

**MINUTES OF
CHELMSFORD CITY COUNCIL CABINET**

on 12 October 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, J Galley, I Roberts, M Sismey,
M S Steel and R T Whitehead

Also present: Councillors A Davidson and G H J Pooley

1. Apologies for Absence

Apologies for absence were received from Councillors R J Hyland and R J Poulter, 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 13 July 2021 were confirmed as a correct record. No decisions at that meeting had been called in.

4. Public Questions

The following questions were asked by members of the public:

- (a) Whether anyone purchasing a season ticket to park in Hylands Park would be guaranteed a parking space and whether there would be public transport from the city centre to Hylands Park.

The Cabinet Member replied that no guarantee could be given that season ticket holders would obtain a parking space. The fact that a season ticket did not guarantee a parking space had been explained explicitly in the comprehensive Parking Consultation Report and Proposals that was published in the summer.

There had been times when the car parks had been full and it had not been possible to find a parking space. That was not good for the park or for people wanting to visit. The introduction of parking charges was likely to reduce this excess demand. That should mean there would be capacity to enable everyone who wanted to visit Hylands by car to find a space in one of the car parks.

On the question of public transport, there was a bus service to Writtle, with a stop close to Paradise Road. That was the shortest walk to the park using public transport.

Like the Council, the questioner would probably like to see a direct route from the bus station to Hylands. The Council had been doing what it could to improve public transport options and would continue to do so. However, the reality was that the Council had no control over public transport. Buses were operated by private companies who would put on a service if they believed they could make enough money to run it.

- (b) Whether there would be further consultation on the proposal within the Chelmer Waterside Development Framework to remove four of the plots at the Hill Road Allotments; and the inconsistency in the Framework of removing the four-storey apartment block (which it was stated would result in the loss of plots when in fact it did not) and replacing it with the extension of the area for the Early Years nursery, which resulted in the loss of the plots.

The Cabinet Member for Sustainable Chelmsford replied that the Framework was a high-level planning guidance document covering a large and complex site area and confirmed how the policy objectives as set out in the adopted Chelmsford Local Plan could be met. It remained necessary to look in more detail at the specific scope and impact of each development area by means of a planning application, and that would give members of the public, including allotment holders and the newly formed Allotment Association, the chance to put forward further comments on these issues. However, the further work carried out by officers for the benefit of the Framework did look more specifically at the changes needed to meet the community and housing objectives of the allocated development site and these outcomes, particularly in the case of affecting active allotment plots, were not reached lightly. There were opportunities to provide ultimately a greater number of allotment plots

and new allotment site facilities through developer contributions. The Council would be working with those allotment holders affected to find them alternative plots.

The land needs were based on a number of factors, many of which were not usually identified at this stage of planning, but officers had been asked to look more closely at those allotment site impacts to better inform the Framework document. Site specific considerations such as the position of an existing ditch and the position of the allotment site entrance, and the national design standards for Early Years Nursery facilities which required regular shape and size of site, were key constraints in terms of siting and amount and shape of land needed for the nursery. The land needed to deliver an Early Years Nursery was anticipated to result in the loss of Plot Numbers 75-77. The Council would be working with those allotment holders affected to find them alternative plots.

For many of the same reasons, this area of the site was the most suitable for the Early Years Nursery facility. The Framework outlined the opportunities to provide ultimately a greater number of allotment plots and new allotment site facilities through developer contributions to balance those impacts. This had been made possible by removing that uncultivated allotment land which was allocated for housing development and would otherwise have come forward as housing development from the Framework.

- (c) Whether a subway could be provided as part of the improvement of the Army and Navy junction; the need for the proposed new segregated cycle route into the city centre to be provided as soon as possible; the inclusion in the design of a direct cycle route on the north side of Baddow bypass to the Sandon Park development site; and the preference that cycleways be provided on both sides of Van Diemens Road.

The Cabinet Member for Sustainable Development said that the provision of a subway was a technical matter for the County Council to assess but to his mind there were several complications associated with providing one: its ramps would take up space available at ground level for roads and cycleways; a pumping system would be needed to avoid flooding; and the layout of utilities would make it complicated to construct.

During consideration of the report on this subject later in the agenda, the Cabinet Member said that officers of the City and County councils were exploring ways to provide a direct cycle route from the Sandon development to the city centre, via the Army and Navy junction.

(7.03pm to 7.15pm)

5. Members' Questions

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

- (a) Councillor W Daden on whether the Council would respond positively to Chelmsford Hockey Club's request for its help to relocate a defibrillator outside of its clubhouse.

She also asked whether the Council would adopt a policy to encourage other sports clubs to make defibrillators easily accessible to the public

The Cabinet Member for Greener and Safer Chelmsford replied that the Council welcomed and supported any organisation that invested in a defibrillator and where appropriate made the defibrillator publicly accessible. The Council currently provided advice and guidance to organisations particularly in the sports and leisure sector and would continue to do so, including sign posting to grant schemes such as the Council's Community Grant Scheme administered by the CVS. It was not always feasible to locate defibrillators for general public access due to a number of factors, including requirement for an electricity supply and risk of vandalism, but the Council wholeheartedly supported the provisions of both the defibrillator and, where appropriate, the public accessibility of it.

Officers of the Council would shortly be meeting representatives of the Hockey Club to agree a preferred location for a defibrillator at its premises.

- (b) Councillor M Steel on whether the Council planned to repeat the Rocket O'clock campaign this year to promote the safe sale and use of fireworks.

The Cabinet Member for Greener and Safer Chelmsford said that it was the intention to build on the campaign the Council started last year. The core message would be to encourage people to either attend publicly organised events, or if they were having home fireworks to launch them during a window of time. This window of time would be determined after finding out the start times of all the local displays (which had not been established yet) and then a period of time over a couple of days would be agreed, so that they were concentrated rather than protracted over a longer period which would only prolong the disturbance for animals, pets and people with noise-sensitive conditions like anxiety, PTSD and autism.

The Council also consulted with Essex Fire & Rescue Service, as a courtesy, although their messaging would be much more focused around purely attending public displays and core firework safety tips.

A paid for social media campaign would be launched across all the platforms (Facebook, Twitter, Instagram, Tik Tok), with the above messaging and new graphics would be specially created that could be easily shared by everyone. This was planned to start in the week commencing 25 October and would run to 7 November. There would also be an article in City Life from 1 November, after Halloween. Councillors could also play a part in publicising the campaign and the safe and considerate use of fireworks.

A banner would be created for the Council's main website's home page with the core message.

- (c) Councillor S Dobson, who requested an update on the tree planting project.

The Cabinet Member for Greener and Safer Chelmsford replied that:

- 30,122 trees had been planted to date including mass woodland planting and standard/feathered trees in residential areas. In addition, 3,880 replacement whips for gapping up had also been planted. This number included all

planting on Council-owned land and parishes where the City Council organised tree planting, for example Danbury, Ford End, etc.

- The number of trees expected to be planted in the coming planting season was 16,500 plus 3,500 for gapping up. A gapping up rate of between 10% to 15% was usually expected, although with increasing seasonal extremes – very dry in 2020 and extremely wet in 2021 – this would vary year to year.
- The success rate for all tree planting areas was 87%. It tended to be lower where smaller planting stock was used in creating woodland areas, where establishment was expected to be at least 80%. These areas were planted more densely to allow for some losses before trees became established. The establishment rate for standard tree planting was 98%. There were some losses with larger tree stock, often due to vandalism. Establishment varied from site to site and there were patches which had failed on most sites, for example in particularly wet areas. To mitigate this, these were being gapped up with more wet tolerant tree species such as willows and poplar. Due to the nature of the planting, success rates for woodland tree planting should be assessed after five years rather than in the first year.
- The cost to date was £99,987 (up to spring 2021). The overall cost of the 10 year planting and aftercare programme was estimated to be £632,000.
- An aftercare programme for autumn/winter was in place and dates for volunteering sessions were on the Love Your Chelmsford website and were emailed out to volunteers direct via mailing lists. The Council employed a dedicated full time volunteer leader whose duties included coordinating the volunteers for planting and aftercare sessions. Mass woodland planting sessions were also communicated in the same way. Main tree stock deliveries were expected around the end of October until the end of November 2021.

- (d) Councillor I C Roberts on whether the Transport Assessment document published by Countryside as part of its planning application for proposed development at Strategic Growth Site 10, South Woodham Ferrers covered the whole of the development site, including that to be developed by Bellway Homes. He also asked whether reference to the current railway station as “Oaklands Meadows” station instead of South Woodham Ferrers station prevented validation of the application.

The Cabinet Member for Sustainable Development replied that Countryside had prematurely published on its website incorrect details of the planning application. These had since been removed and the City Council had requested a corrected submission. No planning application had been validated. Once validated, the planning application would be published on the City Council's website in the normal way.

- (e) Councillor J Galley on whether a leaflet or letter would be sent to those residents of Springfield likely to be directly affect by the Community Governance Review. He also asked whether there was a list of the properties that would be affected.

It was confirmed that whilst a list of the roads in question could not be provided at this stage, those residents affected by the creation of new parish councils in the

Garden Community area and Chelmer Village, and those in the Trinity and Lawns wards moving to Springfield parish, would be sent leaflets.

(7.12pm to 7.43pm)

6. The Chelmsford City Council (Parks, Sports and Recreation Grounds) (Hylands Park) (Off-Street Parking Places) Order 202* (Fairer Chelmsford)

Declarations of interest:

None.

Summary:

The report to the meeting set out the representations received to the above Order, the purpose of which was to introduce charges for car parking at Hylands Park. The Cabinet was requested to consider a number of changes to the Order which were intended to improve the financial offer for all regular users of the Hylands Park Estate whilst maintaining the objectives for introducing the Order, which were to ensure fairness between users and non-users of Hylands Park, manage parking capacity at peak times, and help reduce a budgetary shortfall due to the impact of Covid.

Options

1. To agree that the proposed Order be made as advertised; or
2. To agree that the proposed Order be made subject to modifications which result in less restrictive provisions or reduced scope; or
3. To reject the proposal and withdraw the proposed Order

Preferred Option and Reasons

In light of the representations, it was considered that Option 2, involving additional annual season ticket options and an up to one hour charge, would improve the financial offer for all regular users of the Hylands Park Estate.

Discussion

The Cabinet Member explained that the need to balance the budget in future years made it necessary for the Council to find additional sources of income. Following the advertising of the Order and having considered the representations received, modifications had been made to make it fairer to residents and non-residents in certain respects, particularly around the charges for short stay parking for residents and those for residents' and non-residents' season tickets.

The Cabinet was requested to note that there was an error in the third column of the draft Order, which referred to "cars" rather than "vehicles". This would be corrected if and when the final Order was made.

A question was asked on whether the income from the Creamfields event in 2022 at Hylands Park could be used to offset the charges proposed under the Order. The Cabinet Member said that he welcomed the event and hoped it would be successful. However, assumptions

about income from festivals and other events at Hylands were already built into the budget so Creamfields could not be regarded as a new income source. The key point to make was that it was necessary to introduce charges for parking at Hylands Park not because the Council wanted to but because it had to if it was to meet its legal obligation to practise sound financial management and balance the budget. The Cabinet Member would write to the member who had asked the question and give more detailed information on the Creamfields festival.

The point was made during discussion of the report that the modifications to the Order made the charging structure more complicated and that a simpler, easily understood set of charges would achieve the same financial aims. There were also questions on the cost of installation of the ticket equipment, the staffing requirements for enforcement, lack of clarity about parking by employees and volunteers, what the term "household" meant in the charging schedule, and the effect the introduction of the charges would have on the use of the café and shop at Hylands.

Responding to those points, the Cabinet Member said that enforcement would be carried out by officers of the South Essex Parking Partnership, as with any other parking order, and the cost would be met from the income received from penalty charge notices. He was confident that most drivers would pay the charges and that by making the charging and payment system as clear and as simple as possible the number of penalty charge notices would be kept to a minimum. There was no intention to increase the charges in the short term and future increases would be introduced in a transparent and consultative manner. The cost of installing the ticketing equipment had been reported to the Council in February 2021 and was expected to be recouped in a little under six months. The figures would be updated in next year's budget. The Council would work with the operator of the café and shop to ensure that the new parking arrangements were mutually beneficial.

The Cabinet Member concluded by saying that whilst the charging structure may appear to be complex it was fair and reasonable for residents and non-residents alike. Suggestions made at the meeting for a simpler structure would, on the face of it, reduce the income received and would favour non-residents of the city over residents. Any changes at this stage to the advertised charges that made the Order more onerous would mean that the revised proposals could not be approved by Cabinet at this meeting and would need to go through the Order-making process again.

RESOLVED that the Chelmsford City Council (Parks, Sports and Recreation Grounds) (Hylands Park) (Off-Street Parking Places) Order 202* be made as advertised, subject to:

1. The following modifications to Schedule 1 (Hylands Park Parking Places and Fees and Charges) of the proposed Order to include:
 - A charge for parking for up to one hour priced at £2.00 for residents and £3.35 for non-residents
 - A reduced rate for a 5-day season ticket for Chelmsford residents priced at £54.00 per year [instead of £60.00 per year] and £16.20 per year for a second vehicle registered at the same address
 - A 7-day season ticket for Chelmsford residents priced at £72.00 per year and £21.60 per year for a second vehicle registered at the same address
 - A 5-day season ticket for non-residents priced at £81.00 per year

- A 7-day season ticket for non-residents priced at £99.00 per year
 - Additional vehicles [to those identified above] may be registered priced at £81.00 per year for a 5-day season ticket and £99.00 per year for a 7-day season ticket irrespective of whether a resident or non-resident
2. The reference to “cars” in the third column of Appendix 4 to the report to the meeting being amended to “vehicles”.

(7.43pm to 8.25pm)

7. Chelmer Waterside Development Framework (Sustainable Development/Fairer Chelmsford)

Declarations of Interest:

None

Summary:

The Cabinet considered a Development Framework (Planning Guidance) for the sites collectively known as Chelmer Waterside, which were formally allocated for development by the Chelmsford Local Plan as Strategic Growth Site Policy 1a. The purpose of Planning Guidance was to provide site-specific direction for development sites and the document set a vision for Chelmer Waterside and guidance on design and infrastructure planning to achieve that vision. The Framework would also assist the Council with related land matters, including developer selection, land assembly and compulsory purchase.

Options:

Approve the Development Framework, with or without amendments, or not approve it.

Preferred Option and Reasons:

The Framework as presented would demonstrate a policy-compliant design approach to development to meet the housing, community and infrastructure needs as identified by the Chelmsford Local Plan; provide balanced guidance to ensure successful place-making; include appropriate environmental safeguards; and provide a strategy for enhancing canal and river usage which would benefit this development quarter and the wider City Centre.

Discussion:

In response to questions on the Framework, the Cabinet Member of Sustainable Development

- referred to the response he had given earlier to questions from the public about the impact of development on the allotments;
- said that the Council was working with the Canoe Club and Sea Cadets to find them suitable alternative sites. He also mentioned a statement from the Chelmsford Rivers and Canal Link group expressing appreciation for the improvements which had been made in the aspirations for the use of the waterways in Chelmsford and welcoming the recognition of the considerable amenity and recreational potential of

Chelmsford's rivers, which could be unlocked by joining up the waterways with a new lock;

- said that the impact on the road junctions around the development site would continue to be assessed whilst ensuring the through-traffic was discouraged; and
- stated that the Council was seeking to attract a partner to develop the site, rather than sell it to a developer, to ensure that it retained control of the development.

The Cabinet Member was also asked why there were no plans to include a new primary school as part of the Chelmer Waterside development, something which the questioner felt was necessary in view of the potential size of the development and concerns that existing schools would not be able to accommodate the additional pupils. It was asked why the Early Years facility was identified as being located in the north-east corner of the site when a central location would be more suitable, where green spaces, recreational facilities and SUDs would be located, and whether provision would be made on the site for a health facility. Further, there was concern that as this was a peninsular site, there was a risk to children of drowning.

The Cabinet Member said that Essex County Council, as education authority, had concluded that an expanded Trinity Road primary school was the most satisfactory option for meeting demand for school places from the development. It was believed that the assessment had been based on the original assumption of 1100 homes on the site but that there was sufficient flexibility in that to conclude that the demand arising from the revised figure of 1300 homes could still be met. The final number of homes would be determined later in the planning process. Including a school on the site would reduce significantly the amount of land that could be developed for housing. The location of the Early Years nursery took into account the size and impact of the building and was the most satisfactory location in terms of the overall layout and design of the development site. The details of green spaces, recreation facilities, parking and SUDS would normally be provided at a later stage in the planning process, as would measures to ensure the safety of residents and visitors to the site. Health facilities were usually provided through developer contributions and the need for them on the site would also be assessed at a later stage.

Asked whether there would be further opportunities for timely involvement of members, organisations and residents during the pre-application phase for the development of Chelmer Waterside, the Cabinet Member replied that the Council's adopted Statement of Community Involvement encouraged further public consultation by the developer on their proposals before submitting a formal planning application. Once this Framework was agreed the next stage would be putting the sites out to market and securing a developer who would then bring forward their proposals for detailed planning assessment. The Cabinet Member said that the Council could use the pre-application stage to re-engage with the local community and Members, table developer's proposals and open them up to comment. That pre-application stage consultation was typically run by the developer themselves. The formal planning application for each site would also include a public consultation which members of the public, local groups and associations and Members could comment on.

RESOLVED that the Chelmer Waterside Development Framework be approved as Planning Guidance.

(8.25pm to 8.48pm)

8. Army and Navy Sustainable Transport Package Consultation (Sustainable Development)

Declarations of Interest:

None

Summary:

The Cabinet considered a suggested response to Essex County Council's consultation on its Army and Navy Sustainable Transport Package, which included improvements for all users of the Army and Navy junction in the form of enhanced walking and cycling facilities, improved bus priority measures and two distinct new junction layout options (a Hamburger Roundabout and Separate T-Junctions); the improvement and expansion of Sandon Park and Ride; a new Park and Ride site in Widford, with two site options presented in the consultation; and additional connectivity improvements across the walking and cycling networks.

Options

Approve or amend the suggested response.

Preferred option and reasons

The suggested response set out the preferred option for the future of the Army and Navy junction and the package generally would improve the flow of traffic whilst encouraging sustainable transport.

Discussion:

Those present at the meeting generally supported the Hamburger option but concerns were expressed on the following points:

- the restriction of travel at one of the Double T junctions where traffic would be forced to use the Odeon roundabout to turn right from Van Diemens Road and Baddow Road, something that seemed to be counter-intuitive if one of the desired outcomes was to minimising traffic on Parkway;
- the bus transit times from Baddow Road and the need for better options for 36 bus users (use of the Yeomanry Way bus lane) with an alternative service put in place for Baddow residents, possibly turning right from High Street and using Yeomanry Way;
- with the proposed expansion of Sandon Park and Ride and the new developments in Sandon, the need for a direct cycleway/pedestrian footpath to the Army & Navy junction as a safer and more attractive option for Park and Cycle customers;
- concern for residents who were likely to have numerous construction vehicles passing their properties from the A12 during construction of both the junction and the developments at Sandon and whether noise, air quality and other risk mitigation would be put in place for residents on Maldon Road, Meadgate Terrace

and other roads directly affected.

The Cabinet Member said that the plan for the T junctions involved a right turn from Van Diemens Road but not from Baddow Road. The County Council was in discussions with bus companies about the routes affected by the Army and Navy scheme. City and County Council officers were also working together to find a suitable cycle route from the Sandon development to the city centre via the Army and Navy. The question of noise disturbance and air quality would be addressed at the planning application stage.

RESOLVED that the City Council's response to the Army and Navy Sustainable Transport Package consultation be as set out at paragraphs 4.2 - 4.12 of the report to the meeting and that the Director of Sustainable Communities be authorised to submit the response to Essex County Council.

(8.48pm to 8.54pm)

9. Urgent Business

There were no items of urgent business.

10. Reports to Council

None of the reports to the meeting were referred to 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. Tindal Square Improvement Scheme (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 information on construction cost is commercially sensitive given that a preferred contractor for the scheme has not yet been appointed. It is not appropriate at the current stage of the procurement process to have the costs within the public domain in advance of that appointment.

Declarations of Interest:

None

Summary:

Having completed the detailed design and tender stages for the Tindal Square improvement scheme, the Cabinet was informed that the Council was now in a position to enter into final procurement procedures with its preferred contractor to enable the delivery of the project. The report to the meeting outlined the history of the scheme, the benefits it was likely to bring to the city centre, the programme for its construction, its cost and how it would be funded.

Options:

Agree or not to proceed with the scheme on the terms detailed in the report or amend the proposals for it.

Preferred option and reasons

The proposals detailed in the report would enable delivery of the scheme, which in turn would improve the environment of the city centre and its attractiveness to residents, visitors and businesses.

RESOLVED that

1. Cabinet agrees to proceed with the implementation of the Tindal Square Public Realm Improvement Scheme at the cost given in the report.
2. The Chief Executive, in consultation with the Leader of the Council, be authorised to approve the capital budget via the delegated authority to take urgent action and that the funding plan as set out at paragraph 4.5 of the report is approved.
3. The Director of Sustainable Communities, in consultation with the Cabinet Member for Sustainable Development, be authorised to enter into a contract with the Council's preferred contractor for the delivery of the scheme.
4. The Director of Sustainable Communities, in consultation with the Cabinet Member for Sustainable Development, be authorised to enter into an Agreement with Essex County Council to administer the contract on behalf of the City Council and to manage any required diversions of underground utilities within the highway, including, if necessary, an early commitment to placing orders up to a value of £350,000 from within the identified budget to avoid a delay in the programme running into Christmas 2022.

(8.54pm to 8.59pm)

The meeting closed at 8.59pm

Chair