. Fowell	J. Raven	
J. Galley	S.J. Robinson	
I.S. Grundy	T.E. Roper	
N. Gulliver	G.C. Seeley	
M.W. Holoway	R.J. Shepherd	
P.V. Hughes	G.I. Smith	

**1. Apologies for Absence**

Apologies for absence were received from Councillors R H Ambor, A Chambers, S K Hindi, R Massey, S W Pontin, R A Ride, S J Scott, M Sismey and G H Smith.

**2. Mayor's Announcements**

The Mayor referred to those councillors who were not seeking re-election on 2 May 2019 and thanked them for their work and dedicated service. She also expressed gratitude to Councillor Tony Sach, who had left office in December. The Mayor made particular reference to Councillors Freda Mountain, Ron Alcock and Duncan Lumley who would be retiring after a combined 88 years of service as members of the Council. On behalf of the Council she presented each with a certificate of long service and a gift in recognition of their devotion and commitment to their work as councillors. The Leaders of both Groups on the Council spoke in tribute to each of the three councillors and thanked them for their service.

**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. None were declared.

#### 4. **Minutes**

The minutes of the meeting on 5 December 2018 were signed as a correct record.

#### 5. **Public Question Time**

Six members of the public asked questions or made statement on the following matters:

1. One member of the public asked what the Council's response would be to Essex County Council's consultation on the Chelmer Valley Park and Ride service. He also asked whether the City Council was seeking to acquire land for a Park and Ride site at Widford.

The Leader of the Council said that the Council's response to the consultation would be considered by the Development Policy Committee on 28 February and the Cabinet on 5 March. It was likely that the proposed closure of the service on Saturdays would be strongly opposed. The City Council had offered to subsidise the operation of the Chelmer Valley service on Saturdays and discussions were continuing with the County Council on that possibility.

The City Council was continuing to look for a suitable site for a third Park and Ride service, the provision of which would be of particular help in reducing congestion at the Army and Navy roundabout.

2. A member of the public asked whether the public would be invited to participate in the workshop established by the County Council to find solutions to the problems at the Army and Navy roundabout.

The Leader of the Council replied that he could not speak for the County Council on that, but the public's views would be sought on any plans for the roundabout when the County Council published them.

3. Three members of the public referred to the growing concerns about climate change and global warming. Each asked that the Council play its part in reducing its carbon footprint and work collaboratively with others to reduce emissions and use renewable energy sources. Two questioners also urged that the Council recognise the urgency of the matter and declare a climate emergency. One speaker suggested that the Council amend its design statements to require that all new developments make use of renewable energy.

Responding to the questions and concerns, various Cabinet Members said that the Council was not complacent about climate change and was playing its part in helping to alleviate its causes. The Overview and Scrutiny Committee had agreed an action plan in 2011 which aimed to mitigate the effects of climate change and create a more sustainable environment locally, and the Committee would be reviewing progress later this year. The Council was working with developers to encourage, where possible, the use of sustainable energy such as ground source heat pumps and wind power. The Council recognised the threat of climate change and would, within its sphere of influence and control, do all it could to help tackle it. The Cabinet would also be asked to consider at a future meeting the suggestions made by the questioners.

4. One member of the public on what could be done to reduce the restrictions on parking at Beaulieu Square which, the questioner said, was hindering the ability of the public to use the Community Centre for events at weekends.

In response to the question, it was suggested that the management company responsible for Beaulieu Square and the Community Centre apply for a change to the planning conditions relating to parking in that area.

*7.23pm to 7.50pm*

6. **Cabinet Question Time**

Question from Councillor L Ashley to the Cabinet Member for Waste Management, Recycling and Parking Services

*I'd like to ask whether the bin collection vehicles could avoid mounting grass verges or pavements? I appreciate the vehicles are large and the roads have cars parked in awkward areas, so it's difficult for the driver. However, two residents have pointed this out to me. I have seen the evidence in my ward, and I'm told that it's also a problem in Great Baddow.*

In the absence of the Cabinet Member for Waste Management, Recycling and Parking Services, the Leader of the Council replied that vehicles should not cross grass verges or mount pavements whilst manoeuvring to access household recycling and waste collections. If such incidents did occur they should be reported directly to the Operations Manager at Freighter House, who would then investigate the reason this occurred and take the necessary action

The situation was not helped by the fact that some developments had been built in a way that made collections from some areas very difficult. Development built in the last 10-15 years with shared surfaces and limited off-street parking were a particular problem, but newer developments now took into account the need for access by large service vehicles.

*7.50pm to 7.54pm*

7.1 **Options for Local Council Tax Support Scheme 2019/20**

The Cabinet on 29 January 2019 had considered a report on options for the operation of the Local Council Tax Support Scheme in 2019/20 and the effect the various options would have on expenditure and collection rates. It had recommended the retention of the present year's scheme but with the changes detailed in section 5.2 of the Cabinet report as that was considered to be the most equitable and affordable option and was less likely to result in lower collection rates.

**RESOLVED** that a Local Council Tax Scheme for 2019/20 in the form described in option 2 in the [report to the meeting](#) (essentially, retention of the current scheme but with changes to the rules relating to the assessment of local council tax support for working age applicants) be adopted.

*7.54pm to 7.57pm*

## 7.2 **Council Tax – Changes to Charges for Empty Properties**

On 29 January 2019 the Cabinet had considered the effect and desirability of using recent changes to legislation which gave the Council power to increase Council Tax charges for long term empty properties. It had recommended that the Council Tax premium charged on properties which had been empty for two years or more be increased from 50% up to a maximum of 100% from 1 April 2019 in the hope that this would encourage owners of long-term empty properties to bring them back into use as early as possible.

**RESOLVED** that:

1. an Empty Homes premium 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 two years immediately before the day in question (i.e. “long term empty dwellings”), the charge to be 200% of the Council Tax that would be payable if the dwelling was occupied by two adults and no discounts were applicable; and
2. the current 100% discount applied for properties left empty for up to three months be left unchanged, the reason for this decision being the punitive effect on taxpayers who are renovating or refurbishing properties prior to occupying them; the small additional income that it would generate; and the disproportionate administrative effort involved in explaining and collecting those debts.

*7.57pm to 8.00pm*

## 7.3 **The Council’s Revenue Budget 2019/20 – Review of the Budget and the Level of Reserves and Balances**

The Director of Financial Services submitted a statutory report which examined the soundness of the estimates for 2019/20, the adequacy of reserves and the safeguards to deal with any associated risks.

The report included a description of the process followed in the preparation of the budget and an analysis of the key issues that had been examined in evaluating the estimates, reserves and balances. The Director of Financial Services advised that, in her opinion, the budget being recommended at the meeting was balanced, sound and prudent.

**RESOLVED** that the report of the Director of Financial Services on the budget for 2019/20 and the level of reserves and balances be noted.

*8.00pm to 8.03pm*

#### 7.4 **Revenue Estimates 2019/20**

The Mayor reminded members that whilst each had a Disclosable Pecuniary Interest in this item, which she formally declared on behalf of those present, 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 2019/20.

The Council had before it a report and recommendations from the Cabinet on the revenue budget for 2019/20. The proposed Council Tax resolution for the 2019/20 budget was included as part of the report to the meeting.

In presenting the budget, the Cabinet Member for Finance referred to the Council's achievements in recent years despite the reduction in government funding. He said that the Council had invested wisely in its assets to ensure that it made optimum use of other sources of income and could provide services and facilities that would encourage Chelmsford to grow and prosper.

The following was moved by Councillor Robinson as an amendment to the budget and seconded by Councillor Deakin:

1. Address the homelessness crisis by purchasing more temporary housing, by borrowing £5 million and adding to the capital programme for housing; the costs of borrowing to be met by rent income and a reduction in housing benefit subsidy loss.
2. Address the desperate shortage of affordable housing by working with developers and social landlords to ensure the 35% target for new developments is met if not exceeded. Any costs associated with work on the business case to come from the general reserve.
3. Address the growing mental health crisis related to loneliness and support the library service by adding £100,000 to the Corporate Grants scheme for community groups to apply to run schemes to bring local residents and communities together, whether in libraries or other community buildings.
4. Help reduce congestion by acquiring a site for a third Park & Ride car park (up to £150,000 from the general reserve).
5. Ensure that the council and the wider community reduces its carbon footprint and moves towards a zero carbon Chelmsford by creating a green investment fund to support initiatives such as electric car charging points, car clubs and renewable energy (initially £100,000 from the general reserve).
6. £200,000 to the Chelmsford Local Highways Panel to progress priority projects now held back. Funded from the general reserve for the coming year and reviewed in advance of the following year's budget.

Councillor Robinson and other members of the Opposition group explained the reasons for proposing each of the proposed areas of expenditure, which they argued addressed important local concerns and needs. The cost would be met from reserves and borrowing and would not affect the overall budget and its robustness.

During the ensuing discussion on the amendment it was argued by others that the number of units of temporary accommodation that the Council and registered housing providers were able to provide for homeless households was anticipated to

be sufficient to meet projected demand. The real need was for permanent affordable housing and, through the current and proposed Local Plan and the planning system generally, considerable progress was being made on this.

It was also pointed out that Community Infrastructure Levy funds were being used to support homelessness initiatives and to keep library buildings open for community use, where such a use was suitable. It was suggested that it would be unwise to pre-empt the results of public consultation on the library service by making further commitments at this stage towards the future use of library buildings.

The Leader of the Council said that he was sympathetic to the arguments put forward in support of many of the proposed areas of expenditure in the amendment. However, some related in part to County Council functions and to an extent whether they could be taken forward would depend on that council's support. Whilst he would not be critical of the County Council, which he recognised was doing a good job at a time of diminishing resources but increasing and competing demands on its services, he would take a different approach to the way in which it pursued change and prioritised matters.

On being put to a recorded vote the amendment was lost, with the voting as follows:

For the amendment

L Ashley  
J A Deakin  
F B Mountain  
M Springett  
S J Robinson

Against the amendment

E A Ahmed  
R A Alcock  
N Chambers  
J E Chandler  
S A Cook  
P J Cousins  
L P Denston  
R F Denston  
J De Vries  
M J Flack  
S D Fowell  
J Galley  
I S Grundy  
N Gulliver  
M W Holoway  
P V Hughes  
P J L Hutchinson  
J Jeapes  
A M John  
G B R Knight  
D A Lumley  
A J McQuiggan  
R A Madden  
L A Millane  
J Murray  
J A Potter  
R J Poulter  
J Raven  
T E Roper  
G C Seeley  
R J Shepherd  
G I Smith  
D W Stevenson

Abstained from voting

C Garrett  
Y M Spence

S R Sullivan  
 R A Villa  
 L M Ward  
 M D Watson  
 R T Whitehead  
 P R A Wilson  
 I Wright

5402

After further brief debate the original motion was put to a recorded vote and was carried, with the voting on it being as follows:

For the motionAgainst the motionAbstained from voting

E A Ahmed  
 R A Alcock  
 N Chambers  
 J E Chandler  
 S A Cook  
 P J Cousins  
 L P Denston  
 R F Denston  
 J De Vries  
 M J Flack  
 S D Fowell  
 J Galley  
 I S Grundy  
 N Gulliver  
 M W Holoway  
 P V Hughes  
 P J L Hutchinson  
 J Jeapes  
 A M John  
 G B R Knight  
 D A Lumley  
 A J McQuiggan  
 R A Madden  
 L A Millane  
 J Murray  
 J A Potter  
 R J Poulter  
 J Raven  
 T E Roper  
 G C Seeley  
 R J Shepherd  
 G I Smith  
 D W Stevenson  
 S R Sullivan  
 R A Villa  
 L M Ward  
 M D Watson  
 R T Whitehead  
 P R A Wilson  
 I Wright

L Ashley  
 J A Deakin  
 F B Mountain  
 M Springett  
 S J Robinson

C Garrett  
 Y M Spence

4052

**RESOLVED** that:

1. an original budget for 2019/20 and level of reserves, as shown in Appendices 1, 2 and 3 of the [report to the meeting](#), be approved;
2. the average level of Council Tax for the City Council be increased to give an average annual Band D Council Tax of £194.02 for 2019/20;
3. the changes to fees and charges outside of the budget guidelines set out in Appendix 4 be approved;
4. the allocation of special expenses and Parish grant, as set out in Appendix 5, be agreed;
5. the formal resolution required to set the budget and Council Tax for 2019/20, as set out in Appendix 6, be passed;
6. Directors, after consultation with Cabinet Members, be instructed to identify budget reduction proposals for 2020/21 and future years which could be included in the July 2019 Medium Term Financial Strategy report; and
7. the Director of Corporate Services, after consultation with the Leader of the Council, be authorised to agree the pay award for 2019/20 within the budget provided.

*8.03pm to 9.03pm*

**7.5 Capital and Investment Strategy 2019/20**

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 29 January 2019 had recommended that the Council approve the strategy.

**RESOLVED** that the Capital and Investment Strategy for 2019/20 set out in the [report to the meeting](#) be approved.

*9.03pm to 9.06pm*

**7.6 Capital Programme Update**

The report to the meeting set out the overall estimated capital resource available to the Council and updated the capital programme to reflect the inclusion of proposed new schemes.

The Cabinet on 29 January 2019 had agreed on grounds of urgency:

- a net budget of £80,000 for the 2018/19 Asset Replacement Programme, as shown in Appendix 5 to the [report to the meeting](#) and as detailed in paragraph 4.3.2 of the Cabinet report;
- a budget of £56,000 for the acquisition of a vehicle in 2019/20, as described in

- paragraph 4.4.2; and
- a budget of £477,000 for the Beaulieu School Joint Use Sports Facility, as detailed in paragraph 2.3 of the report, and the use of appropriate Section 106 contributions to fund the scheme, as detailed in item 17 of Appendix 1.

It had also authorised the appropriate Director, after consultation with the relevant Cabinet Member, to spend the approved capital budget and any future contributions collected for the Beaulieu School Joint Use Facility and had agreed the specific delegations set out in paragraphs 2.4.1, 2.4.2 and 3.4 of the report.

**RESOLVED** that

1. the remaining new capital schemes shown in Appendix 1 of the Cabinet report totalling £4.407 million be approved;
2. the budgets of existing capital schemes, as detailed in Appendix 3, be agreed, representing an increase of £4.802 million;
3. the Asset Replacement Programme for 2019/20 detailed in Appendix 5 and amounting to £3.274 million be agreed;
4. the appropriate Section 106 contributions be used to fund the schemes, as detailed in the report; and
5. the appropriate Director, after consultation with the relevant Cabinet Member, be authorised to spend the approved capital budgets, and that the specific delegations set out in paragraphs 2.4.1, 2.4.2 and 3.4 of the report be agreed.

*9.06pm to 9.09pm*

**7.7 Treasury Management Strategy 2019/20**

The Council was requested to endorse the strategy for the management of the Council's financial investments in 2019/20 and to approve those prudential indicators that applied to the strategy.

**RESOLVED** that:

1. the Council recognises that the investment strategy does result in some risk to capital invested but that the risk is at an appropriate level;
2. the Treasury Management Strategy for 2019/20 submitted as Appendix 1 of the [report to the meeting](#), including the potential to invest up to a further £10 million in external funds, dependent on investigation by the Treasury Management Sub-Committee of the risks and benefits, be approved;
3. the Treasury Management Prudential Indicators for 2018/19 detailed in Appendix 2 be approved; and
4. the Treasury Management Code of Practice be adopted.

*9.09pm to 9.11pm*

8. **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 2019/20 be approved.

*9.11pm to 9.13pm*

9. **Designation of Monitoring Officer**

The Council considered a report on the arrangements for the appointment of the new Legal and Democratic Services Manager and his or her designation as the Monitoring Officer. It was recommended that, to avoid delay, the Council authorise the Chief Executive to approve the appointment and designation rather than await the next meeting of the Council. Correcting the dates mentioned in the report, the Leader said that the interviews would now be held on 5 April 2019.

**RESOLVED** that the Chief Executive, upon recommendation from the Employment Committee and with no objection from Cabinet Members, be authorised to approve the appointment of the Legal and Democratic Services Manager and Monitoring Officer and formally to designate the appointee as Monitoring Officer under Section 5 of the Local Government and Housing Act 1989.

*9.13pm to 9.15pm*

The meeting closed at 9.15pm

Mayor