

**MINUTES OF
CHELMSFORD CITY COUNCIL CABINET**

on 8 June 2021 at 7.00pm

Present:

Cabinet Members

Councillor S J Robinson, Leader of the Council (Chair)
Councillor M C Goldman, Deputy Leader and Cabinet Member for Connected Chelmsford
Councillor C K Davidson, Cabinet Member for Fairer Chelmsford
Councillor M J Mackrory, Cabinet Member for Sustainable Development
Councillor R J Moore, Cabinet Member for Greener and Safer Chelmsford

Cabinet Deputies

Councillor S Rajesh, Community Safety

Opposition Spokespersons

Councillors K Bentley, S Dobson, I Roberts, M Sismey,
M S Steel and R T Whitehead

Also present: Councillors R Gisby and N Walsh

1. Apologies for Absence

Apologies for absence were received from Councillors N Chambers, W Daden, J Galley, R J Hyland, J A Potter and R J Poulter, Opposition Spokespersons.

2. Declarations of Interest

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

3. Minutes and Decisions Called-in

The minutes of the meeting on 2 March 2021 were confirmed as a correct record. No decisions at that meeting had been called in.

4. Public Questions

Questions were asked by members of the public on matters relating to Items 6.1 and 6.3 on the agenda. The questions and the responses given are detailed in the relevant minute numbers below.

(7.03pm to 7.26pm)

5. Members' Questions

Councillor M Steel asked whether the usage of and income from the Council's car parks was returning to pre-pandemic levels; whether charges for the car park at Hylands House had been introduced; and whether a meeting to discuss the effect of the introduction of charges at that car park had been held with Writtle Parish Council.

The Cabinet Member for Sustainable Development replied that the use of short term car parks was now 30% below the level during the same period in 2019 but that for long-term car parks the recovery to previous levels of use was much slower. The Cabinet Member for Fairer Chelmsford said that the Traffic Regulation Order to enable the introduction of charges at the Hylands House car park had not yet been published. A meeting had been held with Writtle Parish Council to discuss the effect on Writtle of the introduction of those charges.

(7.26pm to 7.32pm)

6.1 Strategic Growth Sites Policy 3b, 3c and 3d – Masterplan for Land East of Chelmsford (Sustainable Development)

Declarations of interest:

None.

Summary:

At its meeting on 4 March 2021, the Chelmsford Policy Board had considered a Masterplan to guide the development of strategic growth sites 3b, 3c and 3d on land to the east of Chelmsford. The Policy Board had recommended that the Cabinet adopt the Masterplan but note its concerns about the uncertainty of delivery of infrastructure, in particular interdependent cycling and walking connectivity, relating to the separate masterplan covering Site 3a being delivered by Hopkins Homes. The Board had asked that officers seek from Redrow Homes and Hopkins Homes before the Cabinet meeting a joint statement from them confirming that they were working collaboratively with each other to ensure key connections and synergy between the sites to help the successful delivery of the East Chelmsford allocation. That joint statement was submitted with the report.

Options

Approve the Masterplan, with or without amendments, or not approve it.

Preferred Option and Reasons

The Masterplan as presented met the requirements of the Local Plan and would help achieve a high quality development well related to its context.

Discussion

Questions and statements on the Masterplan had been received from two members of the public.

In response to the first, which raised concerns about whether the Masterplan adequately addressed the protection of breeding birds that frequented sites within the proposed development area and the presence of badger sets, the Cabinet Member for Sustainable Development said that:

- Baseline ecological surveys had been completed and further, detailed surveys carried out with the results used to inform the masterplan. The surveys included those for breeding and wintering birds. This found an assemblage of 36 breeding species of district value. There were 13 species of birds of conservation concern recorded which were stated to be relatively widespread and common breeding species. The masterplan was high level and as part of the detailed planning application the suite of ecological surveys would be provided along with any follow-up surveys, where relevant, with material consideration given to ecological receptors in accordance the mitigation hierarchy, and national and local policies.
- The ecologists had conducted their own field-based surveys, including desktop assessments, and therefore seemingly had used those results to inform the proposals.
- Net gain would be mandated through the Environment Bill, which was expected to be passed later in the year. Local and national policy also referred to biodiversity net gain and, as a minimum, 10% habitat net gain was expected to be delivered. This information would be submitted as part of the detailed planning application, but the principle of net gain was calculating the level of biodiversity pre-development and against development proposals to calculate the change and whether this would be a habitat net loss, or net gain. The delivery of net gain, for example through habitat creation and enhancement, would target habitats which supported priority and protected species with provision for managing the habitat set out in a Landscape and Ecological Management Plan.
- Badger behaviour was inherently variable, therefore follow up surveys were expected to be carried out and submitted with a detailed planning application to ensure the appropriate measures were taken to protect the species in accordance with the mitigation hierarchy.

The second question concerned the need to consider this (the Redrow Homes) Masterplan alongside that to be submitted by Hopkins Homes and the importance of not taking decisions on one in isolation from the other. The Cabinet Member said that the reason why the Council was not delaying further consideration of the Redrow masterplan until the Hopkins masterplan had been considered was essentially addressed in paragraphs 1.6 – 1.9 of the report. The joint statement from Redrow and Hopkins Homes had now been received and was appended to the report. This confirmed that the developers would continue to work collaboratively with each other to ensure the successful delivery of the East Chelmsford allocation, including the associated infrastructure. Hopkins Homes had advised that they were likely to be formally submitting their masterplan by the end of June so there would be no

undue delay before it was received by the Council. The masterplan would be formally consulted upon at that time. The Hopkins Masterplan and the Redrow and Hopkins planning applications would be subject to full and robust scrutiny by the Council to ensure the successful delivery of the East Chelmsford allocation.

A ward councillor for Great Baddow also asked about the progress of the Hopkins Homes Masterplan, what the risks were should it be delayed or not produced, and whether the joint statement by the two developers was legally binding.

The Cabinet Member said that he had no information to suggest that Hopkins Homes would delay the submission of their masterplan further. It had been the developer's intention to submit it before the local government elections in early May but they had been advised to delay its submission because consultation and consideration of the masterplan at that time was considered to breach pre-election period rules. Hopkins had advised officers that they then decided to take the opportunity of the delay to refine their masterplan. The agreement that had been signed by each developer, whilst not legally binding, was a statement of their intent.

In response to a further question about the provision of a safe cycle route to the city centre should the Hopkins plan not go ahead, the Cabinet Member said that it was considered unlikely that the development of the Hopkins parcel (3a) would not proceed as it was an allocated site and developers at present were showing every sign that they wished to secure planning permissions and proceed to develop the strategic sites. In the unlikely event that it did not proceed, officers would still continue to engage with the County Council and landowners to see if an additional off road route to the city centre could be secured but it would make a comprehensive link more difficult to secure if site 3a was to lie dormant.

Responding to a comment by another member that it was frustrating that the Masterplan process added delays to the implementation of much-needed developments, the Cabinet Member said that he understood that frustration but masterplanning was part of the Local Plan process and provided an opportunity for all parties and the public to be involved in the creation of sustainable and well-designed developments that met the needs of local people.

RESOLVED that:

1. The Masterplan for Strategic Growth Sites Policy 3b, 3c and 3d, Land East of Chelmsford, as submitted to the meeting, be approved.
2. The Director of Sustainable Communities, in consultation with the Cabinet Member for Sustainable Development, be authorised to make all necessary revisions to the approved Masterplan.

(7.32pm to 7.41pm)

6.2. Trinity Road School Community Infrastructure Levy (CIL) Funding Allocation (Sustainable Development)

Declarations of Interest:

None

Summary:

The Cabinet was requested to consider allocating £950,000 from the CIL Strategic Allocation to help fund the expansion of Trinity Road Primary School.

Options:

Approve or not the allocation of the funding.

Preferred Option and Reasons

The expansion of Trinity Road Primary School was required to meet increased demand in the Chelmsford Urban Area. As the new neighbourhood at Chelmer Waterside came forward, in line with the adopted Chelmsford Local Plan, it would be important for primary school places to be available to meet demand in the most sustainable location. Trinity Road Primary School was the closest school to the new neighbourhood and provided for the best opportunities for safe walking and cycling to school. Improving the school's capacity would provide the infrastructure ahead of the development and without the Community Infrastructure Levy contribution Essex County Council would need to consider alternatives, which may be less appropriate.

Discussion

Whilst those present welcomed the expansion of the school and the use of CIL monies to help fund it, concern was expressed that it would not be sufficient to accommodate the increase in pupil numbers resulting from the Waterside and other developments in the city centre. The Cabinet Member said that the County Council, as education authority, had identified the expansion of Trinity Road school as the best means by which to address future demand for primary school places in the vicinity. That and intakes at other schools would have taken into account the projected demand for increased capacity more generally.

RESOLVED that

1. The allocation of £950,000 from the Community Infrastructure Levy (strategic allocation) to the Trinity Road Primary School expansion project be approved.
2. The Director of Sustainable Communities be authorised to prepare and agree the funding agreement with Essex County Council to enable the transfer of funding.

(7.41pm to 7.48pm)

6.3. Community Infrastructure Levy Governance Arrangements (Sustainable Development)

Declarations of Interest:

None

Summary:

The report to the meeting set out proposals to update the Council's CIL governance arrangements and approach for decision making on the prioritisation and spend of CIL within the City Council's area.

Options:

Approve the proposed governance arrangements, with or without amendment, or not approve them.

Preferred Option and Reasons

The proposed changes to the governance arrangements would enable strategic CIL spending decisions to prioritise the delivery of infrastructure to support the development set out in the new Local Plan and its associated evidence base. In the case of neighbourhood CIL, removing boundary restrictions would better address the impact of development across the entire unparished urban area.

Discussion

A member of the public had asked why the allocation for cycling infrastructure was so small, when a cycle scheme for Princes Road was likely to be implemented and when developer contributions from the planning permission for Bond Street would be available for a river bridge for cycling between Waterloo Lane and Tesco.

The Cabinet Member replied that the report before the Cabinet referred to how the Council governed the expenditure of CIL, which was only one funding stream available to support the delivery of cycling infrastructure; others included direct provision through development, Local Highway Panel funding, Section 106 contributions, Essex County Council's capital programme, Active Travel Funding etc.

Appendices 2 and 3 to the report set out only the CIL allocations to date. In terms of strategic allocations (from which CIL funding for strategic cycling improvements tended to be allocated), a number of the allocations enhanced cycle connectivity and the contributions were significant. Examples included:

- Riverside Public Realm which enhanced the cycle connectivity along the River Chelmer
- Mill Yard, the primary purpose of which was to improve cycling and walking connectivity to the Station
- Tindal Square, which would incorporate cycle connectivity within a new improved space
- Wayfinding, which had at its heart cycleway signage
- North East Chelmsford Garden Community bridge, which would enhance multi modal connectivity within the Garden Community

Collectively, these projects amounted to almost £4.5m of CIL where there was or would be an enhancement to cycling provision in Chelmsford.

In terms of the S106 agreement referred to in relation to Bond Street, the agreement associated with the permitted scheme did not include contributions for a new bridge between Waterloo Lane and the Tesco car park.

In terms of the Princes Road scheme, this may fall within the responsibility of the County Council as highway authority and this would be followed up with officers.

Replying to a separate question about the current Community Governance Review resulting in the creation of parishes in the non-parished areas of the city centre, and the effect this would have on the proposed arrangements, the Leader said that the overall intention of the changes was to streamline the way in which CIL was allocated and spent and that this would apply to all areas, whether or not they were parished. He added, in response to another comment, that those parishes with Neighbourhood Plans would be free to decide whether to use CIL allocations or other funding sources to help meet the cost of infrastructure projects to support those Plans.

RESOLVED that

1. The revised governance process for the strategic allocation of CIL detailed in the report to be meeting be approved.
2. The revised governance for the neighbourhood allocation of CIL be amended to remove the geographical boundaries that restrict spend within the four neighbourhood groups.
3. The updated CIL Governance Arrangements document (Appendix 1 to the report) be approved and that the Director of Sustainable Communities, in consultation with the Cabinet Member for Sustainable Development, be authorised to approve any required amendments before publication on the Council's website.

(7.48pm to 7.58pm)

7.1 Review of Corporate Grant Aid Funding (Fairer Chelmsford)

Declarations of Interest:

None

Summary:

The Cabinet received the findings of a review of the current corporate grant funding arrangements across all schemes and was recommended to approve improvements to the current governance arrangements.

Options:

Approve the recommendations and move to a commissioning and grants model for community funding and improved governance of the process.

Not to approve the recommendations and continue with current arrangements.

Preferred Option and Reasons

The new commissioning model would increase focused support for community groups whilst providing sustainable funding for key partners within an improved and streamlined governance framework.

Discussion

The Cabinet Member for Fairer Chelmsford agreed with a comment that the process for considering applications for grants should be transparent and readily understood by residents and said that it was also important to speed up the process for deciding smaller grants.

RESOLVED that

1. The Council move to the commissioning model for community funding as outlined in section 4 of the report to the meeting.
2. The Council be recommended to approve the changes to the terms of reference for the Community Funding Panel set out in the Appendix to this report.

(7.58pm to 8.05pm)

7.2 Discretionary Rate Relief Policy (Covid-19 Amendments Extending Retail Discounts (Fairer Chelmsford))

Declarations of Interest:

None

Summary:

The report to the meeting set out proposed amendments to the existing Discretionary Business Rate Relief policy to give effect to extensions to retail discounts arising from measures relating to COVID-19, for the period 1 July 2021 to 31 March 2022.

Options:

Approve or not the amendments to the policy.

Preferred Option and Reasons

The revised policy would accord with government requirements and give effect to extensions to retail discounts arising from measures relating to COVID-19, to the benefit of local businesses.

RESOLVED that the additions and alterations to the existing Discretionary Rate Relief Policy as highlighted in Appendix A to the report to the meeting be agreed.

(8.05pm to 8.07pm)

8. Creation of Greener Chelmsford Grants Scheme (Greener and Safer Chelmsford)

Declarations of Interest:

None

Summary:

The Cabinet was recommended to approve the creation of the Greener Chelmsford Grant Scheme which would support “green” community initiatives to help local groups deliver elements of the Climate and Ecological Emergency Action Plan.

Options:

Approve or not the creation of the scheme.

Preferred Option and Reasons

The fund would enable the Council to continue to prioritise the delivery of the Climate and Ecological Emergency Action Plan and reallocation of appropriate resources to support this Plan.

Discussion

The Cabinet Member was asked about the transparency of the decision-making on grant applications, whether parish councils would be able to apply and whether a limit should be placed on the size of grants to prevent a substantial proportion of the budget being spent on a limited number of schemes.

The meeting was informed that the decision-making process would follow that for Community Grants, with applications for larger grants being submitted to the Cabinet. Parish councils would be able to apply for grants, provided they met the criteria for applications. Regarding a limit on the size of grants, this would be monitored during the first year of the scheme to see whether that would be needed. Although the budget was limited, it was hoped that as many schemes as possible would benefit whilst not ruling out larger projects.

RESOLVED that the creation of the Greener Chelmsford Grants Fund be approved.

(8.07pm to 8.21pm)

9. Statement on Modern Day Slavery (Leader of the Council)

Declarations of Interest:

None

Summary:

The Cabinet was requested to approve for publication the 2020/21 Statement on Modern Day Slavery and Human Trafficking.

Options:

The Statement was a factual document which the Council was required to review and publish annually and therefore the consideration of options was not appropriate.

RESOLVED that the Statement on Modern Slavery and Human Trafficking for 2020/21 submitted with the report to the meeting be approved and published.

(8.21pm to 8.26pm)

10. Urgent Business

There were no items of urgent business.

11. Reports to Council

Apart from the changes to the terms of reference of the Community Funding Panel (Item 6.3) none of the reports to the meeting needed to be referred to the Council for approval.

The meeting closed at 8.28pm

Chair