

# Council Meeting Agenda



**Wednesday, 6 December 2023 at 7pm**

**Council Chamber, Civic Centre  
Chelmsford**

## **Membership**

The Mayor – Councillor Linda Mascot  
The Deputy Mayor – Councillor Jude Deakin

## **and Councillors**

C Aduwim, J Armstrong, N Bugbee, V Canning  
N B Chambers, D J R Clark, H Clark, P H 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, A M John, G B R Knight, J  
S Lardge, R J Lee, 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 J  
Sampson, S J Scott, T Sherlock, M Sismey, A B Sosin, J E Sosin, M  
S Steel, S Sullivan, M Taylor, A Thompson, A G Thorpe-Apps, C R  
Tron, N M Walsh, R T Whitehead, P Wilson, and S Young

Local people are welcome to attend this meeting, where your elected  
Councillors take decisions affecting YOU and your City.

If you would like to find out more, please telephone Dan Sharma-Bird in the  
Democracy Team on Chelmsford (01245) 605923, email [dan.sharma-bird@chelmsford.gov.uk](mailto:dan.sharma-bird@chelmsford.gov.uk), call in at the Civic Centre, or write to the address above.

# Meeting of Chelmsford City Council

6 December 2023

## Agenda

### 1. Apologies for Absence

### 2. Mayor's Announcements

### 3. Declarations of Interest

Members are reminded that they must disclose any interests they know they have in items of business on the meeting's agenda and that they must do so at this point on the agenda or as soon as they become aware of the interest. If the interest is a Disclosable Pecuniary Interest they are also obliged to notify the Monitoring Officer within 28 days of the meeting.

### 4. Minutes

Minutes of meeting on 25<sup>th</sup> July 2023.

### 5. Public Questions

To receive questions from members of the public in accordance with Council Rules 10.1 to 10.6 on any matter for which the Council is responsible.

Any member of the public who wishes to submit a question or statement to this meeting should email it to [committees@chelmsford.gov.uk](mailto:committees@chelmsford.gov.uk) 24 hours before the start time of the meeting. All valid questions and statements will be published with the agenda on the website at least six hours before the start time and will be responded to at the meeting. Those who have submitted a valid question or statement will be entitled to put it in person at the meeting.

### 6. Cabinet Question Time

The Leader and Members of the Cabinet to answer questions submitted by Members of the Council in accordance with Council Rules 10.18 to 10.22.

### 7. Reports from the Cabinet

To consider the attached reports.

The recommendations of the Cabinet on 14 November on reports 7.1 to 7.2 be notified to members before the meeting.

#### 7.1 Proposed Amendments to the Constitution

#### 7.2 Treasury Management Mid-Year Review

## 8. Reports from the Leader of the Council

### 8.1 Review of Scheme of Members' Allowances

### 8.2 Committee Membership

### 8.3 Our Chelmsford Our Plan

## 9. Notice of Motion

In accordance with notice duly given, Councillor D Clark to move:

Council notes with concern;

The increased use of vaping products by children in the UK. Recent data from the *ASH Smokefree GB Youth Survey 2022* found that the prevalence of vaping amongst 11-18 year olds is increasing – from 4% in 2021 to 8.6% in 2022 – and a significant number of children buy these vaping products directly from newsagents or supermarkets.

The increased number of local authorities who have recently had to take enforcement activity against shops illegally selling vaping products to youngsters. In the last 6 months Trading Standards received 6 complaints about sales of Vapes to people under the age of 18, and have carried out 3 test purchases so far within the District Council area.

The marketing of certain vaping products – with bright coloured packaging and flavours such as bubblegum – that might appeal to children.

The significant increase in availability of disposable and single-use vaping products which are cheaper and easier for children to access.

The high volume of single use vapes being disposed of in general waste.

Increase in fires at UK waste plants due to damaged and highly flammable batteries and the increased costs this causes.

Council acknowledges the role vaping products may play in aiding adults to stop smoking, and that vaping products carry a small fraction of the risk, and exposure to toxins, that are associated with cigarettes.

However vaping is not risk free; particularly for those who have never smoked. Vaping products contain nicotine and research shows that most children who use them have never smoked.

Council recognises the Local Government Association has raised concerns about the sale of vaping products to children. Council calls for vaping products to be regulated in a similar way as tobacco products, with plain packaging and a requirement for products to be kept out of sight behind shop counters.

Council calls for;

Vaping products to be in plain packaging and kept out of sight behind the counter.

Mandatory age-of-sale signage on vaping products (this is currently voluntary)

A ban on free samples of vaping products being given out to people of any age, or if they contain nicotine.

A ban on the sale of single-use vaping products in the UK

The Council will commit to not allowing sale of vaping products in any Chelmsford City Council run premises.

Council instructs the Chief Executive to write to both Victoria Atkins and Steve Barclay MP's, Secretary of State for Health and Social Care and Secretary of State for Environment respectively, to express the Council's demand for the greater regulation of vaping products detailed in this motion and ban on the sale of single-use vapes.

## PART 2 (EXEMPT ITEM(S))

To consider whether to exclude the public from the meeting during the following matter, which contains exempt information within the category of Part 1 of Schedule 12A to the Local Government Act 1972 indicated:

### 10. Chelmer Waterside Developer Selection

To consider the attached report.

*Category:* Paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972  
Information relating to the financial or business affairs of any particular person (including the authority holding that information)

*Public interest statement:* It is not in the public interest to release details of this report at present, on the grounds that the report contains information that is commercially sensitive and to place the information in the public realm will be detrimental to the negotiations to be undertaken by the Council.

**CHELMSFORD CITY COUNCIL**  
**MINUTES OF THE MEETING OF THE COUNCIL**  
held on 25 July 2023 at 7pm

**PRESENT:**

The Deputy Mayor, J A Deakin

Councillors C Adutwim, J Armstrong, N Bugbee, 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 Frascaona, I D Fuller, M C Goldman, S M Goldman, I S Grundy, S Hall, J Hawkins, R J Hyland, A John, 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, T Sherlock, M Sismey, A B Sosin, J E Sosin, M S Steel, S Sullivan, M Taylor, A G Thorpe-Apps, N M Walsh, R T Whitehead, P Wilson, and S Young

### 1. Apologies for Absence

Apologies for absence had been received from the Mayor, Councillor Mascot and Councillors Canning, Jeapes, Knight, Lardge, Sampson, Scott, Thompson and Tron

### 2. Mayor's Announcements

The Council observed a minute's silence to mark the 27th anniversary of the Srebrenica massacre.

The Deputy Mayor also paid tribute to former Councillor and Mayor Trevor Miller, who had been Mayor between 2013 and 2014. The Deputy Mayor stated that they had attended his funeral on behalf of the Mayor and Council and remembered fondly when they had served as his Deputy Mayor. The Council remembered his time as a Councillor between 1985 and 2015 and reflected on his work as a school governor.

The Deputy Mayor on behalf of the Mayor, referred to the 65 mayoral engagements that had been attended by the end of July and reminded the Council of the monthly newsletter detailing engagements.

### 3. Declarations of Interest

Members were reminded to declare at the appropriate time any personal and prejudicial interests in the business on the meeting's agenda. Cllr Massey declared a Disclosable Pecuniary Interest in Item 7.5 and stated he would leave the meeting for that item.

#### 4. Minutes

The minutes of the meetings held on 22 February and 24 May 2023 were confirmed as a correct record.

#### 5. Public Questions

Five public questions had been submitted in advance of the meeting, three of which were asked in person.

The first public question asked about the need for a better level of road cleaning service in South Woodham Ferrers. The Council were reminded that when the question had been asked previously, the Leader and others had agreed that there was cause for concern over the quality of the contractor's work. The Council were asked if the contract would not be renewed, with the road cleaning service instead brought back in house.

In response the Cabinet Member for Greener and Safer Chelmsford stated that a review had been undertaken in April 2023 to look at the standards of cleaning in the area compared to what was expected, together with an examination of the costs of retaining the current service or bringing it back in-house. It was noted that in general the standards of cleansing had been meeting expectations with new procedures and closer contract management now in place. The Cabinet Member noted that the cost of bringing the service in-house was estimated to be four times as expensive and therefore not good value for taxpayers. It was noted that the decision had therefore been taken to retain the current arrangements for 2023-24 and the member of the public was reminded to inform the Council, regarding any concerns about the quality of the service.

The second public question asked about the Capital Programme, and why it only included one item of expenditure in South Woodham Ferrers for replacing equipment at the swimming pool which should have fallen under property maintenance. The Council were asked why South Woodham Ferrers which made up around 10% of the Council's population was receiving less than a quarter of 1% of the Capital spend. The Council were also asked if any future projects were planned for the town, which continued to pay one of the highest Council Tax rates in the district.

In response the Leader of the Council, stated that the £275k funding had been allocated for major repairs rather than just routine maintenance and had been essential for the pool to remain in operation, meet health and safety standards, along with meeting the Council's objectives to achieve a net zero carbon position by 2030. The Council also heard that 40% of the Capital programme was either CIL or S106 funded, it was noted that a large part of the programme contained schemes which would benefit all residents across Chelmsford, such as the future purchase of land, money towards housing initiatives and green initiatives.

The third public question was not asked in person, but along with the others had been circulated to members and published on the Council's website. It asked whether with the ever-increasing pressure on household budgets, whether the

Council would introduce surcharges for the collection of garden waste, as was now the case with other nearby districts.

In response the Cabinet Member for Greener and Safer Chelmsford, stated that the Council had no plans to introduce a charge for household garden waste collections. The Council heard that local authorities had been waiting for a National Waste Strategy from the Government and that leadership at the highest level was required to ensure consistency of collections and to minimise the amount of waste that ends up in landfill or was incinerated. The Cabinet Member informed the Council that Chelmsford continued to lead the way in Essex with its comprehensive kerbside collection service, including garden waste. It was also noted that there was a wealth of information available online, through the City Council and Love Your Chelmsford website, with advice on sustainable choices, waste reduction through reuse, repair, composting and recycling as much as possible.

The fourth question was also not asked in person. The question asked for information regarding the development of 98 apartments at 1 Legg Street and queried why the venue was now housing migrants for the home office. The question also asked about how the Council were consulted, why the Council did not make the use of the development public, the identities of the residents and their immigration status, criminal offences at the venue and steps to safeguard residents.

In response, the Leader of the Council, highlighted that questions could now be asked and answered without the member of the public attending. The Council heard that neither Chelmsford or Essex County Council had been consulted by the Home Office, and any questions asked to the Home Office, had been met with vague and non-specific answers. It was noted that Councils were very concerned about the impact on health, education and other public service from a sudden influx of potentially very vulnerable residents, but were not told in advance the social make up of the people who were coming. It was noted that the Home Office outsource the finding of accommodation, who in turn outsourced it again, leading to an unsatisfactory situation. The Council heard that their Community Safety Team had a close working relationship with local Police and carried out a range of activities to keep everyone safe as a matter of normal activity. It was noted that the Police along with the Council would have welcomed greater and earlier clarity about the proposals for the site. It was also noted that the Council were regularly notified about all serious criminal activity and were aware of a serious domestic violence incident at the building. However, it was noted that crime statistics show that if migrants were involved in crime, it was more likely to be as a victim than a perpetrator.

The final public question was asked in person and asked what was preventing the Council from fully renting out the Avon Road allotments. The Council heard that there had been frustration with the management and lack of engagement of the Council with plot holders, over recent years, who seeing the state of things had offered to assist and been willing to help the Council identify empty or abandoned plots. The Council heard that other allotment owners in the City had similar frustrations. The Council was asked to see the potential benefit of positive collaboration for the ongoing welfare and good management of the allotments.

In response, the Cabinet Member for Greener and Safer Chelmsford, thanked the local resident for bringing up the matter and stated that the City Council was keen to see greater use of allotments across the district and where possible would provide new ones as part of new developments. It was also noted that there was low demand for plots in the Chignal and Melbourne area but not enough provision in other areas. The Council also heard that a contractor had recently begun cutting vacant plots and ones which weren't fully maintained were periodically identified and inspected, with tenants contacted if required to be reminded of the requirement to maintain the plots in accordance with the allotment tenancy agreement. It was noted that the Council was happy to engage with potholders and was keen to see local allotment associations at all of the sites. The local resident was asked to contact officers to look into arranging this.

(7.04pm to 7.20pm)

## 6. Cabinet Question Time

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

### 1. Question from Councillor V Pappa to the Cabinet Member for a Greener and Safer Chelmsford

Background:

During the recent election campaign, many residents expressed their concerns on parking charges, but one of my resident expressed her real concerns regarding the parking charges situation at HYLANDS house . She mentioned that her child has ADHD and when parking was free at HYLANDS, she used to take her child there almost every day. However, now that parking has become unaffordable for everyday visiting , she and her child are forced to spend their time indoors.

Question :

The City Council currently allows those with a Blue Badge to park at Hylands Park without payment. Given that the children's play area was specifically designed for use by handicapped children, who by definition, will not be Blue Badge holders, will the Cabinet Member look at introducing a scheme for those with special needs to be allowed a similar concession for FREE PARKING ?

I strongly request the council to consider giving free access to HYLANDS house car parking to those who have special needs, including parents with children who have ADHD AND any such needs . It would make a great difference in the lives.

In response the Cabinet Member for Greener and Safer Chelmsford stated that people with hidden disabilities were entitled to apply for a blue badge and that included the parents of children with such disabilities. Therefore, the Cabinet Member hoped that the Cllr would encourage their constituent to apply for a blue badge. It was also noted that the blue badge would mean free parking at Hylands Park and for those not entitled to blue badges, there remained a number of options available for payment, including a season ticket for regular visitors. It was noted that

a Chelmsford resident could get an annual 5-day season ticket for £54, representing very good value.

## 2. Question from Councillor A Thorpe Apps to the Cabinet Member for Greener and Safer Chelmsford

Over recent years, we have seen a concerning increase in the number of incidents involving dogs across Chelmsford. I understand the Council's desire to take action, which has led to the consultation on a possible 'Public Spaces Protection Order' (PSPO) at Hylands Park. At Cabinet, a paper was presented and agreed on this proposal which commented on the 33 dog-related incidents that took place between July 2020 and July 2021, and stated that such incidents are on the rise.

But having delved into the figures, of the 33 dog incidents mentioned in that paper, only 3 actually related to Hylands Park. Moreover, whilst the data does show the number of recorded incidents has increased across Chelmsford over the last few years (78 this year), the number of reported incidents at Hylands Park was the same in 2022 as it was in 2020 (3 incidents).

One dog-related incident is of course one too many, but would the Cabinet member concede that, based on the raw data, there isn't a clear case for a PSPO at Hylands, and does she agree with me that the Council should instead be focusing on locations where data shows such incidents have increased? Why is Hylands being singled out for this PSPO pilot?

In response the Cabinet Member for Greener and Safer Chelmsford, stated that dog attacks could happen anywhere, but that there had been an increased trend both nationally and locally, that had been concerning and the Council had a duty to consider and if possible, implement measures to mitigate the risk. It was noted that one related incident was too many and that the Cabinet report had detailed examples of where incidents could have had horrific consequences and therefore existing powers should be considered to help prevent such incidents. The Council heard that no one location had been reporting particularly high numbers, but Hylands was being considered for two main reasons. It was noted that these were due to the risk to small children, often under less parental supervision, due to less risk from roads, cycle paths and water features, these were more prevalent in Central Park which is why dogs tended to be kept on the lead there. The Council heard that the second reason was the significant size of Hylands Park, therefore allowing for restrictions without disadvantaging any section of the public as if agreed 85% of the park would still be available for walking dogs off their leads.

A third Cabinet member question had been submitted by Cllr Knight, who did not attend the meeting. It was therefore noted that a response to him would be emailed after the meeting.

(7.27pm to 7.31pm)

## 7. Reports from the Cabinet

### 7.1 Treasury Management Outturn Report 2022/23

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 2022-23.

RESOLVED that the Treasury Management Outturn report for 2022-23 be noted.

(7.33pm to 7.34pm)

### 7.2 Capital, Programme Update and Provisions Outturn 2022/23

The report to the meeting detailed capital expenditure incurred in 2022/23 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 2023/24. The Leader of the Council informed the Committee that there were new investments detailed in the Capital Programme such as the athletics track, facilities at Hylands Park, land regeneration and investment in homelessness prevention.

RESOLVED that;

1. the method of funding the capital expenditure incurred in 2022/23, as set out in the table in paragraph 5 and as recommended by the S151 Officer to be the most cost effective be approved;
2. that changes to the budgets for the Chelmer Waterside Infrastructure project are not contained in this capital update report but dealt with in a separate report to be taken to July Council be noted;
3. the proposed budget for the Capital Schemes, £124.059m and the risks associated with those budgets be noted;
4. the Asset Replacement Programme for 2023/24, £5.235m be noted.

(7.34pm to 7.35pm)

### 7.3 Budget Framework – Medium Term Financial Strategy 2024/25

The Council received a report providing them with a framework to manage the Council's 2024-25 budget and to update the financial strategy. The Council heard that there were lots of financial uncertainties outside of the Council's control, alongside increased costs in areas such as homelessness. The Leader of the Council stated that it was difficult to present a budget at this time as a result and further details would be provided in the autumn. It was noted that as in previous years, a significant budget shortfall was expected but that some areas may improve. The Council heard that the report set out the key challenges, which included difficulty in budgeting due to not knowing specifics on grant funding from the government.

In response to a question on one of the areas that may improve, the Council were informed that a refund from HMRC was expected soon. It was noted that the Council had challenged the charging of VAT on swimming pools, which it regarded as a public health activity and the Council's challenge had been successful, leading to an expected refund.

RESOLVED that;

- I) the Actions in Appendix 3 as the basis of financial Management be approved;
- II) the Financial Risks and Potential Upsides (Appendix 1) be noted
- III) the approach to reserves in Appendix 2 of the report be approved
- IV) the budget guidelines in Appendix 4 be approved

(7.36pm to 7.39pm)

#### 7.4 Proposed Amendments to the Constitution

The Council received a report asking them to consider the recommendations of the constitutional Working Group arising from its reviews of the City Council's Constitution. It was noted that some minor changes were being proposed, which had already been recommended by the Working Group, the Governance Committee and Cabinet.

RESOLVED that the amendments to the Constitution detailed in appendices 1 & 2 to the report be approved.

(7.40pm to 7.41pm)

#### 7.5 Amendments to Council Tax Premiums in respect of empty properties with effect from 1 April 2024

Cllr Massey left the meeting for this item due to having a disclosable pecuniary interest.

The Council considered a report on amending Council Tax premiums in respect of empty properties with effect from 1<sup>st</sup> April 2024. It was noted that the Cabinet had recommended the changes at its meeting in March. The Cabinet Member for Connected Chelmsford referred to the housing crisis in Chelmsford and the 400 families currently in temporary accommodation in Chelmsford. It was noted that the aim of the proposal was not to bring in further Council Tax revenue but to bring empty houses back into potential use. It was also noted that the bill had moved further along its process nationally and was now at report stage in the House of Lords.

In response to a question, it was confirmed that as detailed in paragraph 4.1 of the report, the Council already had discretion to consider local circumstances, as changes may increase hardship for some and that could be taken into account.

RESOLVED that;

1. A Council Tax premium of 100% be levied in respect of empty and unfurnished properties 12 months after the property becomes empty;
2. A Council Tax premium of 100% be levied in respect of unoccupied dwellings, which are substantially furnished;
3. The application of premiums in both cases is applied from 1 April 2024 or such other date as may be permitted following the passage of the Levelling Up and Regeneration Bill through Parliament, with the implementation date delegated to the Director of Connected Chelmsford.

(7.41pm to 7.46pm)

## 8. Report from the Leader of the Council

### 8.1 Committee Membership

The Council received a report updating them on recent changes to Committee membership.

RESOLVED that;

1. the changes from the Conservative Group, that were recently made by the Monitoring Officer's delegation, in consultation with the Group Leaders be noted.
2. To note the appointment of Councillor Bentley (South Woodham Ferrers Town Council) and Councillor Golla (Chelmsford Garden Community Council) as Parish Tier Representatives on the Governance Committee, as agreed by the Governance Committee on 21st June 2023 be noted;
3. the proposals from the Audit and Risk Committee to appoint two Independent Persons to the Committee, as agreed at their meeting on 21st June 2023 be noted.

(7.47pm to 7.48pm)

## 9. Annual Report of the Audit and Risk Committee

The Council considered the Annual Report of the Audit Committee for 2022-23, submitted in accordance with the Chartered Institute of Public Finance and Accountancy's (CIPFA) recommended practice.

The report included among other things a review of the Committee's terms of reference; its work on the audit charter and internal audit strategy; the Revenue and Capital Outturns; the Committee's work programme for 2022-23 and its planned work for 2023-24. Officers were thanked for their support throughout the year.

RESOLVED that the Annual Report of the Audit and Risk Committee for 2022-23 be approved for publication.

(7.49pm to 7.50pm)

### 10. Annual Report of the Governance Committee

The Annual Report of the Governance Committee for 2022-23 was presented for approval.

It provided information on the statutory and procedural requirements of the standards regime; the terms of reference and membership of the Governance Committee; the work carried out by the Committee in 2022-23; details of complaints received about councillors; changes to the Constitution; monitoring matters such as whistleblowing and use of investigative powers; and the Committee's future work programme.

RESOLVED that the Annual Report of the Governance Committee for 2022-23 be approved for publication.

(7.50pm to 7.51pm)

### 11. Annual Report of the Overview and Scrutiny Committee

The annual report of the Overview and Scrutiny Committee on the activity of the scrutiny function of the Council for 2022/23 was submitted for information.

The report outlined the Committee's main areas of work over the past year, which had included updates from Cabinet Members, the annual report of the Chelmsford Policy Board, and a review of the Our Chelmsford Our Plan corporate plan. The Committee had also monitored the performance of key services and activities and had received the annual presentation on the work of Essex Police and the Safer Chelmsford Partnership. Officers were thanked for their support throughout the year.

RESOLVED that the Annual Report of the Overview and Scrutiny Committee for 2022-23 be approved for publication.

(7.51pm to 7.52pm)

### Exclusion of the Public

RESOLVED that the public be excluded from the meeting during the consideration of Items 12,13 and 14 on the agenda as they contained exempt information within Paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972.

## 12. Chelmer Waterside of Infrastructure Delivery

Public interest statement: It is not in the public interest to release details of this report at present, on the grounds that the report contains commercially sensitive contractual and property information.

The Council received a report setting out the latest position regarding the delivery of the infrastructure at Chelmer Waterside, required to bring forward new housing led development and specifically to seek their approval to proceed with the construction of the new access road and bridge. It was noted that the decision to enter into a Joint Venture agreement, or an alternative delivery mechanism, to bring forward the housing development, would be taken at a future meeting. The report asked the Council to approve the required addition to the Capital Programme, additional spend on land acquisition, the prudential indicators for capital financing and to delegate contractual matters required to enable construction to commence be delegated to the Director of Public Places in consultation with the Cabinet Member for Fairer Chelmsford.

The Conservative group submitted an amendment to the report along with questions on it's detail that were answered by the Leader of the Council. The amendment highlighted support for regeneration of the area, but queried the information provided, which was felt to lack a large amount of vital supporting information. The amendment proposed that the decisions on recommendations 1,3 and 4 be postponed for two months, to allow members time to receive all the information before a fully informed decision at a special meeting in September. Members spoke in support and against the amendment, with views shared that not enough information was available, against other views that a decision was required to ensure the Council was not negatively impacted by funding being clawed back. The amendment was not carried.

In response to other points raised, officers stated that a letter from Homes England that had been referenced, would be circulated to members after the meeting, but it had not been necessary to include it in the report.

During discussions of the report, it was highlighted that this was an important strategic opportunity and decision for the Council, that would lead to significant influence over a large brownfield site for the Council to direct the required type of housing in the future.

RESOLVED that;

1. an addition to the Capital Programme to enable the construction of the Chelmer Waterside Access Road and Bridge be approved;
2. additional spend on land acquisition be approved;
3. That the prudential indicators for capital financing are approved (appendix 3) and that;
4. Contractual matters required to enable construction to commence are delegated to the Director of Public Places in consultation with the Cabinet Member for Fairer Chelmsford.

(7.53pm to 8.41pm)

### 13. Proposed Purchase of Land at Main Road Boreham

Public interest statement: It is not in the public interest to release details of this report at present, on the grounds that the report contains information that is commercially sensitive and to place the information in the public realm will be detrimental to the negotiations to be undertaken by the Council.

The Council was asked for its approval to purchase a parcel of land at Main Road, Boreham for the development of affordable housing. It was noted that the cost would be funded from an existing budget previously approved for the purchase of exception sites within the Capital Programme.

Several members indicated that they felt the purchase price was high and queried if professional valuations had taken place. In response it was noted that the development would be used for affordable rent housing and that professional valuations had been undertaken prior to the proposal being put to Council. It was also confirmed by the Monitoring Officer, that members would not be automatically pre-determined if planning permission for the land was to be discussed in the future at a Planning Committee.

RESOLVED that;

1. That the Director of Public Places after consultation with the Cabinet Member for Fairer Chelmsford pursuant to para 3.4.5.46 of the Constitution be authorised to consider, negotiate, and agree terms for the purchase of the property as described below. The cost would be funded from an existing budget previously approved for the purchase of exception sites within the capital programme.
2. That the Section 106 collected for offsite affordable housing contributions should be used to fund the Boreham land purchase. These Section 106 funds were to be used to fund another existing capital budget 'Initiatives to increase the provision of Affordable Housing', so, that budget will reduce by the amount of Section 106 applied to the land purchase at Boreham.

(8.42pm to 8.51pm)

### 14. Small Housing Site Delivery

Public interest statement: It is not in the public interest to release details of this report at present, on the grounds that the report contains information that is commercially sensitive and to place the information in the public realm will be detrimental to the negotiations to be undertaken by the Council.

The Council was asked for its approval to dispose of several small housing sites on which planning consent had or would be obtained for the development of affordable housing. It was noted that they would be disposed of to a registered provider to provide accommodation for social rent and they would make a positive contribution, especially with the provision of much needed three and four bedroom family homes.

Several members indicated that they felt the loss of parking sites would have a negative impact on local residents and felt that they should be consulted first. In response it was noted that the sites referred to had already been granted planning permission and therefore been consulted upon.

RESOLVED that;

1. That the Director of Public Places after consultation with the Cabinet Member for Fairer Chelmsford pursuant to para 3.4.5.46 of the Constitution be authorised to consider, negotiate, and agree terms for the disposal of the property interests as described below.
2. That the Infrastructure Revenue Reserve is used to meet the costs previously spent on feasibility works on these sites.

(8.52.pm to 8.57pm)

The meeting closed at 8.58pm

Mayor



Chelmsford City Council

6 December 2023

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## Reports from the Cabinet

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Report by: Leader of the Council

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### Officer contact:

Dan Sharma-Bird, 01245 606523, [dan.sharma-bird@chelmsford.gov.uk](mailto:dan.sharma-bird@chelmsford.gov.uk)

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### Purpose

To inform Council of the decisions of the Cabinet on 14 November 2023 on the reports at Items 7.1 and on the agenda for this meeting.

### Recommendations:

That the recommendations of the Cabinet on Agenda Items 7.1 and 7.2 be approved.

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## 1. Proposed Amendments to the Constitution

The Cabinet resolved as follows:

**RECOMMENDED** to Council that it approve the amendments to the Constitution detailed in Appendix 1 to the report.

## 2. Treasury Management Mid-Year Review

The Cabinet resolved as follows:

RESOLVED that the report on the Treasury Management activities in 2023/24 be noted and the Council be requested to review the report and approve the 2023-24 Treasury Strategy without change.

Background papers:

None

Appendices:

None

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### Corporate Implications

As set out in the original reports to the Cabinet

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## Chelmsford City Council Cabinet

**14 November 2023**

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### Proposed Amendments to the Constitution

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Report by:

Leader of the Council

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Officer Contact:

Lorraine Browne, Legal & Democratic Services Manager & Monitoring Officer, email: [lorraine.browne@chelmsford.gov.uk](mailto:lorraine.browne@chelmsford.gov.uk), tel: 01245 606560

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#### Purpose

To consider the recommendations of the Constitutional Working Group and Governance Committee in relation to proposed changes to the City Council's Constitution.

#### Options

To either accept or reject the recommendations being made by the Constitutional Working Group and the Governance Committee to the Council.

#### Preferred option and reasons

To recommend the proposed changes to the constitution for the reasons set out in the report and appendices.

#### Recommendations

That the Council be recommended to approve the amendments to the Constitution detailed in Appendix 1 to this report;

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## 1. Introduction

- 1.1. The Council's Constitution is reviewed at least annually to ensure that it remains complete, up to date and reflects current practice and legislation. Some parts of the Constitution, such as the rules relating to meetings and officer delegations, are likely to need detailed review as they are more likely to be affected by changes to organisational practices and legislation. Other parts only need periodic detailed examination as they tend not to change significantly over time.
- 1.2. The annual governance statement and action plan approved at the Joint meeting of Audit and Risk Committee and Governance Committee in June 2023 included an action to complete an ongoing phased review of the constitution which is now reviewing any constitutional documents that have not been reviewed within the last few years. Consequently more changes are being brought forward during this review period and further changes are likely to arise until this review has been completed.
- 1.3. Annual reviews and other ad hoc reviews are initiated by officers and their recommendations are submitted in the first instance to the Constitution Working Group. Its recommendations are then passed to the Governance Committee, the Cabinet (where appropriate) and finally Full Council.
- 1.4. The Cabinet is asked to consider the following changes to the Constitution (full details of which are set out in Appendix 1):
  - A clarification in relation to methods of voting at meetings
  - Broadening the existing officer delegation to the Legal and Democratic Services Manager in relation to minor amendments to the constitution, subject to consultation with the Chair of Governance Committee.

## 2. Voting

- 2.1 A City Councillor raised whether a vote by assent (e.g. the chair of the meeting asking members "is that agreed?" rather than asking for a show of hands) should be permitted.
- 2.2 The default position for voting under the Constitution is a show of hands unless a recorded vote is requested. However, custom and practice has been to permit a vote by assent in relation to non-controversial items across all meetings. The justification for a vote by assent is that all members present at the meeting and entitled to vote agree – or at least are taken to have agreed – to the item whether they say that the matter is agreed or not. By their silence, they indicate

agreement just as much as by a show of hands.

- 2.3 It is worth noting that any member present at the meeting and entitled to vote may, under 4.1.15.6 of Council procedure rules, have their individual vote (or abstention) recorded in the minutes. Similarly, custom and practice has been to permit a voting councillor present at any other meetings to similarly note any dissent in relation to items of business, as necessary. This option would remain even when a vote has been taken by assent.
- 2.4 The Constitutional Working Group and Governance Committee have discussed this issue. There was support for clarifying the Constitution to permit expressly the practice of voting by assent; it was suggested that the Chair of the meeting should pause where a vote by assent is used so that individual members who wish to make their dissent clear have an opportunity to do so. Where there is dissent, the Chair of the meeting may revert to a show of hands. For completeness, both the Council rules and the Cabinet/Committee rules make provision for a recorded vote to be taken in some circumstances.
- 2.5 The rule change is sought to clarify that a vote by assent is permitted.

### 3. Delegation

- 3.1 Any significant change to the Constitution can only be made by Council. That limits the opportunities to make changes, which is appropriate for any significant change but would risk creating practical difficulties if minor amendments needed to be made more quickly were not possible.
- 3.2 That's the basis for the existing provisions for minor changes to be made under Article 2.16.3. This permits the Legal and Democratic Services Manager, to make minor changes without requiring Council agreement. Examples are:
- Any change in legislation governing Council operations (without significantly affecting those operations)
  - The change from four directors to three in 2021, meaning there was no longer a Director of Financial Services
  - Changes in Cabinet roles and responsibilities decided by the Leader
- 3.3 There are other circumstances where minor changes to the Constitution need to be made, for example to correct errors (such as statutory references) or to update cross-references to changes that have been made elsewhere in the Constitution but were missed at the time.
- 3.4 Typographical errors and corrections are permitted under the delegation in any event. It has been proposed that the delegation to make minor changes should be broader so that it expressly permits any minor change and is not limited to the categories that are currently mentioned, putting this beyond argument.

- 3.5 The Constitutional Working Group discussed this proposed change. The working group was happy to recommend that the delegation be broadened so that “minor changes” that arose outside of the 3 specific examples already contained within the rules would be permitted by delegation, subject to consultation with the Chair of Governance Committee.
- 3.6 Governance Committee discussed this proposed change. The Committee amended the proposal to recommend that all minor amendments should be subject to consultation with the Chair of Governance Committee.

## 4. Conclusion

- 4.1. Both proposed amendments to the constitution were supported by the cross-party working group and Governance Committee. The proposals are being referred to the Cabinet for its comments before being passed to Full Council in December 2023.

## List of Appendices

Appendix 1 – Proposed amendments

Background papers:

Nil

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## Corporate Implications

Legal/Constitutional: These are set out in the report

Financial: None

Potential impact on climate change and the environment: None

Contribution toward achieving a net zero carbon position by 2030: None

Personnel: None

Risk Management: None

Equality and Diversity: None

Health and Safety: None

Digital: None

Other: None

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Consultees: Constitution Working Group

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Relevant Policies and Strategies:

None

Cabinet 14 November 2023 – proposed changes to the constitution

| Item proposed for change   | Current version  | Proposed version (with additions highlighted in yellow and deletions in blue)   |
|--|--|---|
| <p>1. Voting - clarification that voting “by assent” eg asking the meeting whether the item is agreed ? is permitted at the discretion of the person chairing the meeting. The Rules of Debate practice note will also be updated.</p> | <p>Council procedure rules<br/> <b>4.1.15.3 Voting by show of hands</b><br/>                     Voting will be by show of hands unless a recorded vote is requested under rule 4.1.15.4.</p> <p>Cabinet and Committee procedure rules<br/> <b>4.2.18.3 Voting by show of hands</b><br/>                     Unless a recorded vote is requested under rule 4.2.18.4, voting will be by show of hands.</p> | <p>Council procedure rules<br/> <b>4.1.15.3 Voting by show of hands</b><br/>                     Voting will be by show of hand unless a recorded vote is requested under rule 4.1.15.4 <b>or the Mayor proposes a vote by assent.</b></p> <p>Cabinet and Committee procedure rules<br/> <b>4.2.18.3 Voting by show of hands</b><br/>                     Unless a recorded vote is requested under rule 4.2.18.4 <b>or the person chairing the meeting proposes a vote by assent,</b> voting will be by show of hands.</p> |

|  |   |   |
|--|---|---|
| <p>2. Changing the constitution – tweak to delegation in relation to making minor changes to the constitution and not limited to the specific situations set out in the existing rules. A new practice note is also proposed to help clarify the process to be followed in relation to the various types of changes to the constitution that could be made. This will be finalised after members have considered their position in relation to this proposed change.</p> | <p>Article 2.16.3</p> <p>The Legal and Democratic Services Manager shall have authority to make minor changes to the constitution arising from new legislation or changes to the organisational structure of the Council arising from decisions of the Council or Cabinet or in exercise of the Leader’s authority to make changes to Cabinet responsibilities.</p> | <p>Article 2.16.3</p> <p>The Legal and Democratic Services Manager shall have authority to make minor changes to the constitution arising from new legislation or changes to the organisational structure of the Council arising from decisions of the Council or Cabinet or in exercise of the Leader’s authority to make changes to Cabinet responsibilities.</p> <p>Any minor changes will be subject to consultation with the Chair of Governance Committee</p> |
|--|---|---|



## Chelmsford City Council Cabinet

**14<sup>th</sup> November 2023**

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### **Treasury Management Mid-Year Review 2023/24**

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Report by:  
Section 151 Officer

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#### Officer Contact:

Phil Reeves, Accountancy Services Manager (Section 151 Officer), 01245 606562,  
[phil.reeves@chelmsford.gov.uk](mailto:phil.reeves@chelmsford.gov.uk)

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#### Purpose

To inform members of the treasury activities undertaken in the first part of 2023/24 and to report on compliance with the approved TM Strategy.

#### Options

1. Accept the recommendations contained within the report.
2. Recommend changes to the way by which the Council's investments are to be managed.

#### Preferred option and reasons

Recommend the report to Council without amendment for consideration and thereby meet statutory obligations.

#### Recommendations

That Cabinet note the contents of this report and request that Full Council review the report and approve that no changes to the 2023/24 Treasury Strategy are required.

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## 1. Background

- 1.1. The Council has cash to invest arising from its revenue activities, capital balances and the collection of Council Tax and Business Rates. The Council can fund its capital programme from borrowing. The activities around the management of Council cash and external borrowing are known as Treasury Management.
- 1.2. Under statute and the CIPFA Code of Practice on Treasury Management (“the Code”), members are required to receive reports on the Council’s Treasury Management (TM) activities. The report in Appendix 1 complies with the CIPFA Code of Practice and relevant Government regulations.
- 1.3. Full Council has overall responsibility for Treasury Strategy but delegates to the Treasury Management and Investment Sub Committee (TMISC) responsibility to monitor and recommend changes to the strategy. The Section 151 Officer of the Council is delegated responsibility to manage operational TM activities within the approved strategy.
- 1.4. Members of TMISC are asked to review the contents of the report and recommend that the Cabinet note its contents and seek Council approval for it.

## 2. Executive Summary

- No breaches of the 2023/24 Treasury Management Strategy have occurred.
- Higher than expected interest rates and cash balances are estimated to increase investment income by £1m more than the budget for 2023/24.
- The Council remains internally borrowed to fund its capital investment; however, the council may have to externalise debt towards the end of the financial year.
- No change to the TM Strategy is recommended for 2023/24.
- No changes are being made at this time to the holdings of diversified investment funds following a review of funds and discussions with fund managers. Any decisions to change holdings will be made under the operational delegation by the s151 officer.

## 3. Conclusion

- 3.1. Cabinet will be asked to accept the review of the Treasury Management Activity for the period to the end of August as endorsed by TMISC. No changes to the 2023/24 Treasury Management Strategy are recommended.

List of appendices:

Appendix 1 – Review of Treasury Management Activity (2023/24)

Background papers:

Nil

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Corporate Implications

Legal/Constitutional: The report meets statutory obligations on reporting Treasury Management Activity.

Financial: As detailed in the report

Potential impact on climate change and the environment:

Fund managers are required to consider ESG (Environmental, Social and Governance) factors in their investment process. All the fund managers would be expected to have signed up to the UN Principles for Responsible Investment (PRI). PRI argues that active participation in ESG and exercising shareholder rights on this basis can help to improve the performance of companies which may otherwise not address such concerns and so being an engaged corporate stakeholder is a more effective way to bring about change in corporate behaviour on ethical issues.

Further requirements from those identified above are not practical given the limited ability to directly influence any immediate change in the financial markets.

Contribution toward achieving a net zero carbon position by 2030: N/A

Personnel: N/A

Risk Management:

The report is part of the Council's approach to managing risks arising from Treasury Management

Equality and Diversity: N/A

Health and Safety: N/A

Digital: N/A

Other: N/A

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Consultees:

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Relevant Policies and Strategies:

Treasury Management Strategy 2023/24

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## 1 Treasury Management Activity during the period 1<sup>st</sup> April 2023 – 31<sup>st</sup> August 2023

This report complies with the CIPFA Code by identifying the Council's investments and external borrowings as at 31/08/2023 and compares treasury activity to the approved strategy.

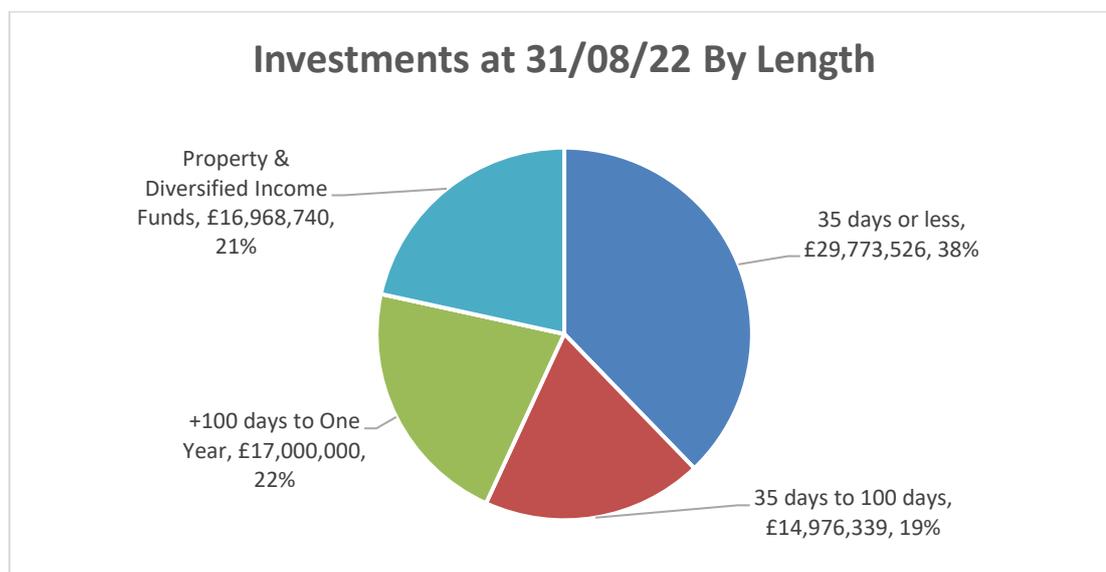
## 2 **Liquidity Management and borrowing**

- 2.1 The Council has continued to keep a significant proportion of its portfolio available for instant access and within notice accounts. The Council is undertaking significant capital investment including Waterside infrastructure and with the resulting expectation of a need to borrow later in the financial year, new investments durations have been kept to below a year.

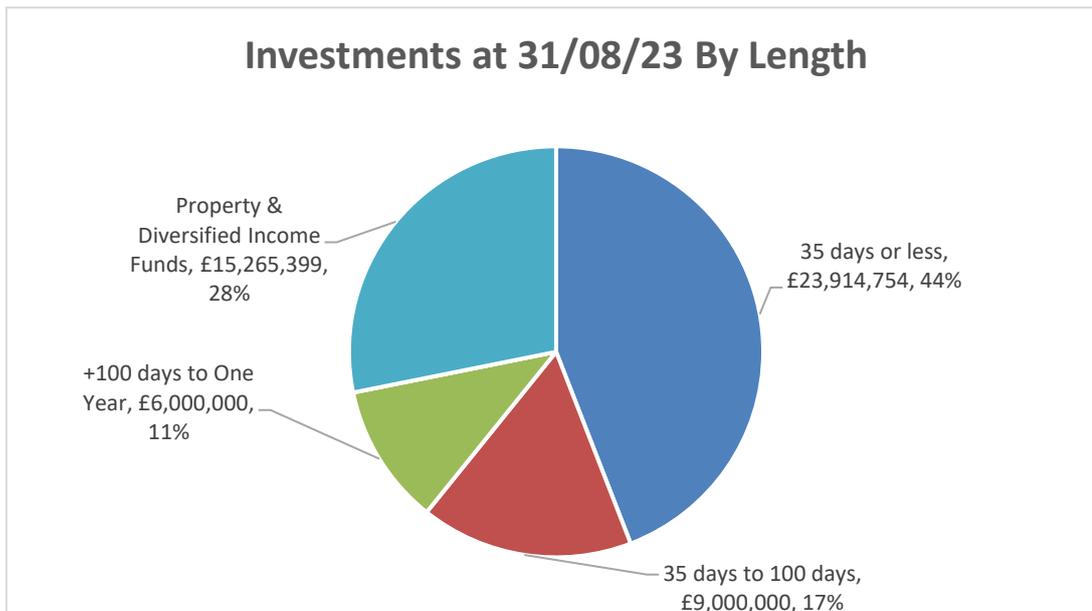
To assist in managing liquidity, the Council set the following target in its Treasury Management Strategy.

**A minimum of £3m of all investments are targeted to be invested for periods of 35 days or less.**

**Outcome: The target was achieved, and officers will continue to keep the average durations of investments short until longer investment durations become worthwhile in terms of returns.**



### Investments at 31/08/23 By Length



| Investments at:                            | 31/08/22           | %          |
|--|--------------------|------------|
| 35 days or less                            | £29,773,526        | 38         |
| 35 to 100 days                             | £14,976,339        | 19         |
| +100 days to 1 yr.                         | £17,000,000        | 22         |
| Over 1 yr.                                 | £0                 | 0          |
| Property & Diversified Monthly Income Fund | £16,968,740        | 21         |
| <b>Total</b>                               | <b>£78,718,605</b> | <b>100</b> |

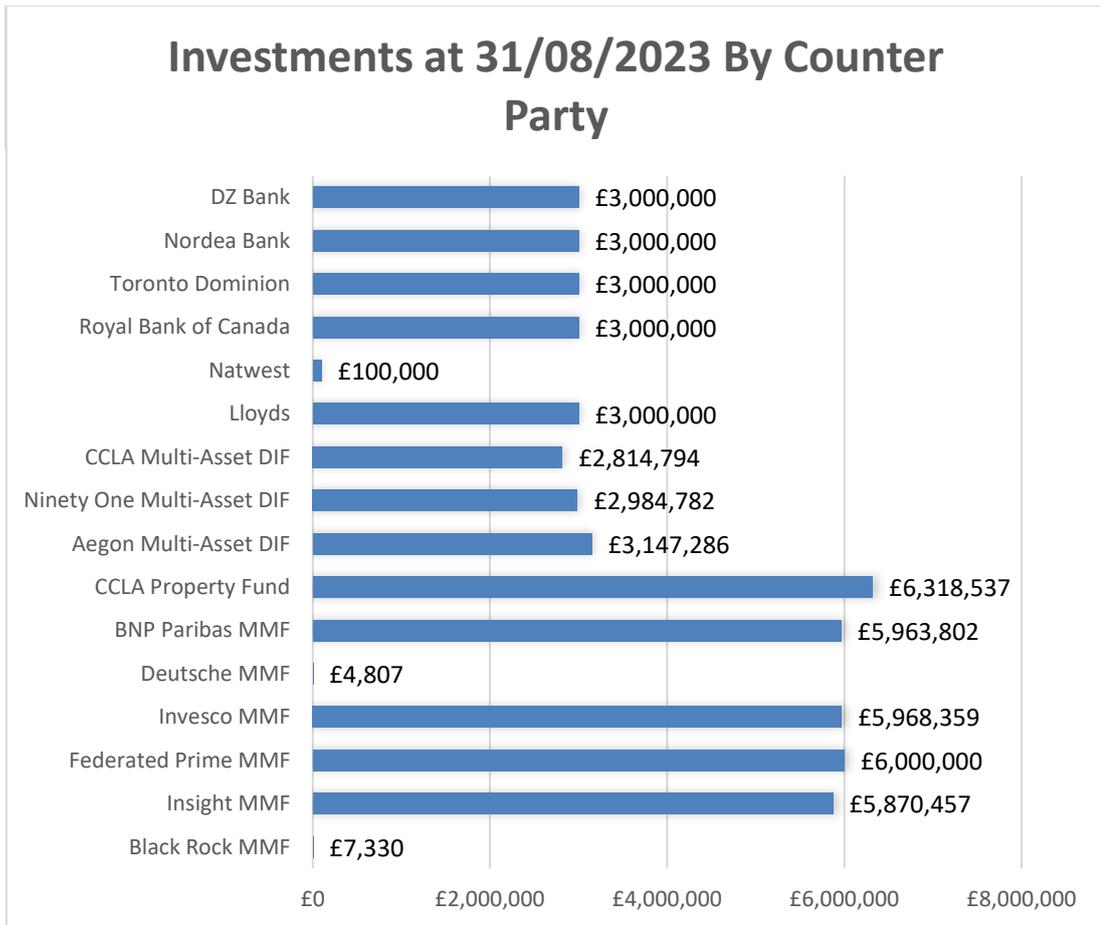
| Investments at:                            | 31/08/23           | %          |
|--|--------------------|------------|
| 35 days or less                            | £23,914,754        | 44         |
| 35 to 100 days                             | £9,000,000         | 17         |
| +100 days to 1 yr.                         | £6,000,000         | 11         |
| Over 1 yr.                                 | £0                 | 0          |
| Property & Diversified Monthly Income Fund | £15,265,399        | 28         |
| <b>Total</b>                               | <b>£54,180,153</b> | <b>100</b> |

2.2 The Council's Treasury strategy identified the following.

**No fixed duration investments over 365 days are proposed for 2023/24;** Subject to being reviewed during 2023/24 depending on cashflow and counterparty risk. It is recommended that any investments beyond 365 days are at the discretion of the Section 151 Officer. For investments 2 years and over, consultation will be made with TMISC chair.

**Outcome: The target has not been exceeded.** Currently, none are proposed but officers continue to look at options based on reviews of the Council's cashflow and interest forecasts.

2.3 **No breaches of counter -party limits have occurred.** The investments held by the Council are noted below.



The Council’s investments outside of those held in funds are mostly fixed maturity dates and of a duration of less than one year.

2.4 **The Council has not undertaken any external borrowing in the year to date.** The funding of the approved Capital programme has required borrowing but that has been internal borrowing which reduces the amount the Council has to invest. The Council operates two external borrowing limits, the Authorised (maximum limit) which cannot be exceeded without Council agreement and an Operational boundary (which provides an expected level of external debt). The current limits are noted below.

|  | Limit       |
|--|-------------|
| <b>Authorised Limit of Borrowing</b>     | <b>£50m</b> |
| <b>Operational Boundary of Borrowing</b> | <b>£11m</b> |

2.5 The Council cash balances will fall as the year progresses due to the normal outflow of Council Tax to other precepting bodies and capital programme spend. Cash balances are expected to continue to fall due to the capital programme. Also, repayment to government of balances for business rate grants held for the covid period and retail relief that are expected to be settled this year. Partially offsetting this there was also a one-off windfall from a VAT refund (Leisure VAT case) in August. It is thought that short-term external borrowing will occur towards the end of 2023/24 and a full review of the Council’s forecast cashflow is taking place as part of the budget cycle which will update the long-term borrowing forecast.

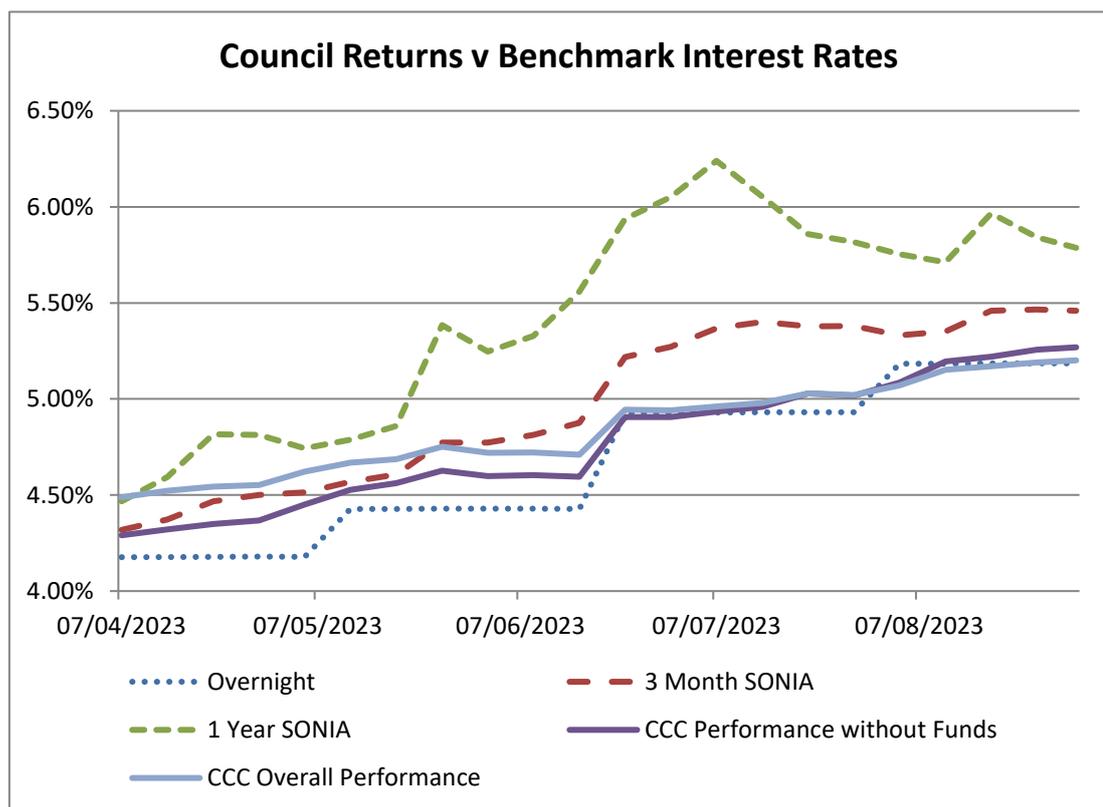
### 3. Rate of Return

3.1 The Bank of England Base rate stands at 5.25% after a series of increases in the last year until August but in September the base rate was held unchanged. The Markets are still tentatively pricing one more hike by February 2024.

As at 22nd September, the one-month local authority loans are 5.3% and one-year loans at 5.7%, however there is a great deal of volatility in the market. Money Market Funds are currently running between 5.14% to 5.33% with other cash investments such as with building societies offering around the base rate and some banks offering higher than the base rate in general for three-month investments.

The Council continues to invest in three multi-asset diversified income funds as part of its long-term strategy for returns and diversified portfolio. The returns are discussed in paragraphs 3.2 to 3.6.

3.2 Money market interest rates have increased with bank rate rises over the last six months. The Council returns are shown below alongside some comparable benchmark rates.



3.3 The Council's income yield in 2023/24 has improved compared to recent years due to the rise in Bank of England base rate which has led to increased rates on any cash or short-notice investments. Three diversified income funds have yields which lag behind money market rates when interest rates are rising but, as rates stabilise or fall, performance should rise above cash. Officers are continually reviewing options for longer duration investments.

3.4 The Council had an average yield on its portfolio of 5.2% as at 31<sup>st</sup> August 2023. The budgeted income for 2023/24 from investment returns is £1.3m; this is expected to be exceeded for the year by £1m at £2.3m, mainly due to rate rises and higher cash balances. Further gains will be dependent on the extent of any interest rate increases and cash balances which will be affected by the capital programme.

3.5 It is expected that interest rates are close to peaking but are still dependent on inflation data, with the latest set being weaker than expected, so it is likely that they will not increase much further.

#### 4 Externally Managed Fund Performance

4.1 The Council has invested in three Multi Asset Diversified Income Funds alongside its longstanding investment in the CCLA property fund. These are all intended to be longer term investments to generate a return for the Council at a higher rate than many other alternatives. Capital values will fluctuate throughout the period of investment. During recent times, interest rates have gone up quickly leading to reduced prices paid for gilts and bonds. This has caused the value of the funds the Council has invested in to move downwards but values are expected to recover as rates peak and begin to fall.

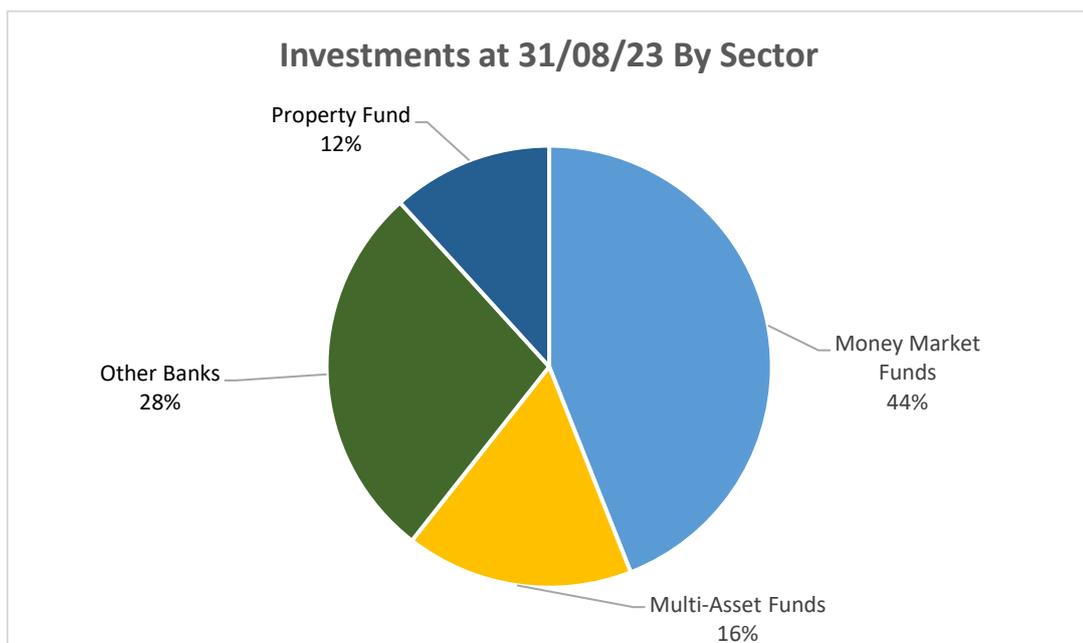
| Fund               | Initial Investment Value | 01/04/2023 Investment Value | 31/08/2023 Investment Value | Unrealised Gain/(Loss) (since inception) | Annualised Income Return on 1 <sup>st</sup> April Valuations | Annualised Total Return (2023/24) |
|--------------------|--------------------------|-----------------------------|-----------------------------|--|--|-----------------------------------|
| CCLA Property Fund | £5,000,000               | £6,318,537                  | £6,246,179                  | £1,246,179                               | 4.32%  | 1.59%                             |
| CCLA DIF           | £3,100,000               | £2,814,794                  | £2,806,816                  | £-293,184                                | 4.35%  | 3.67%                             |
| Aegon DIF          | £3,600,000               | £3,147,286                  | £3,155,519                  | £-444,481                                | 7.66%  | 8.29%                             |
| Ninety One DIF     | £3,300,000               | £2,984,782                  | £2,931,261                  | £-368,739                                | 4.39%  | 0.12%                             |

- CCLA Property Fund – This investment fund is open only to Local Authority investors. The Council invested at cost of £5m and its current selling value is £6.2m on 31st August. The annualised income yield on the valuation at 1<sup>st</sup> April is 4.32%
- Aegon Multi-Asset Diversified Income Fund – A £3.6m investment was made into the Aegon DIF in June 2021.
  - Annualised income yield is 7.66% on the valuation at 1<sup>st</sup> April.
  - Capital Value – 12.35% decrease on initial investment and 0.26% increase against April valuation.
- Ninety-One Multi Asset Diversified Income Fund – A £3.3m investment was made into the Ninety-One DIF in June 2021.
  - Annualised income yield is 4.39% on the valuation at 1<sup>st</sup> April.
  - Capital Value – 11.17% decrease on initial investment and 1.79% decrease on April valuation.
- CCLA Multi Asset Diversified Income Fund – A £3.1m investment was made into the CCLA DIF in July 2021.
  - Annualised income yield is 4.35% based on first quarter’s dividend.
  - Capital Value – 9.46% decrease on initial investment and 0.28% decrease on April valuation.

- 4.2 The return on all external funds should be looked at as a portfolio, allowing for periods of over- and underperformance for individual funds. If the performance of the first few months of this year were to continue, then the annualised income yield would be 5.03% on April valuation. The unrealised capital gain to date is £140K (including CCLA property fund). It is important to note the unrealised capital gain will fluctuate; the main objectives of the investment in funds are spread of risks across asset types and improving annual income (yield).
- 4.3 The externally managed funds give the Council benefits from specialists, who bring expertise and additional data when selecting and managing investments, therefore helping to spread risk across a wider range of counterparties and assets, whilst maintaining a high yield.
- 4.4 The funds the Council invests in had a slight negative impact compared to cash on the overall income yield since June 2023 but these are seen as a medium-term investment that will outperform cash investments over a longer time frame.
- 4.5 Fund managers have taken a defensive approach in positioning their portfolios with a recession being forecast as their base model. After discussions with fund managers, officers believe that holding the funds at this point is the preferred option. Performance is expected to pick up over time and expect gradual return of capital values and higher yields than should be achievable from cash as interest rates peak and begin to fall.

5.0 **Bail-in Risk**

- 5.1 This is the risk that regulators will step in and enforce losses on depositors in order to recapitalise a failing bank or building society, rather than rely on taxpayer bailouts.
- 5.2 Overall exposure to bail-in has not materially changed from last financial year to current.



| <b>Exposure</b>                         | <b>As at 31<sup>st</sup><br/>August 2022</b> | <b>As at 31<sup>st</sup><br/>August 2023</b> |
|---|--|--|
| Bail-in risk                            | 72%  | 72%  |
|   |  |  |
| Exempt from bail-in<br>(including CCLA) | 16%  | 12%  |
| Diversified Income Funds                | 12%  | 16%  |
| <b>Total</b>                            | <b>100%</b>                                  | <b>100%</b>                                  |

The Diversified Income Funds will be partially exposed to Bail-In risk, but it is not possible to identify specific risk due to the changing nature and proportion of their investments in bonds, equities, property, etc. They have therefore been split out as a separate line in the table above for clarity. There has been no further investment in Diversified income funds, the increase in percentage holdings is the result of a reduction in total investments held by the Council.

## 6 Conclusion

- No breaches of the Treasury Management Strategy have occurred.
- Interest Rate rises during the financial year have led to higher returns for cash investments.
- The Council remains internally borrowed to fund its capital investment.
- Though income and total return from the fund managers is disappointing in the current year, it is not unexpected in the current economic climate. Investment into three diversified income funds and CCLA property fund is seen as a medium-term investment that is expected to enhance the returns for the Council over the longer period.
- No change to Strategy is recommended for the rest of 2023/24.



Chelmsford City Council

14 November 2023

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## Review of Scheme of Members' Allowances

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Report by:

Leader of the Council

Officer Contact:

Dan Sharma-Bird, Democracy Team Manager, [dan.sharma-bird@chelmsford.gov.uk](mailto:dan.sharma-bird@chelmsford.gov.uk) 01245 606523

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### Purpose

To receive and pass to the Council the results of a review of the Members' Allowances Scheme carried out by the Independent Remuneration Panel.

### Recommendations

That the Council, having considered the recommendations of the Independent Remuneration Panel on the latest review of the Members' Allowances Scheme, agree a scheme of allowances.

---

## 1. Background

1.1 An Independent Remuneration Panel convened under The Local Authorities (Members' Allowances) (England) Regulations 2003 has made recommendations to the Council on a new scheme of Members' Allowances for Chelmsford City Council. All councils must review their allowances schemes at least every four years and must establish such a Panel before they make any changes to their schemes. They must pay regard to the Panel's recommendations before setting a new or amended Members' Allowances Scheme.

1.2 The terms of reference, composition and working arrangements of the Panel are described in its report, which is attached.

## 2. The Panel's Recommendations

2.1 In summary, the Panel's recommendations are as follows:

The recommendations of the Independent Remuneration Panel on its 2023 review of Chelmsford City Council's scheme of members' allowances are as follows:

That the following elements of the present scheme of members' allowances remain unchanged:

- a) the basic allowance; and
- b) the current list of approved duties

That the payment of special responsibility allowances (SRA) be confirmed or amended as follows:

- a) the SRAs for the Leader, Cabinet Members, Deputy Cabinet Members, Chairs and Vice Chairs, Leader of major opposition, Leader of smaller Political Group, Mayor and Deputy Mayor be unchanged and
- b) a payment representing 10% of the basic allowance (currently equating to £666 (rounded up)) be made to each Independent Person on the Audit and Risk Committee.

That the revision of basic and special responsibility allowances and the payment to the Independent Persons be linked to the annual local pay award for employees of the City Council and updated accordingly;

That the travel and subsistence allowances payable to councillors continue to be based on those paid to officers and harmonised with those arrangements where necessary and applicable.

That the payment of Child Care and Dependent Carer's Allowance be made on the basis of HMRC rates.

### 3. Conclusion

- 3.1 The final decision on the Panel's recommendations must be made by the Council, although it may take into consideration the views of the Cabinet. The Cabinet on 14<sup>th</sup> November 2023 had no comments to make on the recommendations, preferring that they be discussed and decided by the Full Council.

#### List of appendices:

Report of Independent Remuneration Panel

#### Background papers:

All papers submitted to the Independent Remuneration Panel

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#### Corporate Implications

Legal/Constitutional:

The Council is required to establish an independent panel to review its scheme of members allowances at least every four years.

Financial: None

Potential impact on climate change and the environment: None

Contribution toward achieving a net zero carbon position by 2030: None

Personnel: None

Risk Management: None

Equality and Diversity: None

Health and Safety: None

Digital: None

Other: None

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#### Consultees:

All members of the Council, Chief Executive, Legal and Democratic Services Manager

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#### Relevant Policies and Strategies:

None are relevant.

# Review of the Scheme of Members' Allowances

## Report of the Independent Remuneration Panel to Chelmsford City Council

The recommendations of the Independent Remuneration Panel on its 2023 review of Chelmsford City Council's scheme of members' allowances are as follows:

1. That the following elements of the present scheme of members' allowances remain unchanged:
  - a) the basic allowance; and
  - b) the current list of approved duties
2. That the payment of special responsibility allowances (SRA) be confirmed or amended as follows:
  - a) the SRAs for the Leader, Cabinet Members, Deputy Cabinet Members, Chairs and Vice Chairs, Leader of major opposition, Leader of smaller Political Group, Mayor and Deputy Mayor be unchanged and
  - b) a payment representing 10% of the basic allowance (currently equating to £666 (rounded up)) be made to each Independent Person on the Audit and Risk Committee.
3. That the revision of basic and special responsibility allowances and the payment to the Independent Persons be linked to the annual local pay award for employees of the City Council and updated accordingly;
4. That the travel and subsistence allowances payable to councillors continue to be based on those paid to officers and harmonised with those arrangements where necessary and applicable.
5. That the payment of Child Care and Dependent Carer's Allowance be made on the basis of HMRC rates.

1. Introduction

**Regulatory background**

1.1 The Local Authorities (Members' Allowances) (England) Regulations 2003 require local authorities to set up and maintain an Independent Panel to review and provide advice on Members' allowances. A council is required to convene its Panel before making any amendments to their allowances scheme and they must 'pay regard' to the Panel's recommendations before setting a new or amended Members' Allowances Scheme. The Panel is required to meet at least every four years to review and make recommendations on the Council's scheme of allowances.

**Terms of reference and composition of the Panel**

1.2 The Panel advising this Council was requested to review the current scheme of allowances, with particular reference to

- the amount of basic and special responsibility allowances that should be payable to members
- the duties for which travelling and subsistence allowances should be payable and the amount of those payments
- the level of payments for child care and support of dependant relatives
- whether a co-optee's and Independent Person's allowance should be paid and the level payable
- what index should be applied to the annual update of allowances

and to report and, if necessary, make recommendations to the Council on its findings.

1.3 The Panel must be truly independent of the Council and, with this in mind, three local people were asked whether they would be interested in taking part in the review, two of these had served on the Panel in 2019. The following three were appointed to the Panel as representative of the public, private and voluntary sectors:

- Pippa Brent-Isherwood, Chief Executive of the Office of the Police, Fire and Crime Commissioner
- Lorraine Jarvis, Chief Executive of the Chelmsford Council for Voluntary Service
- Russell Everard, who had previously held Head of Service roles in Local Government elsewhere.

All agreed to act as members of the Panel and to review the scheme objectively and without favour to any individuals or political groups.

1.4 The Panel was supported by Nick Eveleigh, the Council's Chief Executive, and Dan Sharma-Bird, Democracy Team Manager,

1.5 The Panel would like to record its thanks to the Members of Chelmsford City Council who made known their views on the current allowances scheme and who spoke to the Panel and answered its questions. The Panel also noted the broad support for the current scheme that was

detailed in the survey responses and felt this demonstrated the scheme had been well received by current Councillors.

### **The conduct of the review**

- 1.6 The Panel met on three occasions between September and October 2023 and received from Council officers guidance, both written and oral, on its role and the operation of the Council's political structure. Councillor Robinson (Leader of the Liberal Democrat Group) spoke to the Panel in person on various aspects of the current scheme. Other group leaders and Councillors were offered the opportunity to address the panel but declined. A questionnaire was also sent to all members to assist the Panel in making an assessment of the roles and responsibilities of elected Members and to obtain their views on the current scheme. A summary of the questionnaire returns is at Annex 1. 34 of 57 Councillors completed the questionnaire, which whilst being a significant increase against 20 in 2019, was still felt to be disappointing by the panel.
- 1.7 In addition to obtaining the views of members, the Panel received background information on
- the regulations and guidance concerning the review process
  - the structure of the Council's decision-making bodies
  - the roles and responsibilities of councillors
  - the allowances paid to members by other district councils in Essex and the eastern region which were used as comparators for this review
  - the ratio of councillors to population in each Essex district
  - the current scheme and its cost in 2022-23
- 1.8 The fact that the members' decision-making structure has not changed significantly since the last review of allowances four years ago, and that since then there had been no pressure to look in detail at the scheme, suggested to the Panel that there was no need to carry out a fundamental examination of the scheme.
2. The Status of Allowances
- 2.1 One of the key messages arising from this review is that service as a councillor is a voluntary role and should not be regarded as a professional duty which attracts a living wage or salary. The Panel also felt this status was important when discussing whether the allowances should be pensionable and had helped them form the view, along with previous panels that they should not be pensionable.
- 2.2 The Panel received views from a small minority of members who feel that the level of allowances, particularly the basic allowance, should be much higher to reflect the time spent by councillors on their duties and to act as an incentive to a wider range of people in the community to stand for election.
- 2.3 Whilst the Panel recognised the validity of this view to an extent, it was mindful of the fact that the legislation providing for the adoption of Members' Allowances Schemes by local authorities envisaged that they should support councillors in the performance of their duties as elected

representatives by reimbursing their costs. The role of a councillor should therefore not be regarded as a professional duty which attracts a salary.

- 2.4 In the Panel's view, financial incentives alone will not attract people to stand as councillors: political parties and groups have a role, as do employers and an individual's own sense of service to the community. Changing the basis on which councillors' remuneration is made will change the whole ethos of public service.

### 3. The Components of the Allowances Scheme

#### **The general scheme**

- 3.1 The Panel considered all of the comments received from the survey of councillors. The Panel was grateful that councillors took the time to contribute their views, many of which were original and provoked some detailed discussion among Panel members. Those are looked at under the appropriate heading below.

#### **The basic allowance**

- 3.2 When compared with the basic allowance paid by other councils, the allowance in Chelmsford is neither the highest nor the lowest but is comparable to other authorities of similar size. In that regard, the Panel felt that the allowance was about right and could be justified.
- 3.3 On balance, the Panel recommends no change either to the level of the current basic allowance or the scope of the expenditure and costs it is intended to cover.

#### **Special responsibility allowances (SRAs)**

- 3.4 These are paid to councillors who take on significant extra responsibility over and above their normal duties as elected members. The current payments are set out at section 4 of this report. The Panel approached the question of SRAs with an open mind and paid close attention to the views of members expressed through the responses to the questionnaire and the opinions expressed by those who spoke in person to the Panel.
- 3.5 The majority of SRAs represent a percentage of the SRA of the Leader of the Council.
- 3.6 The Panel was of the view that SRAs should be based on two considerations: the level of responsibility attached to the role and the accountability associated with it. It concluded that the current SRAs were still suitable going forward. They only felt an addition should be made to provide a payment for the newly appointed Independent Persons on the Audit and Risk Committee, in line with the payments already in place for IP's on Governance Committee. The panel felt this role should receive the same payment of £666 per year and reflected the responsibility of this new role. The Panel also discussed whether co-opted members on the Governance Committee should receive an allowance. In line with the majority of comments from the City Councillor consultation, they felt that

the role of a Parish Councillor was more voluntary than a City Councillor and should not therefore have a payment. The Panel also felt that as there had been a good number of applicants for the role recently, there was clearly not an expectation or demand for this payment to be made.

Timing of changes:

The Panel recommends that any increases in SRAs should take effect from the next full calendar month.

**Indexation of allowances**

- 3.8 Over recent years the updating of the sums for basic and special responsibility allowances has been linked to the annual local pay settlement for employees of the City Council. All members who expressed a view as part of the survey supported this approach and the Panel believes that it would be sensible to continue that as the means of indexing the allowances scheme.

**Carer's Allowance**

- 3.9 The scheme provides for the reimbursement of expenditure incurred by members in providing child care arrangements for children for whom they have a parental responsibility, or for the care of dependants, to facilitate their attendance at approved duties of the Council. The Panel felt this was a valuable element of the scheme that would assist with attracting a diverse range of people to stand for election. The Panel believes that it would be sensible to continue to include these in the scheme.

**Travel and subsistence allowances**

- 3.10 These are paid in respect of approved duties performed by members and are linked to the HMRC rates paid to officers. The Panel noted that such claims represent a small fraction of the cost of the allowances scheme and it was the general view of members who replied to the questionnaire that no change is necessary to these payments. Accordingly, the Panel recommends that the system for these allowances remain unchanged but that the Council should authorise the Legal and Democratic Services Manager to make any adjustments to this aspect of the allowances scheme that may be necessary to harmonise the rates paid to members and officers and to align the arrangements applicable to such payments.

**Approved duties**

- 3.11 A definitive list of approved duties which would qualify for the payment of travel and subsistence allowances was drawn up and agreed by the Council several years ago. The survey of councillors indicated that the vast majority of councillors who replied believe the current list is reasonable, a view with which the Panel agreed.

4. Financial Effects of the Changes

|   | Current<br>SRAs<br>£ | Proposed<br>SRAs<br>£ | %<br>of Leader's SRA |
|---|----------------------|-----------------------|----------------------|
| Leader of the Council                         | 26,076               | 26,076                | 100                  |
| Deputy Leader of the Council                  | 17,202               | 17,202                | 66                   |
| Cabinet Member                                | 13,035               | 13,035                | 50                   |
| Cabinet Deputy                                | 6,519                | 6,519                 | 33                   |
| Chair of Planning Committee                   | 8,604                | 8,604                 | 33                   |
| Vice Chair of Planning Committee              | 4,302                | 4,302                 | 16.5                 |
| Chair of Chelmsford Policy Board              | 8,604                | 8,604                 | 33                   |
| Chair of Overview and Scrutiny Committee      | 6,519                | 6,519                 | 25                   |
| Vice-Chair of Overview and Scrutiny Committee | 3,258                | 3,258                 | 12.5                 |
| Chair of Audit and Risk Committee             | 1,308                | 1,308                 | 5                    |
| Chair of Governance Committee                 | 1,308                | 1,308                 | 5                    |
| Chair of Licensing and Regulatory Committee   | 6,519                | 6,519                 | 25                   |
| Leader of major opposition political group    | 8,604                | 8,604                 | 33                   |

|  |       |       |   |
|--|-------|-------|---|
| Leader of largest minority political group | 1,308 | 1,308 | 5 |
|--|-------|-------|---|

4.1 The table above gives a summary of the SRAs. The cost of the complete scheme including basic allowances, based on the Panel's recommendations and current rates would be £565,485 annually, including the two new payments of £666 each for the Independent persons on the Audit and Risk Committee.

5. Conclusion

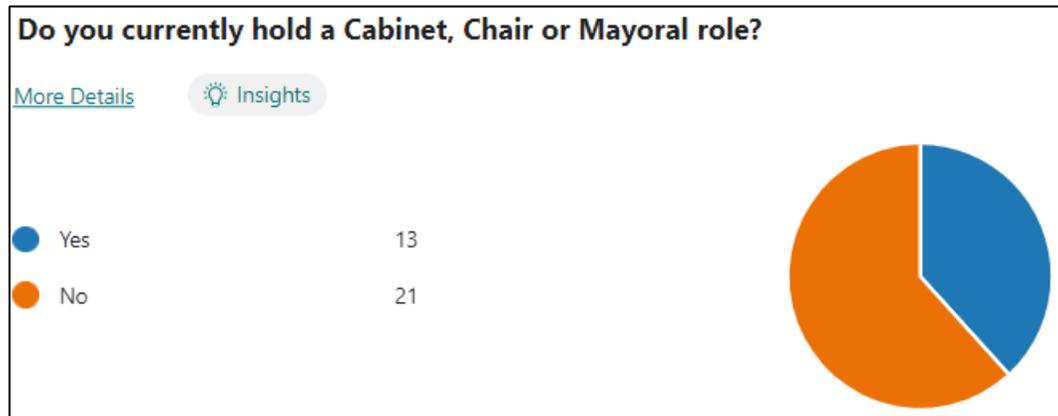
5.1 The recommendations in this report are those of the Independent Remuneration Panel and not those of the City Council. It is for the Cabinet to give initial consideration to this report and to pass any views it might have to the Council for it to consider when deciding whether to accept the recommendations.

5.2 In general, the Panel has found the current scheme of allowances to be sound, fair and reasonable and the recommendations it has made are designed to reinforce that observation. Whilst aware of the financial pressures on the Council, the Panel has not concerned itself with the affordability of those recommendations that have budgetary implications: that is a matter for the Council to address.

# Members Allowances Survey Results 2023

We have received 34 responses from our 57 Councillors. The following pages summarise the responses we had for each section of the survey. Some of the questions had follow up questions, depending on the initial answer and those responses are detailed underneath each summary.

## Councillors position



# Basic Allowance

## 2. Basic Allowance (BA) (currently £6,645)

This allowance is intended to cover the general expenses associated with the duties of a Councillor.

*Do you think the current BA is reasonable and reflects fairly all the expenses you incur in your day-to-day duties?*

[More Details](#)

 Insights

|   |    |
|---|----|
|  Yes   | 20 |
|  No    | 6  |
|  Maybe | 8  |



**Why do you believe the allowance should be higher or lower? Please indicate the level you think appropriate and your reasons.**

I believe the BA should be lower as the Council must be mindful of saving taxpayers' money. I think £6,000 would be fine and this figure should be frozen for the foreseeable future.

Personally, the allowance is alright but it depends on how much time one spends. On occasion I can spend up to 8 hours a week dealing with residents and a further 2.5 hours extra dealing with PCs.

I've answered maybe because there is a wide range of different circumstances. For some, it may be too generous but for others it is clearly too low. Taken overall, I wouldn't change it by much, although I note that the value has diminished over the period since the last review due to the gap between inflation and staff pay rises so this may need looking at.

|  |
|--|
| I believe allowances should be kept in line with inflation.  |
| An increase in the allowance will attract younger people to join making it worthwhile for them financially too.  |
| I think the cost of living and the increase in fuel costs have eroded its value. I think it should rise in line with inflation otherwise there is a risk that only independently wealthy individuals will put themselves forward to be councillors.  |
| Slightly higher, around 7.5k   |
| I believe it should be around £7100 at the current value to better reflect the impact on the time taken and the consequential reduction in the ability to earn other salary for those earning around the National Living Wage to encourage diversity in the people who are able to put themselves forward for the Council.   |
| I can't speak for others, but I spend many hours on ward casework - and the amount of casework has increased noticeably recently and much of it is also more complex. That's besides the meetings we attend. (But I'm not complaining!)<br>Some people may drop a day's work to be a councillor. I suspect the allowance will be less than the salary forfeited. It needs to be affordable for younger working people to also be councillors.  |
| While expenses associated with being a councillor are not high (for me), I don't think this fairly represents the time that goes into it. I don't think these roles should be considered as a hobby or voluntary work. It should be paid at a similar level to a part time job, otherwise we'll only ever attract people that can afford to give away that time for free / for very little money.  |
| I feel if the local authority was to be represented by a multitude of people from all ages and backgrounds it needs to offer a remuneration for loss of income from your daily job. otherwise we will only ever get people that are retired or have understanding employers or have the means to be involved in the council. This is not a fair representation of the general public.  |
| A fraction higher perhaps. (Inflation!)  |
| I can see that this should be higher but now is not the time to increase this. residents cost of living crisis and Council budget pressures it would just look wrong. In my view at a future time in a few years a increase needs to reflect that the increase now was small or did not happen ( Not now but catchup in the future )   |
| I believe an increase in allowances for City Councillors is needed, primarily to acknowledge the extensive efforts they invest beyond their standard meetings in order to provide crucial support to residents. City Councillors play an indispensable role in their communities, often going above and beyond their official responsibilities to address the diverse needs and concerns of their constituents. Recognising their dedication with increased allowances not only validates their tireless commitment but also serves as an incentive for potential future Councillors. By offering a more competitive |

compensation package, we can encourage wider participation in local governance, attracting individuals from diverse backgrounds and ensuring that our City Council remains representative of the entire community's needs and aspirations.

# Special Responsibility Allowances

## Special Responsibility Allowance (SRA)

These reflect the additional responsibilities of Cabinet Members, Deputies, Chairs, Opposition Group Leaders etc. The baseline for these allowances is the Leader's SRA, with the other SRAs being varying percentages of that sum.

*Do you think the current SRAs are reasonable and fairly reflect the responsibilities of the individual posts?*

[More Details](#)

 Insights

|   |    |
|---|----|
|  Yes   | 24 |
|  No    | 6  |
|  Maybe | 4  |



***Please provide details of any special responsibilities not currently in receipt of SRAs which should be? Conversely, are there any that you believe should not be continued? Should any individual percentages be adjusted, either higher or lower, and if so why and what should those percentages be?***

I don't believe Committee Deputy Chairs should receive SRAs. In general, I think SRAs are too high and should be frozen for the foreseeable future.

I do not have an answer for this. Maybe this should include outside bodies and the numbers of hours spend.

I was a Cabinet Member for 4 years. The rates of allowance are far too low given the responsibility, the time commitment required and the difficulty we've experienced in persuading councillors who don't have private sources of income or wealth from taking on these roles. They cannot be done without creating space in your life which for most people will mean a reduction in income - the SRAs go nowhere near compensating for this and the effect is that most councillors who are not retired cannot afford to accept a role as a Cabinet Member.

|  |
|--|
| <p>More parochially, the Chair of TMISC should qualify for an SRA. I declare an interest as I am currently the Chair - but not a pecuniary interest as I also chair Governance so I would be no better off, however it seems like an anomaly that should be addressed for the future.</p>  |
| <p>I think the allowance for the Deputy Mayor should be increased. It is a demanding role. Ideally, it would be 50% of the Mayor's allowance.</p>  |
| <p>I believe that the 'ambassador' roles should attract a small allowance (similar to the allowance for independent members) to take into account the additional time, effort and personal resources involved</p>  |
| <p>Cabinet Deputy allowance is less than that of some Chairs. Speaking from experience, I spent a lot of time on Cabinet Deputy work and I'm not sure the allowance I received fairly reflected that. (Again, I'm not complaining!)</p>  |
| <p>Similar to my previous answer. The fact that being the leader of the council is paid at a similar level to a newly qualified teacher is very underpaid in my opinion. It's a huge responsibility, but not remunerated as such.</p>  |
| <p>I'm not sure on this.</p>   |
| <p>I had said not to have increase now - ( Basic Allowance ) but the level of work for those with special responsibility is not in anyway reflected in what they are paid.</p>   |
| <p>Furthermore, it is essential to consider a commensurate increase in allowances for City Councillors holding special roles. These individuals shoulder significant additional responsibilities and commit substantial time to the efficient functioning of our local Council, often participating in numerous meetings and decision-making processes. Recognising the elevated workload and dedication of these Councillors through increased allowances is not only a matter of fairness but also a means of attracting and retaining top talent in these vital positions. By offering a more competitive remuneration package, we can ensure that these key figures are adequately compensated for their efforts, which, in turn, fosters effective governance and bolsters our city's ability to address pressing issues and serve its residents optimally.</p> |

# Indexing of BAs and SRAs

## Indexing of BAs and SRAs

The annual revision of these allowances is linked to the annual pay increase for the Council's staff.

*Do you think this is a fair basis for revision? If not, what other basis would you suggest?*

[More Details](#)

 Insights

|   |       |    |
|---|-------|----|
|  | Yes   | 27 |
|  | No    | 2  |
|  | Maybe | 5  |



The annual revision of these allowances is linked to the annual pay increase for the Council's staff.

*Do you think this is a fair basis for revision? If not, what other basis would you suggest?*

My view is that Council Staff should be receiving pay increases given the current cost of living concerns, however many Councillors are of retirement age and do not face the same financial pressures. My preference would be that the annual revision is linked to the overall financial health of the Council in some way. I am uncomfortable with Councillors receiving increases in their allowances when the Council is struggling financially or is failing in its financial oversight of a number of capital projects, as we have seen recently.

It seems logical but public sector pay is quite low and I fear that local democracy should not be the preserve of the rich. So index-linked pay would be preferable in my opinion.

I don't necessarily think it's fair to automatically align member's pay with annual increase of council staff. For many members, it's not their full time job - we are retired or receiving this as a second income. The council staff work hard every day at their jobs which can be very challenging. I feel that the member's revision should be a stand alone exercise or should be set at X% (i.e. 1% each year).

While inflation remains high I would think any increase for councillors' allowances could be less than that for staff.

I believe the increase is fair, but the allowance is not. Cabinet members spend a lot of time carrying out their duties, especially the leader and deputy leader and their allowance is below the minimum wage.

Yes this is fair once it is at the correct level.

One compelling argument in favor of linking increases in allowances for City Councillors to the annual pay increase for the Council's staff is that it promotes fairness and equity within the local government. When both Councillors and staff receive similar percentage increases, it ensures that the gap in compensation does not widen disproportionately over time. This approach aligns with principles of transparency and consistency, as it ties Councillors' financial benefits to the overall fiscal health of the Council and its ability to provide competitive salaries to all employees. Moreover, it discourages potential public resentment that may arise if Councillors' allowances increase at a significantly higher rate than the salaries of hardworking Council staff, fostering a sense of solidarity among all stakeholders in local governance. Conversely, such a linkage may create a potential conflict of interest where Councillors, who have control over staff salaries, could indirectly set their own compensation. This could lead to perceived or actual impropriety and could undermine public trust in the decision-making process. There needs to be a fair balance between acknowledging the work of Councillors and avoiding potential conflicts of interest.

# Co-optees allowances

## Co-optees allowances

The last review did not recommend its introduction, there having been no significant pressure for it either from members or existing co-optees. The only Committee which has co-optees is the Governance Committee, with three Parish Tier representatives. They are non-voting members but do regularly attend meetings of the Committee and one of the three is required to attend any standards hearing where a complaint against a Parish Tier Cllr is being considered.

*Should the allowances scheme provide for payments to co-optees?*

[More Details](#)

 Insights

|   |    |
|---|----|
|  Yes   | 8  |
|  No    | 14 |
|  Maybe | 12 |



### Please elaborate on your answer?

Co-optees, to be fair should get a small amount for the amount of time spent supporting the Governance Committee, they may not vote but can contribute to discussion on matters.

its only fair if they are performing same duties as anyone else in the committee.

Well a small payment appears to be reasonable

|   |
|---|
| some payment for expenses would be reasonable   |
| I have held this co-optee role in the past. I did not feel the costs to attend meetings stopped my involvement in this committee. I live in Chelmsford town however, so others from a greater distance e.g.. SWF may have a different view. |
| I feel that they should be allowed to claim for mileage or travel costs if not already allowed.   |
| I am very new to proceedings so not really qualified at this stage to base an opinion.  |
| Not really sure how much their role entails.  |
| Don't know  |
| if there currently is no pressure for giving an allowance, I feel we don't need to offer due to the lack of budget at CCC. this should however be reviewed again in the future.   |
| If these people are required, this should be discussed at least.  |
| Given my lack of familiarity with the role and its associated requirements, I do not feel I have the required knowledge or context to offer informed commentary at this time.   |

|   |
|---|
| <b>What percentage of the basic allowance would be reasonable? Would, say 10% be reasonable?</b>      |
| 10% is reasonable   |
| Yes 10% would be reasonable   |
| Yes, I agree with at least 10%.   |
| yes   |
| 10% seems reasonable although I'm not sure how many attendances a co-opted might be expected to make. |
| Less than 10%, maybe 5%   |
| 10%   |

|  |
|--|
| I feel 10% would be suitable   |
| <b>Why do you not feel co-optees should receive an allowance?</b>  |
| They are attending in their capacity as a parish councillor, which is a voluntary position. I therefore don't feel it is necessary for them to receive an "allowance" type payment. However, they could have their travel expenses reimbursed.   |
| I would not introduce this if no one is calling for it.  |
| Duties are not onerous and they are volunteers   |
| Surely these are volunteers.   |
| I think that co-optees should receive an allowance.  |
| Parish councillors do not receive allowances and this is an extension of that role. I'd rather attract those who want to extend their current role than potentially those who might be attracted by the financial pull. (I know this seems potentially contradictory but these roles are different in scale and commitment from the Cabinet roles mentioned above.)  |
| I don't believe it's appropriate.  |
| As stated above, there has been no significant pressure for it.  |
| While in an ideal world everyone would be compensated for everything they do, being a Parish Councillor is a voluntary role which is not currently remunerated. There are plenty of other roles that people take on that are also not remunerated (such as trustees for charities etc.). I do not think the role of a co-optee on the Governance Committee is a particularly onerous role and, especially given current financial pressures, I do not feel there is an urgent need to change the allowances scheme to provide for payments to co-optees. |
| It's normally an extension of other roles they are performing outside of the council   |
| They should receive an allowance.  |
| There is no expectation that parish councillors would receive an allowance. Travel expenses should be paid.  |
| I assume they can claim travel expenses. Their time is minimal. Non-payment encourages volunteers. Judging by the last applications, there is no shortage of people wanting to do the role.  |

I think \*some\* levels of government should be voluntary. (Parish).

They are non-voting members and it's part of their Parish Council role.

Travelling expenses claimed per meeting may be more prudent.

Unless we are struggling to find volunteers due to not receiving an allowance keep as is.

# Allowances for Independent Persons on the Audit and Risk Committee

## Allowances for Independent Persons on the Audit and Risk Committee

Should Independent Persons on the Audit and Risk Committee receive the same allowance as the Independent Persons on the Governance Committee. These are two positions, one of which has been filled and the other out for recruitment currently. At the last review in 2019 it was agreed that the Independent Persons on the Governance Committee should receive an allowance in addition to their ability to claim travel expenses. This was then also agreed by the Council and has been in place since. It is therefore suggested that the IP's on Audit and Risk Committee should receive the same, this is currently £600 per year.

Do you think this would be suitable?

[More Details](#)

 Insights

|  |    |
|--|----|
|  Yes    | 26 |
|  No     | 0  |
|  Maybe | 8  |



I. Do you think the allowance should be the same as it is for IP's on the Governance Cttee?

[More Details](#)

[Insights](#)

|       |    |
|-------|----|
| ● Yes | 23 |
| ● No  | 3  |



**Please elaborate on your answer**

It feels only fair that they should receive same allowance if performing same duties.

I'm not sure whether the roles are comparable. I think they should both be remunerated, but I'm not sure whether the level of commitment in both roles is the same.

If it will allow better recruitment. Other wise travel expenses only.

I am very new to proceedings so not really qualified at this stage to base an opinion.

Again, not sure exactly what the role entails so I can't comment on the suitability of the allowance.

I don't know enough about their role to have a view

Don't know

Given my lack of familiarity with the role and its associated requirements, I do not feel I have the required knowledge or context to offer informed commentary at this time.

# Subsistence Allowances

## 1). Subsistence Allowance

This is paid in respect of approved duties outside the City on the basis of individual claims at the same rate as that paid to officers.

*Do you think it should continue to be paid on that basis?*

[More Details](#)

 Insights

|   |       |    |
|---|-------|----|
|  | Yes   | 28 |
|  | No    | 4  |
|  | Maybe | 2  |



### Please elaborate on your answer?

I'm not familiar with this allowance. I can see that it may be appropriate on the rare occasion that someone goes to an all-day meeting or even needs an overnight stay. But I wouldn't support substance payments for attending, say, an evening meeting in Chelmsford.

I think subsistence allowances are outdated.

### Why do you not feel it should continue on that basis? Also what other basis would you suggest?

Outdated and unnecessary, surely we can afford to forego this

Not necessary

The current amounts do not reflect the costs of a reasonable meal in each case, even in Chelmsford and is most likely to be claimed when visiting areas which are more expensive.

I personally feel that subsistence should be paid by the individual as you would when you attend a workplace - it seems excessive to pay this when the Council is struggling for money.

# Dependant Carer's Allowance

## Dependant Carer's Allowance

This is currently paid at the hourly rate of the National Minimum Wage for child care (depending on the age of the carer) and £15 per hour for the care of a dependant relative, where the member has to make such arrangements in order to be able to perform their duties as a Councillor. The latter payment is linked to the same index used for BAs and SRAs.

*Do you think this is still suitable?*

[More Details](#)

 Insights

|   |    |
|---|----|
|  Yes   | 28 |
|  No    | 2  |
|  Maybe | 4  |



### Please elaborate on your answer?

I think it depends on the availability of childcare. It is not always easy to find someone at short notice.

I'm not sure if that reflects the current 'market rate' that a member may have to pay

I am not sure. I am out of touch regarding the cost of childcare or rates for carers but both of the current allowances seem a little low to me.

I have no idea if it is a suitable amount, but it does need to be paid, so we can include people with children. In my view I marvel at what they do with this balance. I do feel that maybe now is not the time for a large increase. ( I see this as a welcomed privilege that is not there for people in the wider world )

**Please explain why it is not suitable and suggest any alternatives?**

people choose to be elected having thought about their domestic lives and the impact the role may have on their family.

Both should be paid at the higher index linked amount (currently £15) as each reflect that care is needed and the irregularity and potential short notice of meetings (in the case of extraordinary/rescheduled meetings or licensing panels) means that the minimum wage does not reflect a fair price for a carer's time

# Pensions for Members

## 5. Pensions for Members

A previous review of the allowances scheme included a recommendation from the Independent Remuneration Panel that members should be eligible to join the Local Government Pension Scheme in respect of the BA and SRAs. The Council decided not to adopt that recommendation. If pensions were to be paid for both allowances to all members there would be a cost to the Council in the region of £60,000, based on the current allowances.

The last three panels recommended that members should not be eligible to join the Local Government Pension Scheme.

*Do you believe that the allowances should be pensionable?*

[More Details](#)

 Insights

|   |    |
|---|----|
|  Yes     | 7  |
|  No      | 21 |
|  Maybe | 6  |



**Please add any comments to your answer here**

Whilst city councillors receive an allowance, the role is effectively voluntary and is not, in my view "paid employment" like other part/full time roles. Despite the auto enrolment regulations, I do not feel it is appropriate for councillor allowances to be pensionable. Councillors can of course choose to direct all/some of their allowance into a private pension if they so wish.

Allowances should not be pensionable to keep down costs to the Council.

|  |
|--|
| A lot of elected members are beyond pension age.   |
| The only basis on which I could vote for allowances to be pensionable would be if the rates were reduced to compensate, otherwise it would be a blatant back-door pay rise. If lower allowances were involved, I don't think members would be quite so keen on the idea!   |
| Pension scheme adds to the overall attractiveness of the role. Younger people would appreciate it. No pension scheme means only older people with already sorted finance would be attracted to the job.  |
| Councillor who are still working will be paying into a work based pension. Those that are retired can't pay into a pension anyway.   |
| If in future it becomes difficult to recruit members, younger members especially might like to join the pension scheme.  |
| I don't believe the cost can be justified.   |
| Given current financial pressures, I do not believe this is something the Council can afford.  |
| The role of councillor is not a hobby, it is a very responsible post with considerable sacrifices for members, if we want to attract and keep younger non retired people involved in local government then we should make allowances pensionable, but should allow an opt out if people don't wish to do this  |
| Do not want additional costs.  |
| There is insufficient justification at this time of financial squeeze  |
| For some members, the allowances received reflect a significant portion of their income and as such, the lack of a suitable pension contribution on top of the fact councillor allowances already take into account that members choose to volunteer some of their efforts as a public service, may severely impact current and future members ability to take an active role on the council and may be preventing a more diverse and representative group of candidates from standing for council. Younger councillors should not have to choose between saving an adequate amount for retirement and being able to take part in public life. |
| I am very new to proceedings so not really qualified at this stage to base an opinion but based on the cost to the council, I would say no.  |
| I wouldn't want that cost to the Council.  |
| Where a member spends a lot of time on the role, it would impact their working career, and may impact the associated pension. It seems fair to compensate by making the allowance pensionable.   |

See my note on large roles such as leader of the council, I don't think someone performing that role would have a chance to have a significant other job. Therefore if this isn't pensionable, I don't see how they could save for retirement.

There has to be some perks to carrying out the role.

It would be too difficult and costly to administer with different SLA's changing as often as annually, with some Council terms having large gaps in being elected.

Due to the nature of the role, we receive an allowance, not a wage, and the assumption is that it's not the main source of Income for Councillors who will have workplace pensions outside of their Councillor role.

Not at this time so let this be asked again in future years.

# Approved Duties

## }. Approved Duties

A previous review of allowances resulted in the introduction of a definitive list of approved duties in respect of which travel, subsistence and other allowances can be claimed. That list is at Appendix 1 of the current scheme.

*Do you think the list is reasonable?*

[More Details](#)

 Insights

|   |    |
|---|----|
|  Yes   | 30 |
|  No    | 1  |
|  Maybe | 3  |



### *Are there any duties which you feel ought to be added to or removed from the list?*

There are some conferences where only one party group may be invited that still reflects an important opportunity to represent the interests of the Council. For instance, party conferences might not be a correct use of council monies but covering subsistence for international events where a member(s) of a particular political group are invited to share best practice (on engaging marginalised groups for example) is more likely to be a reasonable use of council resources.

I am happy with the list but if you are going to pay someone for the cost of meals then it should cover the cost these seem to be set far to low and in my view should be increased to reflect the true cost.

## Other Comments

**Do you have any other comments or suggestions to make?**

I am very keen that SRAs and BAs are frozen for the foreseeable future given the current financial position.

My main view is for increases but not now. Yet in future time for this to be corrected. The payments for meals looked to low and if you are going to pay this it should be correct. I have said that those who do lots of work with Cabinet / Leader roles etc what is paid in no way reflects what they do, So for this group maybe a increase does need to higher now. ( I know this is a bit contradictory but hope it makes sense )



Chelmsford City Council

6 December 2023

Membership of Committees

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Report by: Leader of the Council

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Officer contact:

Dan Sharma-Bird, [dan.sharma-bird@chelmsford.gov.uk](mailto:dan.sharma-bird@chelmsford.gov.uk), 01245 606523

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Purpose

To agree a change to the membership of the Overview and Scrutiny Committee.

Recommendation:

- 1) To agree a change to the Overview and Scrutiny Committee membership proposed by the Conservative Group, to replace Councillor Taylor with Councillor Wilson.
-



## Chelmsford City Council

6 December 2023

## Our Chelmsford Our Plan

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Report by: Leader of the Council

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### Officer contact:

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01245 606775

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### Introduction

- 1.1. 'Our Chelmsford Our Plan' was adopted by Council on 22 January 2020 setting out the ambition, strategic direction and priorities for the City Council over the subsequent years. A refresh of this Plan is now proposed. 'Our Chelmsford, Our Plan' sets out priorities to help create a greener, fairer and more connected place. Chelmsford will be a vibrant and appealing place where people want to live, work, study and visit.
- 1.2. We reaffirm our ambition for the area to be a highly sustainable and creative community at the heart of Essex, recognised as a leading regional centre and destination in the East of England.
- 1.3. Once the ambition, direction and priorities have been agreed a more detailed Action Plan will be developed to deliver the key outcomes identified.

### Recommendation:

- 1) The Council's ambitions, strategic direction and the key priorities set out in 'Our Chelmsford Our Plan' be approved.
-

Background papers:

None

Appendices:

Appendix 1 – Our Plan Framework

‘Our Chelmsford, Our Plan’ sets out priorities to help create a **greener, fairer and more connected place**. Chelmsford will be a vibrant and appealing place where people want to live, work, study and visit.

We reaffirm our ambition for the area to be **a highly sustainable and creative community at the heart of Essex, recognised as a leading regional centre and destination in the East of England**.

### A fairer and more inclusive place

|  |   |
|--|---|
| <p>Promoting sustainable and environmentally responsible growth to stimulate a vibrant, balanced economy, a fairer society and provide more homes of all types</p> | <ul style="list-style-type: none"> <li>○ bringing investment into the area, together with an increase in skills, jobs, and overall employment</li> <li>○ meeting the demand for new homes of all types and tenures, in particular homes to rent that local people can afford</li> <li>○ adopting an approach whereby growth and development also delivers a broad range of social, community and environmental benefits that are sustainable over time</li> </ul> |
|--|---|

**Priority A** Set out the approach and planning principles to guide housing and economic growth, promoting sustainable development and helping to create greener, fairer and more connected communities

**Priority B** Put in place measures to help tackle local housing needs so everyone can aspire to having a home that they can afford, and which help address the causes of, and mitigate the impacts of, homelessness

**Priority C** Promote the area as a place for investment and business location, encouraging the creation of a wider range of jobs and excellence in education, skills and vocational attainment, thereby improving income equality

### Key outcomes, what success will look like ...

- 🏠 Local Plan Review adopted in 2026
- 🏠 High quality, sustainable forms of development delivered, where all new dwellings incorporate design features to reduce their carbon footprint and improve their environmental efficiency
- 🏠 Housing delivery targets set out in the Local Plan achieved
- 🏠 Increased supply and improved mix of the type and tenure of affordable housing

- 🏡 Key infrastructure delivered to support the development of Chelmer Waterside and other strategic growth sites
- 🏡 Beaulieu Park Station fully operational
- 🏡 Chelmsford attractive to new businesses, particularly in the technology and innovation sectors
- 🏡 An ongoing business support programme in place for small and medium-sized enterprises
- 🏡 A wider range of jobs created in Chelmsford
- 🏡 New cemetery and modern crematorium constructed and in operation
- 🏡 Improved ‘work and local economy’ scores in the Thriving Places Index

### A greener and safer place

|   |  |
|---|--|
| <p>Creating a distinctive sense of place, making the area more attractive, promoting its green credentials, and ensuring that people and communities are safe</p> | <ul style="list-style-type: none"> <li>○ protecting and enhancing wildlife, habitats, and landscapes and connecting people with the built and natural environment</li> <li>○ providing attractive, high quality green areas and public places that are clean, safe and easily accessible for all</li> <li>○ managing in a sustainable way to help reduce energy consumption and waste and to preserve natural resources</li> </ul> |
|---|--|

**Priority D** Lower energy consumption, reduce waste, carbon and greenhouse gas emissions, and improve air quality, creating a more sustainable approach to growth, development and everyday living

**Priority E** Protect, expand and improve the quality and accessibility of green spaces, improving habitat value and increasing biodiversity

**Priority F** Improve the environmental quality, attractiveness, safety, leisure and recreational potential of public spaces, green areas, rivers and waterways

### Key outcomes, what success will look like ...

- 🏡 Council’s operations and activities to be net-zero-carbon by 2030
- 🏡 Significant reduction in the amount of waste generated; reuse, recycling and composting levels exceed targets set out in the Environment Act 2021
- 🏡 Public realm enhancements implemented
- 🏡 Significant increase in woodland and tree cover with a target to plant at least 192,000 additional trees, creating the equivalent of 71 hectares of woodland and achieving tree cover of at least 20% in the Chelmsford area by 2030

- 🌿 Continuous natural green wedges and wildlife corridors established running from Chelmsford City Centre north through the Chelmer river valley to the Walthams and east along the River Chelmer to Sandford Mill and beyond
- 🌿 Habitat value of green spaces and waterways enhanced to promote greater biodiversity across the area
- 🌿 A biodiversity net gain of at least 10% achieved in new developments
- 🌿 Improved ‘sustainability’ scores in the Thriving Places Index

### A more-connected place

|  |   |
|--|---|
| <p>Bringing people together and working in partnership to encourage healthy, active lives, building stronger, more resilient communities so that people feel proud to live, work and study in the area</p> | <ul style="list-style-type: none"> <li>○ promoting physical and mental wellbeing and reducing social isolation</li> <li>○ providing access to sport, leisure and recreational activities that encourage healthy, active lifestyles</li> <li>○ enlivening and enriching people’s lives through creative and cultural activities and events</li> <li>○ engaging with local communities and fostering strong relationships, knowing that more can be achieved by working together</li> </ul> |
|--|---|

**Priority G**     **Improve opportunities for adults and children to live well, reducing health inequalities and social isolation, so that they can enjoy a healthy, safe and fulfilling life**

**Priority H**     **Through a network of community facilities and support for diverse communities provide opportunities and access for people of all backgrounds to engage in healthy, active and socially connected lifestyles**

**Priority I**     **Celebrate Chelmsford as a culturally ambitious place providing opportunities for people to engage creatively and productively within their communities**

### Key outcomes, what success will look like ...

- 🌿 Increased number of visitors attracted to culture, sports and leisure facilities, activities and events
- 🌿 Network of indoor sports and recreation spaces, community facilities and creative hubs in place and extensively used, with new facilities strategically located to meet the needs of growing communities
- 🌿 Play areas and informal recreation spaces integrated into all new developments

- A comprehensive ‘Livewell’ programme in place to improve the health and wellbeing of residents
- Increased level of community involvement and volunteering where people feel better connected to their built and natural surroundings
- Improved ‘people and community’ and ‘mental and physical health’ scores in the Thriving Places Index