

CHELMSFORD CITY COUNCIL
MINUTES OF THE MEETING OF THE COUNCIL

held on 7 December 2022 at 7pm

PRESENT:

The Mayor (Councillor S Dobson)
The Deputy Mayor (Councillor R Massey)

Councillors H Ayres, L Ashley, K Bentley, M W Bracken, D J R Clark, P. Clark, W A Daden, A E Davidson, C K Davidson, J A Deakin, N A Dudley, J A Frasca, I D Fuller, R J Gisby, M C Goldman, S M Goldman, I S Grundy, R J Hyland, D Jones, G B R Knight, J S Lardge, L A Mascot, L A Millane, R J Moore, G H J Pooley, J A Potter, R J Poulter, S Rajesh, I C Roberts, S J Robinson, T E Roper, E J Sampson, S J Scott, C M Shaw, M Sismey, A B Sosin, J E Sosin, M Steel, A Thorpe-Apps, C R Tron, N M Walsh, R T Whitehead, T N Willis, I Wright and S Young

1. Apologies for Absence

Apologies for absence had been received from Councillors Ambor, Chambers, Gulliver, Hughes, Lager, Lee, Mackrory and Raven.

2. Mayor's Announcements

The Mayor informed the Council that in the short period since being appointed as Mayor, they had been busy attending many events across Chelmsford. The Council heard that the Mayor would be attending lots of Christmas events in December.

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. None were declared.

4. Minutes

The minutes of the meeting held on 9 November 2022 were confirmed as a correct record.

5. Public Questions

Three public questions had been submitted in advance of the meeting, two which were asked in person and one in writing.

The meeting was adjourned for a short period at this point due to a member of the public disrupting the meeting. The meeting was restarted and the three public questions that had been submitted were considered.

The first question highlighted concerns that had been raised of unacceptable living conditions of Housing Association tenants in Chelmsford. It was noted that a document detailing these issues had been supplied to all Councillors and various examples were detailed. The Council were asked to carry out a full investigation of the Housing Associations and the cases that had been detailed, with appropriate action then being taken. The Council were also asked to put in place a full plan to ensure more stringent oversight in the future to prevent the situation arising again.

In response to the question and points raised, the Cabinet Member for Greener and Safer Chelmsford thanked the member of the public for their question. They said that they were the responsible Cabinet Member for Housing standards and they had been speaking with officers as a result of the points raised by the member of the public. They stated that the City Council had a statutory duty under the Housing Act 2004 to keep housing conditions in their area under review but landlords were responsible for keeping properties in suitable conditions. The Council heard that grants could be provided for repairs and adaptations, alongside health home loans and that HMO's were inspected and licensed by the Council. It was also noted that the Council could ensure they were maintained to an acceptable standard and deal with risks identified. The Cabinet Member informed the Council that in response to the recent tragedy of Awabb Ishak, the Government had asked Council's to submit detailed plans by 22nd January and a draft had already been prepared by officers. The Cabinet Member also noted that the Secretary of State had written to all housing associations. The Council also heard that they had an oversight role and historically had received a small number of complaints although this had recently been increasing. It was noted that the Council was unable to act if it hadn't been made aware of issues and urged any tenant who believed their accommodation to be sub standard to contact the housing standards team. It was noted that each complaint would be investigated and the member of the public was encouraged to bring forward any other examples for the Council to investigate.

The second question related to the Community Governance Review and stated that Parish councils affected by the City's governance review were disappointed by the lack of support from the City administration for the new shadow parish councils.

In response to the question that had been taken as read, the Cabinet Member for Connected Chelmsford stated that a request from one of the shadow councils for funding was currently being considered by the City Council. The Cabinet Member also informed the Council that support was being provided where appropriate as it had been throughout the process. It was also noted Chelmer Village shadow council were making arrangements to share clerking support with the existing Springfield Parish Council. The Council heard that if there was a business case to be made however for similar financial assistance for Chelmer Village then they were welcome to make the case to the City Council.

The third question referred to proposed fee increases on services provided by the Council and asked the administration to apologise for cost over runs. The administration were accused of not taking responsibility for its own financial mismanagement and that they were now expecting the people of Chelmsford to pick up the bill. The member of the public asked the Council to apologise.

In response to the points raised, the Cabinet Member for Fairer Chelmsford thanked the member of the public for their question. It was noted that Tindal Square project referred to would be creating a new public space of over 3000 square meters for arts and other celebrations that would be greatly received by Chelmsford's residents. The Cabinet Member noted that the member of the public had reminded those present of the two factors which had led to increased costs for projects, Brexit and Covid. It was noted that the two factors had been a major impact on the Council's projects as well as projects elsewhere around the country.

In response to the point raised about the increase cost of the Tindal Square project it was noted that inflation had been around 3% at the start and had now increased to 10%. It was also noted that this along with the impacts on importing materials due to Brexit had led to increased spending. In response to being asked to apologise, it was noted that the Council could not have envisaged the higher inflation rates when it set the budget in October 2021 when inflation was at 3%. The Cabinet Member also highlighted that they felt government mismanagement of the nations finances was one of the underlying factors on increased project costs.

(7.04pm to 7.29pm)

6. Cabinet Question Time

The Mayor informed the Council that due to the large number of questions and the one hour time limit they would be taken as tabled unless anyone specifically wanted to read their question out. The following questions from Councillors were put to members of the Cabinet:

1. Question from Councillor G Pooley to the Cabinet Member for Greener and Safer Chelmsford

"I understand that the council is reviewing the Over 65s swim scheme to improve the offer. Can the Cabinet Member please explain what is proposed?"

In response, the Cabinet Member for Greener and Safer Chelmsford thanked Cllr Pooley for their question and highlighting specifically the review of our current Over 65's swim scheme for Chelmsford residents, and options for an improved scheme that offers better value for money and wider range of activities.

The Cabinet Member stated that "the intention was to bring an update on the review and proposals to Full Council for consideration this evening. However, the Monitoring Officer advised that it is not a Council decision.

As Liberal Democrats we are in favour of transparency. So, once we were told we couldn't bring this to Full Council as an agenda item, we shared the report with the opposition, so they

had sight of the proposals and were given the opportunity to table questions. No questions have come back from members of the Opposition this evening.

These are operational changes, which can be approved under delegation to the Director of Public Places, in consultation with me as Cabinet Member, and it is proposed to introduce the new scheme from 1st January 2023 as we want to see this improved scheme made available to people as soon as possible.

Cllr Pooley: Some background for elected members/public:

The current Over 65 Swim scheme allows those over 65 years of age to access unlimited public swimming sessions at Riverside & South Woodham Ferrers Leisure Centre in certain windows of time, Monday-Friday.

(Riverside: Monday to Friday, 8.30am-2pm / SWFLC: Monday to Friday, 6.30-8.45am and noon-2pm)

The numbers taking advantage of the Chelmsford residents swim scheme, introduced in 2008, has reduced from around 1,220 at the peak to the current number of 722 residents signed up across both centres. Approximately 58% of those that have signed up are “active” and swim at least once per month – the average use is 8 times per month – some people attend every day. The 42% “inactive” card holders use the pools irregularly - some only on a handful of occasions per year.

Swim England identify ways to increase participation in swimming. There are different approaches to encouraging those over 65 years of age to take up swimming or to swim more regularly, but the most successful schemes appear to focus on providing a group or club approach, with “learn to swim” or confidence-building sessions supported by a social dimension (for instance, refreshments afterwards).

As a result of the review, it was proposed to end the existing scheme and introduce a new scheme – Forever Active Swim - for over 65's, that would improve upon the existing scheme

It is important to encourage this age group to swim as there are proven health benefits. In addition to the obvious cardiovascular benefits, it provides muscular/skeletal and postural improvement resulting in reduced falls in older residents. The objective remains to encourage more older people to swim and to increase the frequency for those that do swim.

Forever Active Swim will be a subsidised scheme with a £20 monthly fee payable and will consist of the following elements:

- Unlimited number of swims during specific sessions at designated times
- Access times at Riverside extended to between 8.30am to 4.00pm mid-week
- South Woodham Ferrers Leisure Centre mid-week and weekend sessions extended
- Free access to supervised improver/development supported sessions
- Free access to introductory ‘Learn to Swim’ sessions for new customers
- Swimming available to those on the scheme at both South Woodham Ferrers Leisure Centre and Riverside (currently a single site option)
- Booking privileges increased from 7 to 10 days, where applicable

- “our Chelmsford” Plus card included, providing discounts on other leisure centre activities

At this point the Cabinet Member also answered question six which had been tabled by Cllr Lee on the same topic. Cllr Lee was thanked for their question and the Cabinet Member stated that “I hope my answer to Cllr Pooley has reassured you that we understand the huge importance of swimming as regular exercise for this age group from a Health and Wellbeing perspective and want to encourage many more to enjoy regular swims.

Loneliness is one of the most destructive and hidden harms in our society. It affects all ages but particularly older people who may live alone or are caring for a partner.

It is so important to keep active, both in body and mind, so we can age well. Taking time out for regular exercise can do wonders for our mental health, as well as our strength and mobility, helping prevent falls. Providing a range of social activities for older people is key, and a priority for this administration. We encourage older people who may have been out of the water for a while to join Learn to Swim and confidence-building classes. We run therapeutic sessions that support people with long-term health conditions, mobility issues, as well as amputees and pre/post-op patients through a GP referral scheme. These will all be promoted and offered to members of Forever Active Swim.

In addition, the council’s Leisure Service teams meet with Swim England’s regional officers on a regular basis and seek to take advantage of any regional or national programmes that further promote swimming for older people.”

In response to the answer, Cllr Pooley welcomed the new scheme as it would assist those with disabilities to access the specific services they required. The Cabinet Member stated that they would continue to go above and beyond in being as inclusive as possible at the Council’s leisure centres for disabled service users.

2. Question from Councillor B Knight to the Cabinet Member for Greener and Safer Chelmsford

This question was withdrawn prior to the meeting.

3. Question from Councillor P Clark to the Cabinet Member for Connected Chelmsford

“Question for the Deputy Leader - In March this year, the Council approved an increase in the Capital budget for Theatres.

This was increased from £1.5m to £2.746m. The cancellation of the pantomime this year is a loss to the residents of Chelmsford, but also a loss in revenue at a time when this Administration is spending money it clearly doesn’t have. Therefore, can the Cabinet Member for Connected Chelmsford, who proposed the budget increase, confirm how much the Council will lose this year, because of the cancelled Pantomime performances?”

In response, the Cabinet Member for Connected Chelmsford thanked Cllr Clark for their question. They informed the Council that the budget for the Theatre project had been

increased twice and then unfortunately the pantomime had been cancelled. It was noted that this had been devastating and staff had worked incredibly hard to try to find alternative venues or timing but none of the options were financially viable and would have incurred significant risks. The Council was reminded of the previously set out reasons for the delay and as a result there had of course been a loss of income for the Council from ticket sales etc of £455k. There had also been some savings however from not running the pantomime, on staffing for example and therefore the net loss was about £380k. It was noted that this took the total project cost to about £3.7m. It was noted that this was a large sum and it had been hoped that everything would go completely to plan but there were various projects at the Council and many other places had been experiences similar issues. The Cabinet Member stated that they were extremely proud that the Council continued to invest in the City's cultural future. It was noted that it was important the Council would encourage footfall into its City Centre and that by investing in culture, this was the right thing to be doing. It was noted that a flagship theatre would encourage people to visit Chelmsford and spend money at the Council's businesses.

In response to the answer, Councillor Clark reminded those present that he had voted against the funding increase in March as it was money the Council did not have and this highlighted even further spending which could have been spent on housing conditions instead. They also noted that it would be interesting if ticket prices would be affordable in the future for families. In response, the Cabinet Member stated that they had very different visions and felt it was very important to invest in culture. They stated that Council's and Government's should be able to do more than one thing at a time and investing was something that they must do. It was also noted that culture was a key part of that.

4. Question from Councillor P Clark to the Cabinet Member for Fairer Chelmsford

"When this Administration took office in 2019, the MRP figure was zero (excluding leasing costs), can he confirm the current MRP liability for 2022/23 (including leasing costs) and how far does he intend to increase this debt burden on the taxpayers of Chelmsford?"

The Cabinet Member for Fairer Chelmsford, thanked Councillor Clark for their question. They informed the Council that MRP was in effect the money set aside to repay funds which had been borrowed by the Council. It was noted that the current budgeted MRP for 2022/23 was £921k including leasing costs of £398k. The Council heard that these allowed different ways of borrowing or paying for capital goods and accounting for the repayment of the borrowing. In 2018/19, MRP was indeed zero but leasing costs were £458k.

The Cabinet Member stated that the borrowing had been for the benefit of the people of Chelmsford, and was needed to ensure the Council could continue to deliver services and to improve them. It was noted that a large part of MRP related to expenditure that generated savings for the revenue budget, this borrowing reduced costs by more than it costs to finance it. It was noted that in line with many other businesses, the Council had been borrowing to invest wisely, achieving more than it could do without borrowing. The Council heard that an example of this could be purchasing a block of flats and retail units in the City Centre, which would be one of the most cost-effective ways of delivering temporary accommodation.

The Council heard that despite budgetary pressures, the level of MRP was affordable and after allowing for the savings and additional income generated was a modest figure. It was also noted that the affordability of borrowing would continue to be assessed as part of the

annual budget process. The Council was informed that figures would be updated at the January Cabinet meeting when the budget was discussed and could then be scrutinised fully at the February Council Tax setting meeting.

In response to the answer, Councillor Clark stated that if a higher MRP budget came in, ways to fund the additional cost would have to be found, whether from reductions in services or any income generated from Capital expenditure. The Cabinet Member agreed that the figure had been increasing and further information would be supplied with the following year's budget.

5. Question from Councillor R Poulter to the Leader of the Council

"The information from Mr Graham concerning allegations of the condition of some social housing shows a devastating state of affairs. We, as a Council have a responsibility to our residents to take all reasonable steps to ensure their safety and wellbeing. This includes the condition of the properties in which they live, particularly those for which we have nomination rights. However, for a multitude of reasons it is not practical to monitor or inspect every such house in the city area. Yet we cannot ignore the problem. What we need to do is to find a way of receiving a certificate from each housing association confirming that all of their properties are in good order and fit for housing tenants. They could be asked to do this, say every six months and give that certificate to Council Housing officers. That would encourage housing associations to ensure that their properties are fit for habitation and to deal with complaints expeditiously. For our residents it would give assurance that housing associations are taking their repair obligations seriously and for us as a Council it would provide evidence, should it be necessary, to put before Public Health officers. Will the administration approve such a scheme?"

In response the Leader of the Council thanked Councillor Poulter for their question and concern shown to some of the most vulnerable members of our community. They stated that "As Cllr Moore explained, the City Council takes very seriously the condition of homes in the district, in particular the rented sector, whether social rented or private rented.

However, in your own words, it is not practical to monitor or inspect every such house, regularly enough to pick up all problems.

Indeed, tenants have a right to privacy and landlords are not permitted to carry out frequent inspections; most will inspect at 6 monthly intervals. Therefore, the first step when there is a problem is for tenants to report any damage or hazards to landlords. Landlords will often be unaware of any defects and once alerted to the situation will readily take action. However, if they don't the City Council has powers to step in and often does so.

All landlords, including Registered Social Landlords, have a legal duty to make sure the properties they rent out are safe to live in. The vast majority of landlords take their responsibilities very seriously and effectively manage their housing stock. If tenants believe that their property is unsafe and the landlord is failing to act the Council's Housing Standards team can become involved and, where the property is found to be unsafe, they can force the landlord to rectify the situation.

An inspection is only valid at the time it takes place and with just under 12,000 social housing properties in the Chelmsford City Council area, inspections of all properties take time. They are carried out on an ongoing rolling basis which include an annual gas safety check and a five yearly electrical wiring check. A six-month declaration as suggested by Cllr Poulter would do nothing to improve current processes.

The City Council expects to carry out about 360 housing standards investigations this year. Where there is an issue that falls below the required standards it will be followed through until it is resolved. The majority will be resolved by the Housing Standards team liaising with the landlord to rectify the situation. About 10% will result in formal enforcement action i.e. service of legal notice and/or carrying out works in default and prosecution.

All complaints of poor housing standards are investigated. No investigation is ended until it has been resolved and the property is safe to live in.

CHP (Chelmer Housing) owns 7738 of the 11,868 social housing units in Chelmsford. All Councillors should have received a letter from Paul Edwards, the Chief Executive of CHP, in the last few days, setting out how seriously they take the issue of damp and mould. Indeed, Mr Edwards offered to attend this evening's Council meeting so that he could hear the concerns of residents and councillors and we are delighted to see him here.

Last year, we established a pattern of quarterly meetings for the City Council's Chief Executive and me to meet with senior management at CHP. City Council Housing Officers are in touch with CHP on an almost continuous basis. So the channels exist to raise concerns. Therefore, if any councillor or residents' group becomes aware of a problem, they should report it via the correct channels and, if that doesn't work, then to their local councillor and me if necessary.

Five other housing associations own most of the remaining social housing in Chelmsford. The City Council is already in communication with them. We are setting out very clearly our expectations on housing standards and likely action if these are not met from our Housing Standards team.

Ultimately local authorities are not the regulators of Registered Providers, the Government's Social Housing Regulator is in charge and they are responsible for fixing any systemic failings. <https://www.gov.uk/government/organisations/regulator-of-social-housing>

However, none of the foregoing deals with the private rented sector, which is estimated to be larger than the social rented sector in Chelmsford. Councils have the same powers via Housing Standards if tenants report problems. However, we don't have oversight powers like the Social Housing Regulator. I wish we did. That's why the Liberal Democrats have long argued for a register of private sector landlords, and to have minimum three year rent periods to give tenants greater certainty. We would also give tenants a stronger voice by giving legal recognition to tenants' panels.

We welcome plans for a legally-binding Decent Homes Standard (DHS). Failure to comply with the DHS should be a criminal offence and councils should have the option to issue civil penalties or prosecute, alongside rent repayment orders and banning orders.

In summary, this council takes its responsibilities very seriously and wants tenants who are not being heard by their landlord to contact the Housing Standards team."

In response to the answer, Councillor Poulter stated that they wanted the Council to be more proactive and their proposals would provide assurances that were being sought. The Leader of the Council stated that the current inspection regimes were sufficient and if concerns were reported directly they would be picked up quicker than a six monthly check as proposed.

6. Question from Councillor R Lee to the Cabinet Member for Greener and Safer Chelmsford

“Could the Cabinet Member for Greener Chelmsford please explain to us all how they plan to encourage older people to take up swimming”

This question was answered by the Cabinet Member during the answer to their first question.

7. Question from Councillor R Hyland to the Cabinet Member for Fairer Chelmsford

“Post Public Question, raised tonight on the housing provision by Chelmsford's Registered Housing Providers.

I am keen to understand what exactly this Council does to "Overseeing and coordinating the performance of housing associations." Can we be provided the last report published, the metrics being used, and the performance baseline to improvements we have measured and monitored ?

In the members booklet of April 2022, we confirm CCC "Overseeing and coordinating the performance of housing associations." pg21

Given it was the Lib Dems in previous administration that sold off, the publicly owned housing stock, I would see the Overseeing and co-ordination of the performance of housing associations was a measure introduced to monitor housing standards, mitigate risks to residents and ensure Chelmsford City Councils previous decision, didn't leave residents vulnerable. Are we achieving for these residents, served by registered housing providers, to make Chelmsford "a place where people want to live", or can we make Chelmsford even better? “

The Cabinet Member for Fairer Chelmsford thanked Councillor Hyland for their question. They stated “Cllr Hyland is referring to a booklet setting out who does what at the City Council, supplied to help members. He specifically refers to Strategic Housing Services, ably led by Paul Gayler.

Paul's team does not oversee and coordinate housing associations' performance in the broad sense Cllr Hyland seems to have inferred. That responsibility sits with the recently formed Social Housing Regulator.

“The Regulator of Social Housing promotes a viable, efficient and well-governed social housing sector able to deliver and maintain homes of appropriate quality that meet a range of needs.

“RSH is an executive non-departmental public body, sponsored by the Department for Levelling Up, Housing and Communities”

Cllr Hyland also refers to housing standards. That is a function the Public Health and Protection Services team performs – it’s listed on page 13 of the members’ booklet. Paul Brookes’s team covers housing conditions across the rented sector, including private rental and housing associations alike.

So it may help if I explain what is meant by the phrase Cllr Hyland has highlighted in relation to Strategic Housing Services.

It is important to read the full list of functions Paul Gayler’s team has responsibility for. The line above is “Allocation of housing provided by housing associations”. That’s the context in which Paul’s team oversees and coordinates the performance of housing associations, i.e. in the allocation of their housing.

Let me explain how it works. A Chelmsford resident who needs social housing can’t simply walk into one of the active housing associations in our district. They must approach the City Council.

Our housing officers assess their circumstances and may add the resident to our housing register.

Those on the housing register are given the opportunity to bid for housing association homes when they become available – according to the level of priority they’ve been allocated and how long they have already waited.

Bear in mind that most new housing association homes will have been provided as a requirement of planning permission – and the City Council will have “nomination rights”, i.e. we can require that they are allocated to someone on our housing register.

So it’s important that we can monitor this aspect of their performance.

We also have some additional agreements with housing associations – for example, with CHP concerning temporary accommodation. We also monitor their performance from this perspective.

And more generally, we maintain ongoing relationships with housing associations operating in our area. They are vital to the prevention and alleviation of homelessness in Chelmsford – so they are critical partners we have working relationships with.”

In response to the answer Councillor Hyland stated that he still wanted to know what the Council was doing to safely house people in Chelmsford. He also raised a concern that opposition members had not been able to ask their questions in person and had in effect been silenced. The Mayor clarified that as earlier explained at the meeting, questions were being taken as tabled due to the high number of them. The Mayor also clarified that they had also

explained Councillors could still ask their questions in person if preferred and there had been no attempt to silence the opposition. The Cabinet Member stated that previous responses on earlier questions had demonstrated the aims and ambitions of the Council to improve the standard of housing and availability of it to residents of Chelmsford. They also referred to the high number of actions they had undertaken to alleviate the housing crisis.

8. Question from Councillor R Hyland to the Cabinet Member for Sustainable Development

“In the Local Plan review, will this administration be taking the opportunity this time to review all sites that are currently in the plan and in particular those have not yet begun construction, like Site 5a East Chelmsford (Manor Farm) where there I understand there is strong local objections?”

Can you provided and explain the criteria that will be used to validate these plans, sites and future sites, are fit for purpose, serve Chelmsford well and deliver to support housing need ?”

The Leader of the Council answered the question in the Cabinet Member’s absence and thanked Cllr Hyland for their question. They stated “The current Local Plan was voted through by the previous, Conservative-run, council, on 19th June 2018. Along with my Lib Dem colleagues, I voted against it, because it included sites that we did not support.

However, the independent planning inspector examined the plan, assessed all the objections submitted and adjudged that all the sites allocated were suitable for development. So we are stuck with it.

The current review of the adopted Local Plan cannot overturn any of the allocations in the plan but it will assess their continued deliverability. This assessment will include whether masterplans have been agreed, planning applications submitted or planning permission granted in accordance with our adopted Local Plan policies and secured through conditions and the completion of legal agreements.

The Masterplan and the planning application stage for each site provide an important opportunity for the public to comment and I hope they will take up that opportunity.

The criteria for assessing future housing sites are laid out in the Local Plan and have to take account of the National Planning Policy Framework (NPPF). The Secretary of State confirmed on 5 December that a new draft NPPF will be published for consultation before the end of this year. Officers will continue to monitor the implications of any national changes on the review of Chelmsford’s Local Plan.”

9. Question from Councillor R Whitehead to the Cabinet Member for Greener and Safer Chelmsford

“Residents have continued to express their disappointment that the café at Hylands Park is closing on 24th December.

After the loss of the Pantomime this Christmas, this further blow to Chelmsford is most unwelcome.

At a recent Cabinet meeting officers said that the imposition of parking charges at Hylands Park were not the cause of the closure of the café, so can you provide the statistics to confirm this or advise Council as to the Administration’s understanding of the reasons for this failure.

Can the Cabinet Member update Council on the efforts being made to find a new operator for the Hylands café.”

The Cabinet Member thanked Councillor Whitehead for their question and stated “Madam Mayor, to clear up any confusion, I think Cllr Whitehead is referring to Director of Public Places Keith Nicholson’s response to his question at Overview and Scrutiny Committee on 21 November rather than Cabinet. The question was along the lines of whether the café was closing due to the introduction of car parking charges, and Mr Nicholson’s response at that meeting is recorded in the minutes:

‘The café at Hylands is due to close on 24th December as the current occupiers are leaving and the successful applicant in the tender process has withdrawn. A replacement is going to be sought and temporary options are being explored for the interim period. The committee was reassured that there was no concern that this was related to the introduction of parking charges at Hylands Park in November 2021’

This is not a failure of the existing operator – inferred as being due to the introduction of car parking charges, rather a delay with the procurement of a replacement operator.

The catering contract for the café at the Stables Visitor Centre at Hylands is due to conclude on 31 December 2022 - at the end of the contract term that was put in place by the previous administration.

We are determined to ensure a top-quality provider for the cafe. Therefore, the procurement process for a new operator commenced back in July 2022, with an ‘open market’ advertisement, in response to which 52 potential suppliers registered interest. A two-stage negotiated process was adopted for the procurement. Four suppliers progressed to make a second-round submission in September 2022.

Vertas [formerly Churchills] - the incumbent provider - withdrew from the process at that point.

The preferred supplier was selected on 30 September, but subsequently withdrew from the process – some 5 weeks later – citing the difficult market conditions, cost of living crisis and timing [namely the joint challenge of setting up a new venture at this time of year and the current economic climate] as the reason for their withdrawal.

Given the late notice, the proximity to the Christmas period and current market circumstances it was decided to suspend the procurement process and review options in the new year. Interim arrangements are being put in place for an established vendor to provide temporary facilities a range of refreshments, including hot and cold drinks, cakes, and light snacks – similar to what is already in place on our Hylands Open Days.

There is no evidence that the payment of car parking charges has an impact on the trading viability of the catering outlets at Hylands Park. Most operators expect car parking to be chargeable at this type of venue, and the charges for parking at Hylands Park are modest in comparison with other locations, particularly for those who have purchased season tickets or use MiPermit discounts available to residents of the Chelmsford district.”

10. Question from Councillor W Daden to the Cabinet Member for Connected Chelmsford

“Some new parishes as created by the Governance Review are finding it challenging setting up. Finding clerks and attracting parish councillors.

What investigation was done to establish if enough clerks existed when creating new parished areas, and what can or is being done to address the shortfall?”

The Cabinet Member for Connected Chelmsford thanked Councillor Daden for their question. They stated that as previously mentioned one of the new Council’s had already organised their own clerking arrangements so in effect only one new one was required. They stated that the Council in question were being supported by the Essex Association of Local Council’s who were very experienced and they would advise them accordingly. It was also noted that a clerk had recently been employed in Wickford and they were therefore confident that one would be found and that it was not an impossible task.

(7.30pm to 8.17pm)

7.1. Section 106 Spending Plan

The Cabinet on 8 October 2022 had considered a proposed spending plan for S106 planning contributions held by the City Council. Subject to Council approving the Plan, the Cabinet had agreed a number of delegations to enable the proposals within it to proceed.

In response to questions, it was confirmed that the possibility of publicising information on S106 schemes in South Woodham Ferrers as the schemes are completed would be looked into. It was also confirmed that officers only spent S106 funding when it was legally compliant to do so.

RESOLVED that the Section 106 Spending Plan in the report to the meeting be approved.

Cllr Hyland asked for their objection to the Section 106 Spending Plan to be noted.

(8.18pm to 8.21pm)

8.1 Membership of Committees

RESOLVED that the replacement of Councillor L Millane by Councillor N Gulliver as the designated substitute for the Conservative group on Planning Committee be approved.

(8.22pm to 8.23pm)

9.1 Community Governance Review – minor change to delegation and dispensation

The Council considered a report seeking a minor change to the delegation previously made for the Community Governance Review and a related dispensation. It was noted that this was due to the Leader of the Council who had the delegation now sitting on one of the newly created shadow Council's and this was to prevent any conflicts of interest. It was also noted that the new dispensation would allow those twin or triple hatted Councillors, to make it easier for them to fully take part in all meetings including voting.

RESOLVED that the change to the delegation and the general dispensation be approved.

(8.24pm to 8.26pm)

10.1 Treasury Management Mid-Year Review 2022-23

The Council considered a report on the Treasury Management activities undertaken in the first part of 2022-23 and the extent of compliance with the approved Treasury Management Strategy. The Treasury Management and Investment Sub-Committee and the Cabinet had concluded that no changes to the Strategy were required ahead of the full, annual review later in the financial year.

In response to a question raised it was noted that it was not possible to simply spend some of the Council's investments . It was noted that this would potentially create future problems where the cash would be needed to meet known commitments and bills and next years budget proposals would be reported soon which would answer the premise of the question raised.

RESOLVED that the report on the Treasury Management activities in 2021-22 be noted and that the 2022-23 Treasury Strategy be approved without change.

Cllrs Paul Clark and Hyland asked for their objection to the report to be noted.

(8.27pm to 8.29pm)

10.2 Financial Update Report and Review of Fees and Charges

The Council were asked to consider a report updating them on the Council's financial position and to also consider a review of Fees and Charges. It was noted that Council's of all types were under severe financial pressure and that the Chancellor's Autumn Statement had failed to provide the necessary help. The Council heard that in October, there had been a forecast budget gap of £7.9m in 2023-24 and in November, a forecast additional £1.1m use of reserves for 2022-23 as costs exceed income. It was noted that with inflation at over 11% it was costing £10k a week extra to run the leisure centres along with an extra £18.5k a week for fuel for refuse vehicles, alongside a reduction in forecasted parking incomes of £1.3m.

The Council heard that as a result of the difficult position it needed to look at both reducing costs and increasing income. It was noted that costs would be considered at the Cabinet meeting in January when the next budget would be discussed but a thorough review of fees and charges had been carried out. It was noted that many of these would stay the same, such as the rent fees for market traders and prices for short stay car parks. It was noted however that some fees and charges as detailed in the report would have to be raised as soon as practically possible so the Council would benefit from the extra income in the last quarter of the year.

In response to the report, concerns were raised and comments made on the below points;

- Projects had been overspent on by the administration, including ones being promoted that were unnecessary with no cost saving measures.
- Inflation had been affecting the whole of Europe not just Chelmsford.
- Were the Council employing any consultants that were unnecessary?
- The rise in funeral charges seemed opportunistic and would lead to a cost of dying crisis.
- The lack of information on reduction in costs was unfortunate and it was hoped the budget meetings in early 2023 would provide more information.

In response to the points made, the Cabinet Member for Fairer Chelmsford and the Leader of the Council stated that the main issue being faced was a revenue problem not a capital one. It was noted that the Government was not funding Councils of any political persuasion and inflation was causing major issues for both Chelmsford City Council and the County Council. It was noted that even a 3% rise in Council Tax, the highest possible, would only generate £8k a week, whereas previously detailed, energy costs had risen £18k a week. It was hoped that the fees and charges changes would raise £906k in a full year but this was still against a much larger deficit. It was noted that this was not a decision being taken at all lightly recognising that there was cost of living crisis. In previous and future budgets, costs saving were always expected to be the largest part of any plan to deliver a balanced budget. It was stated that a balanced budget in line with the Council's legal responsibilities would be set again in the new year and the fees and charges being proposed had been reviewed thoroughly.

A recorded vote was held at the request of ten or more members, On being put to a vote the recommendations in the report to the meeting were carried with the vote being as follows:

For the recommendations:

Councillors Ashley, Ayres, Bentley, Bracken, Dan Clark, Ann Davidson, Chris Davidson, Deakin, Dudley, Frasca, Fuller, Marie Goldman, Simon Goldman, Jones, Lardge, Mascot, Moore, Pooley, Rajesh, Roberts, Robinson, Sampson, Shaw, Andrew Sosin, Janetta Sosin, Tron, Walsh, Willis and Young.

Against the recommendations:

Councillors Paul Clark, Daden, Gisby, Grundy, Hyland, John, Knight, Millane, Potter, Poulter, Roper, Scott, Sismey, Thorpe Apps, Steel and Whitehead.

Abstained:

Councillors Dobson, Massey and Wright.

RESOLVED that ;

1. The financial position be noted.
2. The implementation of the proposed increases in fees and charges (in Appendix 1) be delegated to officers as soon as possible
3. The budget process for 2023-24 be continued, focusing on identifying savings, reviewing capital programme spend and resourcing and strategies to address the overall budgetary risks and uncertainties.

(8.30pm to 8.56pm)

The meeting closed at 8.56pm

Mayor