

MINUTES OF CHELMSFORD CITY COUNCIL CABINET

on 9 July 2024 at 7pm

Present:

Cabinet Members

Councillor S Robinson, Leader of the Council (Chair)
Councillor C Davidson, Cabinet Member for Finance
Councillor N Dudley, Cabinet Member for an Active Chelmsford
Councillor D Eley, Cabinet Member for a Safer Chelmsford
Councillor L Foster, Cabinet Member for a Fairer Chelmsford
Councillor R Moore, Cabinet Member for a Greener Chelmsford

Opposition Spokespersons

Councillors, J Armstrong, S Dobson, M Steel, A, Thorpe-Apps, R Whitehead and P Wilson

Also present: Councillors, P Clark, S Goldman, R Hyland and T Sherlock

1. Apologies for Absence

Apologies for absence were received from Cllrs M Goldman, Jeapes and Raven.

The Leader of the Council congratulated Cllr Marie Goldman on their new role as the City's MP and this was echoed by the Leader of the Opposition.

2. Declarations of Interest

Members of the Cabinet were reminded to declare at the appropriate time any pecuniary and non-pecuniary interests in any of the items of business on the meeting's agenda.

Cllr Dudley declared a non-registrable interest for Item 6.1 and stated that they would leave the meeting whilst that item was considered.

3. Minutes and Decisions Called-in

The minutes of the meeting on 12 March 2024 were confirmed as a correct record.

4. Public Questions

[One public statement was made, which related to Item 8.1, this is referred to under the relevant minute and can be viewed via this link.](#)

5. Members' Questions

At this point of the meeting, Cabinet Members were asked questions by members of the opposition.

In response to a question regarding the new Government's mandatory targets for housebuilding and the implications for the Local Plan Review, the Cabinet Member for a Greener Chelmsford stated that they were aware of the bold targets and planning officers across Essex were asking for an extension to the Local Plan Review, to ensure it was not rushed and aligned with any new planning policies.

In response to a question regarding the new Government's plans for a 'grey belt land' classification, the Cabinet Member for a Greener Chelmsford stated that they and officers were aware of the potential new classification and that once it was further discussed with officers they would share findings with other members.

In response to a question regarding the Chelmer Waterside development, the Leader and Cabinet Member for a Fairer Chelmsford, agreed to answer the question in closed session at the end of the meeting, due to its confidential nature.

The last question related to various panels and their responsibilities and membership. In response the Leader of the Council stated that one was being removed during a later item and that the relevant webpages and sections of the Constitution would soon be updated and members would be informed of the latest memberships for the panels.

Other questions were asked by opposition members under the relevant items already on the agenda.

6.1 Community Infrastructure Levy – Neighbourhood Cap funding (Leader)

Declarations of interest:

Cllr Dudley – Non registrable interest. *They left the meeting for this item and then returned for the remainder of the meeting.*

Summary:

The Cabinet were asked to consider the re-allocation of previously agreed funding from the CIL Neighbourhood Cap in North-West Chelmsford to an alternative project. The Cabinet were informed that the Neighbourhood Cap had been reached for Chignal parish and there was therefore a sum in the region of £94,000 of non-allocated neighbourhood surplus available for projects that are either within the wards of St Andrews and Patching Hall, or the parish of Chignal. It was noted that an originally allocated project for the St Andrews's Scout Building had not been possible to take forward and it was therefore proposed that the reallocation went to the St Andrew's Church improvement project instead as this would still benefit the Scout Group and other Community Groups.

Options:

1. Approve the re-allocation of funds from the Neighbourhood Cap
2. Approve, with amendment, the re-allocation of funds from the Neighbourhood Cap
3. Decline to approve the re-allocation of funds from the Neighbourhood Cap

Preferred option and reasons:

To approve the reallocation of funds to support the Scout Group and other Community Groups.

Discussion:

In response to a question about an opportunity to spread CIL funds into other areas, it was noted that the funds had to be spent in the areas that had generated it via housing developments. It was noted that there was a £100 limit per household and that was why a separate decision was needed as the cap had been reached. It was also confirmed that the allocation split between strategic and neighbourhood spending for CIL was set out nationally rather than locally.

RESOLVED that;

1. Cabinet agreed to re-allocate £26,065 of the Neighbourhood Cap fund to the St Andrews Church windows and insulation project, and;
2. Cabinet authorised the Director of Sustainable Communities to prepare and issue a grant funding agreement to St Andrews Church

(7.11pm to 7.15pm)

7.1 Rent Setting Policy and Fair Charging Policy (Fairer Chelmsford)**Declarations of interest:**

None.

Summary:

The Cabinet were asked to approve the Rent Setting and Fair Charging Policies which set out the principles Chelmsford City Council would apply in calculating its rents and service charges for housing that it used as temporary accommodation. It was noted that the policies would regularise and set the rates to ensure that the Council were complying with the social housing regulators demands as a registered provider, alongside being fair to residents. The Cabinet was informed that the adoption of the policies would enable the Council to deliver a transparent and consistent approach to rent and service charges, whether applied to homes owned or leased by the Council or provided by another landlord.

Options:

1. Approve the Rent Setting and Fair Charging Policies as presented.
2. Approve the Rent Setting and Fair Charging Policies as presented with amendments.
3. Decline to approve the Rent Setting Policy and/or the Fair Charging Policy

Preferred option and reasons:

To approve the policies as presented to deliver a transparent and consistent approach to rent and service charges.

Discussion:

In response to a question about what the service charges were for, it was confirmed that these were for utilities such as gas and electricity, rather than ground management fees.

RESOLVED that the Rent Setting and Fair Charging Policies be approved as presented.

(7.16pm to 7.19pm)

8.1 Norwich to Tilbury Powerline Proposals – Statutory Consultation Response (Greener Chelmsford)

Declarations of interest:

None.

Summary:

The Cabinet were asked to approve the City Council's draft consultation response to the Norwich to Tilbury Nationally Significant Infrastructure Project (NSIP) statutory consultation, which had been extended until 26th July 2024 and to approve the necessary Officer delegations for the Council's future involvement in the forthcoming Independent Examination.

The Cabinet were informed that the draft response voiced the Council's objections to the principle of the proposals, but they also acknowledged the clear need for clean energy. It was noted that the draft response was very detailed and at a high technical level to ensure all bases were covered. It was noted that the objection was in principle and the Cabinet Member for a Greener Chelmsford, thanked the officers responsible for their hard work in producing the draft response and asked that Cabinet approve the response. The Cabinet also heard that the Council felt there had been insufficient evidence demonstrated to show the pylons were required by 2030 and the response highlighted concerns with the proposed alignment of the route along with harm to residential amenity and heritage assets.

Options:

1a- Cabinet agrees the proposed consultation response attached at Appendix 1

1b- Cabinet recommends amendments to the proposed consultation response attached at Appendix 1 and agrees for the amended consultation to be issued to National Grid under delegated powers.

2a- Cabinet delegates to the Director of Sustainable Communities, in consultation with the Cabinet Member for a Greener Chelmsford, the Council's future involvement in the forthcoming Independent Examination.

2b- Cabinet does not delegate to the Director of Sustainable Communities, in consultation with the Cabinet Member for a Greener Chelmsford, the Council's future involvement in the forthcoming Independent Examination.

Preferred option and reasons:

Option 1a – to agree the proposed consultation response attached at Appendix 1.

Option 2a – to agree delegating to the Director of Sustainable Communities, in consultation with the Cabinet Member for a Greener Chelmsford, future involvement in the forthcoming Independent Examination. This is to ensure that tight Examination deadlines are not missed and that the City Council is fully represented during this period.

Discussion:

The Cabinet heard a statement from Little Waltham Parish Council in support of the draft response being considered by the Cabinet. Little Waltham Parish Council stated that the proposed response was hard hitting and effective and summarised well the concerns that they had raised along with other local Parish Councils. They informed the Cabinet that the proposed response had their full support and highlighted the impact that the development would have on Chelmsford as a whole if it went ahead. The Cabinet also heard that the nationally important

Ash Tree Corner Scheduled Monument would be affected and that the Parish Council were pleased to see this rightly highlighted in the report.

Other members also expressed their support for the draft response and thanked officers for their work in producing a strong and detailed response. It was noted that the response was well presented, extensive and covered all of the concerns that had been raised by members and Parish Councils.

RESOLVED that

1. Cabinet agreed to the proposed consultation response attached at Appendix 1 and;
2. Cabinet agreed to delegate to the Director of Sustainable Communities, in consultation with the Cabinet Member for a Greener Chelmsford, the Council's future involvement in the forthcoming Independent Examination.

(7.20pm to 7.36pm)

9.1 North Essex Economic Board (NEEB) – Partnership Agreement (Leader)

Declarations of interest:

None.

Summary:

The Cabinet were asked to consider the adoption of the North Essex Economic Board (NEEB) Partnership Agreement. The Cabinet heard that the adoption of the agreement would enable the Council to demonstrate its continued commitment to the partnership and help ensure the partnership continues to operate effectively, with all partners clear of their roles and responsibilities within the partnership.

Options:

1. Approve the adoption of the NEEB Partnership Agreement.
2. Decline to approve the adoption of the NEEB Partnership Agreement.

Preferred option and reasons:

The preferred option is Option 1. The City Council has been a partner of the North Essex Economic Board since 2020 and the partnership has been successful in delivering a range of economic development initiatives alongside the other partner authorities, sharing resources, expertise and delivering positive outcomes. The Partnership Agreement sets out in writing the framework for collaboration between partner authorities, providing clarity of the expectations and responsibilities of each local authority partner.

RESOLVED that;

1. Cabinet approved the adoption of the NEEB Partnership Agreement and;
2. Cabinet authorised the Deputy Leader of the Council and Cabinet Member for Connected Chelmsford, in their position as NEEB Board Member, to sign the Agreement on behalf of the Council.

(7.36pm to 7.37pm)

10.1 Proposed Changes to the Constitution (Leader)

Declarations of interest:

None.

Summary:

The Cabinet were asked to consider proposed changes to the Constitution in relation to working groups and planning related matters which had been recommended by the Constitutional Working Group and Governance Committee. It was noted that those bodies were in support of the changes and the details were set out in appendices 1-4 in the report. The Cabinet also heard that the Planning Committee had been consulted on the changes related to the model Planning Code of Conduct.

Options:

1. Recommend the proposed changes to Council.
2. Do not recommend to Council that the proposed changes are made.

Preferred option and reasons:

Option 1 was the preferred option due to the proposals being supported by the Constitutional Working Group and Governance Committee.

Discussion:

The Cabinet proposed to change the recommendation to make it clear that not all Constitutional changes had to go through various stages before adoption by Full Council and that Full Council should still be able to adopt changes by itself. This was agreed and detailed in the amended resolution below.

In response to questions on the Planning Mode Code of Conduct related changes, it was confirmed that any areas that did not follow the Model code had been suggested to ensure that local practices that had been in place for many years, that officers and planning Committee members felt suited Chelmsford, would stay in place.

In response to a further question, it was noted that some panels such as the Community funding panel were executive ones and therefore were not required to be politically balanced.

RESOLVED that the proposed changes be recommended to Council, with the below changes as agreed by Cabinet to the Terms of Reference for the Constitution Working Group;

- Remove the word 'any' in the first sentence of the Functions/Purpose and add "This does not prevent Council adopting changes to the constitution that have not been reviewed by the Constitutional working group."

(7.41pm to 7.48pm)

11. Urgent Business

There were no items of urgent business.

12. Reports to Council

Item 10.1 was subject of a report to Council.

Exclusion of the Public

RESOLVED that under Section 100A(4) of the Local Government Act 1972 the public be excluded from the meeting at this stage so an earlier question on the Chelmer Waterside Development could be answered as it involved the likely disclosure of exempt information falling within paragraph 3 of Part 1 of the Schedule 12A to the Act (information relating to the financial or business affairs of any particular person including the authority holding that information).

An answer was provided in Part 2 of the meeting to the previous question on the Chelmer Waterside Development.

The meeting closed at 8pm

Chair