Overview and Scrutiny Committee Agenda



10th February 2025 at 7pm

Council Chamber, Civic Centre, Duke Street, Chelmsford, CM1 1JE

Membership

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

and Councillors

V. Canning, D. Clark, H. Clark, P. Davey, S. Davis, J. Deakin, S. Dobson, K. Franks, L. Mascot, M. Steel, and P. Wilson

Local people are welcome to attend this meeting, where your elected Councillors take decisions affecting YOU and your City. There will also be an opportunity to ask your Councillors questions or make a statement. These have to be submitted in advance to committees@chelmsford.gov.uk. Further details are on the agenda page. If you would like to find out more, please email committees@chelmsford.gov.uk or phone the Democracy Team on Chelmsford (01245) 606480.

Overview and Scrutiny Committee 10 February 2025 AGENDA

- 1. Apologies for Absence and Substitutions
- 2. Chairs Announcements

3. Minutes

To consider the minutes of the meeting held on 4 November 2024.

4. Decision and Action Sheet

To consider the decisions and actions from the previous minutes of the 4 November 2024 meeting.

5. Declaration of Interests

All 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.

6. Public Question Time

Any member of the public may ask a question or make a statement at this point in the meeting. Each person has two minutes and a maximum of 20 minutes is allotted to public questions/statements, which must be about matters for which the Committee is responsible.

The Chair may disallow a question if it is offensive, substantially the same as another question or requires disclosure of exempt or confidential information. If the question cannot be answered at the meeting a written response will be provided after the meeting.

Any member of the public who wishes to submit a question or statement to this meeting should email it to 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.

7. Decisions Called-In

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

- 8. Cabinet Portfolio Update from the Cabinet Member for an Active Chelmsford
- 9. Cabinet Portfolio Update from the Cabinet Member for a Safer Chelmsford
- 10. Annual Presentation by Safer Chelmsford Partnership and Essex Police
- 11. Report on Decisions Taken Under Delegation to the Chief Executive
- 12. Annual Report of the Committee (2023/24)
- 13. Work Programme

14. Urgent Business

To consider any other matter which, in the opinion of the Chair, should be considered by reason of special circumstances (to be specified) as a matter of urgency.

MINUTES

of the

OVERVIEW AND SCRUTINY COMMITTEE

held on 4 November 2024 at 7pm

Present:

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

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

Also in attendance -

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

1. Apologies for Absence and Substitutions

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

2. Chairs Announcements

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

3. Minutes

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

Decision and Action Sheet

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

Declaration of Interests

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

6. Public Question Time

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

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

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

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

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

(7.04pm to 7.12pm)

7. Decisions Called-In

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(7.12pm to 8.06pm)

8. Urgent Business

There were no matters of urgent business.

The meeting closed at 8:06pm.

Chair

Overview and Scrutiny Committee Decision and Action Sheet

Summary of Decisions taken at last meeting			
Item Details	Decision taken at the meeting	Any comments	
Item 3 – Minutes of last meeting	Minutes were agreed.	N/A	
Item 4 – Decision and Actions Sheets from the minutes of the last meeting	Decision and Action sheet was noted.	N/A	
Item 6 – Public Question Time	Questions were asked and answered regarding the call in at Item 7	N/A	
Item 7 – Decision Called-In – Declaration of John Shennan Field as a Local Nature Reserve	Call in was considered and the Committee upheld the decision made by Cabinet.	N/A	

Action Points			
Action Points agreed since last meeting	Outstanding or Actioned?	Next steps/Progress	Officers to Action
Work Programme to be looked at and amended due to cancellation of November meeting and the rescheduling of items as a result.	Actioned	- The Work Programme for the remainder of 2024/25 has been fully updated and is available at Item 13 of this meetings agenda. This also includes the details of meetings throughout 2025/26.	Dan Sharma-Bird



Chelmsford City Council Overview and Scrutiny Committee

10th February 2025

Report on Decisions Taken Under Delegation to the Chief Executive

Report by:

Director of Connected Chelmsford

Officer Contact:

Freddey Banks-Ayres, Democratic Services Officer, email: <u>Freddey.banks-ayres@chelmsford.gov.uk</u>, tel: 01245 606621

Purpose

To report on the decisions taken under delegation to the Chief Executive for the period 1 November 2023 to 31 January 2025.

Recommendations

That the report be noted.

1. Background

- 1.1. The Constitution of the Council includes, at Part 3 (Responsibility for Functions), details of matters on which the officers of the Council are authorised to take decisions. These are known as delegations to officers and among them is the following, which is delegated to the Chief Executive:
 - "Deal with any matter on grounds of urgency, following consultation with the Leader of the Council or the Chair and Vice Chair of the appropriate Committee in respect of non-executive matters.
- 1.2. The decisions taken by the Chief Executive under this delegation are recorded and notified to the public and members of the Council by publication on the

Council's website. On 8 February 2010, the Overview and Scrutiny Committee agreed that a list of those decisions should also be brought to the Committee for information in June and November each year.

2. Latest Decisions

- 2.1. Seven decisions were taken under delegation to the Chief Executive during the period 1 November 2023 to 31 January 2025. The summary of the decisions are attached as appendix 1 to this report.
- 2.2. Members are asked to note the content of the report.

List of appendices:

Appendix 1 – Decisions taken under delegation to the Chief Executive for the period 1 November 2023 to 31 January 2025.

Background papers: Nil

Corporate Implications

Legal/Constitutional: The Committee are required to be notified of urgent decisions.

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

Consultees:

Director of Connected Chelmsford

Relevant Policies and Strategies:

None relevant

Subject: Response to Local Government Boundary Commission for England (LGBCE)

review

Date of Decision: 19th February 2024

Decision Number:

1/2024

Background:

The Local Government Boundary Commission (LGCBE) are currently undertaking a review of the electoral boundaries for the Essex County Council area. They have published their draft recommendations online and are seeking consultation from local representatives and interested parties.

The proposals related to the Chelmsford City Council area can be viewed on their website.

Chelmsford City Council intend to submit the following response in support of the comments submitted by the Chelmsford Garden Community Council regarding the boundaries that cross the community council area:

Chelmsford City Council broadly support the proposals suggested within this review but would like to support the request submitted by Chelmsford Garden Community Council to retain the whole of the community council within one county division and propose a further, related change.

To accommodate this, we propose moving SBE-Little Waltham and the entire SBF-Belsteads polling districts to the Chelmer division from Broomfield and Writtle and SAC-Great and Little Leighs to Broomfield & Writtle, (where it is on existing boundaries).

Electoral equality

This would increase Broomfield & Writtle to 17620 (11% above average) and reduce Chelmer to 16621 (4% above average). However, it is noted that Chelmsford's largest allocation of new housing in the Local Plan will then all be within the smaller division, Chelmer, which will be best suited to accommodate growth.

Community Identity

Chelmsford Garden Community has stronger ties with Little Waltham than Great and Little Leighs, with some of the area falling under Little Waltham prior to the Community Governance Review (CGR) and children attending schools within Little Waltham.

Great & Little Leighs is currently in Broomfield & Writtle and therefore existing links between the parish and the county councillor would be maintained. The physical links between The Leighs and Boreham are limited to a single, unclassified road, with residents more regularly travelling through or to the Broomfield and Writtle division for facilities.

The River Chelmer, which gives the division its name, runs through the middle of Little Waltham.

Effective and convenient government

Following our CGR we conducted an interim polling district review which abolished Broomfield East polling district and reallocated the electors to Belsteads. Should the proposals be adopted as they are then the area would have to be separated again.

This would require the allocation of a new polling venue, or possibly, two polling stations hosted in one venue with different ballot papers being issued and increased risk of error.

Finally, it is anticipated that when the City Council boundaries are considered that it would be appropriate for a ward to be realigned or a new one created to cover the whole of the Garden Community Council area. It would be more effective for county divisions to acknowledge the same community identity.

It is also noted that the LGBCE specifically asked for comments about adding Margaretting and Stock to the Broomfield & Writtle division.

Margaretting and Writtle do have close ties, Margaretting village is close to the southern edge of Writtle parish and is linked by two roads: (a) Margaretting Road, Writtle becomes Writtle Road, Margaretting at the parish boundary (running northsouth), and (b) the A414 also links the two parishes – being Greenbury Way and Three Mile Hill. Margaretting was in the Broomfield & Writtle division until the 2005 review.

We acknowledge that Stock's links to Writtle are not as strong, as the community identity in Stock holds a strong local connection with the Hanningfields. However, we considered that making any changes to your proposals would break existing community ties elsewhere and be too disruptive.

Decision and Reasons for Urgency:

The Chief Executive decided to submit the above response to the LGBCE consultation on the proposed boundaries for the Essex County Council area. This was done on the grounds that the consultation window did not accommodate the matter being taken to Full Council for consideration (28th November to 19th February).

Supporting Information:

The Leader of the Council and minority group leaders were consulted on this decision.

Subject: Urgency Pay Award

Date of Decision: 19.9.24

Decision Number:

2/2024

Background:

Chelmsford City Council has for a number of years adopted local pay and conditions and consulted with regional Unison in this regard.

A pay award has been negotiated and agreed for Council staff, this means the Council's pay scales have increased either by £1290 or 2.5% whichever is higher. This pay increase will be effective from 1st April 2024.

Staff will receive their new salary payments from October 2024 and this will also include their backpay from 1st April 2024.

Given the cost-of-living crisis and need to maintain staff goodwill in a difficult financial situation it is imperative to get the back pay and the additional pay to staff in their October 2024 salaries. It is therefore appropriate take this decision as an urgency action.

The total cost of the pay award will be approximately £0.5m over the current approved budget and this will be an ongoing cost.

Decision and Reasons for Urgency:

The Chief Executive decided to exercise their delegated authority to take urgent decisions and authorise the increase in the revenue budget. They did so on the grounds that there was an urgent need to pay staff the pay award in their October 2024 salaries.

Supporting Information:

The Leader of the Council was consulted before taking the decision and had no objection to it.

Subject:

Business Rates Pooling and Pilot for Non-Domestic Rates in 2025-26

Date of Decision:

11th October 2024

Decision Number:

3/2024

Background:

Business Retention scheme

In April 2013 the Government introduced a business rates retention scheme that was intended to create incentives for local authorities to promote business growth over the long term. Under the scheme local authorities are allowed to retain some of the benefit from any growth in non-domestic rates, however, are also exposed to the risk of reduced income from any reduction in the amounts of Rates collected.

If an authority collects more business rates than the Government has determined they need to fund their services (business rates baseline funding) then these authorities are required to pay over the excess to Central Government in the form of a tariff. Conversely, if an authority's funding requirement is higher than income collected, then they will receive a "top-up" from central government.

There is a levy mechanism built into the Business Rates Retention regime, so that authorities will pay a proportion of their growth to Central Government. The levy rate is set at 50% for Chelmsford City Council, which means the Council will only retain half of the increase in business rates growth over and above a Government set business rates baseline.

The Government has put in place a safety net to protect local authorities from significant negative shocks to their income by guaranteeing that no authority will see its income from business rates fall beyond 7.5% of its spending baseline. The maximum loss for Chelmsford in this instance would be £0.3m.

Business Rates Pooling

As part of the rates retention scheme, authorities can formally seek designation as a pool. The pool will be formed of two or more authorities and enables those authorities to retain a higher percentage of business rate growth by reducing or removing the levy that needs to be paid on any income growth. If an authority experiences negative growth that falls below the Government set 7.5% safety net, the loss needs to be funded by the pool and therefore has an adverse impact on the other authorities in the pool. The Government treat the Pool and its members as one authority and the safety net limit is calculated on overall Baseline funding level of the Pool.

For 2025/26 it worth noting that:

• The Government can nationally decide to abolish pools, even after the Council has signed up. This is thought to be unlikely but none the less is possible.

Pool arrangements for 2024/25

Chelmsford entered into an Essex Business rates pool with other Local Authorities in 2018/19 and remained member of the Essex pool in 2019/20, 2020/21 2021/22 2022/23 2023/24 and 2024/25. In 2018/19 the Council received additional income of £1m, in 2019/20 received additional income of £0.6m,in 2020/21 received additional income of £0.8m in 2021/22 received an additional income of £1.1m in 2022/23 received an additional income of £0.8m and in 2023/24 received an additional income of £0.9m from the pool as a proportioned benefit of levy saved that would have otherwise been paid to the Government. The income from the Pool for 2021/22, 2022/23 and 2023/24 is subject to the risk of change during the external audit of member authorities. The lead authority (Essex County Council) is currently estimating just over £1m of additional income from the Pool in 2024/25 for Chelmsford.

Chelmsford's options for 2025/26

Chelmsford and the lead authority is required to notify the Government of its intentions for pooling for the next financial year by 29th October 2024. Essex County Council are therefore seeking a formal confirmation of our intention to remain in the Essex Business rates pool. Depending on the response from other Essex authorities, the options for the pool are to either continue as it is with the current members, to dissolve completely or to dissolve and seek designation as a new pool for 2025/26 should the pool's membership change.

To provide assurances before entering the pool, historic experience has shown pool membership to be beneficial to the authority, even during the COVID-19 pandemic due to government support. The current pool members have been asked to expressed confidence in being able to maintain their business rates income at a required level for the pool to remain successful.

Members of the pool have until 28 days after the provisional Local Government Finance Settlement to withdraw from the pool. A withdrawal of any single member would cause the pool to end. This not expected to happen but does provide some additional safeguards.

Option 1

Notify the lead authority of the intention to leave the Essex Business rates pool and continue as a standalone authority

- Potential increase from Business Rates growth £0.3m
- Maximum loss £0.3m (7.5% of Government set Baseline need)

Option 2

Join the Essex business rates pool for another year, with the intention to maximise the business rates income retained by the authority. Indicatively the gain to the City Council could be an extra £1m based on the projected gain for 2024/25. This is the option I favour and, in view of the need for the decision to be made by the end of October, I intend to exercise my delegated authority to take urgent decisions and authorise the Accountancy Services Manager to negotiate for the Council the terms on which the Council will enter the Pool.

The risk, in the unlikely situation where income for the whole pool falls below its business rates baseline is that Chelmsford will lose its additional income and will have to proportionately suffer the loss of pool income. The extent of City Council losses will depend on the overall position of the pool. This cannot be accurately quantified until the end of the pool's financial year, but losses could exceed the £0.3m maximum identified in option 1.

Decision and Reasons for Urgency:

The Chief Executive was of the view that option 2 would be of most benefit to the Council. As a decision on whether to join the Pool needed to be made by 11 October 2024, they agreed to exercise their delegated authority to take urgent decisions and authorised the Accountancy Services Manager to negotiate for the Council the terms on which the Council would enter the Pool and to join it if those terms were acceptable.

Supporting Information:

The Leader of the Council was consulted before making this decision and had no objection to it.

Subject:

The Purchase of Land at Main Road Boreham

Date of Decision:

29th October 2024

Decision Number:

4/2024

Background:

The Council has agreed terms to purchase land at Main Road Boreham for the development of affordable homes. This item was previously reported to Full Council in July 2023 and accords with the budget and policy framework but now requires executive sign off for completion. The seller is requiring the council to complete the purchase by 31st October and as a result the matter cannot wait until the next Cabinet meeting. Hence, it is proposed to authorise this via urgency decision.

Minutes of the Policy Board from 16th January 2020 detail discussion by the Affordable and Social Housing Working Group where it was resolved to promote Entry Level Exception Sites for Registered Provider land-led schemes. Also, to continue to investigate the acquisition of land by the Council for additional housing and entry-level exception sites. The policy allows parcels of land up to one hectare in size to come forward as affordable housing sites in exception to the Local Plan allocations.

The land although not identified for development in the local plan is considered to meet the criteria of an Entry Level Exception Site and the Council wish to bring forward such sites for the development of affordable housing. Although many sites were considered through this review process only the land at Main Road Boreham was considered suitable and had an owner willing to dispose of the land.

The purchase of the land has been agreed based on the potential for the site to accommodate up to 22 units ranging in size from two to four bed homes although the site will be developed to best suit the Councils housing need. Once acquired the Council will work with CHP to secure planning consent. The purchase of this land will be financed from Section 106 contributions collected for offsite affordable housing provision.

With the land having been used for farming and grazing in the recent past it should not attract holding costs other than general land management work.

Agenda Item 11



Supporting Information:

The Leader of the Council was consulted before making this decision and had no objection to it.

Subject:

Dovedale Refurbishment

Date of Decision:

21st November 2024

Decision Number:

5/2024

Background:

The Council agreed in February 2022 to commit £1,464,000 to the refurbishment of Dovedale Sports Centre. This is a joint-use centre owned by and operated in partnership with Chelmsford College, who are also contributing to the budget. The sum was included within the Capital Programme for 2022/23 with delegations to the Director of Public Places to decide on a preferred scheme. The initial scheme was subsequently developed with a view to address the urgent backlog of works whilst upgrading the facilities to enable the best possible financial return, essentially through upgraded fitness facilities and support accommodation.

In order to test affordability, value for money and provide greater cost certainty the scheme was subjected to an early tender exercise and this was completed in August 2024. The Business Case was updated, particularly in lieu of the overwhelming success of the Riverside scheme where membership and income growth has exceeded expectations, also mirrored by the more modest gym investment at CSAC in 2023.

The Business Case also highlights the primary aims and benefits the scheme will achieve:

- Upgrade joint use community leisure centre to benefit College students and local community
- Enable morning use of the fitness room/studio for the local community (not currently available)
- Increased number of total attendances, the number of different community groups participating and attract new and key customer groups.
- Create a modernised, good quality alternative option for City centre customers with additional benefits of relieving pressure on the Council's other extremely popular fitness venues.
- Raise the standard of Dovedale to the same as the other Council's leisure centres.
- Improved energy efficiency of the plant and carbon reduction
- A positive net revenue return

It should also be recognised that an options appraisal identified that a "do nothing" approach would result in significant ongoing and increasing maintenance costs to keep the existing building operational, estimated at £1,050,000 over the next 5 years. The 2025/26 budget would have identified a worsening net position of around £50,000 as a result of additional costs and reducing revenue, a situation which would have continued without this investment.

Proceeding with this scheme will see income increase from £219,000 in 2024/25 to £359,000 in 2028/29.

A start date of June 2025 is critical to the delivery of the scheme and as such to ensure statutory consents (Planning & Building Control) and construction lead in times are achieved ahead of this the matter cannot wait until the next Cabinet/ Council meetings. Hence, it is proposed to authorise this via urgency decision with additional capital requirement identified below requiring executive sign off.

The outcome of the tender exercise and budget review requires approval of additional capital budget of £710,000 (total budget for the scheme will be £2,340,000). Of this additional approval, £655,000 would need to be funded by the Council.

The revised cost plan has been market tested with competitive tenders received from 4 Essex based contractors. This early tender exercise provides a greater level of confidence, together with a good contingency sum will help to de-risk the project against unforeseen cost increases.

The revenue impact of the project after allowing capital financing costs will be an additional net cost over existing 2024/25 budget of £16,000 in 2025/26, rising to £81,000 in 2026/27, £28,000 in 2027/28 and improving by £5,000 in 2028/29 with continued positive improvement after this.

Importantly, the joint use agreement will be extended to 2050 and with the additional daytime use will ensure this facility helps to complement the Riverside facility and meet the needs of a growing city.

Supporting Information:

The Leader of the Council was consulted before making this decision and had no objection to it.

Subject:

The Purchase of Land at the entrance to Baddow Road Car Park

Date of Decision:

2nd January 2025

Decision Number:

1/2025

Background:

The Land identified in the images below forms the entrance to Baddow Road Car Park and will be part of the new road constructed as part of the Waterside Bridge project.

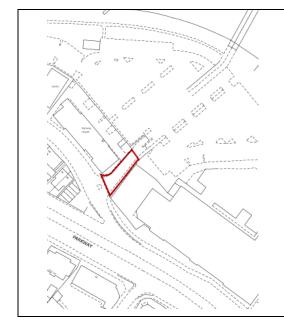
The roadway was adopted as part of the highway network in 2005, and the landowner has disputed the validity of this process since it occurred.

The owner of the land has instructed solicitors to defend their position and over the last few years the Council has engaged in this dispute and has sought advice on the validity of the landowners claim.

Given the potential impact on the Chelmer Waterside project a negotiated settlement has been reached with the landowner by which the Council will acquire this land and make a capped contribution towards their legal fees. The budget agreed by Council in July 2023 will be supplemented by a virement from the Chelmer Waterside Bridge project contingency to fund the final settlement.

Other solutions to this issue have been considered including the use of compulsory purchase powers but it is felt that this would bring uncertainty and delay.

Given that the bridge works will impact this land and there is a potential that delay in completing this transaction could result in negotiations being reopened we are recommending the use of urgency powers to conclude this transaction.





Supporting Information:

The Leader of the Council was consulted before making this decision and had no objection to it.

Subject:

A Council Loan to CHESS

Date of Decision:

2nd January 2025

Decision Number:

2/2025

Background:

The proposal is to provide a 19 year loan of up to £700,000 to CHESS. This will ensure that CHESS continues to effectively deliver services to the homeless and whilst developing additional units of temporary accommodation.

The terms of the loan will be agreed by s151 officer of the Council, but in principle:

- The loan would be secured against a property owned by CHESS.
- An independent valuation of the CHESS property would be obtained
- The loan would not represent the full value of the asset used as security.
- The loan would be at the prevailing fixed interest rate charged by the Public Works Loan Board making it cost neutral to the Council.
- Accounting practice means the loan is not made from a revenue budget. However, should the Council fail to recover some or all of the loan, any loss would have to be funded from the Council's revenue reserves.

CHESS need the loan to replace an existing mortgage at lower interest rate but more importantly to provide financial resilience as they develop 24 modular units for vulnerable single homeless people. These tenants need support to avoid the risk of becoming repeat homeless. The accommodation requirement has been identified following Strategic Gap analysis requested by MCHLG as part of the Single Homelessness Accommodation Programme funded by MCHLG and Homes England. The Council has committed a £350,000 grant to this project and is overseeing the funding arrangement on behalf of the Government.

The loan has been under discussion for several months, but it has become apparent that for cashflow reasons it has become urgent. Without the loan being made early in the new year Chess will have to organise additional temporary borrowing, which will be expensive and could create delays in the development of the 24 units. So, it is appropriate to seek an urgency action.

Supporting Information:

The Leader of the Council was consulted before making this decision and had no objection to it.



Chelmsford City Council Overview and Scrutiny Committee

10 February 2025

Annual Report on the Overview & Scrutiny Function 2023/24

Report by:

Director of Connected Chelmsford

Officer Contact:

Freddey Banks-Ayres, Democratic Services Officer, email: <u>Freddey.banks-ayres@chelmsford.gov.uk</u>, tel: 01245 606621

Purpose

To report on the activity of the scrutiny function of the Council for 2022/23, in accordance with the Local Code of Corporate Governance (Core Principle 6 – Engaging with local people and other stakeholders to ensure robust public accountability), which was adopted by the Council on 23rd April 2008.

Recommendations

That the Council be recommended to approve the Committee's Annual Report on the Scrutiny function for 2023/24 for subsequent publication.

1. Background Information

1.1. The Local Code of Corporate Governance was adopted by the Council on 23rd April 2008 (m6. 1, CL52,2008). Under the Code's Core Principle 6 – Engaging with local people and other stakeholders to ensure robust public accountability

- the Overview and Scrutiny Committee is required to produce an annual report on its work for consideration by the Council and subsequent publication.
- 1.2. The Committee's Annual Report on the Scrutiny Function for 2023/24 is attached at Appendix 1 to this report and covers the following matters: -
 - Statutory provisions
 - Terms of reference
 - Membership
 - Publication of information
 - Work undertaken in 2022/23
 - Future work for 2023/24
 - "Call In" of Cabinet decisions
 - Training and Development

2. Conclusion

2.1. Members are asked to recommend to Council that it approves the Committee's Annual Report for subsequent publication.

List of appendices:

Appendix 1 – Annual Report on the Scrutiny Function 2023/24

Background papers:

Nil

Corporate Implications

Legal/Constitutional: None

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

Consultees:

Chair and Vice Chair of the Overview and Scrutiny Committee

Relevant Policies and Strategies: Local Code of Corporate Governance



CHELMSFORD CITY COUNCIL ANNUAL REPORT ON THE SCRUTINY FUNCTION 2023/24

Councillor J. Jeapes (Chair – Overview and Scrutiny Committee)

www.chelmsford.gov.uk

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Background

(a) Statutory Provisions

Under the Local Government Act 2000 each local authority is required to establish at least one committee to review or scrutinise decisions taken by the Executive or any other part of the council and make reports to the council or to the cabinet. It can also report on any matters that affect the authority's area or its inhabitants. Its role includes both developing and reviewing policy and holding the Executive to account. The Committee has power to require Cabinet members and officers to attend before it to answer questions and it may also invite other people to attend its meetings.

Chelmsford Council chose, in 2005, to set up a single Scrutiny Committee. The Committee's first meeting was on 23rd May, 2005. It was later renamed the Overview and Scrutiny Committee by Council on 10th May, 2006.

New legislation came into effect in 2009 which placed additional duties on the Council and in respect of which it was required to make arrangements for their discharge. The legislation concerned was:

- The Police and Justice Act 2006 (Sections 19 -21), which placed a duty on all local authorities to scrutinise the activities of organisations comprising the local crime and disorder reduction partnership, and
- Section 119 of the Local Government and Public Involvement in Health Act 2007, which allowed councillors to ask for discussions to take place at an overview and scrutiny committee on issues of neighbourhood concern.

In December 2009 the Council agreed that the Overview and Scrutiny Committee take responsibility for those functions and that its terms of reference were amended accordingly.

The Local Democracy, Economic Development and Construction Act 2009 (Commencement No. 3) Order 2010 brought into force on 15th June 2010 the requirement for local authorities to have a scheme for responding to petitions from people who live, work or study in the area. Petition organisers who are dissatisfied with the Council's response can ask for a review by the Overview and Scrutiny Committee. A report on this matter was agreed by Cabinet on 8 June and Council on 9 June 2010 and the Committee's terms of reference were again amended to reflect this additional function.

(b) Terms of Reference

The Terms of Reference of the Committee are contained in Part 3 of the Council's Constitution. They are as follows –

General role

To act as a channel for public involvement in the activities of the Council and other bodies operating in the City; to oversee the proper and efficient administration of the Council; to review the effectiveness of its work and services; and to support and complement the activities of the Cabinet, whilst at the same time scrutinising them and offering constructive comment or advice where appropriate.

Specific role

- monitor the performance of the Council's services, carry out detailed reviews of them where considered necessary and report any resulting recommendations to the Cabinet;
- review the decisions, decision-making processes and activities of the Cabinet, other Council bodies and in respect of the Committee's own work to ensure that they comply with the requirements of the Constitution and the policies of the Council;
- monitor the activities and performance of external bodies, liaising with them where necessary, and carry out detailed assessments of the effectiveness of services provided by them if any apparent shortcomings are identified;
- scrutinise the work of the community safety partnership (Safer Chelmsford) and the partners who comprise it, insofar as their activities relate to the partnership itself and exercise all the other functions of a crime and disorder committee pursuant to Section 19 of the Police and Justice Act 2006;
- consider Councillor Call for Action requests following agreement by the Chair and Vice-Chair of the Committee after consultation with the Director of Corporate Services
- consider and respond to petitions, requesting that officers appear before the Committee to answer questions on functions, services or decisions for which they are responsible
- review the Council's handling of or responses to petitions where the petition organiser is dissatisfied with the action taken.

The Committee will also be responsible for

 providing opportunities for officers to acquaint members with the operation of the Council.

(c) Membership of the Committee

The Committee had 13 members, all Members of Chelmsford City Council. They are appointed by the full Council at its Annual Meeting in May of each year on a proportionality basis. No member of the Cabinet may be a member of the Committee.

In 2023/24 the membership of the Committee comprised the following members:

LD Councillors H. Clark, P. Davey, A. Davidson, J. Deakin, K. Franks, A. Thompson (Vice Chair), and S. Young

CON Councillors V. Canning, S. Dobson, J. Jeapes (Chair), M. Steel, M. Taylor (May 2023 to December 2023), and P. Wilson (from December 2023 onwards)

IND Councillor S. Davis

Following the Annual Council Meeting on 15th May 2024, the membership is as follows –

The Committee is currently chaired by Councillor J. Jeapes who is a member of the Opposition group on the Council (the Conservatives).

LD Councillors D. Clark, H. Clark, P. Davey, J. Deakin, K. Franks, L. Mascot, and A. Thompson (Vice Chair)

CON Councillors V. Canning, S. Dobson, J. Jeapes (Chair), M. Steel, and P. Wilson

IND Councillor S. Davis

(d) Programme of Meetings

The Committee met on four occasions in the municipal year 2023/24. It has five meetings programmed for 2024/25. Additional meetings may be arranged as required, including any which may be necessary if any decisions of the Cabinet become subject to the 'Call In' procedure mentioned in Part 3 of this Report.

(e) Publication of Information

The agendas for the Committee's meetings are published on the Council's website not later than five clear days before the date of each meeting. The minutes of each meeting are also published on the website as soon as possible after each meeting has taken place.

Work Programme 2023-24

The main areas of activity considered by the Committee during the municipal year (May to May) 2023/24 were as follows –

<u>Subject</u>	<u>Date(s) considered</u>
Annual Report from the Chelmsford Policy Board	18 July 2023
Report from Cultural Strategy Task & Finish Group	18 July 2023
Report of Decisions Taken Under Delegation to the	18 July 2023
Chief Executive	-
Annual Report on the Overview & Scrutiny	18 July 2023
Function 2022/23	-
Decision Called In – PSPO on Hylands Park	19 October 2023
Cabinet Portfolio Update – Leader of the Council	19 October 2023
Cabinet Portfolio Update – Deputy Leader and	19 October 2023
Cabinet Member for a Connected Chelmsford	
Report on Cultural Strategy Task & Finish Group	20 November 2023
Cabinet Portfolio Update – Cabinet Member for a	20 November 2023
Growing Chelmsford	

Cabinet Member for a Growing Chelmsford's	20 November 2023
Annual Report on Housing Delivery	
Report on Decisions Taken Under Delegation to	20 November 2023
the Chief Executive	
Cabinet Portfolio Update – Cabinet Member for a	12 February 2024
Greener and Safer Chelmsford	
Annual Presentation by Safer Chelmsford	12 February 2024
Partnership and Essex Police	
Presentation on Essex Violence and Vulnerability	12 February 2024
Partnership	
Presentation from Essex Countywide Traveller Unit	12 February 2024
(ECTU)	

The work programme functions on a rolling basis with standard items being the following;

- Cabinet Member Portfolios (including the Annual Report on Housing Delivery)

 items were presented every Overview and Scrutiny Committee meetings and
 this is to meet the requirements on the Local Government Act 2000 to scrutinise
 functions of the executive.
- Annual Report of Overview and Scrutiny Committee this item would need to be considered at July Full Council along with the Annual Reports for Governance and Audit & Risk Committees.
- Report on Decisions Taken under Delegation to the Chief Executive it is a requirement for the Overview and Committee Scrutiny to consider and note any urgent decisions that were taken under the delegation to the CEO. This is reported bi-annually.

The Overview and Scrutiny Committee also took on the role of scrutinising Safer Chelmsford to meet the requirements of the Police and Justice Act 2006, which stated that there must be a formal place where community safety matters can be discussed. The presentations on the Safer Chelmsford Partnership and by the Essex Police are both made to the Committee annually at its February meeting, so that cross-cutting issues can be identified and discussed.

There were also two standalone items that were added by Members of the Overview & Scrutiny Committee to the work programme for this municipal year. These items were:

- Presentation on Essex Violence and Vulnerability Partnership
- Presentation from Essex Countywide Traveller Unit.

The minutes of the Committee meetings for this municipal year can be accessed below:

- Minutes of the meeting on 18th July 2023;
- Minutes of the meeting on 19th October 2023;
- Minutes of the meeting on 20th November 2023, and;
- Minutes of the meeting on 12th February 2024.

Task and Finish Groups

Members of the Overview and Scrutiny Committee form small "Task and Finish" groups to look into a particular subject or service where appropriate. They work with officers

to find out more about the service area and to identify possible improvements. They attend site visits, forums and meetings and undertake research as necessary in order to obtain further understanding and information to support the review. Their findings are fed back to the rest of the Committee in the form of a report and recommendations. In addition to ensuring value for money and that things are done correctly, 'Task and Finish' groups provide excellent development opportunities for Members, help to maintain good Member/Officer relations, raise awareness of issues and services amongst Members and can identify gaps in Member training.

During 2023-24, there was one Task & Finish Group to undertake a project evaluation of the Theatre refurbishment. There had been two meetings conducted so far and the next meeting would be scheduled in mid-June.

'Call-in' of Cabinet Decisions

This Council's Executive Arrangements, made under Section 21 of the Local Government Act 2000, provide an opportunity for Members to require that the Overview and Scrutiny Committee review a decision taken by the Executive (Cabinet) but not yet implemented. Depending on its conclusion, that Committee could then request that the Cabinet reconsider, and possibly amend, that decision.

The procedure for "calling in" Cabinet decisions is set out in the Council's Constitution (Part 4.5 – Overview and Scrutiny Rules – Rule 4.5.11). In brief this provides that at least five Members of the Overview and Scrutiny Committee must request the call-in in writing, setting out their reasons, and the request must be received by the Council's Legal and Democratic Services Manager by 5 p.m. on the fourth working day after the Cabinet decision was taken.

During 2023-24, one Cabinet decision had been called in regarding the decision taken in regard to the Public Spaces Protection Order at Hylands Estate surrounding dogwalking. The Cabinet decision was upheld by the Overview & Scrutiny Committee.

Future Projects

The Committee keeps its work programme under constant review. The work programme is considered at the end of each meeting.

Training and Development

There was a training session at the beginning of the new year before the meeting on the July 2023. Members of the Overview and Scrutiny Committee, which were largely new members, were briefed on the functions of the committee; how the committee works; and, the work programme. The new Chair was also introduced in this training session as well as all the members of the committee.



Chelmsford City Council Overview & Scrutiny Committee

10th February 2025

Work Programme

Report by:

Director of Connected Chelmsford

Officer Contact:

Freddey Banks-Ayres, Democratic Services Officer, email: <u>Freddey.banks-ayres@chelmsford.gov.uk</u>, tel: 01245 606621

Purpose

The purpose of this report is to invite Members' comments on the Committee's work programme which has been updated since the Committee last met on 4 November 2024.

Recommendations

Members are invited to comment on the Committee's work programme, attached as Appendix 1 to this report and make any necessary amendments to it.

1. Background

- 1.1. The Committee's work programme has been updated following the meeting held on 4 November 2024 and is attached at Appendix 1.
- 1.2. The Chair and Vice Chair of the Committee were consulted and agreed to the changes to the work programme. The changes were required due to the

cancellation of the late November 2024 meeting.

1.3. Members will also note that the meetings for 2025/26 are now included and items are programmed in for those meetings too.

2. Conclusion

2.1. Member's comments are invited on the work programme.

List of appendices:

Appendix 1 – Work Programme

Background papers:

None

Corporate Implications

Legal/Constitutional: None

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

(For new or revised policies or procedures has an equalities impact assessment been carried out? If not, explain why)

Health and Safety: None

Digital: None Other: None

Consultees:

Chair and Vice Chair of the Overview and Scrutiny Committee

Relevant Policies and Strategies:

Not applicable

APPENDIX 1

<u>Subject</u>	<u>Author</u>
10 Febru	ary 2025
Performance Review Items	
Cabinet Portfolio Updates	Cabinet Member for a Safer Chelmsford
	Cabinet Member for an Active Chelmsford
Annual Presentation by Safer Chelmsford	Spencer Clarke
Partnership and Essex Police	Public Protection Manager
	Chief Inspector Paul Ballard, Essex Police
Standing Items	
Report on Decisions Taken Under	Freddey Banks-Ayres
Delegation to the Chief Executive	Democratic Services Officer
Annual Report of the Committee	Freddey Banks-Ayres
(2023/24)	Democratic Services Officer
10 Marc	ch 2025
Performance Review Items	
Cabinet Portfolio Updates	Leader of the Council
	Deputy Leader and Cabinet Member for a Fairer Chelmsford
	Cabinet Member for a Greener Chelmsford
	Cabinet Member for Finance
Climate and Ecological Emergency Declaration and Net Zero Initiatives Inform and Debate	Keith Nicholson
	Director of Public Places
Cabinet Member for a Greener	Jeremy Potter
Chelmsford's Annual Report on Housing Delivery	Spatial Planning Services Manager

Review of Parking Provision	Michael Adewole
	Parking and Highways Operations Manager
Standing Items	
1 -	Freddey Banks-Ayres
Bodies	Democratic Services Officer
2 June 2025	
Performance Review Items	
Theatre Inform and Debate (including	Marc De'ath
	Chelmsford City Culture Services Manager
Standing Items	
Report on Decisions Taken Under	Freddey Banks-Ayres
Delegation to the Chief Executive	Democratic Services Officer
I	Freddey Banks-Ayres
(2024/25)	Democratic Services Officer
15 Septem	ber 2025
Performance Review Items	
Cabinet Portfolio Updates	Leader of the Council
	Cabinet Member for an Active
	Chelmsford
Update/Review of "Our Chelmsford, Our	Nick Eveleigh
Update/Review of "Our Chelmsford, Our Plan"	
Update/Review of "Our Chelmsford, Our Plan"	Nick Eveleigh Chief Executive
Update/Review of "Our Chelmsford, Our Plan"	Nick Eveleigh Chief Executive
Update/Review of "Our Chelmsford, Our Plan" 17 Novembre Performance Review Items Cabinet Portfolio Update	Nick Eveleigh Chief Executive
Update/Review of "Our Chelmsford, Our Plan" 17 Novembre Performance Review Items Cabinet Portfolio Update Cabinet Member for a Greener	Nick Eveleigh Chief Executive ber 2025 Deputy Leader and Cabinet member for a
Update/Review of "Our Chelmsford, Our Plan" 17 Novembre Performance Review Items Cabinet Portfolio Update Cabinet Member for a Greener Chelmsford's Annual Report on Housing	Nick Eveleigh Chief Executive ber 2025 Deputy Leader and Cabinet member for a Fairer Chelmsford
Update/Review of "Our Chelmsford, Our Plan" 17 Novembre Performance Review Items Cabinet Portfolio Update Cabinet Member for a Greener Chelmsford's Annual Report on Housing Delivery	Nick Eveleigh Chief Executive ber 2025 Deputy Leader and Cabinet member for a Fairer Chelmsford Jeremy Potter

Standing Items		
Report on Decisions Taken Under	Freddey Banks-Ayres	
Delegation to the Chief Executive	Democratic Services Officer	
9 February 2026		
Performance Review Items		
Cabinet Portfolio Update	Cabinet member for a Safer Chelmsford	
Annual Presentation by Safer Chelmsford	Spencer Clarke	
Partnership and Essex Police	Public Protection Manager	
	Chief Inspector Paul Ballard, Essex Police	
13 April 2026		
Performance Review Items		
Cabinet Portfolio Updates	Cabinet Member for Finance	
	Cabinet Member for a Greener Chelmsford	
Standing Items		
Updates from representatives on Outside	Freddey Banks-Ayres	
Bodies	Democratic Services Officer	