

CHELMSFORD CITY COUNCIL
MINUTES OF THE MEETING OF THE COUNCIL
held on 21 February 2024 at 7pm

PRESENT:

The Mayor, L A. Mascot
The Deputy Mayor J A. Deakin

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

1. Apologies for Absence

Apologies for absence had been received from Councillors Bugbee, Canning, John, Sismey and Wilson.

2. Mayor's Announcements

The Mayor informed the Council of the recent, sad passing of former Mayor, Alan Arnot and a minutes silence was held in their memory. The Leader of the Council noted that they had been first elected in 1979 and served as a Councillor until 1983 before a further term from 2003 until 2015 representing Patching Hall ward and that during their second term they were elected as Mayor in 2010. The Leader of the Council paid tribute to Alan's work in their local community and within the wider Chelmsford community during their term of office, including their role as Mayor and involvement in town twinning. The Leader of the Council also stated that they were a respected member of the Community who would be sorely missed by all who had the privilege of knowing them.

The Mayor also reflected on the sad passing of former Councillor Dick Madden's wife and passed on their condolences to their family.

The Mayor also informed the Council of the 293 engagements and meetings that had been attended by themselves and the Deputy Mayor, which included events such as the Charity Show and Quiz Night. They also highlighted upcoming events including the YMCA Sleep Easy on 8th March, Caprice Concert on 9th March, Mother's Day Afternoon tea on 10th March, New City Voices Concert on 20th April and the Mayor's Charity Ball on 11th May.

3. Declarations of Interest

Members were reminded to declare at the appropriate time any interests that should be disclosed in the business on the meeting's agenda.

4. Minutes

The minutes of the meeting held on 6 December 2023 were confirmed as a correct record.

5. Public Questions

Two public questions had been submitted in advance of the meeting, the members of the public did not attend to ask the questions in person, but they had been published on the Council's website and circulated to all Councillors in advance.

The two questions related to the rewilding of Hoynors in Danbury which had also been discussed at Overview and Scrutiny Committee earlier in February. The first question proposed that a specific area be left to rewild, but that the main area should be regularly cut in the summer for residents to enjoy the amenity and for children to play safely. The first question also stated that many gardens on the estate were steep or small, leaving children to play in the street. They asked that informal recreation be catered for. The second question focused on the area being used for 45 years by residents for informal recreational use and should therefore be exempt from the Council's relaxation of grass cutting policy. They stated that the area was not too steep as mentioned by the Cabinet Member and that the happiness of residents should not come second to a policy showing little advantage and asked that the cutting of grass at the top of Hoynors be undertaken regularly in the summer months. They also stated that they were not against rewilding, if carried out properly in a suitable location.

In response the Cabinet Member for a Greener and Safer Chelmsford, thanked residents for submitting the two questions and informed the Council that they had visited the area in question earlier that day. They stated that the City Council would continue to apply the policy for creating and managing species-rich grassland to land in its control and would undertake another review of the implementation of the policy in this area during the upcoming growing season. This would detail if any further adjustments to the maintenance regime were appropriate in accordance with that policy. The Cabinet Member also stated that paragraphs 37 & 39 of the policy needed to be considered in the context of the overall policy, rather than in isolation. It was noted that the policy intent was very clear in creating connected grasslands, rich in native wildflowers, supporting more wildlife, that were more resilient to environmental change and which enhanced ecosystems and promoted biodiversity. It was also noted that the current approach would only be overridden if circumstances and specialist use demanded otherwise. It was also noted that the Council's policy was not one of rewilding as referred to. The Cabinet Member summarised by informing residents that the review was unlikely to result in regular close mowing of the entire area as this would be contrary to the policy.

(7.07pm to 7.14pm)

6. Cabinet Question Time

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

1. Question from Councillor J Armstrong to the Cabinet Member for a Greener and Safer Chelmsford

Many of my residents have complained to me that across the City Council at the end of the growing season, they have noticed that, after the Council had cut the grass, cuttings had not been removed or placed in designated compost heaps onsite. Please can the cabinet member confirm that, in future, in all areas designated for species rich grassland that cuttings will be removed or placed in designated compost heaps onsite?

In response the Cabinet Member for a Greener and Safer Chelmsford, stated that where possible and practical, cuttings were collected and removed after the end of season cut in accordance with the policy for creating and managing species-rich grassland. It was noted that they were collected and composted off site alongside other green waste from the City Council's parks and grounds maintenance operation, before being used as soil improver and mulch. It was noted that the team already had access to tractor-mounted equipment which had been deployed to collect and remove cuttings from larger areas. It was also noted that as part of the ongoing machinery replacement programme, alternative equipment with additional 'cut and collect' capability would be added to the fleet in April 2024, to provide more capacity in smaller more confined spaces.

In response to a supplementary question the Cabinet Member for a Greener and Safer Chelmsford stated that it was important to diminish between what was growing, to allow wildflowers to grow and that Cow parsley and ragwort were important elements of a species-rich grassland. They also stated that they would provide further information after the meeting on how different species were managed.

2. Question from Councillor A Thorpe-Apps to the Cabinet Member for a Connected Chelmsford

The subject of the Theatre refurbishment has been referred to at both Full Council and Cabinet and I am aware that a Task & Finish Group has been set up as part of the Overview & Scrutiny Committee to look into the reasons why the cost of the Modernisation Project – originally the Enhancement Project – increased dramatically from the original budget of £1m to a final cost of almost £4m. In addition, many of the 'Enhancements' were not carried out and this too is being examined by the Task & Finish Group.

My question relates to the reports made at Council & Cabinet and why residents have been given answers which, in my view, are less than accurate. For example: -

On the 10th of October 2023 at Cabinet, in answer to my question about the huge over-spend on the theatre budget the Leader stated, 'As we have said many times it was not an initial budget but an initial estimate. There has only been one budget for the theatre and that is the one we have delivered against.'

In the approved minutes of Full Council on 22nd March 2022 an update was recorded. This was not exposed to the public for commercial reasons but an increase in the budget was sought. It clearly states the 'original budget' had increased twice and costs had increased by 175%!

Members expressed concerns about this increase and the lack of detail in what was being delivered for the NEW Budget. This issue is important as it is clear the council faces difficult budget constraints.

Why have you continually tried to justify the massive overspend on the Theatre redecoration by making statements at Council meetings which, in my view, are at odds with the facts as set out on page 126 of the report to this meeting of Full Council?

Can you now confirm that the original BUDGET was £1m and that this has been successively increased to £3.246m by this Administration? Given it is over a year since the theatre eventually re-opened, will you please tell us what the total costs have been?

In response the Cabinet Member for a Connected Chelmsford stated that a task and finish group had already been set up, of which Cllr Thorpe-Apps was part of, to undertake a systematic and objective assessment of the Theatre refurbishment project. It was noted that the group would determine the level of achievement of the objectives, compare planned costs and benefits with actual costs and benefits, review the efficiency and effectiveness of the approach and working practices and to consider the overall value for money achieved. It was also noted that Cllr Thorpe-Apps had not attended the first meeting where the issues raised were discussed.

The Cabinet Member for a Connected Chelmsford also detailed the reports that had been made to Council and Cabinet in the past few years. These included a £1m figure for a redecoration project in 2021, which was best described as 'provision in the council budget' not a formal project budget and was well before any formal contract estimating had been made. It was noted that this then increased by £0.5m in recognition of the shortage and consequent increase in price of materials and that a final budget could not be set before the scope had been finalised and costed tenders for works returned. Council then heard that in March 2022, a capital budget of £2.75m was then approved by Full Council, where the initial scope was increased, both bringing forward and incorporating future planned capital works and expanding the ambition for the extent of the improvements as well as greatly improving community benefit and that this was the first time a budget had been approved. In October of 2022 an additional £500k was approved largely due to the increased use of external consultations, inflation and supply chain issues, it was however anticipated that the project would be completed within the budgeted £3.246m. The Cabinet Member for a Connected Chelmsford also referred to the significant overspend by the previous administration on the Riverside project which was a much larger amount of money than the sum being discussed. They also stated how successful the theatre had become and that it was being enjoyed by many residents.

Supplementary points were made regarding the relevance of public money, and the removal of free parking permits for hirers of the theatre and concerns that lessons

hadn't been learnt about managing a budget. In response the Cabinet Member for a Connected Chelmsford stated that questions could be asked at any time and that their previous response had answered the questions. They also stated that the theatre was bringing in extra income and had happy audiences and had been a worthwhile investment for the residents of Chelmsford. They also stated that due to the budget position, difficult decisions had to be made and this included the removal of parking permits for both small and larger hirers of the theatre. They also informed the Council that they could not guarantee that the task and finish group would report to the next Overview and Scrutiny Committee meeting as they did not know when the final figures would be settled, but this was expected to be under the budgeted £3.246m.

3. Question from Councillor S Scott to the Cabinet Member for a Connected Chelmsford

I welcome the theatre's new booking system called 'Spectrix' which allows people with a Disability to book accessible seats for themselves and their Carer.

However this is not matched by facilities available at the theatre itself, to support Disabled people. Despite the huge costs incurred, flexible seating and a 'Changing Places' facility for people with disabilities have never been provided.

When this was challenged I was told there was not enough room for a 'Changing Places' within the theatre and the solution was to have a mobile 'Changing Places' facility that would be made available for non-ambulant Disabled people with complex needs. Has this ever happened? If so when and at what cost? If not, what are the plans to make your promise a reality for Disabled people with heterogeneous requirements who attend the theatre?

In response the Cabinet Member for a Connected Chelmsford stated that as a result of the refurbishment, the Theatre team started work to develop a new policy and commitment to ensure there was a Changing Places provision at all relaxed performances post refurbishment. It was noted that the theatre was working to utilise the Council's mobile unit to provide sufficient space and equipment for people who had profound and multiple learning disabilities, as well as other serious impairments and who were often not able to use the toilet independently. Council heard that the mobile unit had undergone some essential maintenance and was being stored and used by Essex Cricket ground with an agreement for other organisations such as the Theatre to book and utilise it on an ad-hoc basis. It was noted that staff were currently sourcing a supplier who could transport, clean, empty and maintain the unit to maximise its use. It was also noted that the unit had been utilised throughout the summer by the Cricket Club and was working so well it was being used in the winter months by the Graham Gooch centre for disabled cricket club members. The Cabinet Member for a Connected Chelmsford also referred to other changes to the theatre to improve accessibility, including wider cubicles, wheelchair friendly counters and enhanced hearing loop tech across the building.

In response to a supplementary question asking for the facility to be available at all performances, the Cabinet Member for a Connected Chelmsford stated that they did not view the facility as an indulgence and wanted to make all performances accessible.

They asked for the Councillor to pass on any difficulties that their constituents had experienced so they could be looked into.

(7.14pm to 7.38pm)

7. Reports from the Cabinet on 30 January 2024

7.1 Local Council Tax Support Scheme 2024/25

The Council was required to approve a Local Council Tax Support Scheme for 2024/25. The Cabinet on 30 January 2024 had recommended that the 2023-24 scheme be retained in its current form.

RESOLVED that the Local Council Tax Support Scheme for 2023-24 be retained and adopted as the Scheme for 2024-25.

(7.39pm to 7.40pm)

7.2 Amendment to Council Tax Premiums in respect of empty properties

The Council was required to confirm the extension as agreed by Cabinet and Full Council in 2023 and at Cabinet on 30 January 2024 of Council Tax premiums levied in respect of empty properties once a property had been empty and unfurnished for 12 months or if a property was empty, substantially furnished and nobody's main residence (a second home), and to clarify implementation dates and exceptions.

RESOLVED that;

1. That the imposition of a Council Tax premium of 100% after a property has been empty and unfurnished for 12 months is effective from 1 April 2024 and;
2. That the imposition of a Council Tax Premium of 100% in respect of unoccupied dwellings, which are substantially furnished and nobody's main residence (second homes), is effective from 1 April 2025.

(7.41pm to 7.42pm)

7.3 Capital, Treasury and Investment Strategies 2024/25

The Council received a report setting out a proposed approach to the management of its cash, capital investments (the capital expenditure programme) and other types of investment, including property, which the Cabinet on 30 January 2024 had recommended be adopted.

RESOLVED that the Capital, Treasury and Investment Strategies 2024/25 as submitted to the meeting be approved.

(7.42pm to 7.43pm)

8. Budget for 2024/25

The Council had before it a report and recommendations from the Cabinet on the revenue budget for 2024/25 and its capital investments for that year. The proposed Council Tax resolution for the 2024/25 budget was included as part of the report.

The Leader of the Council introduced the 2024/25 Budget and started by thanking the Finance team and all budget holders across the Council, who had helped with proposals to save money, with ways that affected service levels as little as possible. They also thanked all Chelmsford City Council staff, who played a key role in running services for the district, through challenging recent years and highlighted that the staff at Chelmsford often went above and beyond what was expected of them.

The Leader highlighted the recent financial impacts of the pandemic and inflation that had significantly impacted the Council. They highlighted the budget gap of £7.5m, detailed the changes they would be making and stated that as referred to by Council Leaders across the Country, that the next budget cycle would be the last one where the books could be balanced without significant changes to services. They detailed a number of proposed actions, which included the use of reserves, business rate retention income, a review of the Capital programme, increases to fees and charges and further efficiencies, which had helped to set a balanced budget for 2024/25.

The Leader stated that central Government funding had continued to fall in real terms, with all Council's significantly worse off as a result, and highlighted the continued lobbying across the Country for greater assistance from the Government. They also referred to the estimated extra £226k of Government funding that Cabinet had been notified of, had now been confirmed by Government..

The Cabinet Member for a Fairer Chelmsford detailed the challenges faced by the Council in preventing homelessness and providing temporary accommodation. They detailed the assumption that by March 2025, 620 households would be in temporary accommodation and that this was a best working assumption. They highlighted the ever rising costs, an extra £3.7m in 2024/25, in this area and stated that they recognised the problem and as a result were reviewing policies and had formed a Council wide Housing action group.

The Leader detailed other cost pressures such as the rise in minimum wage and also highlighted the budget reductions that had been achieved in each of the last 5 years, in total leading to £6m of annual savings on the base budget since 2019. The Council also heard that the Capital and Investment programmes remained ambitious, with tree planting, affordable homes, homelessness prevention and other areas still at the forefront of the Council's future. They also detailed that even with potential borrowing being required in the future, the Council's debt would rise to 3.4x of its core spending, compared to the current 1.6x but still much lower than the County wide average of 5x. The Leader also referred the Council to Section 8 of the report which detailed the view from the S151 Officer that the proposed budget was both robust and sustainable.

Members of the Council from all sides, commended the clarity provided in the budget report and praised that it was clear to follow and thanked officers for their hard work in preparing the document.

Concerns were raised against the budget by opposition members including, the cost of future capital projects, including the Waterside development which would be the largest capital project the Council had undertaken and whether there had been sufficient consultation on the project. There was a request for details of the rise in car parking charges and other concerns included, the use of external borrowing to fund the capital budgets with the result of higher financing costs on the revenue budget and vanity projects that were not specifically needed and expenditure on greener fuels. Members also referred to the significant reserves that had been left by previous administration, that were now helping the current administration, but the concern was that this was not sustainable and would not last much longer. The Council also heard concerns about there not being any degree of restraint on spending being demonstrated and that this was not sustainable whilst borrowing to fund and invest projects and the budget. The Council also heard that it appeared the majority of future expenditure was in the City Centre and there didn't appear to be much spending in other areas.

Other members of the Council reflected on the ever-increasing costs of temporary accommodation and noted the hard work that had and would continue to take place to tackle the issue. Members also reflected on the significant reduction in funding from central Government to all local authorities and expressed their desire for the issues facing local Government to actually be taken seriously by central Government. The Council heard of the importance of the vital services provided by local Government, that were consistently being placed under greater threat by the lack of funding or understanding from central Government. The Council also heard of the issues facing housing associations and that they also needed vital support from central Government.

The Council also heard concerns as to why no alternative budget proposals had been put forward by the opposition parties. It was noted that if the opposition parties did not support the budget, why had no alternatives been provided. It was also noted that significant consultation had taken place on the redevelopment of Waterside, that the administration had repeatedly acknowledged the financial problems they faced along with other local authorities and that a significant proportion of the budget gap was down to temporary accommodation. It was also noted that providing vital affordable housing, when it was the largest problem facing the Council, was not a vanity project and that if projects did not go forward then money would simply be owed back to Homes England, further worsening the budget position. The Council also heard of the difficulties especially being faced by young residents who struggled to afford to live in Chelmsford and the increasing importance of affordable housing being provided.

The Leader of the Council responded to the concerns raised and points made during the discussion of the budget. They stated that their administration had topped up the reserves, via VAT refunds and other areas. They felt that it was difficult to understand the concerns raised regarding spending being proposed, to tackle the specific problems that the Council faced. They also highlighted the increasing importance of the Climate and Ecological Emergency that they had declared in 2019 and that they would not accept criticism for tackling those issues. They also clarified the consultation that had taken place on the Waterside development and queried the number of affordable homes provided by previous administrations. They also agreed to circulate the changes to the car park charges. They stated that they did not need external

borrowing for the Chelmer Waterside infrastructure and expressed the importance involved in completing the development. They highlighted the ever-increasing problem of temporary accommodation and the amount of children who were having to live in hotels, as there was simply not enough affordable homes in Chelmsford for them. They stated that they were not selling off significant assets and that the majority of expenditure was in the centre as that was where the majority of residents lived, but expenditure was taking place elsewhere including at the South Woodam Ferrers pool and tree planting across the City. They stated that they hoped the concerns of local Government would finally be acknowledged and acted upon by central Government and thanked the S151 Officer and their team for their help in preparing the budget papers.

On being put to the vote, the budget proposed in the report to the meeting was approved, with the voting being as follows:

For the motion: Cllrs Adutwim, D Clark, H Clark, Davey, A Davidson, C Davidson, Dudley, Eley, Franks, Foster, Frasca, Fuller, M Goldman, S Goldman, Hall, Hawkins, Lardge, Lee, Moore, Pooley, Rajesh, Robinson, Sampson, Sherlock, A Sosin, J Sosin, Thompson, Tron, Walsh and Young

Against the motion: Cllrs P Clark and Hyland

Abstained: Cllrs Armstrong, Chambers, Davis, Deakin, Dobson, Grundy, Jeapes, Knight, Mascot, Massey, O'Brien, Pappa, Potter, Raven, Scott, Steel, Sullivan, Taylor, Thorpe-Apps and Whitehead

RESOLVED that;

1. That the Council notes the report of the Section 151 Officer on the risks and robustness of the budget in **Section 8 (Appendix 1)**.
2. That the Council approves:
 - A. The budget report in **Appendix 1**, including:
 - i. The new Capital investments in Council Services and the delegations to undertake them in **Section 5** Table 13 and 13a.
 - ii. The Revenue Budgets in **Section 10** and Capital Budgets in **Section 11**
 - iii. An increase to the average level of Council Tax for the City Council increasing the average annual Band D Council Tax to £221.52 in **Section 9**
 - iv. The reserves and budget forecast shown in **Section 7**
 - v. Special expenses, Parish tier Councils precepts as identified in **Section 9, Table 22**.
 - vi. Delegation to the Chief Executive to agree after consultation with the Leader of the Council the pay award for 2024/25 within the normal financial delegations.
 - B. The Council Tax Resolution in **Appendix 2** which fulfils the legal requirements to set a Council Tax for 2024/25.

(7.44pm to 8.46pm)

9. Pay Policy Statement 2024/25

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 2024-25 be approved.

(8.46pm to 8.47pm)

The meeting closed at 8.47pm

Mayor