

RECORD OF EXECUTIVE DECISION

The Executive decisions below have been taken by officers and come within the following Categories:

A - Decisions taken by Chief or Senior Officers pursuant to specific delegation by Cabinet

B - Decisions which may be of interest to the public, regardless of monetary value

C - Decisions taken under powers delegated in the Scheme of Delegation to Officers which are not purely operational or functional

D - Decisions involving expenditure in excess of £100,000 but less than the Key Decision threshold of £200,000

Notice of proposed Executive Key Decisions is given in the Executive Decisions Notice elsewhere on this webpage

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Last updated: 11 November 2020

Decision Number & Date of decision: Subject (Category of decision): Decision	Decision-maker and Officer contact:	Options available to decision-maker:	Preferred option and reasons for choosing it:	Conflicts of interest
3/2020 – 10 November 2020 Digital Portfolio Office Following successful completion of the pilot for the DPO agreed by Council on 26 February 2020, the Chief Executive, acting under delegated authority, agreed to release funding of £500,000 earmarked in reserves	Chief Executive Nick Eveleigh Nick.eveleigh@chlemsford.gov.uk	Continue or not with the DPO project	The project to date has proved its worth and continuing it will provide benefits through better use of digital technology to improve efficiency and improve the provision of services	None

to continue the DPO process and progress further projects				
<p>2/2020: 26 March 2020</p> <p>Vulnerable Persons Resettlement Scheme</p> <p>The Director of Financial Services and Portfolio Holder have agreed to give conditional approval as the relevant local housing authority to representatives of Brentwood diocese and their community group to progress with proposal to the Home Office for the provision of accommodation and support under the government's Community Sponsorship programme for the Vulnerable Persons' Resettlement Scheme for families being resettled from Syria and other counties in the middle east. Conditional approval has already been given by Essex County Council as the relevant authority for education and social care.</p>	<p>Director of Financial Services</p> <p>Paul Gayler</p> <p>Paul.gayler@chelmsford.gov.uk</p>	<p>None. The decision implements a delegation agreed by the Cabinet on 28 January 2020</p>	<p>Not applicable</p>	<p>None</p>
<p>1/2020: 9 March 2020</p> <p>Business Rates Pooling (A)</p> <p>In order to comply with the statutory deadline for the</p>	<p>Director of Financial Services</p> <p>Amanda Fahey</p>	<p>None. Implementation of a decision of the Cabinet, which in making it had considered the options available</p>	<p>n/a</p>	<p>None</p>

<p>creation of business rates pools for 2020/21, lead authorities for existing pools were required to signal to Government their intention to continue as a pool, dissolve or reform under a new pool, by 25th October 2019. As this deadline did not allow for detailed modelling to be prepared at that time, the Cabinet resolved at its meeting of 15th October 2019, that:</p> <ol style="list-style-type: none">1. the principle of the Council joining an Essex Business Rate Pool for 2020/21 be approved; and2. the Director of Finance, after consultation with the Cabinet Member for Fairer Chelmsford, be authorised to finalise the pooling arrangements and documentation to give effect to resolution 1. <p>Subsequently, all 15 members of the 2019/20 pool have agreed to remain in the 2020/21 Pool and detailed modelling has been undertaken based on statutory business rate estimates (NNDR1) returned by all authorities and in line with the arrangements previously</p>	<p>Amanda.fahey@chelmsford.gov.uk</p>			
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<p>existing in 2019/20. The estimated benefit to Chelmsford City Council of membership of the pool is approximately £1m. Pursuant to resolution 2 above, the Director of Finance having consulted the Cabinet Member for Fairer Chelmsford, has now agreed the final arrangements and documentation to give effect to the Council joining the Essex Business Rates Pool for 2020/21.</p>				
<p>10/2019: 19 November 2019 Housing Infrastructure Fund (A) The City Council has signed a Grant Funding Agreement with Homes England to provide up to £10.7 million of funding from the government's Housing Infrastructure Fund to support new housing in Chelmer Waterside</p>	<p>Director of Sustainable Communities Stuart Graham stuart.graham@chelmsford.gov.uk</p>	<p>This puts into action a previous decision of the Cabinet and the consideration of options was therefore not applicable</p>		<p>No</p>
<p>9/2019: 22 October 2019 Garden Communities Programme (D) The City Council has received an award of £150,000 from the Ministry of Housing, Communities & Local</p>	<p>Director of Sustainable Communities Claire Stuckey Claire.stuckey@chelmsford.gov.uk</p>	<p>The award is conditional on the money being spent on the Garden Communities Programme so other options for its use were not considered</p>		<p>No</p>

<p>Government (MHCLG) Garden Communities Programme to support capacity funding to support the delivery of North East Chelmsford for the 2019/2020 financial year. The Director of Sustainable communities has decided to spend the award on evidence base studies and external expertise</p>				
<p>8/2019: 3 October 2019 Coval Lane Building Window Replacement (A) Following approval of Capital Programme by Council in February 2019 and reported to Audit Committee in June 2019, the Coval Lane Office Window Replacement Project was tendered, and following tender evaluation it has been decided to award the contract The Window Company (Contracts) Limited. The total value of this contract is £324,446, which is below the approved budget. The winning supplier is a Chelmsford based company.</p>	<p>Director of Public Places Keith Nicholson keith.nicholson@chelmsford.gov.uk</p>	<p>Accept or not accept the lowest tender received</p>	<p>Accept the tender described as it is the lowest and there is no reason to believe it is not realistic</p>	<p>No</p>

<p>7/2019: 29 August 2019 Public Spaces Protection Order (A) To approve the variation and extension of the city centre Public Spaces Protection Order (PSPO)</p>	<p>Director of Public Places Paul Brookes paul.brookes@chelmsford.gov.uk</p>	<p>To approve, not approve or vary the existing PSPO</p>	<p>Approving the PSPO would be the most effective method of reducing unnecessary nuisance and litter</p>	<p>None</p>
<p>6/2019: 11 April 2019 Lease of Business Units (C) Grant of a Licence of Consent to assign the Headlease and Underleases of Units 1/2, 3 and 4 Robjohns Road, Widford Industrial Estate.</p>	<p>Chief Executive Joe Reidy joe.reidy@chelmsford.gov.uk</p>	<p>Grant or not grant the leases</p>	<p>Granting the lease would be financially advantageous to the Council and enable the businesses to continue their operations</p>	<p>None</p>
<p>5/2019: 28 March 2019 Busking in the City Centre (B) To implement a voluntary code of conduct to manage busking in the city centre</p>	<p>Director of Public Places Paul Brookes paul.brookes@chelmsford.gov.uk</p>	<ol style="list-style-type: none"> 1. Do nothing 2. Use of formal enforcement power 3. Introduce the voluntary code 	<p>Option 3 as it achieves the objective without having too tight controls that are contrary to the principles of busking</p> <p>Option 1 was discounted as there has been an increasing number of complaints from the public about the activities of buskers</p> <p>Option 2 was discounted as an over-zealous approach that is better tackled by a voluntary code</p>	<p>None</p>

<p>4/2019: 22 February 2019 Leisure Services Pricing Strategy (A) In accordance with authority given by the Cabinet on 16 October 2018, the final future pricing strategy and specific fees and charges for the Council's main leisure facilities were approved by the Director of Public Places after consultation with the Cabinet Member for Leisure Call-in expiry: Midnight, 15 March 2019</p>	<p>Director of Public Places Jon Lyons jon.lyons@chelmsford.gov.uk</p>	<p>The options relevant to this decision were those before the Cabinet at its meeting on 16 October 2018</p>	<p>The final policy and charges would put in place a competitive pricing strategy that would attract and retain customers of the facilities, promote healthy living and achieve budgetary targets.</p>	<p>None</p>
<p>3/2019: 31 January 2019 Beaulieu Community Use Agreement (A) Authorise the entering into of a Community Use Agreement with Beaulieu Park School which will enable public access to sports facilities at the school upon the terms and conditions set out in the agreement Call-in expiry: Midnight, 7 February 2019</p>	<p>Director of Public Places Mark Owers mark.owers@chelmsford.gov.uk</p>	<ol style="list-style-type: none"> 1. Enter into the agreement on the proposed terms 2. Enter into it on different terms 3. Not enter into the agreement 	<p>Option 1. The agreement is in the interests of the owners and operators of the facility and those contributing to its provision, which is in turn beneficial to the local community</p>	<p>None</p>
<p>2/2019: 10 January 2019 Grant of New Lease (D)</p>	<p>Chief Executive Joe Reidy</p>	<p>Grant or not grant the lease</p>	<p>Granting the lease would be financially advantageous to the Council and enable the</p>	<p>None</p>

Grant of new lease to Great Baddow and District Royal British Legion of the clubhouse at Chelwater Chelmsford CM2 7RA	joe.reidy@chelmsford.gov.uk		Club to continue its operations	
1/2019: 10 January 2019 Land in Victoria Road (D) Disposal of strip of land on Victoria Street, forming the frontage of the former Post Office site, to Bellway Homes Ltd (Essex)	Chief Executive Joe Reidy joe.reidy@chelmsford.gov.uk	Dispose of or retain the land	Disposal of the land would be financially advantageous to the Council	None
19/2018: 19 November 2018 Award of Contract for Operation of Café at Chelmsford Museum (A) To enter into a contract with Lemon Tree for the operation of the cafe	Director of Corporate Services Rosa Tanfield rosa.tanfield@chelmsford.gov.uk	<ol style="list-style-type: none"> 1. Award the contract to Lemon Tree 2. Award the contract to another company 3. Do not operate a café at the Museum 	Option 1. Lemon Tree submitted a robust tender, has demonstrated experience in the industry, is reputable and is financially sound. The presence of a café would help attract visitors to the Museum and Oaklands Park	None
18/2018: 18 October 2018 Appointment of Contractor for Fit-out Works at Museum (A) To appoint and award the contract to The Hub as the display fit-out contractor for the Chelmsford Museum redevelopment project, in accordance with the resolution	Director of Corporate Services Rosa Tanfield rosa.tanfield@chelmsford.gov.uk	<ol style="list-style-type: none"> 1. Award the contractor to another company 2. Not proceed with the contract 	The contractor submitted the most competitive tender, has experience of this type of work, is reputable and financially sound	None

of Cabinet on 12 September 2017				
17/2018: 1 October 2018 Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018 (C) To set the levels of fees for new inspection requirements under the above Regulations	Director of Public Places Paul Brookes paul.brookes@chelmsford.gov.uk	The fees have been calculated using LGA "Open for Business" guidance and the Draft Guide for Fee Setting for these Regulations No other basis for the setting of the fees was considered	Use of the guidance means that the fees are consistent with those charged by other authorities and meet the requirements of the Regulations	None
16/2018: 1 October 2018 Purchase of Unit 5 Buckingham Court (A) To purchase the above property	Director of Finance richard.wilson@chelmsford.gov.uk	To purchase the property or not	The purchase would be in the Council's financial interests	None
15/2018: 25 September 2018 Bell Meadow Improvement Project, Phase 2 (D) To award the works to construct phase 2 of the Bell Meadow Improvement Project. To construct a pedestrian bridge between Bell Meadow and Sky Blue (and associated Civil Engineering, path improvement works and landscaping), Contract value £100k	Director of Public Places paul.vandamme@chelmsford.gov.uk	No other options were considered. The project, expenditure and options at the time were first approved at Cabinet on 18 April 2017 item 7.3 (Strategic S106 Spending Plan).	Not applicable	None
14/2018: 14 August 2018 Cemetery and Crematorium Regulations (A)	Director of Public Places Paul Brookes	No options were presented. This was a general updating of the	The review was carried out under delegations to officers 3.4.6.27 "Provision,	None

<p>The Cemetery and Crematorium Regulations have been updated in consultation with the Cabinet Member for Parks, reflecting the need for housekeeping and to add the Columbarium regulations (previously a separate set of regulations).</p>	<p>paul.brookes@chelmsford.gov.uk</p>	<p>Regulations rather than a detailed revision</p>	<p>development and management of the Cemetery and Crematorium." and "3.3.2 (i) Functions of Cabinet members and Areas of Responsibilities E (v) Parks; all matters relating to the cemeteries and crematorium."</p>	
<p>13/2018: 27 July 2018 Responses to Local Plan Consultations (A)</p> <p>To submit as this Council's responses to formal consultation the comments on the Local Plan documents of Harlow, Castle Point and Uttlesford Councils endorsed by the Development Policy Committee on 26 July 2018</p>	<p>Director of Sustainable Communities Jenny Robinson jenny.robinson@chelmsford.gov.uk</p>	<p>No options were presented as the proposed comments represented the officers' professional opinions on the Local Plan documents</p>	<p>Not applicable</p>	<p>None</p>
<p>12/2018: 21 June 2018 Film Classification Fee (C)</p> <p>To introduce a fee of £180 for the Council, when asked, to provide a film classification</p>	<p>Director of Public Places Paul Brookes paul.brookes@chelmsford.gov.uk</p>	<ul style="list-style-type: none"> • Adopt the proposed levels of fees and charges. • Adopt the proposed levels of fees and charges subject to any amendments that are considered necessary • Not adopt the proposed fees and charges 	<p>The Council is under an obligation to ensure that, so far as is possible, the cost of maintaining the regime is met by fees charged. The proposed fee is estimated to cover the actual cost to the Council of classifying a film</p>	<p>None</p>

<p>11/2018: 4 June 2018 Empty Homes Strategy (B)</p> <p>Following a review of the Council's existing empty homes strategy which details the Council's approach to long-term empty homes, the existing strategy was refreshed and republished (version 2.0). Decision taken in consultation with Cabinet Member for Housing.</p>	<p>Director of Public Places</p> <p>Paul Brookes paul.brookes@chelmsford.gov.uk</p>	<p>The only other option was not to update the strategy</p>		<p>None</p>
<p>10/2018: 23 May 2018 The acquisition of property in connection with the development of John Shennan Field (C)</p> <p>The property is to be acquired as part of the overall development strategy for the larger site.</p> <p>Pursuant to my delegated power in Paragraph 2(a)(vi) of the Officer Scheme of Delegation, on the grounds of urgency, after consulting the Leader, I hereby authorise the purchase of the property as</p>	<p>Chief Executive</p> <p>Joe Reidy joe.reidy@chelmsford.gov.uk</p>	<ol style="list-style-type: none"> 1. Acquire the property 2. Not to acquire the property 	<p>Option 1 – For the long term benefit of the development.</p>	<p>None</p>

<p>described and on the terms negotiated as set out in this letter and also the allocation of the capital budget to complete the purchase of the property.</p>				
<p>9/2018: 10 May 2018 Charges for Food Hygiene Rating Revisits (C) That Chelmsford City Council introduce a charge to businesses for requested inspection revisits under the Food Hygiene Rating Scheme. That the charge be set at £200 based upon full cost recovery. Director of Financial Services and Cabinet Member for Safer Communities consulted in accordance with part 3.4 1(a) & (b) of the Council's Constitution</p>	<p>Director of Public Places Paul Brookes paul.brookes@chelmsford.gov.uk</p>	<ol style="list-style-type: none"> 1. Introduce the charge as proposed 2. Continue not to charge for revisits 	<p>Re-inspection is at the request of the food business due to a poor food hygiene rating score and the business wishing to be rescored. It is reasonable that this cost should be met by the food business and £200 reflects the actual cost to the Council of re-inspection.</p>	<p>None</p>
<p>8/2018: 11 May 2018 Land at Sandford Mill, Chelmsford (C) To authorise the execution of a lease of six months to Natural Foundations (NF) in relation to land at Sandford Mill, subject to NF completing a Deed of Surrender in respect of the original agreement of the land</p>	<p>Chief Executive Joe Reidy joe.reidy@chelmsford.gov.uk</p>	<ol style="list-style-type: none"> 1. Authorise the execution of the lease under the proposed terms 2. Not authorise it and allow the original agreement to lapse 	<p>Option 1 as this would regularise the tenant's occupation of the site, allow time for NF to find an alternative site, and protect the Council's interest in the land</p>	

<p>The decision was exempted from call-in in accordance with Executive Rule 4.4.7.6 as the notice for NF to quit the site expired on 10 May and, to protect them and the Council, a new lease needed to be executed immediately</p>				
<p>7/2018: 10 May 2018 Acquisition of 86 Springfield Park Avenue (A) To purchase 86 Springfield Park Avenue and to relocate to it a current occupant of one of the leased properties at 1-8 Brockley Road to enable them to be demolished as part of the Lockside regeneration scheme</p>	<p>Director of Financial Services Joe Reidy joe.reidy@chelmsford.gov.uk</p>	<ol style="list-style-type: none"> 1. Acquire the leased property on Brockley Road compulsorily, which would have delayed the regeneration of the area 2. Sell it to a developer with the leaseholder in situ, which would affect the value of the land and created uncertainty for the leaseholder. 3. Acquire 86 Springfield Park Avenue and relocate the leaseholder to it 	<p>Option 3 as a delay in the acquisition of the property would delay the overall scheme for the regeneration of the Lockside Growth Area, to the financial detriment of the Council</p>	<p>None</p>
<p>6/2018: 9 May 2018 45a Baddow Road (A) To purchase 45a Baddow Road, Chelmsford as part the Lockside Growth Area plans</p>	<p>Director of Financial Services Joe Reidy joe.reidy@chelmsford.gov.uk</p>	<p>Purchase or not purchase the property</p>	<p>Purchasing the property would assist with achieving this Council's plans to regenerate the area</p>	<p>None</p>
<p>5/2018: 9 May 2018 Sandford Mill (A)</p>	<p>Director of Financial Services Joe Reidy</p>	<p>Grant the lease or not grant it</p>	<p>Granting the lease will deliver the best outcome for</p>	<p>None</p>

To grant a lease of land and Sandford Mill and to enter into agreements associated with this letting.	joe.reidy@chelmsford.gov.uk		the Council in managing its assets.	
4/2018: 30 April 2018 Castle Kiosk, Hylands Park (C) To grant a lease of the kiosk for the provision of refreshments	Director of Financial Services Bob Palmer bob.palmer@cherlmsford.gov.uk	Grant the lease or not grant it	Granting the lease will enable a service to be provided to the users of the Park and provide a source of income to the Council	None
3/2018: 12 March 2018 Charges for Wedding Hires at Hylands House (A) To implement a range of changes to the wedding pricing structure at Hylands for 2019 to improve consistency and reflect demand for different days of the week. The revised structure also incorporates a bar surcharge within the pricing structure which had previously being added to the price separately. A 3% increase in proposed for charges for 2020.	Director of Community Services Jon Lyons jon.lyons@chelmsford.gov.uk	Continue with the existing pricing structure which did not maximise the potential income from bookings. In addition, a bar surcharge could continue but proved unpopular and confusing with to customers.	Significant work was carried out assessing the pricing structures of similar competitors and this has informed the decision-making process	None
2/2018: 26 March 2018 Chelmsford Museum Project (A) To appoint Beardwell Construction Ltd as the main contractor for the	Chief Executive in absence of the Director of Community Services John Peacey john.peacey@chelmsford.gov.uk	<ol style="list-style-type: none"> 1. Award the contractor to another company 2. Not proceed with the contract 	The contractor to whom the contract is to be awarded has experience of this type of work, is reputable and financially sound, and	None

<p>redevelopment works at Chelmsford Museum (as per authority given by Cabinet on 12.9.17)</p>			<p>submitted the most competitive tender</p>	
<p>1/2018: 13 March 2018 Management Agreement with Chelmer Housing Partnership (C and D)</p> <p>Pursuant to my delegated power in Paragraph 2(a)(vi) of the Officer Scheme of Delegation, on the grounds of urgency as an executive decision is required immediately to enable a contract to commence on 2 April 2018 and having consulted the Leader of the Council, I hereby authorise:</p> <ol style="list-style-type: none"> 1. The completion of a Management Agreement with Chelmer Housing Partnership for private sector leased properties and Council owned temporary accommodation including modular accommodation; 	<p>Chief Executive Nick Eveleigh nick.eveleigh@chelmsford.gov.uk</p>	<ol style="list-style-type: none"> 1. Enter into the Management Agreement 2. Retain the existing arrangements for managing private sector leased properties and modular housing units 	<p>Option 1. Entering into a Management Agreement with CHP provides an efficient means by which to manage properties used to provide housing for homeless people in Chelmsford. It makes use of the experience and expertise of CHP in the management of accommodation and furthers the objective of the Council to provide additional housing of a good quality to those in temporary accommodation. The additional costs associated with the Agreement are expected to be recovered over a period of time through a reduction in direct expenditure on the management of such properties.</p>	<p>None</p>

<p>2. A budget amendment where savings derived from implementing the contract meet the cost of the contract. The amendment being made up of a reduction in Housing Service maintenance budgets (£20k) and due to a higher rate of collection an increase in Housing Service rent budgets (£140k), which will be used to establish a budget to meet the cost of the contract (£160k).</p>				
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