

**MINUTES OF
CHELMSFORD CITY COUNCIL CABINET**

on 18 October 2022 at 7.00pm

Present:

Cabinet Members

Councillor S Robinson, Leader of the Council (Chair)

Councillor M Goldman, Deputy Leader and Cabinet Member for Connected Chelmsford

Councillor C Davidson, Cabinet Member for Fairer Chelmsford

Councillor M Mackrory, Cabinet Member for Sustainable Development

Councillor R Moore, Cabinet Member for Greener and Safer Chelmsford

Opposition Spokespersons

Councillors K Bentley, W Daden, R Gisby, I Roberts, R. Poulter, M. Sismey, M Steel, A Thorpe-Apps and R T Whitehead

Also present: Councillors A Davidson, I. Grundy, N. Gulliver, B. Knight, R Massey, G. Pooley, J Raven, T. Roper and A Sosin

Councillors Robinson and Whitehead paid tribute to Cllr John Galley, the worshipful Mayor of Chelmsford who had sadly recently passed away. It was noted that he had been a fine public servant for the residents of Chelmsford, who would be missed and that the Council shared the awful sense of loss and tragedy with his family. The Cabinet heard that during his time as a Councillor he had been a great colleague and had looked after the Council's finances successfully for many years.

It was noted that once funeral arrangements had been made, all Councillors would be made aware.

Councillor Robinson also informed those present that a special Council meeting would be held on Wednesday 9th November to elect a new Mayor and Deputy Mayor

A two minute silence was observed in his memory.

1. Apologies for Absence

Apologies for absence were received from Councillor Hyland.

2. Declarations of Interest

Members of the Cabinet were reminded to declare at the appropriate time any pecuniary and non-pecuniary interests in any of the items of business on the meeting's agenda.

3. Minutes and Decisions Called-in

The minutes of the meeting on 12 July 2022 were confirmed as a correct record, with one change to add apologies for Cllr Sismey. No decisions at that meeting had been called in.

4. Public Questions

There were no questions or statements from members of the public.

5. Members' Questions

Councillors who were not members of the Cabinet asked the following questions:

- (a) Councillor M Steel, who referred to his and residents concerns that the theatre would be closed at Christmas and how and why had the project gone so wrong. Cllr Steel also asked whether there had been any security built into the project to prevent it overrunning into the panto opening, and had any contingencies been built in.

The Cabinet Member for Connected Chelmsford informed Cllr Steel and the Cabinet that firstly they wished to echo the sadness and disappointment that the opening could not go ahead as planned. It was noted that the team had looked at various other options, such as different venues but they had not proved to be financially viable. The Cabinet heard that various issues in the construction industry had resulted in delays along with the uncovering of health and safety issues in the existing buildings that needed to be addressed. The Cabinet also heard that contingencies had been built into the project but when starting the project, as with many construction projects, additional issues had been uncovered.

The Cabinet were also informed that world events and financial decisions by the Government, had led to significantly increased costs across all areas of the project, along with significant delays. It was noted that it was distressing that the panto was not going ahead, but the team had worked day and night to meet the initial opening date, but had felt it was appropriate to cancel with as much notice as possible and to begin sending refunds.

The Leader of the Council also supported the fantastic work by officers along with Cllr Goldman and noted that every construction project was facing delays due to various external factors.

- (b) Councillor A Thorpe-Apps, who referred to concerns raised by local residents regarding the loss of the Cramphorn name, as a result of the theatre redevelopment. Cllr Thorpe Apps referred to the important link to the history of Chelmsford where part of the Cramphorn estate had been left to the Council and asked if the Cabinet Member

understood why residents attached such value to the name, and how residents would be consulted on this.

The Cabinet Member for Connected Chelmsford informed Cllr Thorpe-Apps and the Cabinet that the name had been in place for a while and the Council were of course grateful for any previous donations, but that it was sometimes appropriate to move on. The project aimed to grow the appeal of the theatre and a rebrand was part of that, the name would not be lost and ways in which it would be appropriate to remember the name would be looked into.

- (c) Councillor K Bentley, who raised the prospect of the Council having an officer position to act as a point of contact for residents of South Woodham Ferrers. Cllr Bentley stated that it would serve as an important link between the City Council and the Town of South Woodham Ferrers.

The Leader of the Council informed Cllr Bentley and the Cabinet that this was in effect the role of a local Councillor and that residents could contact their local Councillors or the Customer Service Centre for any queries.

At this point Cllr Gulliver left the meeting.

- (d) Councillor W Daden, who asked a question regarding covid vaccinations.

The Leader of the Council informed Cllr Daden that the Cabinet could only consider questions or statements, for matters which they were responsible for.

- (e) Councillor W Daden, who asked a question regarding the Broomfield & Little Waltham masterplan and the new access road planned to the hospital. Cllr Daden asked if the administration were aware why there was an absence of agreement with the hospital to enable this. Cllr Daden also asked if there was any sense in focusing on getting people to hospital if on arrival there was not sufficient parking, and also raised issues the access road may cause in puddling wood.

The Cabinet Member for Sustainable Development stated that the Planning Committee had approved the project subject to the S106 providing for a link road and that the matter would return if the link road could not be implemented. It was noted that it was not a matter for the Local Plan and that the proposed route would minimise the loss of any mature trees. The Cabinet also heard that the local plan had been consulted on many times, as well as the masterplan and the planning application. It was noted that final negotiations were now taking place to secure the link road.

- (f) Councillor B Knight, who offered his empathy to the current financial situation the Council found itself in and that it was not the fault of anyone in the room but due to external factors, such as the war in Ukraine and Covid. Cllr Knight highlighted that for the last two years, internal borrowings had taken place and it looked likely for a third year and asked when these would be paid back.

The Cabinet Member for Fairer Chelmsford informed Cllr Knight and the Cabinet that it was not uncommon to use reserves to fund capital programme expenditure rather than borrowing externally. The Cabinet heard that rising inflation and interest rates had placed the Council in a much more difficult financial position than anticipated.

The Leader of the Council also stated that it was acceptable to use money that was in the bank account to continue with capital projects and to tackle issues such as homelessness and that the money would be paid back.

- (g) Councillor R Massey who raised an item considered recently by the Policy Board regarding improvements to the Cathedral. Cllr Massey asked if the Council contributing to it financially was responsible in the current economic climate and was it not more important to fund front line services.

The Cabinet Member for Sustainable Development informed Cllr Massey and the Cabinet that, the project was only at its initial stages and would not be funded in full by the Council. It was noted that as the cathedral was a charitable organisation it could access other funding pots and that the recent decision was only to produce a scheme at this stage. The Cabinet also heard that public realm improvements were an important part of the Council's work and helped to enhance the offering of the City Centre.

- (h) Councillor I Grundy who raised concerns regarding the flood alleviation scheme being cancelled in the Margaretting area. Cllr Grundy highlighted that preparatory work had been started and the Parish Council were asking if a claim could be submitted for the scheme to be reinstated.

The Cabinet Member for Connected Chelmsford informed Cllr Grundy that they had been attending recent meetings regarding this matter, with the Environment Agency. It was noted that the scheme had been cancelled due to issues including land ownership. Cllr Goldman agreed to supply a written answer with more information on the matter and noted that money was set aside for projects of this nature.

(7.05pm to 7.47pm)

6.1 Self-Build and Custom Housebuilding Register – Consultation Feedback and Implementation of Locality Test (Sustainable Development)

Declarations of interest:

None.

Summary:

The Cabinet considered a report on the results of consultation on the adoption of a test to prioritise those with a local connection to Chelmsford for referral for self and custom housebuilding plots. The proposed Locality Test and its criteria had been supported by the Chelmsford Policy Board at its meeting on 26 May 2022 and the feedback from the consultation had indicated broad support for them.

Options:

1. Adopt or not the proposed Locality Test
2. Amend the proposed Locality Test

Preferred option and reasons:

The feedback from consultation indicated support for a Locality Test and the proposed criteria were regarded as fair and reasonable.

Discussion

The Cabinet Member for Sustainable Development informed the Cabinet that the report was seeking the adoption of a test to establish local connections of those who make applications. Consultation had been held following the Policy Board meeting and the results were summarised in the report. The results demonstrated a majority of respondents in favour and therefore it was proposed that it would come into effect on 13th December 2022.

RESOLVED that the Locality Test detailed in the report to the meeting be adopted for use as part of Chelmsford's Self-Build and Custom Housebuilding Register.

(7.48pm to 7.53pm)

6.2 Section 106 Spending Plan (Sustainable Development)**Declarations of Interest:**

None

Summary:

The report to the meeting set out a proposed plan for the use of Section 106 contributions from developments in Chelmsford and currently held by the City Council.

Options:

1. Endorse the S106 Spending Plan, as presented
2. Endorse the S106 Spending Plan, with amendments
3. Not endorse the S106 Spending Plan

Preferred Option and Reasons:

Option 1 would enable the City Council to spend the held balances within the timeframes specified by the S106 agreements.

Discussion:

It was noted that the report illustrated the proposed funding of S106 contributions and a summary table provided the relevant figures. It was also noted that details of each scheme were provided in the appendix and that there had been an amendment to recommendation 1 detailed below.

In response to a question raised regarding a low percentage of spending taking place in South Woodham Ferrers, the Cabinet Member noted that S106 money was generated from developments in those areas, hence why the majority at this stage was in the Beaulieu area for example. The Cabinet Member also agreed to write to the local ward member regarding

a highways scheme related to the Sainsburys in South Woodham Ferrers and whether it had been completed correctly.

In response to a further question, it was noted that for certain schemes it was up to the Local Highways Panel to work out how best to use the funding available

RECOMMENDED to the Council that the Section 106 Spending Plan detailed in the report to the meeting be approved, together with the following delegations:

1. The Director of Public Places, in consultation with the Cabinet Member for Greener and Safer Chelmsford, is authorised to spend the approved S106 contributions for Open Spaces and Strategic Sports Provision, as detailed in Appendices 1 and 3 and that any unallocated sums from the Strategic Sports and Recreation balances should be allocated to improve and upgrade City Council indoor and outdoor leisure facilities.
2. The Director of Sustainable Communities, in consultation with the Cabinet Member for Sustainable Development, is authorised to approve the S106 Healthcare allocations on receipt of the proposed spend from the NHS as set out in Appendix 4.
3. The Director of Sustainable Communities, in consultation with the Cabinet Member for Sustainable Development, is authorised to spend the approved S106 allocations for highways and transport as detailed in Appendix 5 and
4. The Director of Sustainable Communities, in consultation with the Cabinet Member for Fairer Chelmsford, is authorised to agree the spend of the approved S106 allocations for affordable housing projects as set out in Appendix 6.

(7.54pm to 8.05pm)

7. Health and Wellbeing Plan Update (Greener and Safer Chelmsford)

Declarations of Interest:

None

Summary:

The report to the meeting set out a refreshed Health and Wellbeing Plan for the Council.

Options:

1. To approve the Health & Wellbeing Plan
2. To approve with amendments the Health & Wellbeing Plan
3. To not approve the Health & Wellbeing Plan

Preferred Option and Reasons:

To approve the Health & Wellbeing plan so as to provide a focus for the City Council and its partners on the most important health and wellbeing issues facing the residents of Chelmsford.

Discussion:

The Cabinet Member for Greener and Safer Chelmsford highlighted that the plan had undergone significant changes since its initial introduction in 2019. The Cabinet heard that this was due to the evolving cost of living crisis and the impact of the Covid pandemic. It was noted that health and wellbeing was of great importance for all residents of Chelmsford and the plan helped identify where the Council can work together with residents and other groups. It was noted that the plan focused on all ages and different aspects including mental health. The Cabinet Member highlighted a wide range of responses during the refresh of the plan from different partners and thanked the officers and Councillors, involved in producing the new plan.

In response to a question, it was noted that it was difficult to design houses that met all possible future needs of residents, in terms of accessibility for example. It was also noted however that a Disabled Facilities Grant process was in place to enable people to remain independent in their own home, and at the Garden Community development the policies meant a percentage of new builds were being developed with lifetime accessibility in mind.

RESOLVED that the Health and Wellbeing plan be approved.

(8.06pm to 8.16pm)

8.1 Gateway to Homechoice Sub-Regional Allocations Scheme (Fairer Chelmsford)

Declarations of Interest:

None

Summary:

The Cabinet was invited to consider whether the City Council should join Gateway to Homechoice, a choice-based lettings system for operating a housing register and the allocation of affordable homes procured by a consortium of local housing authorities in Essex and Suffolk under which all local authorities in the Gateway to Homechoice region would have the same policy for the assessment of housing need and allocation of housing.

Options:

1. Retain the Council's existing policy and system for processing and prioritising applications for affordable housing
2. Become a partner of the Gateway to Homechoice scheme.

Preferred Option and Reasons:

Joining Gateway to Homechoice would provide more choice and mobility for applicants to the Council's Housing Register and make best use of existing housing supply.

Discussion:

The Cabinet was informed that available housing was not always suitable for the needs of those in temporary accommodation, it was noted that one element of the recent housing strategy was to join the Gateway to Homechoice scheme. The Cabinet heard that joining the scheme would allow some residents to bid for homes in a much wider area and it was felt

that around 70 households per year would benefit. It was noted that the report detailed various steps of the process and that to make the transition easier, additional staffing resources would be required ahead of joining the scheme in September 2023.

In response to questions, it was noted that, the scheme would allow someone to apply for housing from a single list operating across regions and that a written response with further detail would be provided. It was also noted that staff were already under pressure with workloads in the service and the extra resource would help to reduce that pressure. The Cabinet also heard that the greater capacity would be a net benefit if the scheme was joined.

RESOLVED that:

1. The current policy for the allocation of affordable homes be amended to facilitate the Council's Housing Service joining Gateway to Homechoice.
2. The Director of Sustainable Development be granted delegated authority to make the necessary amendments to this policy in consultation with the Cabinet Member for Fairer Chelmsford.
3. Additional staffing costs of £137,500 for the Allocations Team in Year 1 (2023/24) be approved, which from Year 2 (2024/25) will be funded through additional homes reducing TA demand and costs.
4. To enable recruitment to begin immediately, up to £60,000 additional budget for staffing be approved for 2022/23.

(8.17pm to 8.28pm)

At this point Cllrs Bentley and Roberts left the meeting

8.2 Financial Update Report

This item was accepted by the Chair as an urgent item due to it not being available for public inspection, five clear working days in advance.

Declarations of Interest:

None

Summary:

The Cabinet was asked to consider an update on the Council's financial position due to the adverse effects of a very significant rise in inflation as well as broader economic disruption. The report also detailed a number of recommended actions.

Options:

After consideration of the updated financial information, to:

1. Approve the actions identified and note the update,
2. Note the update and amend the actions, or
3. Approve the actions identified and note the update

Preferred Option and Reasons:

Approve the actions identified and note the update.

Discussion:

The Cabinet was informed that this report was not part of the usual finance reporting and was due to members needing to be alerted to how the cost of living crisis was impacting the City Council. It was noted that along with residents of Chelmsford, the Council itself was also being hit by rising costs and delays. The Cabinet heard that many aspects were well outside of the Council's control with inflation and interest rates at very high levels. It was noted that costs for running the leisure centres and refuse collections were rising significantly along with tender prices for contractors. The Cabinet also heard that the majority of the Council's income came from Council Tax which couldn't rise significantly and from fees and charges, due to ever smaller grants from Government. The Cabinet was informed that a balanced budget would be set but that there would be an overspend in the current year. It was noted that an urgent review of fees and charges would take place to protect the Council's reserves.

In response to questions and points made it was noted that issues such as the reduction in use of office accommodation and workforce planning would be looked at. It was also noted that at the moment additional expenditure for the Waterside development did not need to be approved and would be looked at when setting the budget. The Cabinet was also informed that there was an aspiration and vision to create a new theatre but along with any capital projects, was taking longer in the current economic climate.

The Leader of the Opposition noted that they would be asking further questions on the theatre redevelopment via email outside of the meeting. It was also noted that areas such as Waterside and the old swimming pool were of interest and that they would appreciate further detail on the various proposals set out in the report along with some alternatives. It was noted that they were hoping to offer constructive comments and fully understood the financial difficulties now being faced by the administration. The Cabinet Member for Fairer Chelmsford thanked the leader of the opposition for their support.

RESOLVED that:

1. Cabinet notes the updated financial projection.
2. Directors are asked to undertake an urgent review of fees and charges.
3. The additional capital expenditure identified in Appendix 1 Paragraph 1.24 be approved.

(8.29pm to 8.53pm)

9. Urgent Business

There were no items of urgent business.

10. Reports to Council

RESOLVED that Item 6.2, Section 106 Spending Plan, be the subject of report to the Council.

Exclusion of the Public

RESOLVED that under Section 100A(4) of the Local Government Act 1972 the public be excluded from the meeting for item 11 on the grounds that it involves the likely disclosure of exempt information falling within paragraph 3 of Part 1 of the Schedule 12A to the Act (information relating to the financial or business affairs of any particular person including the authority holding that information).

11. Grant Funding Affordable Housing Programme (Sustainable Development)

Public interest statement: It is not in the public interest to release details of this report at present, on the grounds that the report contains financial information from a third party that is commercially sensitive and to disclose it could be detrimental to them

Declarations of Interest:

None

Summary:

The Cabinet was requested to consider the award of a grant to a Registered Provider to support the provision of two schemes which would deliver larger affordable houses in the city. The grant funding programme through which the award would be made was funded from commuted sums from that had been received from developers in lieu of on-site affordable housing and which were ring-fenced for the provision of affordable housing elsewhere.

Options:

1. To approve the award of the recommended grant funding.
2. To refuse the award of grant funding.
3. To defer an award of grant funding.

Preferred option and reasons:

The award of the grant for the schemes detailed in the report to the meeting would enable the provision of additional affordable housing to meet identified priority housing need in the city.

Discussion:

The Cabinet Member for Sustainable Development stated the importance of being able to provide larger dwellings for those families that required them. It was noted that the award of the recommended grant funding would increase the supply of the existing housing stock and allow the Council to make better use of it. It was also noted that there were some legal aspects to be finalised before the funding would be awarded.

RESOLVED that the award of grant funding for the affordable housing schemes detailed in the report be approved, subject to the applicant entering into a grant funding agreement with the Council.

(8.55pm to 9.03pm)

The meeting closed at 9.03pm

Chair