

MINUTES
of the
OVERVIEW AND SCRUTINY COMMITTEE

held on 4 November 2024 at 7pm

Present:

Councillor J. Jeapes (Chair)
Councillor A. Thompson (Vice-Chair)

Councillors, D. Clark, H. Clark, P. Davey, S. Davis, S. Dobson, K. Franks, L. Mascot, M. Steel, C. Tron, R. Whitehead, and P. Wilson.

Also in attendance –

Councillors S. Goldman, R. Hyland, R. Moore, M. O'Brien, and S. Robinson

1. Apologies for Absence and Substitutions

Apologies were received from Councillor V. Canning and Councillor J. Deakin. Councillors R. Whitehead and C. Tron substituted in their place respectively.

2. Chairs Announcements

The Chair invited the councillors, officers, and members of the public present to observe a minute's silence in honour of the late Ian Wright who had their funeral recently. The Chair reflected on the years when Ian Wright had been a City Councillor for over twenty years.

3. Minutes

The minutes of the meeting held on 14th October 2024 were agreed as a correct record.

4. Decision and Action Sheet

The Committee considered and noted the decision and action sheet since the last meeting on 14th October 2024.

5. Declaration of Interests

All Members were reminded to declare any Disclosable Pecuniary interests or other registerable interests where appropriate in any items of business on the meeting's agenda. None were made.

6. Public Question Time

Two public questions/statements had been submitted in advance of the meeting and both were asked in person. [The questions/statements were available to view via this link.](#)

The first question asked related to the Council's handling of green issues. It was stated by the member of the public that a brownfield site had been converted to an open space, in the process of making it a nature reserve. However, it was also observed that Chelmsford City Council were considering building over 4,000 houses on a greenfield site which would result in the loss of agricultural land, destroy natural habitats, and impact the intrinsic beauty of the area. It was also asked whether the decision-making had been politically motivated.

Councillor Robinson advised that the process surrounding the Local Plan was extensive and comprehensive. It was stated that there was a national need, and not inclusive to just Chelmsford, to build thousands of houses with a new national target of 1,406 houses per year over the next 15 years. The member of the public was advised that the Council always searched for the most sustainable places to build houses and that they had taken on board the comments from consultations. Councillor Robinson also advised that the Chelmsford Garden Community could not be extended due to the unextracted gravel. There were proposals brought forward for the Chelmer Waterside development in the next few months which could deliver a thousand homes. However, it was stressed that there were not enough brownfield sites and that they were expensive to develop.

The second question related to the reasons for and the validity of the call-in. They advised that the John Shennan Field was not a designated brownfield site and, thus, asked whether the call in was valid on that basis. Furthermore, the member of the public advised that there were more than 300 brownfield sites which could address the housing issues raised in the call-in. It was stressed that John Shennan Field was the only green space in Moulsham Lodge which was an area with one of the largest deficiencies of green spaces in Chelmsford. There was a great need for this green space and over 1000 residents had signed a petition against development on the site previously. It was extrapolated that the designation of John Shennan Field as an LNR would allow more diverse and wider use of the green space. The member of the public also asked the Committee whether the call-in meeting was constitutionally correct.

The Chair advised that the reasons and the context would be covered during the call-in. Regarding the development of housing on the John Shennan Field, it was clarified that the whole of the green space would not necessarily need to be lost.

(7.04pm to 7.12pm)

7. Decisions Called-In

To report on any Cabinet decisions called in and to decide how they should be progressed.

7.1 Call in of Cabinet Decision: Declaration of John Shennan Field as a Local Nature Reserve

The Committee considered the decision by Cabinet to declare John Shennan Field as a Local Nature Reserve (LNR) on 8th October 2024. The decision had been called in by five members of the Committee on 10th October 2024.

The Chair reminded members, officers, contributors, and other councillors present that the purpose of the call-in was to examine whether the decision had been taken properly. Members were reminded that they remained apolitical and were encouraged to acquire an independent mindset in the decision. The Chair then explained the call-in arrangements.

The Chair provided the rationale as to why the Cabinet's decision to declare John Shennan Field as a LNR had been called in. It was advised that the call-in was to seek clarification on the strategic concept and context in declaring John Shennan Field as an LNR. The Chair explained that no reassurances had been given regarding the impact on the Council's budget and other priorities such as affordable housing. They reiterated the issues that the Council was facing surrounding balancing future budgets as echoed in the Annual Financial Review report at the 8th October 2024 Cabinet meeting. They also stressed the budget gap of an estimated £4 million, which could result in increased charges and reduction of Council's services. The Chair also emphasised the potential wider impact of the Cabinet's decision on residents in how public funds were spent.

Councillor Rose Moore, the Cabinet Member for a Greener Chelmsford explained the decision to declare John Shennan Field as an LNR. A brief history of John Shennan Field was given including its use as a landfill, gravel pit, informal recreation use, and as a public open space. It was advised that the previous administration had proposed John Shennan Field as a potential development site in the draft Local Plan, which the current administration had removed when they took over. Councillor Moore also confirmed with the Finance Team that councils were not allowed to offer their own assets as security for loans and designation of the site as an LNR would not impact the Council's ability to obtain loans or raise funds. They then explained what local nature reserves were under Section 21 of the National Parks and Access to the Countryside Act 1949. It was also advised that they were places with wildlife or geological features of special interest, and they provide opportunities to learn or study about nature. Councillor Moore emphasised they were impressive natural resources and were important to the contribution to biodiversity. The core policies of the current administration were stressed along with the pledge to its greening programme. They also emphasised the need for a green space in Moulsham Lodge and that declaring John Shennan as a Local Nature Reserve would help to safeguard the health and wellbeing of its residents.

The Chair thanked Councillor Moore for their explanation. Officers were then questioned by the Chair on how a brownfield site be designated and if a status of a nature reserve given to a particular area would preclude any other activity or any further designation taking place. It was advised that a brownfield site was defined within the National Planning Policy Framework and that John Shennan Field would be classified as a greenfield site. It was further added that the definition excluded

waste and mineral sites to be defined as previously developed sites. Officers also advised that the status of a local nature reserve was about the management of the habitat rather than the use. It was pointed out that a significant portion of the John Shennan Field was already used for recreational activities and that there were already facilities there such as a half basketball court.

A local resident, who had been invited as Councillor Moore's contributor, introduced themselves to the Committee. The Committee heard that they were a member of Princes Road Allotment Association and a parks volunteer. The local resident advised the Committee of their activities near to John Shennan Field including planting a native hedge around the perimeter of the allotments. The importance of the John Shennan Field in contributing to biodiversity was stressed, and it was mentioned that the site provided food and shelter for a variety of wildlife including sparrowhawks and buzzards. The local resident advised that they would welcome a nature reserve which would provide plant and animal diversity.

Councillor Robinson then added their support to the Cabinet decision. They reiterated the housing and budget crisis that the Council was facing and that there were around 500 families who were in unsuitable temporary accommodation. Councillor Robinson emphasised the plans to address these problems such as securing planning permission for a different site that would deliver 58 social rent properties. It was advised that building on John Shennan Field would be difficult and would not lead to a large reduction in the number of families in temporary accommodation. Additionally, it was emphasised that it would take away the only green space that the residents of Moulsham Lodge had. Councillor Robinson stressed the importance of access to a public open space, especially for those living in urban areas. It was advised that the Cabinet decision should not be perceived as a 'houses vs open space' debate and that even if John Shennan Field was developed fully, it would not address the housing crisis. Councillor Robinson advised that the designation of the LNR status would protect John Shennan Field for the enjoyment of local residents and for future generations.

After hearing from Councillor Moore and their contributors, the Committee then went into a discussion. Issues that were raised included the costs of managing the LNR, other options for development that should be considered, and questions of viability. Some members had raised that development on John Shennan Field would still help with the housing crisis whilst others had stressed the importance of this green space in a densely populated area. There were also members who raised the merits of the call-in and why the questions had not been put forward earlier.

In response to the questions and concerns raised by the Committee, it was advised that;

- The impact of a deficit of an open space was advised to be paramount to the residents of Moulsham Lodge and there was no option to develop housing that would not impact these residents. It was advised that there were other sites for housing which was the point of the Local Plan.
- The quality of the land on John Shennan Field could be volatile and the provision of affordable homes on open spaces would need to be 100% affordable housing to be granted planning permission
- The aim to build communities where facilities would be provided for residents including open spaces was emphasised

- John Shennan Field had been managed effectively and sympathetically for ten years and there would be no increase in the management costs for the local nature reserve.
- It was advised that managing John Shenan Field as an LNR would be at a lower cost than managing it as a park. It was added that it would cost around £20k to maintain the site annually.
- It was advised that John Shennan Field had been a land that was designated as public open space thus there were tight stipulations in developing the area. The intent to provide affordable housing within the City Council's area was reiterated as well as plans for this which would be presented in the Annual Housing Delivery Report to a future Overview & Scrutiny Committee meeting.
- Being designated as a Local Nature Reserve would only stop the land being developed for houses, however it was advised that it was not possible to stop planning applications being brought forward.
- Viability was advised to be an issue if housing was to be built on the site, and that housing could not be built unless excavations took place which could be expensive. It was emphasised that social housing was costly to build, and it usually had to be subsidised.
- Officers advised that John Shennan Field was a locally owned space and used mainly by local residents walking to the site thus, car parking levels had been low. Designating the site as a Local Nature Reserve would not mean creating a visitor attraction.

The Committee then took a vote on a proposal to accept the Cabinet decision to declare John Shennan as a Local Nature Reserve. The majority voted to accept the Cabinet decision to declare John Shennan Field as an LNR.

RESOLVED that the Committee accepted the Cabinet decision in declaring John Shennan Field as a Local Nature Reserve.

(7.12pm to 8.06pm)

8. Urgent Business

There were no matters of urgent business.

The meeting closed at 8:06pm.

Chair