

**MINUTES OF  
CHELMSFORD CITY COUNCIL CABINET**

on 13 July 2021 at 7.00pm

Present:

**Cabinet Members**

Councillor S J Robinson, Leader of the Council (Chair)  
Councillor M C Goldman, Deputy Leader and Cabinet Member for Connected Chelmsford  
Councillor C K Davidson, Cabinet Member for Fairer Chelmsford  
Councillor M J Mackrory, Cabinet Member for Sustainable Development  
Councillor R J Moore, Cabinet Member for Greener and Safer Chelmsford

**Opposition Spokespersons**

Councillors K Bentley, W Daden, S Dobson, R Hyland,  
I Roberts, M S Steel and R T Whitehead

Also present: Councillor A Thorpe-Apps

### 1. Apologies for Absence

Apologies for absence were received from Councillors N Gulliver, J Galley, R J Poulter, J Raven and M Sismey, Opposition Spokespersons.

### 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 8 June 2021 were confirmed as a correct record. No decisions at that meeting had been called in.

#### 4. Public Questions

A representative of the Marconi Volunteers referred to the equipment from the former Marconi company that was currently stored at Sandford Mill and the Council's requirement that it be removed as part of Chelmsford Museum's application to retain its accreditation with the Museums, Archives and Libraries Council. He asked whether the Council was able to assist in finding alternative storage for the equipment close to its present location.

The Cabinet Member for Connected Chelmsford said that the presence of the equipment, which was a private collection and not stored or maintained by the Museums Service, could adversely affect the application for accreditation, hence the request that it be removed. The Council was willing to assist with the relocation of the heavier items in the collection and provide temporary storage for anything that could not easily be relocated to the planned alternative facilities in Lincolnshire, but it could not commit to providing a long-term storage facility for the collection.

(7.03pm to 7.15pm)

#### 5. Members' Questions

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

- (a) Councillor R T Whitehead on whether the Museum accreditation process prohibited the storage of private collections; whether the whole of Sandford Mill was regarded as part of the Museum for accreditation purposes; and, if not, whether a part of it not being used by the Museum could act as storage for the Marconi collection.

The Cabinet Member for Connected Chelmsford reiterated parts of her earlier response to the question from the representative of the Marconi Volunteers, adding that storing at taxpayers' expense private items that did not belong to the Museum was not appropriate in the context of the need to maintain the Museum's accreditation.

- (b) Councillor M Steel on whether parish councils could receive notifications of applications for premises licences under the Licensing Act 2003.

The Cabinet Member for Greener and Safer Chelmsford replied that the Council's statement of licensing policy referred to responsible authorities as prescribed within the Licensing Act 2003 being notified about applications. No other body could be added to that list and be regarded as a 'responsible authority'. However, the Council consulted additionally with Ward Councillors as part of its procedure and was able to consult with Parish Councils in a similar manner. The Cabinet Member agreed with Councillor Steel that such consultation would benefit local communities therefore was pleased to confirm that from the beginning of August Parish Councils would be

informed of all licences applications. This would be in addition to the legal requirement for the application to be advertised on a public notice at the location, in the local newspaper, and on the Council's website for 28 days starting with the day following the day the application was given.

- (c) Councillor A Thorpe-Apps on whether the Cabinet was satisfied that publicity and communications on the proposed Traffic Regulation Order for the introduction of parking charges at Hylands Park was adequate.

The Cabinet Member for Fairer Chelmsford said that all possible publicity channels had been employed to advertise and make people aware of the Order, including placing notices in the Park. This and the response received to the first round of consultation satisfied him that the proposal was widely known among residents and users of the Park.

(7.15pm to 7.29pm)

## 6.1 Private Rented Sector Offer Policy (Fairer Chelmsford)

### Declarations of interest:

None.

### Summary:

At its meeting on 5 July 2021, the Chelmsford Policy Board had considered, and recommended to the Cabinet approval of, a proposed policy which would enable the Council to offer accommodation provided by private landlords, when appropriate and with the applicant's consent, as an option for discharging the Council's statutory duty to those who were homeless and entitled to an offer of settled accommodation.

### Options

Approve the policy, not approve it or ask that the policy be revised.

### Preferred Option and Reasons

The policy submitted to the meeting would assist the Council in its statutory duty to provide accommodation for homeless people and would increase choice for applicants to the housing register.

RESOLVED that the Private Rented Sector Offer Policy submitted to the meeting be approved.

(7.29pm to 7.32pm)

## 6.2. Treasury Management Outturn 2020-21 (Fairer Chelmsford)

### Declarations of Interest:

None

**Summary:**

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

**Options:**

The report was factual and no options were presented.

RESOLVED that the Treasury Management Outturn report for 2020-21 be noted and that the Council be recommended to endorse it.

(7.32pm to 7.34pm)

### 6.3. Capital Programme Update and Provisional Outturn 2020-21 (Fairer Chelmsford)

**Declarations of Interest:**

None

**Summary:**

The report to the meeting detailed capital expenditure incurred in 2020-21 and the resources used to finance it; set out variations to approved capital schemes and the Asset Replacement Programme; and presented a budget for asset replacements in 2021-22.

**Options**

Approve or revise the proposals for the replacement of assets in 2021-22.

**Preferred option and reasons**

The capital programme and the amendments to it ensured that it included the resources necessary to support the Council's priorities and objectives.

RESOLVED that the following be approved:

1. the proposed Capital Scheme cost increases of £188,000, shown in Appendix 1 of the report to the meeting and detailed in paragraph 3.1 of the report;
2. the proposed Asset Replacement Programme for 2021-22, the increase in scheme costs of £19,000 and the rephasing of spend of £269,000 from 2020-21 as shown in Appendix 3 and detailed in paragraph 4.2 of the report.

RECOMMENDED to the Council that it note:

3. the latest proposed budgets for capital schemes of £131.379m, shown in Appendix 1 and detailed in paragraph 3.1;

4. the outturn on the 2020-21 Asset Replacement Programme of £2.565m, shown in Appendix 3 and detailed in paragraph 4.1;
5. the Asset Replacement Programme for 2021-22 of £5.328m as shown in Appendix 3 and detailed in paragraph 4.2;
6. the proposed Asset Replacement programme deferred approved schemes from 2021-22 to 2022-23, £1.534m, shown in Appendix 3 and detailed in paragraph 4.2 of this report, be noted; and
7. the method of funding of the capital expenditure incurred in 2020-21, as set out in the table in paragraph 5.

(7.48pm to 7.58pm)

## 6.4 Medium Term Financial Strategy (Fairer Chelmsford)

### Declarations of Interest:

None

### Summary:

The Cabinet received an update on the Medium Term Financial Strategy (MTFS) for the period 2021-22 to 2025-26, approved by the Council in July 2020. The MTFS provided a financial framework to support delivery of the Council's priorities as set out in "Our Chelmsford; Our Plan".

### Options:

Approve or amend the Strategy submitted as Appendix 1 to the report.

### Chosen Option and Reasons:

The proposed Strategy provided a framework to commence preparation of the detailed budget for 2022-23, taking account of the latest financial projections over the medium term and the financial risks facing the Council.

### Discussion

Members were advised that much remained unclear due to both the absence of information about future government funding intentions and likely impacts of Covid. Whilst the forecasts, strategy and budgets would need to be flexible, greater clarity from the government was expected in due course and the projection of income should become more robust as the improvements brought by the vaccination programme became more apparent.

In response to a question, the Cabinet Member for Fairer Chelmsford said that it was still intended to develop Chelmer Waterside in partnership with a developer. In doing so, the Council wished to proceed as quickly as possible, not only to provide much needed affordable housing but to meet the timescales for the funding being received from Homes England. Asked about progress with plans for the site remaining after the development of

Riverside, the Cabinet Member said that initial proposals for this difficult site drawn up by a consultant had not been acceptable in planning terms and the approach to its redevelopment was being reviewed.

RESOLVED that the updated financial forecast be noted.

RECOMMENDED to the Council that it approve:

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

(7.38pm to 7.49pm)

## 7.1 Public Spaces Protection Order for Multi-Storey Car Parks (Greener and Safer Chelmsford)

### Declarations of Interest:

None

### Summary:

The Cabinet considered a proposal to make a Public Spaces Protection Order to prohibit certain activities in the multi-storey car parks in the city centre.

### Options:

Make, not make or amend the extent of the proposed Order.

### Preferred Option and Reasons

The proposed Order would help reduce the incidence of anti-social and criminal behaviour in the City Centre Multi-Storey car parks.

### Discussion

The Cabinet was informed that anyone who could not pay the fine for contravention of the Order would be prosecuted in the Magistrates' Court which would decide the most appropriate course of action, taking into account the circumstances of the individual concerned. The Cabinet Member also said that consideration would be given to providing notices and information in the car parks on how best the public could support rough sleepers and those asking for money.

RESOLVED that the Director of Public Places be authorised to make the proposed Public Spaces Protection Order in respect of city centre multi-storey car parks.

(7.49pm to 7.56pm)

## 7.2 Admirals Park – Proposed Designation as a Local Nature Reserve (Greener and Safer Chelmsford)

### Declarations of Interest:

None

### Summary:

The Cabinet was recommended to approve the designation of Admirals Park as a Local Nature Reserve.

### Options:

Make or not make the designation.

### Preferred Option and Reasons

The designation of the park would support the Council's Climate Change and Ecological Emergency Action Plan and the Green Infrastructure Plan.

### Discussion

Members were informed that the designation would not affect public access to the park for recreation purposes or its current management. There were no plans to introduce charges for car parking at the park.

RESOLVED that the declaration of part of Admirals Park as a Local Nature Reserve be supported and that Natural England be requested to add it to the register of Local Nature Reserves.

(7.56pm to 8.02pm)

## 8.1. CHESS Community Infrastructure Levy Allocation (Sustainable Development)

### Declarations of Interest:

None

### Summary:

The Cabinet was requested to confirm its previous decision to allocate £300,000 of Community Infrastructure Levy (CIL) funding to support the enhancement of services provided by CHESS in an alternative location.

### Options:

Confirm or not confirm the decision on the funding.

### Preferred Option and Reasons

The development of the CHESSE centre was an objective in the Council's Homelessness and Rough Sleeper Strategy and Action Plan for 2021 and the new location would have a number of benefits.

RESOLVED that

1. The allocation of the £300,000 from the CIL neighbourhood allocation in the unparished area for the purposes of CHESSE purchasing and developing a new assessment centre within the former Woodstock Motel building, Stock Road, Chelmsford be confirmed.
2. The Director of Sustainable Communities, after consultation with the Cabinet Member for Connected Chelmsford, be authorised to prepare the funding agreement between the Council and CHESSE to enable the transfer of funding to take place.

(8.02pm to 8.05pm)

## 8.2 South Woodham Ferrers and Writtle Neighbourhood Plans (Sustainable Development)

### Declarations of Interest:

None

### Summary:

The Cabinet received a report on progress on the preparation of draft Neighbourhood Plans for South Woodham Ferrers and Writtle. Approval was sought to delegate the next stages of their implementation to officers.

### Options:

Approve the delegation of the functions set out in the report or bring the necessary decisions on the Plans to the Cabinet.

### Preferred Option and Reasons

The delegation of decisions on the Neighbourhood Plans would avoid delay in carrying out the remainder of the statutory process.

RESOLVED that

1. The Director of Sustainable Communities, in consultation with the Cabinet Member for Sustainable Development, be authorised to complete the statutory functions on the production of the Neighbourhood Plans for South Woodham Ferrers and Writtle, including considering the examiner's report and recommendations, deciding what action should be taken in response, and, if applicable, deciding whether to proceed to referendum.

2. The update on progress on the draft South Woodham Ferrers Neighbourhood Plan and the draft Writtle Neighbourhood Plan be noted.

(8.05pm to 8.09pm)

## 9. Amendments to the Constitution (Leader)

### Declarations of Interest:

None

### Summary:

The views of the Cabinet were sought on proposed amendments to the Constitution being recommended to the Council by the Governance Committee.

### Options:

Support or propose changes to the proposed amendments.

### Preferred option and reasons

With the change referred to below, the proposed amendments would keep the Constitution up to date and meet the requirements of the Council.

### Discussion

Members felt that a slight amendment to the wording of the revised Rule on the timing of the submission of public questions at meetings would make it less prescriptive and allow the Chair of a meeting more discretion to accept questions that were not received before the proposed deadline.

RESOLVED that, subject to the word “must” in the first line of the new Rules 4.1.10.1 and 4.2.14.1 detailed in section 4 of the appendix to the report being replaced with “should”, the proposed amendments to the Constitution be supported.

(8.09pm to 8.15pm)

## 10. Urgent Business

There were no items of urgent business.

## 11. Reports to Council

RESOLVED that the following items be subject to report to the Council:

- Treasury Management Outturn (minute number 6.2)
- Capital Programme Update and Outturn (minute number 6.3)
- Medium Term Financial Strategy (minute number 6.4)

- Constitution amendments (minute number 9, as a report from the Governance Committee)

## 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 12 on the grounds that it involves the likely disclosure of exempt information falling within paragraphs 3 and 6 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 and information which reveals that the authority proposes (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or (b) to make an order or direction under any enactment).

## 12. Vacant Properties (Greener and Safer Chelmsford)

*Public interest statement:* It is not in the public interest to release details of this report at present on the grounds that knowing the address of the properties and the identity of the owners does not outweigh the personal and private interests of the owners, and making public the intention of the Council to make compulsory purchase order(s) in this instance may hinder its ability to do so and reduce the chances of bringing the properties back into residential use

### Declarations of Interest:

None

### Summary:

The Cabinet was requested to approve proposals for the acquisition of eight long-term empty properties that were in a poor state of repair if continued negotiations with their owners to bring them back into use were unsuccessful.

### Options:

Approve or not approve the delegations set out in the report to the meeting and the principle of making compulsory Purchase Orders for the properties.

### Preferred option and reasons

If they were required, the proposed measures would help bring the properties back into use.

RESOLVED that

1. The exercise of Compulsory Purchase Powers under the provisions of Section 17 of the Housing Act 1985 (as amended) in respect of the properties detailed in the report to the meeting be approved in principle and the Director of Public Places after consultation with the Legal and Democratic Services Manager is authorised to take all necessary action for the making, submission, confirmation and implementation of Compulsory Purchase Orders pursuant to Section 17 of the Housing Act 1985 (as amended) referred to in the report including the publication and service of all

(statutory) notices including High Court Enforcement notices and the presentation of the Council's case at any Public Local Enquiry; in respect of each of the properties identified within this report.

2. The Director of Public Places after consultation with the Leader of the Council be authorised to (i) acquire each or all of the properties compulsorily and to dispose of the properties where this is appropriate, (ii) to negotiate and conclude terms for the acquisition of each or all of the properties by agreement and to dispose of the properties where this is appropriate and (iii) to deal with all matters in relation to compensation and statutory interest including the institution or defending of proceedings as necessary.
  
3. The Legal & Democratic Services Manager is authorised, in consultation with the Director of Public Places, to appoint as necessary external legal advisors to progress the making of the Compulsory Purchase Orders and complete all necessary legal work arising from the above recommendations.

(8.18pm to 8.25pm)

The meeting closed at 8.25pm

Chair