

Council Meeting Agenda



Wednesday 3 December 2025 at 7pm

**Council Chamber, Civic Centre
Chelmsford**

Membership

The Mayor – Councillor Janetta Sosin
The Deputy Mayor – Councillor Smita Rajesh

and Councillors

C Adutwim, J Armstrong, H Ayres, G Bonnett, N Bugbee, V Canning
N Chambers, D Clark, H Clark, P Clark, P Davey
A Davidson, C Davidson, S Davis, J Deakin, S. Dobson, N Dudley,
D Eley, K Franks, L Foster,
J Frascona, I Fuller, S Goldman, S Hall, J Hawkins, R Hyland, J
Jeapes, A John, B Knight, J Lardge, R Lee, S Manley, L Mascot, B.
Massey, R Moore, M O'Brien, V Pappa, J Potter, J Raven, S
Robinson, E Sampson, S Scott, T Sherlock, M Sismey, A Sosin, M
Steel, S Sullivan, M Taylor, A Thompson, A Thorpe-Apps, C Tron, N
Walsh, R Whitehead, P Wilson, S Young

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or phone (01245) 606480

MEETING OF CHELMSFORD CITY COUNCIL

3 December 2025

AGENDA

1. Apologies for Absence

2. Mayor's Announcements

3. Declarations of Interest

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

4. Minutes

Minutes of meeting on 3 September 2025.

5. Public Questions

To receive questions from members of the public in accordance with Council Rules 10.1 to 10.6.

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.

6. Cabinet Question Time

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

7. Reports from the Cabinet on 11 November 2025

7.1 Treasury Management Mid-Year Review 2025/26

To consider the attached report from the Cabinet Member for Finance

7.2 Local Council Tax Support Scheme 2026/27

To consider the attached report from the Cabinet Member for Finance

7.3 Licensing Act 2003 – Statement of Licensing Policy

To consider the attached report from the Cabinet Member for Safer Chelmsford

8. Annual Report of the Overview and Scrutiny Committee

To consider the attached report from the Overview and Scrutiny Committee on 15th September 2025.

9. Community Governance Review – Amended Terms of Reference

To consider the attached report from the Chief Executive

CHELMSFORD CITY COUNCIL

MINUTES OF THE MEETING OF THE COUNCIL

held on 3 September 2025 at 7pm

PRESENT:

The Mayor, J Sosin
The Deputy Mayor, S Rajesh

Councillors C Adutwim, J Armstrong, H Ayres, G Bonnett, N Chambers, D Clark, H Clark, P Clark, A Davidson, C Davidson, S. Dobson, N Dudley, D Eley, K Franks, L Foster, J Frasca, I Fuller, S Goldman, S Hall, J Hawkins, R Hyland, A John, B Knight, R Lee, S Manley, L Mascot, V Pappa, J Potter, J Raven, S Robinson, E Sampson, T Sherlock, A Sosin, M Steel, S Sullivan, M Taylor, A Thompson, A Thorpe-Apps, C Tron, N Walsh, R Whitehead, P Wilson and S Young.

1. Apologies for Absence

Apologies for absence had been received from Councillors Bugbee, Canning, Davey, Deakin, Jeapes, Lardge, Massey, Moore, O'Brien, Scott and Sismey.

Mayor's Announcements

The Mayor reported the recent passing of former Councillor Vicky Gallagher, who represented Patching Hall Ward between 1979 and 1983. Members stood in silence as a mark of respect.

Cllr Robinson then paid tribute, recalling that, although their time on the Council was short, Vicky Gallagher was a longstanding and active member of the community. They were remembered for service as secretary of Tanglewood Nursery School, their commitment to the local Liberal Democrat movement, and their support for the parish and church community at Our Lady Immaculate.

2. Declarations of Interest

Members were reminded to declare at the appropriate time, any interests in the business on the meeting's agenda. None were made.

3. Minutes

The minutes of the meeting held on 16 July 2025 were confirmed as a correct record.

4. Public Questions

In accordance with Council Rules 10.1 to 10.6 questions could only relate to Item 5 on the agenda. One public question had been submitted in advance of the meeting, [which can be viewed via this link](#).

A response was provided under Item 5.

5. Community Governance Review

The Leader of the Council introduced a report which recommended that the Council commence a Community Governance Review in respect of the unparished central area of Chelmsford and adjoining parish areas. A city-wide review had been undertaken in 2021/22, but the significant changes anticipated through Local Government Reorganisation (LGR) meant that a further review was now considered necessary. The review would be limited to the unparished city centre and the nine adjoining parishes of Broomfield, Chelmer, Chignal, Galleywood, Great Baddow, Margaretting, Springfield, Stock and Writtle. The purpose was to allow residents to consider their options for local representation before the anticipated changes to Chelmsford City Council in April 2028 following LGR.

It was noted that about 62 per cent of the district electorate already lived in parished areas, compared with 38 per cent in the unparished city centre. It was explained that decisions on local amenities such as allotments and play areas should be made locally rather than by a new unitary authority covering a much wider area. It was confirmed that the nine parishes were included in the scope to allow for boundary adjustments where development had crossed parish lines. In response to the public question, it was clarified that city status would not automatically be lost without a parish council but arrangements such as Charter Trustees could be established to preserve the mayoralty and civic traditions and that the precept for any new parish would initially be set by the City Council ahead of elections, in the same way as with recent new councils.

Members expressed concern that the terms of reference were too broad and did not provide sufficient detail about consultation thresholds or whether a new parish would be divided into wards. It was noted that the previous review had attracted a very low level of public response and suggestions were made to establish a minimum participation threshold before any changes could be implemented. It was suggested that key stakeholders such as housing associations, the Civic Society and the Business Improvement District (BID) should be consulted. Some members questioned whether this was the right time to conduct a review, given the risk of confusing residents already facing consultation on LGR. Questions were also asked about the cost of the exercise and the time required from officers.

In response to the concerns and questions raised it was shared that many of the details would be considered by the Working Group. It was estimated that the cost of the review would be around £100,000, including £22,000 for addressed leaflets, and confirmed that an external consultant had been engaged due to limited officer capacity. It was emphasised that parish councils and neighbourhood committees under LGR were different and that parish councils would continue to have an important role.

It was RESOLVED that:

1. the Council authorises the commencement of a CGR of its own volition and approves the draft Terms of Reference, as recommended by the Connectivity and Local Democracy Working Group.
2. the Chief Executive, in conjunction with the Leader of the Council and the Connectivity and Local Democracy Working Group, be authorised to approve the Consultation Questions and to take any necessary action to progress the review. Any decision related to the approval of draft or final recommendations, or other key decisions, would be taken to Governance Committee and Full Council for approval.

The meeting closed at 7.39pm

Mayor



Chelmsford City Council

3 December 2025

Reports from the Cabinet

Report by: Cabinet Member for Finance and Cabinet Member for a Safer Chelmsford

Officer contact:

Dan Sharma-Bird, Democracy Team Manager 01245 606523, dan.sharma-bird@chelmsford.gov.uk

Purpose

To inform Council of the decisions of the Cabinet on 11 November 2025.

Recommendations:

That the recommendations of the Cabinet on Agenda Items 7.1, 7.2 & 7.3 be approved.

1. Treasury Management Mid-Year Review 2025/26

RECOMMENDED TO THE COUNCIL that they review the report and approve the 2025/26 Treasury Strategy without change.

2. Local Council Tax Support Scheme 2026-27

RECOMMENDED TO THE COUNCIL that the Local Council Tax Support Scheme for 2025-26 be retained as the Scheme for 2026-27.

3. Review of Statement of Licensing Policy

RECOMMENDED TO THE COUNCIL that they adopt the latest version of the Statement of Licensing Policy under the Licensing Act 2003.

Background papers:

None

Appendices:

None

Corporate Implications

As set out in the original reports to the Cabinet



Chelmsford City Council Cabinet

11th November 2025

Treasury Management Mid-Year Review 2025/26

Report by:

Cabinet Member for Finance

Officer Contact:

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

Purpose

To inform the Cabinet of the treasury activities undertaken in the first part of 2025/26 and to report on compliance with the approved TM Strategy.

Options

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

Preferred option and reasons

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

Recommendations

That Cabinet note the contents of this report and request that Full Council review the report and approve that no changes are required to the 2025/26 Treasury Strategy.

1. Background

- 1.1. The Council has cash to invest arising from its revenue activities, capital balances and the collection of Council Tax and Business Rates. The Council can use borrowing only to fund its capital programme and for temporary liquidity. The activities around the management of Council cash and external borrowing are known as Treasury Management.
- 1.2. Under statute and the CIPFA Code of Practice on Treasury Management (“the Code”), members are required to receive reports on the Council’s Treasury Management (TM) activities. The report in Appendix 1 complies with the CIPFA Code of Practice and relevant Government regulations.
- 1.3. Full Council has overall responsibility for Treasury Strategy but delegates to the Treasury Management and Investment Sub Committee (TMISC) responsibility to monitor and recommend changes to the strategy. The Section 151 Officer of the Council is delegated to manage operational TM activities within the approved strategy.
- 1.4. Members of TMISC were asked to review the contents of the report on 13th October 2025 and recommended that the Cabinet note its contents and seek Council approval for it.

2. Executive Summary

- No breaches of the 2025/26 Treasury Management Strategy have occurred.
- Higher than expected cash balances are estimated to result in investment income being £88K more than the budget for 2025/26.
- The Council remains internally borrowed to fund its capital investment; however, the council is expected to need to undertake external borrowing in October 2025.
- No changes have been made to the holdings of diversified investment funds. Any decisions to change holdings will be made under the operational delegation by the s151 officer.
- The performance of the asset funds as a whole has returned a higher rate of income returns than cash investments, however the CCLA fund has underperformed compared to the portfolio.
- No change to the TM Strategy is recommended for 2025/26.

3. Conclusion

3.1. Cabinet will be asked to accept the review of the Treasury Management Activity for the period to the end of August as endorsed by TMISC. No changes to the 2025/26 Treasury Management Strategy are recommended.

List of appendices:

Appendix 1 – Review of Treasury Management Activity (2025/26)

Background papers:

Nil

Corporate Implications

Legal/Constitutional: The report meets statutory obligations on reporting Treasury Management Activity. The Treasury Management strategy is part of the budget and policy framework set out 4.11 of the Council's constitution. As set out in the report this is being considered by Cabinet before referral to Full Council which will take the final decision.

Financial: As detailed in the report.

Potential impact on climate change and the environment:

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

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

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

Personnel: N/A

Risk Management:

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

Equality and Diversity: N/A

Health and Safety: N/A

Digital: N/A

Other: N/A

Other: N/A

Consultees:

Treasury Management and Investment Sub Committee

Relevant Policies and Strategies:

Treasury Management Strategy 2025/26

Treasury Management Activity during the period 1st April 2025 – 31st August 2025

This report complies with the CIPFA Code by identifying the Council's investments and external borrowings as at 31/08/2025 and compares treasury activity to the approved strategy.

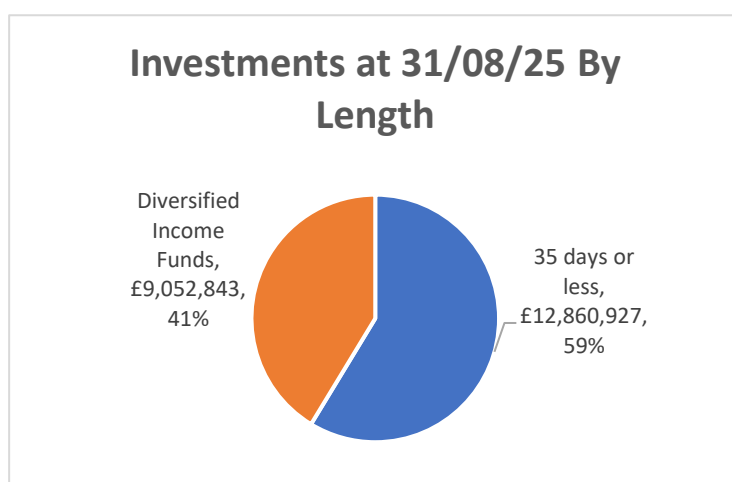
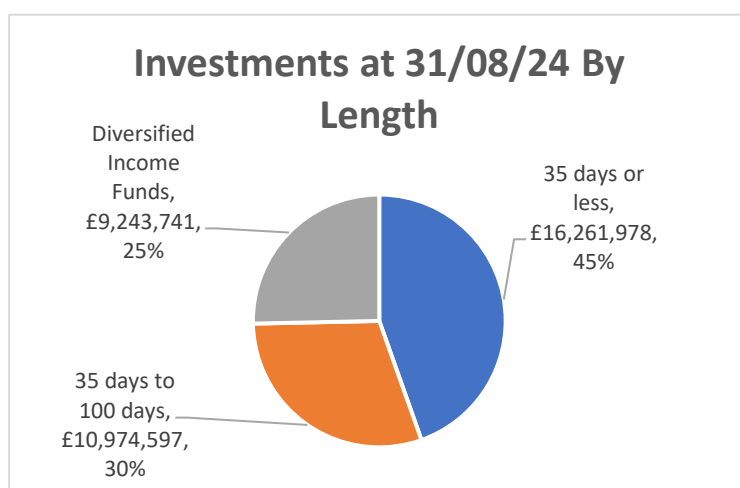
1 Liquidity Management and borrowing

- 1.1 The Council has to keep a sufficient amount of its cash and investments available for instant access to fund services and the capital programme

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

A minimum of £5m of all investments are targeted to be invested for periods of 35 days or less.

Outcome: The target was achieved, and officers will continue to keep the average durations of investments short.



Investment s at:	31/08/24	% of holdin gs
35 days or less	£16,261,978	45
35 to 100 days	£10,974,597	30
+100 days to 1 yr.	£0	0
Over 1 yr.	£0	0
Diversified Monthly Income Fund	£9,243,741	25
Total	£36,480,316	100

Investment s at:	31/08/25	% of holdin gs
35 days or less	£12,860,927	59
35 to 100 days	£0	0
+100 days to 1 yr.	£0	0
Over 1 yr.	£0	0
Diversified Monthly Income Fund	£9,052,843	41
Total	£21,913,770	100

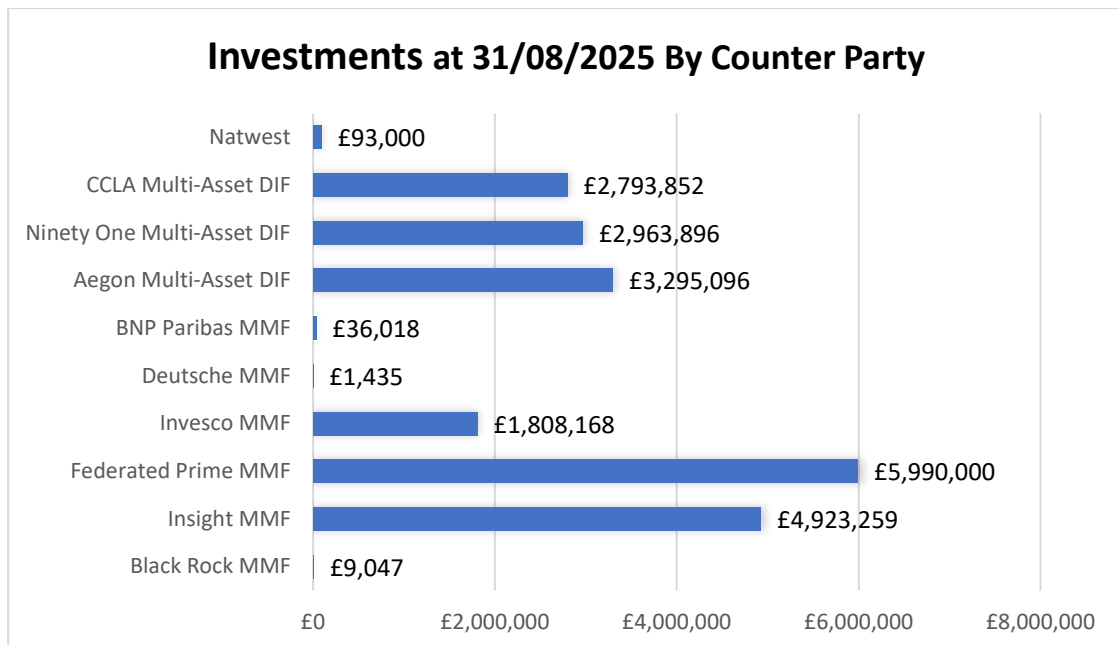
- 1.2 The Council's Treasury strategy identified the following.

No fixed duration investments over 365 days are proposed for 2025/26;

Current cashflow forecasts suggest there will be insufficient liquidity to make investments beyond 365 days. However, this should also be retained as contingent possibility, so it is recommended that any investments beyond 365 days are at the discretion of the Section 151 Officer. For investments 2 years and over, consultation will be made with TMISC chair.

Outcome: The target has not been exceeded. Currently, none are proposed as a result of declining investment balances and a need to externalise debt.

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



- 1.5 Investment Balances.** The Council cash balances will fall as the year progresses due to the normal outflow of Council Tax to other precepting bodies, and capital programme spend. A full review of the Council's forecast cashflow is taking place as part of the budget cycle which will update the long-term borrowing forecast. Cash and investments at end of August 2025 are £14.6m lower than August 2024, reflecting the ongoing trend of moving towards permanent external borrowing to manage Council cashflow and capital financing.

- 1.6 The Council has not undertaken any new external borrowing in the year to date.**
Over the financial year-end the Council had £11m of short-term borrowing which was repaid in May and June.

The funding of the approved Capital programme has required borrowing but to date that has been mostly internal borrowing which reduces the amount the Council has to invest plus temporary periods of external short-term borrowing.

The Council operates two external borrowing limits, the Authorised (maximum limit) which cannot be exceeded without Council agreement and an Operational boundary (which provides an expected level of external debt). The current limits are noted below.

	Limit
Authorised Limit of Borrowing	£70m
Operational Boundary of Borrowing	£66m

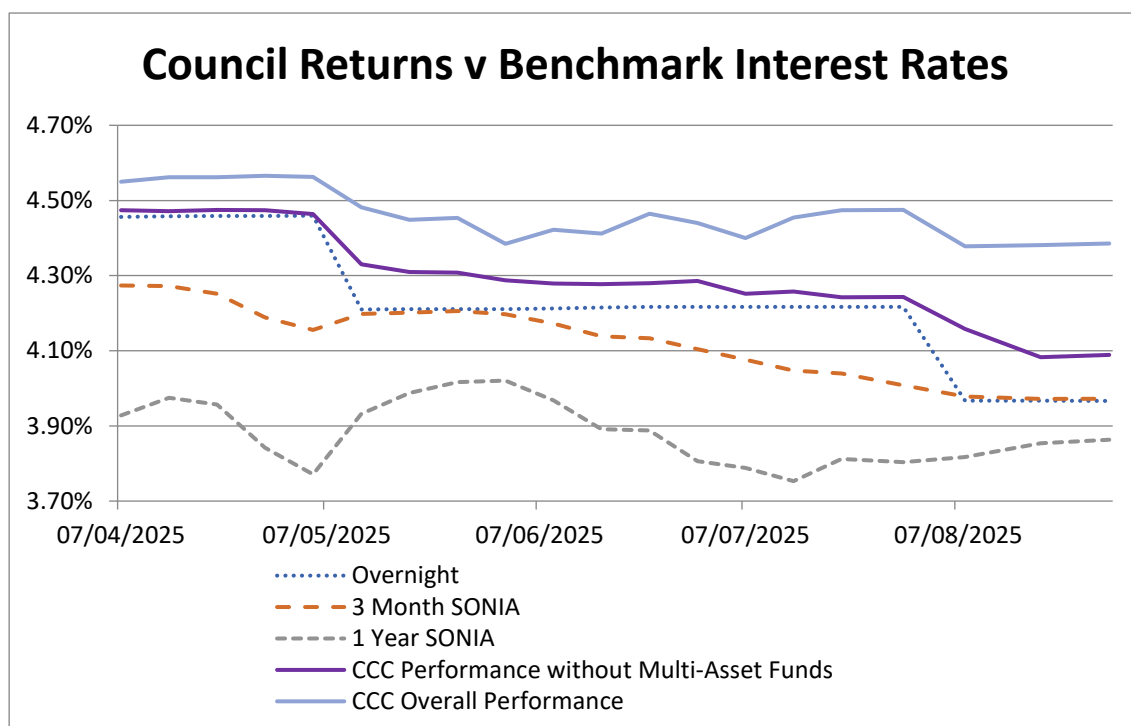
2. Rate of Return

- 2.1 The Bank of England Base rate stands at 4.0% after its cut in August. The Markets are forecasting that the Bank of England is unlikely to cut interest again this calendar year with inflation being stickier and stubbornly high inflation expectations.

On the 15th of September, the one-month local authority loans were around 4.1% and one-year loans around 4.4%. Money Market Funds are currently running between 4.01% to 4.1% with other cash investments such as building societies generally offering rates below the base rate.

The Council continues to invest in three multi-asset diversified income funds as part of its long-term strategy for returns and diversified portfolio. The returns are discussed in section 3.

- 2.2 Money market interest rates on average are around bank rate. The Council returns are shown below alongside some comparable benchmark rates.



- 2.3 The Council's income yield in 2025/26 is expected to be lower than last year with Bank of England base rate falling and the Council having less cash to invest resulting in shorter duration investments which pay less yield.

- 2.4 The Council had an average yield on all its investments of 4.39% as at 31st August 2025. The budgeted income for 2025/26 from investment returns is £925k; this is expected to be exceeded for the year by £88K at £1,013K, mainly due to higher than forecast cash balances and interest rates not being cut as quickly as expected. The performance of the asset funds as a whole has had a positive contribution to the income return although the CCLA fund has been underperforming.

3 Externally Managed Fund Performance

- 3.1 The Council is invested in three Multi Asset Diversified Income Funds. These are all intended to be longer-term investments made from core cash (reserves) to generate a return for the Council at a higher rate than standard cash deposits. Capital values will fluctuate throughout the period of investment. During recent times, markets have been volatile. Market value of the fund moved downwards during the first half of the year, but values have begun to recover. It should be noted that the CCLA fund remains below the April 2025 valuation.

Fund	Initial Investment Value	01/04/2025 Investment Value	31/08/2025 Investment Value	Unrealised Gain/(Loss) (since inception)	Annualised Income Return on 1 st April Valuations	Annualised Total Return (2025/26)
Aegon DIF	£3,600,000	£3,295,096	£3,434,403	£165,597	5.96%	10.18%
Ninety One DIF	£3,300,000	£2,963,896	£3,011,543	£288,457	4.81%	6.48%
CCLA Cautious Fund	£3,100,000	£2,793,852	£2,784,877	£315,123	3.38%	3.06%

- Aegon Multi-Asset Diversified Income Fund – A £3.6m investment was made into the Aegon DIF in June 2021.
 - Annualised income yield is 5.96% on the valuation at 1st April 2025.
 - Capital Value – 4.60% decrease on initial investment and 4.23% increase against April valuation.
 - Should the capital appreciation continue on this trend, the fund value would in April 2026 broadly match the original investment sum.
 - The fund is performing well based on the current capital growth and income yield
- Ninety-One Multi Asset Diversified Income Fund – A £3.3m investment was made into the Ninety-One DIF in June 2021.
 - Annualised income yield is 4.81% on the valuation at 1st April 2025.
 - Capital Value – 8.74% decrease on initial investment and 1.61% increase on April valuation.

- The fund valuation has been slowly recovering but based on the current trend would take some 3 years to recover to the initial value.
- The fund is performing sufficiently to justify continuing holding it
- CCLA Multi Asset Diversified Income Fund – A £3.1m investment was made into the CCLA DIF in July 2021.
 - Annualised income yield– 3.38% based on first quarter’s dividend on the valuation at 1st April 2025.
 - Capital Value – 10.17% decrease on initial investment and 0.32% decrease on April valuation.
 - The fund valuation has been fluctuating around the valuation it had at beginning of the financial year. It is unclear whether the fund managers expect the valuation to return to the initial investment value.
 - This fund is the weaker performing of the three and under greater scrutiny by officers. A full or partial disposal continues to be under consideration.

The annualised return on the funds is variable and is likely to change during the year.

- 3.2 The investment return on all external funds should be looked at as a portfolio, allowing for periods of over- and underperformance for individual funds. If the performance of the first few months of this year were to continue, then the annualised income yield would be 4.81% on April valuation. The unrealised capital loss to date is £769K improving by £178K from April valuation. It is important to note the unrealised capital gain will fluctuate; the main objectives of the investment in funds are spread of risks across asset types and improving annual income (yield).
- 3.3 The portfolio of funds has had a positive impact compared to cash on the overall income yield so far this year. A return on the three funds of 4.81% improves the total investment return from 4.09% to 4.39%.

4 Bail-in Risk

- 4.1 This is the risk that regulators will step in and enforce losses on depositors to recapitalise a failing bank or building society, rather than rely on taxpayer bailouts.

Exposure	As at 31st August 2024	As at 31st August 2025
Bail-in risk – Direct Investment	39%	59%
Bail in Risk – Diversified Income Funds	25%	41%
Exempt from bail-in	36%	0%
Total	100%	100%

5 External Borrowing

5.1 The Council has the freedom to borrow in the following circumstances:

- Short-term borrowing to manage liquidity
- Long-term borrowing is only used to fund capital expenditure if no other capital resources exist e.g. the Council has spent its capital receipts or expects to do so imminently.

5.2 The Council currently has no external borrowing. When the Council undertakes external borrowing, this will be done within the maturity borrowing rules specified in the strategy. External borrowing is forecast to become necessary from October 2025. External borrowing could be up to £34m by year-end. Loans taken out are expected to be kept short or around one-year duration. This is due to borrowing costs being more expensive in the medium to the long-term duration periods. However, keeping debt short leads to refinancing risk and, although not expected, interest rates could go up and as a result a portfolio of debt will need to be built up over time which will help de-risk the debt portfolio.

5.3 As of 15th September, the Public Works Loan Board (PWLB) one-year maturity loan after the certainty discount is 4.53% and the equivalent Local Authority (LA) loan is currently around 4.40%. The LA borrowing rate has not dropped despite the interest rate cut in August mainly due to the high demand and shortage of supply. These local authority rates will rise towards financial year-end and could well be above 5% for temporary periods in first quarter of 2026.

5.4 Liability Benchmark:

This indicator is a tool devised by CIPFA to help establish whether the Council is likely to be a long-term borrower or long-term investor. The liability benchmark is a calculation of the cumulative amount of external borrowing the Council must hold to fund its capital plans while keeping treasury investments at the minimum level required to manage day-to-day cash flow.

The liability benchmark is shown below.

Row	Liability Benchmark	31/03/25 Actual (£m)	31/03/26 Foreca st (£m)	31/03/27 Foreca st (£m)	31/03/28 Foreca st (£m)	31/03/29 Foreca st (£m)
1	Capital Financing Requirement (CFR)	45	60	74	77	80
2	Less: Balance sheet resources	57	31	28	31	38
3	Net loans requirement Line 1 above less Line 2 above (Negative shows surplus cash/ Positive are external borrowing requirement)	-12	29	46	46	42
4	Plus: Liquidity allowance.	14	5	5	5	5
5	Liability benchmark (Total forecast external borrowing)	2	34	51	51	47
			<----- Forecast - Externally borrowed ----->			

The table above shows

Row 1: our capital financing requirement, being total external and internal borrowing needed to fund the capital programme. At 31/03/25 the capital programme needed £45m of borrowing with forecast external loans borrowing of £34m by the end of the current financial year (ref/row 5).

Row 2: the balance sheet resources (cash) available to use as internal borrowing instead of external debt. Where most of the resource is cash from revenue reserves and capital grants.

Row 3: A positive figure means external borrowing is being forecast. However, further allowance must be made to ensure the Council has a minimum level of liquidity cash available (row 4).

Row 5: the forecast year-end external borrowing required. For 2024/25 the external borrowing requirement was £2m. Actual external debt was £11m, £9m higher, as we borrowed based on forecast expenditure by the end of the financial year and a need to ensure sufficient liquidity. The higher borrowing than actually needed

meant the Council had more cash to invest resulting in increased liquid funds held in row 4, £14m compared to the £5m minimum liquidity target. The new projection shows external borrowing needed of £34m at end of 2025/26 and £51m at the end of 2026/27. After allowing for liquidity requirements of at least £5m.

The liability benchmark is shown graphically below where the external debt is expected to increase over time to fund previous capital expenditure and the current programme.

6 Conclusion

- No breaches of the 2025/26 Treasury Management Strategy have occurred.
- Higher than expected cash balances are estimated to result in investment income being £88K more than the budget for 2025/26.
- The Council remains internally borrowed to fund its capital investment; however, the council is expected to need to undertake external borrowing in October 2025.
- No changes have been made to the holdings of diversified investment funds. Any decisions to change holdings will be made under the operational delegation by the s151 officer.
- The performance of the asset funds as a whole has returned a higher rate of income returns than cash investments, however the CCLA fund has underperformed compared to the portfolio.
- No change to the TM Strategy is recommended for 2025/26.



Chelmsford City Council Cabinet

11 November 2025

LOCAL COUNCIL TAX SUPPORT (LCTS) SCHEME 2026/27

Report by:

Cabinet Member for Finance

Officer Contact:

Rob Hawes, Revenue and Benefit Services Manager, 01245 606695,
robert.hawes@chelmsford.gov.uk

Purpose

To present for consideration options for a Local Council Tax Support (LCTS) scheme for 2026/27 to put forward for Full Council approval before 11 March 2026.

Options

1. The 2025/26 LCTS scheme is adopted without amendment for 2026/2027
2. The 2025/26 LCTS scheme is amended for 2026/27 to make its provisions more generous
3. The 2025/26 LCTS scheme is amended for 2026/27 to make its provisions less generous

Recommendation

That Cabinet recommend Council re-adopt the current LCTS scheme without amendment for 2026-27.

1. Background

- 1.1. Since 2013/14, every billing authority has been required to approve a Local Council Tax Support (LCTS) Scheme, prior to 11 March, in respect of the following financial year. The LCTS scheme assists people on a low income with their Council Tax liability by reducing the amount they have to pay. Entitlement to Council Tax Support (CTS) is 'means-tested', whereby entitlement reduces as household income increases. The Council must incorporate Government rules in respect of pensioners, but it has significant freedom to decide the rules in respect of 'working age' households.
- 1.2. In 2013/14, the Council decided to reduce the maximum level of CTS which could be awarded to an amount equivalent to 80% of a household's Council Tax liability. This meant that all working age households paid a minimum of 20% of their Council Tax liability. In 2014/15, the maximum CTS was reduced to 77%, increasing minimum council tax liability to 23%, and has remained at that level ever since. Subsequent cuts in Government grants have meant that the cost of the scheme now exceeds grant received. The net cost cannot be calculated exactly as the direct link between Government grant and CTS was broken in 2014/15 when the specific LCTS grant was incorporated into overall funding.

2. Current 2025/26 LCTS scheme summary

Key principles

- 2.1. The key principles of the existing LCTS scheme are as follows:
 - Local councils have the power to decide how much help is given to working age households. In Chelmsford, all working age recipients pay a minimum of 23% of their Council Tax liability.
 - The rules for pensioner households are set by the Government. Chelmsford's pensioners can receive a maximum of 100% of their Council Tax liability, so they may not pay any Council Tax.
- 2.2. A more detailed summary of the key principles can be found in Appendix 1.
- 2.3. The Council is required to agree and approve a working age LCTS scheme for 2026/27.
- 2.4. Cabinet should consider the potential options below. Any proposed change to the 2026/27 LCTS scheme would require a six week public consultation period.

- 2.5. The Government is expected to make amendments to the statutory parts of the LCTS scheme. If it does so, amendments to Chelmsford's 2026/27 LCTS scheme will follow automatically, so there is no requirement for Cabinet or Council to approve these statutory changes.

3. Scheme Finances

- 3.1. The Government takes account of LCTS scheme expenditure in calculating the annual grants (known as the Local Government settlement) it awards to Chelmsford City Council, Essex County Council and the Police and Fire authorities. It is the billing authority, Chelmsford City Council, which is responsible for assessing the amount of LCTS it will provide and reconciling this through the Council Tax collection fund.
- 3.2. Since the amount of grant in respect of LCTS is not separately identified, it is not possible to compare the cost of the LCTS scheme in council tax forgone with the grant the Government provides. What is clear is that the overall annual amount of Government grant to the precepting bodies (Essex County Council, Chelmsford City Council and Essex Police, Fire and Crime Commissioner) is now far less than it was when CTS was introduced in 2013/14.
- 3.3. The Covid-19 pandemic and reduction in economic activity caused a large increase in caseload numbers in 2020/21. Caseload levels have fallen back since that time, and the annual cost of the scheme stands at £7.9m as at 30 September 2025.

4. Options

- 4.1 Making no changes to the current LCTS scheme has the benefit of continuing a scheme that is well-understood by the public and staff alike, requires no consultation and which is relatively predictable for preceptors in terms of the ongoing cost of the scheme.
- 4.2. With Local Government Reorganisation coming, officers have considered changes that will be needed in future. Any councils that merge to become a single unitary will be required to adopt a common LCTS scheme across the whole new council in the first year (expected to be 2028-29). With this in mind, one option is to change Chelmsford's current scheme to begin to prepare for this.
- 4.3 Whilst it is not yet certain which councils Chelmsford will be merging with, three of the four proposals link Chelmsford with Brentwood and Maldon. Maldon's LCTS scheme is almost identical to Chelmsford's, except that their minimum Council Tax liability is 20% for working age claimants and is therefore more generous than Chelmsford's minimum 23%.

4.5 Moving Chelmsford's LCTS scheme closer to, or matching, Maldon's would be straightforward. The City Council could opt make its scheme more generous: each 1% increase in the maximum (currently 77%) would reduce total council tax liabilities by approximately £60k, of which the City Council would bear around 12%. To match Maldon's 80% maximum would therefore cost £180k, with the City Council bearing c.£22k.

4.6 By contrast, Brentwood operates a 'banded' scheme whereby entitlement to LCTS is 100%, 75%, 50% or 25% of Council Tax liability, depending on income and type of household. It is therefore less generous for most people than both Chelmsford and Maldon's LCTS scheme as it requires a basic minimum Council Tax of 25% from working age households and there are large drops in entitlement as income increases. It does, however, offer reductions of 100% of Council Tax for some households in receipt of specified disability benefits regardless of income.

4.7 Moving Chelmsford to Brentwood's 'banded' scheme would require a significant amount of modelling and staff resource. Without any assurance that the new unitary authority will want a banded scheme from 2028/29 onwards, this change cannot be recommended.

4.8 The final option is to make the City Council's scheme less generous by reducing the maximum amount available (currently 77%), thereby increasing the minimum payment that working age households have to make. This would increase council tax liability (and reduce CTS scheme expenditure) by approximately £60k for each percentage point change; the benefit to the City Council being 12% of that figure. This would place additional pressure on low-income residents and it is likely that some of the additional Council Tax liability would be uncollectible leading to greater levels of Council Tax being written off.

5. Equality Issues

5.1 When deciding upon a scheme, the Council is required to have due regard to its Public Sector Equality Duties, which requires public authorities to give due regard to the need to:

- i. Eliminate unlawful discrimination and harassment in the respective fields of race, sex and disability;
- ii. Promote equality of opportunity between those with a protected characteristic and others; in addition, the Race and Disabilities Duties include the need to promote good race relations;
- iii. Take steps to take account of disabled people's disabilities even where that involves treating disabled people more favourably than others; and,
- iv. Promote positive attitudes towards disabled people and to encourage participation by them in public life.

5.2 An Equality Impact Assessment (EIA) for 2025/26's LCTS scheme is attached for reference at Appendix 2. This will need to be revisited if changes to the

scheme are proposed. The EIA identifies impacts upon relevant groups and any mitigations which are in place. It is important that decisions relating to our LCTS scheme are taken with these matters in mind. Although the PSED does not prevent councils from taking decisions which impact adversely on groups with 'protected characteristics', they must ensure that they are not impacted in a worse fashion than non-protected groups.

6. Conclusion

6.1 With a foreseeable need to design a new LCTS scheme for the new unitary in 2028-29, now is not the time to be making changes to Chelmsford City Council's current scheme. Cabinet should therefore recommend that Council re-adopt the current scheme, which has remained unchanged for over ten years, for 2026-27.

List of appendices:

Appendix 1 – Main principles of the LCTS scheme

Appendix 2 – Equality Impact Assessment

Background papers:

None

Corporate Implications

Legal/Constitutional: A local scheme must be agreed by Full Council before 11 March 2026. If Cabinet is minded to propose changes to the existing scheme, a public consultation lasting a minimum of six weeks must take place on any proposed change.

Financial: The exact relationship between reducing LCTS expenditure and Council Tax collection rates is unclear, although in-year collection rates of Council Tax have dropped by almost 2% since LCTS was introduced in April 2013. 2% equates to a shortfall of £3.2m on an estimated Council Tax debit of £160m in 2025/26, although strong performance on arrears collection in subsequent years has largely offset this reduction.

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: Equality impact Assessment attached as Appendix 2 will be reviewed if changes are proposed

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

Health and Safety: None

Digital: The existing Benefits software is capable of maintaining the current scheme. Any radical proposed changes will need to be evaluated as to whether the software can deliver them.

Other:

Consultees:

Director of Connected Chelmsford, Legal and Democratic Services Manager,

Relevant Policies and Strategies:

The report takes into account the following policies and strategies of the Council:

Benefits Operational and Internal Security Policy

Benefits Customer Service Policy

Main points of the LCTS scheme:

- Council Tax liability, for the purpose of calculating entitlement, is restricted to the appropriate Band D level. This means that a working age person in a Band H property, for example, will have their LCTS calculated using the Band D amount applicable to the parish area in which they live. A pensioner household receives LCTS based on their actual liability regardless of Band.
- LCTS is not available to working age households with more than £6,000 in savings. Pensioners can have up to £16,000 in savings before entitlement is removed.
- Households with other non-dependant adults in them receive reduced amounts of LCTS as the non-dependants are expected to contribute towards the running costs of the household. These contributions depend on the income of the non-dependant. Non-dependant deductions also apply to pensioner households, for whom the level is set by the Government.
- £10 per week of child maintenance received is disregarded. Any child maintenance paid to a pensioner household is disregarded in full.
- There are additional disregards to earned income to encourage work. This provision is more generous for the working age than for pensioners.
- For self-employed recipients, national minimum wage levels are assumed as income for the purposes of calculating LCTS entitlement if the declared income from self-employment is lower than the minimum wage. This applies after the first year of self-employment.

The amount of any reduction in council tax for people on low incomes is means-tested. This means that a household's income is compared against a set of allowances. These allowances vary depending on the personal circumstances of the household i.e. number of children, any disabilities etc. Working age households with an income equal to, or below, the relevant allowances receive maximum allowable LCTS i.e. 77% of Council Tax liability (capped at Band D rates, as described above). Households with an income above the relevant allowances have support withdrawn at the rate of 20p for every pound by which income exceeds allowances.

This form enables an assessment of the impact a policy, strategy or activity on customers and employees.

A: Assessor Details	
Name of policy / function(s):	Local Council Tax Support scheme with effect from April 2024
Officer(s) completing this assessment:	Robert Hawes
Date of assessment:	14 December 2023
B: Summary Details	
Description of policy, strategy or activity and what it is aiming to do	<input type="checkbox"/> new OR <input checked="" type="checkbox"/> existing (<i>If existing, when was the last assessment?</i> December 2022) <input type="checkbox"/> internal OR <input checked="" type="checkbox"/> external (i.e. public-facing) <input type="checkbox"/> statutory OR <input checked="" type="checkbox"/> non-statutory – parts of the policy will be governed by statute, those affecting pensioners and rules relating to entitlement to persons from abroad for both pensioners and working age
Policy Owner (service)	Revenues and Benefits
Scope: Internal - Service/Directorate/Council wide External – specify community groups	External – applies to any member of the community on a low income requiring assistance with their Council Tax liability

C: Assessment of impact

Using the information above, assess if the policy / function could potentially disproportionately impact on different protected groups. Specify if the potential impact is positive, could adversely impact or if there is no impact. If an adverse impact, indicate how the impact will be mitigated.

Please note any data used in the impact assessment should be anonymised and with due regard given to data privacy in line with GDPR.

Characteristic	Positive impact	Could adversely impact	No impact	How different groups could be affected	Actions to reduce negative or increase positive impact
Age What will the impact be on different age groups such as younger or older people?		The amount of assistance available does vary dependent upon age, although no changes are proposed in this respect for 2024/25.		Pensioners receive additional allowances which ensure that they receive more support than a working age person with the same income. Individuals or households where both members are under 25 will receive less assistance than when one or both members are over 25. This disparity in assistance is a standard feature of all welfare benefit schemes. Pensioner households are entitled to a maximum of 100% of their Council Tax liability. Working age households are entitled to a maximum of 77% of their Council Tax liability	

Characteristic	Positive impact	Could adversely impact	No impact	How different groups could be affected	Actions to reduce negative or increase positive impact
Disability Consider all disabilities such as hearing loss, dyslexia etc as well as access issues for wheelchair users where appropriate			No changes are proposed to affect people with this characteristic		Additional allowances are already in place for people receiving specified disability benefits.
Pregnancy and maternity Pregnant women and new and breastfeeding Mums			No changes are proposed to affect people with this characteristic		Households with children receive additional allowances which result in higher entitlements. Chelmsford City Council has not implemented the wider welfare benefit policy which restricts that assistance to the first two children in a household.
Marriage or Civil Partnership Could this policy discriminate on the grounds of marriage or civil partnership			There is no distinction between the treatment of married persons, persons in a civil partnership or unmarried couples.		
Sex Is the service used by people of			No distinction is made in the		

Characteristic	Positive impact	Could adversely impact	No impact	How different groups could be affected	Actions to reduce negative or increase positive impact
both male and female biological characteristics or intersex and are the sexes given equal opportunity?			assessment of entitlement as a result of biological gender.		
Gender reassignment Is there an impact on people who are going through or who have completed Gender Reassignment? Additionally, is there an impact on people with different gender identity?			No distinction is made in the assessment of entitlement as a result of gender identity.		
Religion or belief Includes not having religion or belief			No distinction is made in the assessment of entitlement as a result of religious belief.		
Sexual Orientation What is the impact on people of different sexual orientation such heterosexual, lesbian, gay or bisexual people?			No distinction is made in the assessment of entitlement as a result of sexual		

Characteristic	Positive impact	Could adversely impact	No impact	How different groups could be affected	Actions to reduce negative or increase positive impact
			orientation.		
Race Includes ethnic or national origins		Yes		Brexit removed entitlement from EU nationals without 'settled status'. This is in addition to the restrictions to benefit already in place on non-EU nationals.	This element of the policy is dictated by Government by way of statutory instrument and cannot be amended by the Council.
Are there any other groups who could find it difficult to access or make use of the policy / function? For example: low income / people living in rural areas / single parents / carers and the cared for / past offenders / long-term unemployed / housebound / history of domestic abuse / people who don't speak English as a first language / people without computer access etc.			No		

D: Consultation process, information used to analyse the effects on protected groups/equality and key findings Please describe the consultation process and evidence gathered. You may attach copies or links to the data / research you are using.		
1.	<u>Consultation/engagement</u> What consultation or engagement has been undertaken regarding this policy? <i>[Please summarise what, when and who was involved]</i>	The policy was subject to public consultation between 3/12/20 and 18/01/21. Following analysis of the consultation responses, this impact assessment was amended. No substantive changes have been made to the policy since that date.
2.	<u>Key findings</u> <i>(Summarise the key findings of your consultation in relation to protected groups as outlined above).</i>	The consultation attracted very few responses. However, each of the three respondents who identified themselves as being in one or more of the protected groups agreed that the proposed change in wording should be made, with one respondent suggesting that the change should be more wide-ranging to allow changes in scheme design to be made at any time.
3.	<u>Data/Information</u> What relevant data or information is currently available about the customers and employees who may use this service or could be affected by this policy? <i>(For example: equality monitoring, surveys, demographic data, research, evidence about demand/ take-up/satisfaction etc).</i> What additional information could be collected which would increase your understanding about the potential impact of the policy? <i>(What involvement or consultation with affected groups is still needed?)</i>	<p>Incomes, capital holdings, age, sex and household make-up of existing recipients of Council Tax Benefit recipients are known. Data regarding disability can be inferred from both income and qualification for additional premiums. Data regarding ethnicity, sexual orientation, religious beliefs and language is minimal as these characteristics are not relevant when assessing entitlement. Respondents to the consultation were given the option to provide ethnicity, age, sexual orientation, disability and religious beliefs in addition to their answers.</p> <p>Feedback from customers, voluntary or community groups, advice agencies and residents was sought as part of the consultation.</p>

4.	<p>For existing policies, strategy, activity only: What has changed since the last assessment? <i>(For example: evidence of public concern or complaints / new information has come to light / changes in service provision / changes in service users/ assessed impact on protected groups etc)</i></p>	<p>Reductions in grants from central Government over a prolonged period have not been offset by more recent small increases. Inflation, the cost of homelessness and the overall commercial environment are placing considerable pressure on Chelmsford's finances. Councillors are able to decide whether or not to increase expenditure on Local Council Tax Support.</p>
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E: Relevance to the Equality Duty Aims:

Consider how the policy relates to the aims below (directly or indirectly), and if it could be adjusted to further meet these equality aims.

1.	<p>To eliminate unlawful discrimination, harassment and victimisation</p>	<p>People with disabilities will continue to receive additional premiums as part of the calculation of local Council Tax Support. Chelmsford's Local Council Tax Support scheme has retained additional premiums for disabled people and continues to disregard the whole of any Disability Living Allowance or its replacement, Personal Independence Payment, from the assessment of entitlement.</p>
2.	<p>To advance equality of opportunity between people who share a protected characteristic and those who do not <i>(This means removing or minimising disadvantages, taking steps to meet needs of different people and encouraging participation. It can involve treating people better than others, e.g. disabled people).</i></p>	<p>As above, disabled people will continue to be treated more favourably than non-disabled people with a similar income, which recognises the extra costs attributable to disability. Parents with dependent children will continue to receive additional premiums in respect of children as part of the calculation of support, thereby recognising the extra costs associated with bringing up a family. In 2015, Councillors rejected the option to remove the Family Premium (worth a maximum of £3.48 per week in Council Tax Support) from the calculation of LCTS for new working age claimants with effect from April 2016. There is no intention to remove the additional premiums awarded to households with more than 2 children within the means test. Therefore, people with children will still be treated more favourably than people without insofar as the additional cost of raising children is reflected in the amount of income a household with children can have before CTS is affected.</p>

3.	<p>To foster good relations between those who share a protected characteristic and those who do not. If so, how? <i>(This means promoting understanding between different groups and tackling prejudice)</i></p>	<p>This policy is not intended to affect community relations and no such effects have been identified, nor are any anticipated.</p>

F: Conclusion	
Decision:	Explanation:
<p><input checked="" type="checkbox"/> Continue the policy with no changes <i>[For example: evidence suggests no potential for discrimination / all opportunities have been taken to advance equality.]</i></p>	
<p><input type="checkbox"/> Continue the policy with adjustments <i>[For example: Low risk of negative impact / actions or adjustments would further improve positives or remove a potential negative impact.]</i></p>	
<p><input type="checkbox"/> Adverse impact but continue <i>[For example: Negative impact has been objectively justified.]</i></p>	
<p><input type="checkbox"/> Suspend or withdraw the policy for further review / consideration of alternative proposals <i>[For example: High risk of negative impact for any group / insufficient evidence / need to involve or consult with protected groups / negative impact which cannot be mitigated or justified / unlawful discrimination etc.]</i></p>	

Approved by:

Lead Officer / Responsible officer:Date:

Senior Manager: ...Robert Hawes.....Date: ...14 December 2023.....

[Please save a copy and send one to Human Resources for publication on the website as appropriate]



Chelmsford City Council Cabinet

11 November 2025

Review of Statement of Licensing Policy

Report by:
Licensing Committee

Officer Contact:

Dan Sharma-Bird, Democracy Team Manager, dan.sharma-bird@chelmsford.gov.uk, 01245 606523

Purpose

The Licensing Committee on 4 September 2025 considered the attached draft Statement of Licensing Policy (the Policy) as required under the Licensing Act 2003 following formal consultation.

Options

Recommend that Council Adopt the attached policy, not adopt it or amend the policy before recommending it.

Preferred option and reasons

The policy as presented reflects all legislative requirements and is appropriate to the types of premises in Chelmsford required to be licensed under the Licensing Act 2003.

Recommendations

That, the attached Statement of Licensing Policy be recommended to the Council for adoption.

1. Background or Introduction

- 1.1 The Licensing Authority must review its statement of licensing policy every five years under s.5 of the Licensing Act 2003. The current policy is due for formal revision and publication in January 2026 and a proposed draft Policy was approved by the Licensing Committee on 4 September 2025 to enable wider consultation.
- 1.2 The Policy was subsequently consulted on with the Responsible Authorities and other local stakeholders, including the wider community, via the Council's website, a local newspaper and was made available for inspection at the Council's offices.
- 1.3 The only comment received was from Planning Services. This requested the addition of 'if necessary' to one of the bullet points under paragraph 10.23 to make this statement more accurate. This change has been made to the draft Policy.

2. Conclusion

- 2.1 The Cabinet is asked to consider the Policy recommended to it by the Licensing Committee and to recommend that Council adopt it with effect from January 2026.

List of appendices:

Appendix A - Draft Statement of Licensing Policy as presented to Committee on 4th September 2025

Background papers:

None

Corporate Implications

Legal/Constitutional: This is a legal obligation under section 5 of the Licensing Act 2003 to review the licensing policy every 5 years in order to provide the legal basis from which to administer its licensing functions. This is a policy that sits within the Council's budget and policy framework in 4.11 of the Council's constitution. This is a non-executive matter which is being considered by Cabinet prior to final decision by Full Council.

Financial: None – costs met via application and annual renewal fees

Potential impact on climate change and the environment: N/A

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

Personnel: None

Risk Management: Chelmsford City Council would be unable to fulfil its licensing function without having this policy in place for January 2026

Equality and Diversity: N/A Health and Safety:

N/A

Digital:

N/A Other:

None

Consultees: Public Health & Protection Services Manager, Business Compliance Manager, Legal Services, Responsible authorities, Consultees as listed in the draft policy, Wider Community via CCC website, newspaper and Civic reception

Relevant Policies and Strategies:

As identified in the draft policy

Licensing Policy

Statement of licensing policy



Effective January 2026 – January 2031

APPENDIX A

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APPENDIX A

Public Places	Date Produced: January 2016
Public Health and Protection Services	Reference No. Version No. 4
Sec. 5 Licensing Act 2003	Date last review Reviewed: May 2020 Date reviewed August 1 st 2025 Next Review Due by: July 2030 Originating Officer: Daniel Winter
Statement of Licensing Policy	Approved by:

STATEMENT OF LICENSING POLICY

This Statement of Licensing Policy of The Chelmsford City Council, the Licensing Authority for the City of Chelmsford, has been prepared under section 5 of The Licensing Act 2003 (The Act) having regard to the Revised Guidance issued pursuant to section 182 of The Act. Revisions to the policy and its publication were approved by the Council on XX.XX.XX.

APPENDIX A

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APPENDIX A

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1 Fundamental Principles

- 1.1 In exercising its functions under The Licensing Act 2003 (the Act), Chelmsford City Council (the Licensing Authority) must have regard to the Act, each of the regulations made in support of the Act, the guidance issued by the Secretary of State pursuant to s. 82 of the Act and this policy. There is an overarching aim in the promotion of the four 'licensing objectives' that are set out under Section 4(2) of the Act: -

- Prevention of Crime and Disorder
- Public Safety
- Prevention of Public Nuisance
- Protection of Children from Harm

Each objective will carry equal weight of attention and consideration i.e. no single objective is any more important than the other.

- 1.2 Our policy is clear that:

- Licensing is about regulating licensable activities on licensed premises, undertaken by qualifying clubs and temporary events within the terms of the Act; and;
- Any conditions attached to various authorisations will focus on matters which are within the control of individual licence holders and others with relevant authorisations i.e. the premises and its 'vicinity'.

- 1.3 Applicants are advised to evidence what detailed control measures are intended within the operating schedule of their application after considering the potential risks and taking account of relevant circumstances within the immediate area, and any impact on other neighbouring residents and businesses.

- 1.4 The Licensing Authority and responsible authorities (see Chelmsford City Website: Responsible authorities) will have certain expectations in relation to the considerations and proposals contained within the operating schedule and therefore applicants are strongly advised to have regard to this statement of licensing policy and where possible to consult with the authorities prior to submission and in doing so, minimise the risk of representation or additional costs involved with resubmission.

- 1.5 The responsibility to fully comply with the requirements of the Act sit with the applicant.

- 1.6 When completing an operating schedule, applicants should avoid duplication of any legal obligation outside of The Licensing Act 2003 e.g. smoking, health and safety, noise outside of opening hours etc.

- 1.7 Our policy covers a wide variety of different types of premises but is unable to cover every factor that might influence meeting the requirements of promoting the licensing objectives in every situation and therefore unable to cover every appropriate control measure.

- 1.8 Where no relevant representations are received, it is the duty of the Licensing Authority to grant the licence subject only to conditions consistent with the operating schedule and the mandatory conditions under the Act using the general principles contained within the revised guidance (s.182 para. 1.16).

- 1.9 Where a valid representation is made the Licensing Authority will make objective judgements and consider (at a hearing) whether any conditions need to be attached to a licence in order to secure the licensing objectives. Such conditions will focus directly upon the activity proposed and those attending the premises, those affected by living within the vicinity or carrying out a business, or other persons who might feel affected. The Licensing Authority may also reject the application.
- 1.10 Licensing law is not the primary legislation or mechanism for controlling individuals once they are away from the premises and therefore beyond the direct control of licence holders, but licence holders may influence behaviour through their failure to control alcohol consumption and other behaviours whilst at the venue. Reasonable steps should therefore be taken to promote the licensing objectives immediately outside the premises, particularly in relation to crime and disorder and public nuisance e.g. the generation of unassociated litter and anti-social behaviour.
- 1.11 Licensing policy will take a holistic approach to the management of the night-time economy; other mechanisms that might be utilised to tackle the behaviour of patrons when beyond the vicinity of the premises which might include:
- Measures to create a clean safe environment in partnership with local businesses, transport providers and departments of the local authority
 - The provision of CCTV, taxi ranks, public conveniences late at night, street cleaning and litter patrols
 - Use of powers to designate areas of the city where alcohol cannot be publicly consumed (See *Chelmsford City Website* [Public Spaces Protection Orders \(PSPOs\)](#) (*Chelmsford PSPO and Map*))
 - Law enforcement in the area
 - Confiscation of alcohol from persons within a designated area
 - Use of police closure powers
 - Other local initiatives such as street pastors
- 1.12 The Licensing Authority is under legal obligation to have due regard (section 149 Equality Act 2010) for the need to eliminate unlawful discrimination, harassment or victimisation; to advance equality of opportunity and to foster good relations between persons of different protected characteristics;
- Those protected characteristics are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 1.13 The impact of this policy on the requirements of the Equality Act will be assessed in line with the Council's adopted procedure.
- 1.14 When considering applications, the Licensing Authority will have regard to the Act, the guidance issued under s. 182 of the Act, the licensing objectives, supporting regulations and this policy.
- 1.15 The Licensing Authority may deviate from its own policy where it is appropriate to do so in order to promote the licensing objectives, and in doing so will give its reasons. This statement of licensing policy is intended to strike a reasonable balance between different and sometimes competing aims of policy when promoting the licensing objectives. The introduction to the current revised Guidance at paragraph 1.5 states

that the legislation also supports a number of other key aims that are considered vitally important that should be principle aims for everyone involved in licensing work.

- 1.16 Where no relevant representations are received, it is the duty of the Licensing Authority to grant the licence subject only to conditions consistent with the operating schedule and the mandatory conditions under the Act using the general principles contained within the revised guidance (s.182 para. 1.16).
- 1.17 This Statement of Licensing Policy does not undermine the right of any individual to apply under the terms of the Act for a variety of permissions and have any such application considered on its individual merits (s. 182 para. 14.10). This Statement of Licensing Policy does not override the right of any person to make representations in respect of an application or seek review of a licence or certificate, where provision has been made for them to do so within the Act (s.182 14.11).
- 1.18 Our policy is intended to facilitate a broad range of entertainment provision by a wide cross section of the community and will take care to avoid any indirect or disproportionate costs or make any requirement that might be considered a 'blanket policy'.
- 1.19 A cumulative impact zone is an area where the number or density of licensed premises is shown to cause problems such as crime, nuisance, or anti-social behaviour. In such areas, new licence applications are more likely to be refused unless the applicant can show they will not add to the existing issues

Licensing Authority has not published a Cumulative Impact Assessment under section 5A of the Licensing Act 2003. This position is reviewed regularly in consultation with Essex Police and other responsible authorities and may be reconsidered if there is sufficient evidence that the number or density of licensed premises is undermining the licensing objectives.

- 1.20 This Policy Statement takes effect on 31st January 2021 and will remain in force for a period of not more than 5 years from that date. This policy may be reviewed at any time during this period.

2 Introduction and Profile of Chelmsford City Area

- 2.1 Chelmsford City Council is a non-unitary authority in the heart of Essex covering an administrative geographical area of 342.2km² (131square miles). As well as a thriving city, the district encompasses a number of established villages and the town of South Woodham Ferrers. It was granted city status in 2012.
- 2.2 Chelmsford's population has experienced rapid growth in recent years and will continue to grow. Chelmsford's population is 188,803 (estimated in 2024) and by 2026 it is estimated that it will have grown to some 200,000 people. For a demographic makeup of the Chelmsford City area see **Appendix A**.
- 2.3 There are 80,000 jobs and 6,000 local businesses located within Chelmsford, making it the largest employment centre in Essex and Suffolk and a major employment centre in the Southeast.
- 2.4 With an annual footfall of over 8.5 million passengers, Chelmsford railway station is the busiest in the East of England. At peak times, eight trains per hour connect Chelmsford with London Liverpool Street. Chelmsford's accessibility will further increase with the opening of Beaulieu Park Station, which is expected to enhance transport links into the city and support the evening and night-time economy

- 2.5 Chelmsford is home to Anglia Ruskin University, Writtle Agricultural College and The Chelmsford City Racecourse. It is the headquarters of Essex County Council, Essex Police, Chelmsford Prison and the Crown, Magistrates' and County Courts.
- 2.6 At the time of consultation, the Chelmsford City district has 412 licensed premises, 36 club premises certificates, and the Licensing Authority has issued 2,575 personal licences.

Between 2020 and 2025, an average of 480 Temporary Event Notices (TENs) were received each year. While figures in 2020 and 2021 were significantly lower due to the impact of the COVID-19 pandemic, numbers have since recovered and overall have increased by more than 33% compared to pre-pandemic levels.

Chelmsford's open spaces and strong transport connections continue to attract major licensable activities, including nationally recognised music events such as the former *V Festival* and *Rize Festival* at Hylands Park, alongside annual community celebrations such as *Chelmsford Pride* and the *Real Ale Festival* in the City Centre.

- 2.7 In recent years Chelmsford has seen considerable investment increased in development across the City Centre that have greatly added to a diverse range of leisure facilities making the City an attractive place to visit for work and to be entertained. Information on the local business and population profile and support for businesses in urban and rural environments can be obtained through the Council's Economic Development and Inward Investment Team.
- 2.8 Chelmsford's crime rate is lower than the UK average and the City partnerships oversee a well-managed night-time economy, encouraging participation in the national 'Best Bar None' accreditation scheme and has worked in partnership to successfully achieve purple flag status since 2013.
- 2.9 Since June 2014, the entire District, with limited exceptions, has been covered by a Consent Street Order under the Local Government (Miscellaneous Provisions) Act 1982 which regulates all and any on-street trading.
- 2.10 Public Space Protection Orders (PSPOs) are also in place to restrict the distribution of leaflets and advertising material, the display of A boards and on-street advertising. This legislation has also been successfully used in the restriction and confiscation of so-called 'legal highs' at licensed events. PSPOs currently in place can be viewed on the Council's website.

3 Licensing Policy - Vision Statement

- 3.1 Chelmsford City Council (The Licensing Authority) want the City of Chelmsford to offer a wide choice of high quality, well-managed entertainment and cultural venues, operating within a safe, orderly and attractive environment; valued by those who live here, work here and those who come to visit. The Council want businesses to operate responsibly and safely to ensure our residents live in decent neighbourhoods and have a good quality of life.
- 3.2 Our stated priorities (Chelmsford City Council – 'Our Chelmsford, Our Plan'):
 - a fairer and inclusive Chelmsford: promoting sustainable and environmentally responsible growth to stimulate a vibrant, balanced economy, a fairer society and providing more housing of all types.
 - a safer and greener place: making Chelmsford more attractive, promoting

Chelmsford's green credentials, ensuring communities are safe and creating a distinctive sense of place.

- Healthy, active and enjoyable lives: encouraging people to live well, promoting health and activity and reducing social isolation, making Chelmsford a happier place to live, work and play.
- connected Chelmsford: bringing people together, empowering local people and working in partnership to build community capacity, stronger communities and to secure investment in the city.

- 3.3 Chelmsford City Council has wide experience in regulating licensed entertainment in Chelmsford City which has recently seen a considerable increase in leisure business. The Council is also responding to the change in the nature of the High Street, with the daytime trade flowing into the night-time economy offering a scale and diversity that is unique within the County of Essex, bringing both cultural and financial benefits.

The Council believes that good management of entertainment and the street environment in which it operates is essential to the continued success of the City, which attracts a wide range of people wishing to come here to work, visit and live.

- 3.4 The Licensing Authority recognises the value of cultural, and community events and seeks to ensure licensing requirements do not place disproportionate or unintended burdens on small or community-led initiatives. Licensing decisions will support diverse provision and inclusion, particularly for underrepresented or minority groups.

4 Statement of Licensing Policy

- 4.1 The 2003 Act requires that the Licensing Authority publish a 'Statement of Licensing Policy' that sets out the principles by which Chelmsford City Council intends to discharge its functions as the Licensing Authority under the Act in the promotion of the licensing objectives (S. 4(2) of the Act).

- 4.2 In preparing this statement of licensing policy, the Council has had regard to and consulted those involved in its local strategies on crime prevention, planning, transport, culture, tourism and economic development, to ensure the proper co-ordination and integration of the aims and actions of these policies. Review and amendment of these strategies will be considered for their impact on this statement of licensing policy.

- 4.3 Further, arrangements will be made for the Licensing Committee to receive reports - when appropriate - on the needs of the local tourist economy to ensure that these are reflected in their considerations. The Licensing Committee may also be appraised of the local employment situation and the need for new investment and employment, where appropriate.

- 4.4 To ensure proper integration with the Council's planning policies, the Licensing Committee may be required to provide reports to the Planning Committee, where appropriate, on the situation regarding licensed premises in the area, including the general impact of alcohol-related crime and disorder, to enable the planning committee to have regard to such matters when making its decisions.

- 4.5 As set out in Section 1.19 of this policy, the Council has reviewed the evidence available and determined that there is currently no justification for introducing a Cumulative Impact Assessment (CIA) in Chelmsford. The Licensing Authority will, however, keep this position under review and may consider adopting a CIA in future should sufficient evidence emerge.

- 4.6 This 'Statement of Licensing Policy' has been prepared in accordance with the provisions

of the Act, having regard to the specific guidance pursuant to s.182 of the Act at paragraph 14.

- 4.7 The Licensing Authority will ensure compliance with statutory immigration requirements. All applications for personal licences or changes to the Designated Premises Supervisor (DPS) must include acceptable evidence of the individual's right to live and work in the UK, in line with the Immigration Act 2016. [s182 para 4.8 – 4.11]
- 4.8 The Licensing Authority must also confirm the entitlement to work in the UK of any individual applying to be a Designated Premises Supervisor or Personal Licence Holder. [s182 para 4.29]
- 4.9 The Licensing Authority is responsible for considering applications for the grant of the following;
- Premises Licences,
 - Club Premises Certificates,
 - Personal Licences and
 - Temporary Event Notices in relation to the sale or supply of alcohol, the provision of public entertainment and
 - Late night refreshments.
- 4.10 The Licensing Authority is also concerned with any changes made or sought in respect of those licences that they have issued. Any reference to Premises Certificates will also include reference to Club Premises Certificates as appropriate.
- 4.11 The Licensing Authority is not bound by the decision of any other licensing regime unless any decision has direct relevance to any of the licensing objectives and there is no legal basis to refuse the issue of a licence where other permissions have not been granted e.g. planning permission.
- 4.12 The Act requires the Licensing Authority to monitor, review and, where appropriate, amend its Statement of Licensing Policy. The Licensing Authority will consult with Responsible Authorities and interested parties prior to amending any part of the policy and in preparing its Statement of Licensing Policy for each future 5-year period.
- 4.13 This Policy Statement takes effect on 31st January 2026 and will remain in force for a period of not more than 5 years from that date. This policy may be reviewed at any time during this period.
- 4.14 When assessing applications, the Licensing Authority must be satisfied that the control measures proposed within the applicant's operating schedule – in the promotion of the four licensing objectives – are likely to achieve their aims having considered all the risk factors and that they have taken a realistic approach as to whether they are likely to be achievable.

5 Consultation

- 5.1 Our Statement of Licensing Policy has been widely consulted for the purpose of this 5-yearly review and a list of consultees can be found at **Appendix B**.
- 5.2 The Act requires that the following parties are consulted on by the Licensing Authority:
- a) The Chief Officer of Police for the Licensing Authority area
 - b) The Fire Authority for the area

- c) The director of Public Health for the authority's area
- d) Such persons as the Licensing Authority considers to be representative of holders of premises licences and Club Premises Certificates issued by the authority
- e) Such persons as the Licensing Authority considers to be representative of personal licence holders issued by the authority, and
- f) Such persons as the Licensing Authority considers representative of businesses and residents in its area

5.3 In addition, the Licensing Authority chose to consult further local groups and organisations, namely:

- a) Remaining Responsible Authorities under the Act
- b) Other areas of the local authority
- c) Various faith groups, voluntary organisations and Citizens Advice Bureau, and;
- d) Groups having influence on the night-time economy.

5.4 A full list of Responsible Authorities as consultees in respect of applications made under the Act can be found at Chelmsford City Website [Responsible authorities](#)

6 Approval

6.1 This policy was approved by the full Council at a meeting held 17th November 2020 and published on its website and made available to consultees. Copies of the policy are available on request.

7 Exchange of Information

7.1 The Licensing Authority is under a duty to protect the public funds it administers and may therefore use information provided by applicants for the prevention and detection of crime. It may also share information provided with other responsible bodies responsible for the auditing and administering of public funds.

7.2 In accordance with the provisions of the Crime and Disorder Act 1998, The Licensing Act 2003, Data Protection Act 2018 and The General Data Protection guidelines, the Licensing Authority may exchange information provided by applicants with law enforcement agencies for purposes connected with the prevention and detection of crime.

8 Public Register

8.1 The Licensing Authority is obliged to keep a public register which may be viewed online or in person by appointment during office hours. Requests for any additional information should be directed through the Council's information team at FOI.Mailbox@chelmsford.gov.uk where the request will be considered and information provided where lawful and appropriate.

9 Compliance and Enforcement

9.1 In exercising its functions in respect of compliance with the conditions of the licence and requirements under the Act, including the inspection of premises and to the institution of proceedings in respect of any relevant offences, or the calling of a licence to review the licensing authority will follow best practice. This requires that its actions should be: -

- Proportionate – intervention only where necessary. Remedies appropriate to the risk

posed with costs identified and kept to a minimum.

- Accountable – The Licensing Authority will ensure that it is able to justify its actions and decisions and be subject of public scrutiny.
- Consistent – Any rules and standards shall be joined up and implemented fairly.
- Transparent – enforcement will be carried out openly with regulations enforced simply and user friendly.
- Targeted – enforcement will be focused on the problems and thereby minimise any side effect.

9.2 The Licensing Authority will endeavour to avoid duplication with other regulatory regimes so far as is possible and will adopt a risk-based inspection programme.

9.3 The main enforcement and compliance role of the Licensing Authority is to ensure compliance with the processes in granting and the licences and permissions that it authorises. Where appropriate it may conduct joint inspections of licensed premises or premises seeking a licence, together with other enforcing agencies. It is expected that other responsible authorities will have primary engagement with licence holders relative to the area of expertise of that authority e.g. crime and disorder by Essex Police, underage sales by Trading Standards, fire Safety by Essex Fire and Rescue Service etc.

9.4 Where appropriate, complaints will be investigated using a proportionate, risk-based approach in line with the principles set out in the Regulators' Code. This Code was issued by the Minister for Business and Enterprise under section 23 of the Legislative and Regulatory Reform Act 2006. All regulators are required to have regard to the Code when developing policies and procedures that guide their enforcement activity.

The Regulators' Code can be accessed at:

<https://www.gov.uk/government/publications/regulators-code>

The Legislative and Regulatory Reform Act 2006 is available at:

<https://www.legislation.gov.uk/ukpga/2006/51/contents>

10 Licensing Applications & Licensing Objectives

Operating Schedules

10.1 It is the operating schedule within a new grant application, submitted by or on behalf of the applicant that will set out the control measures intended to reduce the perceived risk that the application - if granted - might present to the licensing objectives. This schedule will be referred to when setting out any attached conditions and in the absence of any representations only matters referred to in that schedule will be applied. The Licensing Authority have discretion to disregard any control measure that does not directly promote any licensing objective or where the applicant offers a control measure that is otherwise required under any other enactment (as previously covered)

10.2 A statement of licensing policy should not set out any 'blanket conditions or policy' intended to apply to every licence issued by the Licensing Authority. However, the guidance to the Act states that it is not acceptable for Licensing authorities to simply replicate the wording contained within the operating schedule and that any condition attached to a licence should be interpreted in accordance with the applicant's intentions (para. 10.5)

- 10.3 The guidance goes further to suggest that any condition will be consistent and 'substantially the same' as that intended by the operating schedule and that any condition should be expressed on a licence or certificate in ***unequivocal and unambiguous terms*** and that they should be clear to the licence holder, club, enforcement officers and the courts (para. 10.7).
- 10.4 The relevant licensing legislation has now been in effect since 2005, since that time the Licensing Authority and Responsible authorities have had considerable experience in ensuring that conditions have been appropriately applied in accordance with that guidance.
- 10.5 Where appropriate, control measures offered in an application for a Premises Licence or Club Premises Certificate may be reviewed by licensing officers using standard wording based on established model conditions adopted by the Licensing Authority. These conditions are designed to support the promotion of the licensing objectives and align with the principles set out in Section 10 of the statutory guidance issued under section 182 of the Licensing Act 2003. These are available here: [Model conditions](#). Applicants may propose alternative wording if it meets the same intent and clarity.
- 10.6 The model conditions are constantly evolving alongside experience and changing business styles and are correct at the time of consultation. The model conditions will be regularly updated and published on the Council's website without further need to amend this policy.
- 10.7 Neither the list of model conditions, nor the advice offered at the following sections, can cover every style of business and identify all risk factors. Whilst our set of model conditions is extensive, the list is clearly not exhaustive. It is therefore the responsibility of the applicant to consider these control measures and identify any additional measures that might be necessary.

Prevention of Crime and disorder

- 10.8 In addition to the requirements of the Act, Section 17 of the Crime and Disorder Act 1998 imposes a duty on the Local Authority when carrying out its various functions to do all it reasonably can to prevent crime and disorder.
- 10.9 When addressing the issue of crime and disorder the applicant is advised to demonstrate in the operating schedule that the more common causes behind the factors have been addressed and that appropriate control measures have been proposed. Applicants should also consider the style and size of the business and have due regard to existing and foreseeable crime within the area and further crime data can be found at www.police.uk

Factors that might normally be considered may include:

- Underage drinking
- Drunkenness on premises and in the vicinity
- Drug misuse
- Violent behaviour
- Anti-social behaviour
- Control of patrons whilst arriving, on or leaving the premises
- Local crime data
- The overall nature of the area

- 10.10 The following examples of control measures are provided in order assist applicants and are considered to be among the most important when considering risk:

- Effective and responsible management and supervision of the premises, including outside areas
- Appropriate instruction, training and supervision of those employed or engaged to prevent crime and disorder
- Keeping appropriate training records
- Adoption of any best practice guidance
- Having an effective proof of age policy
- Provision of CCTV (where appropriate)
- Use and deployment of door staff
- Materials of drinking vessels
- Engaging with local initiatives e.g. Pubwatch, Best Bar None etc
- Communication between other licensed premises

10.11 It is expected that the Designated Premises Supervisor (DPS) should be able to demonstrate that they have day to day control of the premises and that ideally, they should be contactable in an emergency and that in the absence of the DPS, staff are properly authorised. There is no expectation that a DPS should be on site at all times when the premises is open for the sale or supply of alcohol.

Public Safety

10.12 The Licensing Authority is committed to ensuring that the safety of any person visiting or working on licensed premises is not compromised. Applicants are advised to consider how they can demonstrate in the operating schedule that risks have been identified and that suitable and sufficient safeguards have been put in place in order to ensure public safety.

10.13 Factors that might identify the need for a control measure might include:

- The numbers of people frequenting the premises
- The condition, layout and design of the premises
- The nature of the activities being provided
- Adoption of any best practice guidance
- Customer profile
- The use of special effects e.g. lasers, pyrotechnics etc
- Access of emergency services
- The provision of toilet, potable and waste water (events)

Some of these measures (or additional measures) might be dynamic in that the requirements might change on a frequent basis. There is often therefore a need to carry out risk assessments on an ongoing basis dependent upon the style and nature of the activity.

10.14 The Licensing Authority supports safety initiatives such as *Ask for Angela*, which empower individuals who feel vulnerable or unsafe in licensed premises to discreetly seek assistance from venue staff. Licence holders are encouraged to participate in such schemes and ensure that staff are trained to recognise signs of vulnerability, respond appropriately, and promote a safe and inclusive environment.

These schemes support the licensing objectives by helping to prevent crime and disorder, reduce risk to vulnerable persons, and foster a positive night-time economy culture.

10.15 The Licensing Authority encourages premises to implement measures that deter spiking of drinks. This may include increased monitoring, staff awareness training, CCTV, and

participation in local safety schemes.

10.16 Control measures that an applicant might consider within an operating schedule might include:

- Suitable and sufficient risk assessments
- Effective and responsible management of premises or events
- Appropriate training, instruction and supervision of those employed or engaged in security and safety of those present.
- The keeping of appropriate training records
- Adoption of best practice
- Provision of effective CCTV (if applicable)
- Implementation of crowd management measures
- Provision or access to any first aid facility

10.17 The Licensing Authority supports national efforts to improve the safety and security of publicly accessible locations, including licensed premises. Although the proposed legislation Terrorism (Protection of Premises) Act 2025, known as Martyn's Law (Protect Duty) is not yet in force, applicants and licence holders, especially those operating large venues or outdoor events, are encouraged to familiarise themselves with its principles and prepare for it coming into force in or around 2027.

This includes conducting simple security assessments, staff training, and having procedures in place for responding to incidents. These measures support the public safety objective and may become mandatory in future.

Further information is available at: [Terrorism \(Protection of Premises\) Act 2025 - GOV.UK](#)

Prevention of Public Nuisance

10.18 Licensed premises have a significant potential to impact adversely on communities through public nuisance as a result of their business operation, particularly where the business is near to residential properties. The licensing Authority wishes to maintain and protect the amenity of residents and businesses from the potential consequence of the activities. However, the Licensing Authority will have due regard to any development of residential property that is established after the grant of a licence. In such circumstances the responsibility of the developer will be taken into account if they could and should have taken such reasonable steps to minimise the effect of such nuisance e.g. the provision of insulation or double or triple glazing.

10.19 'Public Nuisance' in this context will be construed to have its widest interpretation and takes account of noise and disturbance, light pollution, odours, litter and anti-social behaviour.

10.20 Applicants or their agents should consider in their operating schedule how the impact of nuisance will be identified and how sufficient reasonable measures can be implemented and maintained in order to prevent public nuisance over which their business might have a causal link, either on or within the vicinity of the premises.

10.21 Factors that might identify risk of public nuisance might include:

- Location of premises (including any associated open areas) and their proximity to residential premises or other sensitive venues.
- Customer profile

- Hours of operation
- Nature of activities proposed
- Design and layout of the premises
- The capacity of the premises
- Availability of public transport
- Any noise adjustment period at the end of an evening
- Times of last admission
- Last admission times and closing times of other nearby premises

10.22 The following examples of control measures are provided as guidance for applicants when considering the mitigation of any identified risks associated with public nuisance. The applicant will need to consider any additional unique factors that might require further consideration of those suggested here:

- Effective and responsible management of the operations within the business together with any outside areas such as seating facilities and smoking areas
- Appropriate training, instruction and supervision of staff
- The keeping of any staff records
- The control of deliveries and movement of goods during operating hours
- Installation of acoustic insulation, suitably controlled, sited and silenced ventilation or air conditioning systems and where appropriate, sound limiting devices
- Signage to customers when entering or leaving premises
- Management of the movement of people and traffic arriving and leaving the premises including the management of queues and taxi's.
- The siting of external lighting, including security lighting.

10.23 Premises Licence holders will be expected to manage external areas used in connection with their business, including beer gardens and smoking areas through:

- The development of a plan on how to manage smoking on the premises and ensure that all staff are aware of the contents of the plan. Noise created from smoking areas can often give cause for complaint. Along with general noise created among customers. Staff should be aware and be proactive in the implementation of that plan.
- Compliance with any planning restrictions or conditions that might otherwise impact on the licensing objectives.
- Ensuring structures comply with the design criteria contained within the Health Act 2006 and that any awnings and retractable canopies have the relevant planning permission, listed building consent and building control consent, if necessary.
- Ensuring that any tables and chairs are properly licensed under the Highways Act 1980 (where applicable), and that layout, lighting and obstruction do not cause a nuisance. Where furniture is placed on the highway, operators must also comply with the Council's Pavement Licence Policy, available on the Council's website. [Pavement licence](#)
- Ensure any outside lighting is correctly positioned and of such illumination as to not cause a light nuisance.
- Ensure that door supervisors are supportive and correctly involved with any town centre communications system e.g. DISC or Publink radio.

Protection of Children from Harm

- 10.24 Chelmsford City Council have a duty to safeguard the vulnerable within the community and will therefore be looking to ensure applicants have given due consideration through their operating schedules and have put in place appropriate control measures after carrying out a full risk assessment.
- 10.25 Family friendly premises are to be encouraged as part of the diversity of entertainment made available to everyone but not at the risk of potential harm that this might cause to children. It should be remembered that many licensed venues will be frequented by young people in addition to pubs, bars and clubs such as restaurants, cinemas, theatres and school events. Therefore, admission to children will always remain at the discretion of management, with no presumption of giving them access or equally, preventing them from doing so.
- 10.26 The protection of children from harm includes moral, psychological, emotional and physical harm and is generally construed as related to the activities and effect of children on the premises rather than the mere presence of a particular type of business, other than where unsuitable advertising might be considered as undermining this objective e.g. advertising on public display outside sexual entertainment venues.
- 10.27 No condition can be attached to a licence that insists children to be admitted to any licensed venue although an applicant may offer that condition within their operating schedule.
- 10.28 In respect of the exhibition of a film or the showing of a video, this may include the exposure of children to strong language, sexual references and violence. The Licensing Authority will expect licence holders to implement measures that restrict children from viewing age restricted films, classified according to the recommendations of the British Board of Film Classification.
- 10.29 Applicants are advised to consider how they can demonstrate within the operating schedule that suitable and sufficient measures have been identified and what safeguards will be put in place and maintained as applicable.
- 10.30 The Licensing Authority recognises Essex Safeguarding Children Board (or its successor body) as the competent authority to advise on matters relating to the protection of children from harm.
- 10.31 Factors that might need to be considered may include:
- Where entertainment of an adult nature is being regularly provided
 - Where there have been convictions of staff at the premises for serving alcohol to minors or allowing consumption
 - Premises or events that attract a young adult profile, or premises or events that appear to be linked to underage sales or drinking
 - Proxy sales of alcohol to minors (i.e. adults purchasing for children under 18 yrs. to consume)
 - The premises have a known association with drug taking or supply
- 10.32 The following examples of control measures are provided to assist applicants and considered to be among the most relevant to be taken into account when considering the completion of an operating schedule.
- Effective and responsible management of the operation of the business including any outside areas
 - Appropriate training, instruction and supervision of staff
 - The keeping of any staff records

- Adoption of best practice
- Imposition of requirements to limit the hours children are permitted on the premises, part of the premises or direction in respect of the supervision of children by an adult
- Measures to ensure that children do not purchase, acquire or consume alcohol
- Having properly qualified staff available to manage licensable activities where children are likely to be present
- Adoption of a 'Challenge 21/25 policy or similar

10.33 Where films are exhibited, the Licensing Authority expects that the BBFC classification will be followed. Where a film is not classified by the BBFC, the Licensing Authority may classify the film itself in line with BBFC standards and in consultation with appropriate bodies, including the Police and child protection authorities. [s182 paras 10.59 –10.60]

10.34 Where premises provide gaming facilities, licensed or permitted under the Gaming Act 2005 the Licensing Authority will expect measures put in place to prevent children from accessing machines. This should include the appropriate training of staff and the keeping of training records, as well as measures to ensure machines are appropriately monitored by staff e.g. supervision or placing in clear view. Such measures should be highlighted in the operating schedule.

Regulated Entertainment

10.35 A diverse provision of cultural activities for the benefit of communities is welcomed and supports Chelmsford City Council's wider priorities as set out in 'Our Plan' (see para 3.1 above). The Council will need to balance the natural concerns of residents to prevent disturbance against the wider cultural benefits, especially for children, of permitting regulated entertainment. This includes activities such as live music, dancing, theatre and the showing of films. The Licensing Authority maintains a neutral stance in respect of all licence applications with each application being assessed on its own merits and the only considerations being the promotion of the four licensing objectives. This approach ensures that no unreasonable restrictions will be imposed which would discourage cultural events.

Garages and Petrol Stations

10.36 Garages primarily used for the sale of vehicles, vehicle maintenance and the provision of fuel are specifically excluded as premises not suitable as licensed for the sale of alcohol.

10.37 In determining applications for garages, (i.e. forecourt shops) the Licensing Authority must decide whether or not the premises are **primarily** used as a garage and will expect applicants to submit data which establishes the **primary use**. Where that information is not available (due to premises not yet trading), the Licensing Authority may consider a condition requiring this information be provided on a regular basis in the following years to establish the **primary use**.

Late Night Refreshments

10.38 There are no exemptions for the requirement of premises to be licensed for the provision of late night refreshments under Paragraph 2A of Schedule 2 of the Licensing Act 2003

(as inserted by the deregulation Act 2015)

The Late Night Levy

- 10.39 Chelmsford City Council has determined to implement a late-night levy in the district of Chelmsford in accordance with powers conferred by the Police Reform and Social Responsibility Act 2011.
- 10.40 The levy is an additional fee where holders of relevant authorisations are required to pay annually, at the same time as their annual licence fee becomes due.
- 10.41 In Chelmsford, a relevant authorisation is a premises licence or club premises certificate which authorises the sale of alcohol between the hours of 01.00 and 06.00 on any day of the year (the late-night supply period).
- 10.42 Certain premises are exempt from paying the levy, and the permitted exemption categories to apply are:
- Premises providing overnight accommodation where alcohol can only be supplied to persons staying at the premises for consumption on the premises.
 - Theatres, cinemas and bingo halls.
 - Premises authorised to supply alcohol for consumption on the premises between midnight and 6.00 am on 1st January in every year (but are not so authorised at those times on any other day in any year).
- 10.43 The levy came into effect on 1st November 2014, and money generated will be used to combat alcohol related harm in the nighttime economy.
- 10.44 Further guidance, including the amount of levy payable by a premises licence holder, can be found here: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/98126/late-night-levy.pdf

11 Online Applications

- 11.1 The above paragraphs relate mainly to the submission of Premises Licence Applications and Club Premises Certificates regarding the considerations that should be made before submission and reflected within the operating schedule. All applications with the exception of applications to review a Premises Licence or Club Premises Certificate, or a Temporary Event Notice can be made online at the City Councils website: www.chelmsford.gov.uk/business/licensing/alcohol-licensing/
- 11.2 Further guidance necessary to make applications can also to be found via our website. Notifications such as loss or theft of a licence, removal of a Designated Premises Supervisor by the Premises Licence holder etc can be made via email to the Licensing Officers for the Council.
- 11.3 The Licensing Authority encourages early pre-application engagement between applicants and responsible authorities. This helps ensure that applications are properly considered and reduces the likelihood of representations or refusal.
- 11.4 Similar considerations are also applicable where an applicant makes an application for

a Minor or Major Variation of a licence already issued by the Licensing Authority. A copy of the Home Office Guidance in relation to Minor variations can be found at:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/98157/guidance.pdf

Where there is any doubt in respect of interpretation, applicants are advised to seek clarification from the Licensing Officers of the Licensing Authority.

- 11.5 Minor Variations may be rejected where the Licensing Authority considers that such a variation might have an adverse impact upon the licensing objectives and where this view is supported by other relevant Responsible Authorities as well as any representations made by other persons and may refuse the application without the opportunity for a hearing or appeal. This may be avoided through prior consultation discussion with licensing officers where an alternative option might be suggested to make an application to fully vary the licence.
- 11.6 Plans must be submitted together with applications for the grant of a Premises Licence and Club Premises Certificate (and in some case, plans to vary a licence) in accordance with Regulation 23(1) and (unless otherwise agreed with the Licensing Authority) comply with 23(2) & (3) of The Licensing Act 2003 (Premises Licences and Club Premises Certificates) Regulations, Part 4.
- 11.7 Plans are a necessary part of the application process in order to assist the Licensing Authority and other Responsible Authorities in determining whether the licensing objectives might be undermined and may be rejected or the application restarted if the plans fail to meet expectations.
- 11.8 Application forms are set by statute and most can be submitted online with the exception of applications to review a Premises Licence or Club Premises Certificate. Online applications and further information can be found on the Council website:

<https://www.chelmsford.gov.uk/business/licensing/alcohol-licensing/>
- 11.9 Notifications such as loss or theft of a licence, removal of a Designated Premises Supervisor by the Premises Licence holder etc can be made via email to the Licensing Officers for the Council: licensing@chelmsford.gov.uk

Tacit Consent

- 11.10 The consent by silence. The Licensing Authority is obliged by the Act to grant an application unless relevant representations are received. If there are no relevant representations the application will be dealt with by the Licensing Authority's licensing officers under a scheme of delegation. In such circumstances the licence will be granted by 'tacit consent' - as applied for - with the exception of an application for a minor variation where the matter will remain undetermined until decided by the Licensing Authority.
- 11.11 Where Tacit consent applies the applicant may carry out licensable activities as if the licence was granted provided all relevant timescales have been met.

Temporary Event Notices

- 11.12 A Temporary Event Notice (TEN) is usually a 'one off' e.g. a wedding, birthday or wake, or a departure from an existing authority that might otherwise restrict an event in accordance with any existing conditions e.g. children normally not allowed on the

premises but on this occasion the licence holder wanted to facilitate a family gathering. Other examples include wanting longer hours for a specific event or having a temporary bar at a charitable function. The use of TEN's are extensive but in order to prevent their misuse they come with strict guidelines that are available on The Council's website and set by legislation.

- 11.13 There are two types of TEN's, a standard TEN and a Late TEN. A standard TEN is one given with 10 working days (or more) notice and a Late TEN is where less than 10 working days and more than 5 working days notice is given of the event, usually as a last minute or unforeseen plan.
- 11.14 To calculate the minimum number of days' Notice required for any TEN, the premises user (the person giving the notice) must disregard both the day the notice is given and the day of the event. A working day is not a day of a weekend or a Bank Holiday day.
- 11.15 The day 'given' may be any day if given electronically. Where the notice is delivered by hand or by post, the day 'given' will be the first working day after the date it is received. Therefore, a Notice submitted electronically at a weekend for an event the following weekend will have 5 clear working days between the date given and the day of the event, unless one of those days was a Bank Holiday.
- 11.16 A TEN given outside of these parameters would be unlawfully given and therefore outside of the ability of the Licensing Authority to process or permit. In all cases where a TEN is disallowed - where it is given outside of any statutory limit - a counter notice will be issued by the Licensing Authority. If the event were to go ahead it would be unlicensed and therefore unlawful.
- 11.17 Where a representation is received in relation to a standard TEN the premises user may request a hearing before the licensing sub-committee. Where a representation is received in respect of a Late TEN no such hearing is permitted
- 11.18 Persons carrying out an event outside of a Premises licence or a TEN must take care not to be in breach of legislation where considering hospitality bars (where a person pays what they feel is appropriate without any set charge) as these are often unlawful, whereas genuinely free bars (e.g. at a wedding) require no licence.
- 11.19 TEN's may only be used for events of no more than 499 persons inclusive of staff and entertainers.

Designated Premises Supervisors (DPS) in Community Premises

- 11.20 Community premises may have a licence to supply alcohol without the requirement to have a Designated Premises Supervisor(DPS).
- 11.21 An application to disapply the mandatory condition requiring a DPS may be made by a management committee of community premises. The following condition will be attached to the premise licence: "Every supply of alcohol under the premises licence must be made or authorised by the management committee."
- 11.22 If the sale of alcohol is authorised the management committee of the premises can apply to remove the mandatory condition in relation to the DPS and having a personal licence holder authorise sales. The sale of alcohol will be authorised by the management committee.
- 11.23 Church halls, chapel halls, parish halls, community halls, and village halls are each examples of community premises. Where it is not clear whether premises are community premises, the matter will be approached on a case-by-case basis, with the main

consideration being how the premises are predominantly used. If they are:

- genuinely made available for the benefit of the community most of the time;
- accessible by a broad range of people and sectors of the local community;
- providing facilities to benefit the community as a whole;
- are likely to be considered as 'community premises'.

- 11.24 The application form requires the applicant to provide the names of the management committee's key officers to the Licensing Authority. The Licensing Authority must be satisfied that arrangements for the management of the premises by the committee or board are sufficient to ensure the adequate supervision of the supply of alcohol on the premises.
- 11.25 Existing premises licence holders must pay a fee to make this 'disapplication' and the process takes 28 days. Details can be found on the Councils' website.
- 11.26 In exceptional circumstances the police may object to this request where there are grounds to do so under the crime and disorder objective. In such an instance the Licensing Authority will hold a hearing to determine the application.

12 Representations

- 12.1 Representations may be made by any of the following:
- 1) Responsible Authorities (See Chelmsford City Website [Responsible authorities](#))
 - 2) Any other person – regardless of geographical location, provided it is not considered repetitious, vexatious or frivolous in the opinion of the Licensing Authority.
- 12.2 A representation is similar to an objection, where a person or body making the representation has a genuine belief that if the application was granted that the licensing objectives would be undermined.
- 12.3 There should be no assumption that the application should be declined and there are a number of options open to the licensing sub-committee who will consider those representations. Those options are:
- To modify, alter or add to any condition
 - To modify the days or times between which a licensable activity might be permitted
 - To exclude certain activities from the licence
 - To seek appointments of a different designated premises supervisor
 - To reject an application

Additionally, in the case of an application to review a licence;

- To revoke the licence
 - To suspend the licence for up to 3 months
- 12.4 Any representation must relate to named premises and must relate to one or more of the four licensing objectives in order to be considered relevant. The licensing Authority will need to be satisfied that there are grounds to believe that there is an evidential link or genuinely held belief that the objectives would be undermined and not merely a repeat

of the objectives, and that there was also a link between that belief and the premises in question. Where the licensing authority believes that the representation is not relevant or in the case of a person other than a responsible authority is repetitious, vexatious or frivolous the Authority may disregard it as being invalid.

- 12.5 Representations can also be made in support of an application.
- 12.6 All notifications of formal representation will be provided to the applicant. Any person making a representation should be aware that letters are copied to the applicant without deleting any personal details. The Licensing Authority will not edit a letter before sending it to the applicant.
- 12.7 The Licensing Authority accepts that in exceptional circumstances, a local resident may be reluctant for their personal details to be disclosed to the applicant because of fears of intimidation or violence.
- 12.8 Where the Licensing Authority considers that a relevant representation has been made and is satisfied that the person has a genuine and well-founded fear of intimidation and may be deterred from making a representation on this basis, personal details of the complainant, such as their name and address may be withheld from the copy of the representation that is provided to the applicant. If a representation is received completely anonymously, it will be disregarded.
- 12.9 Applications and any relevant objections will be made available to view via the council website without the disclosure of any personal details. Further information will be provided in respect of the details of the hearing in respect of time, date and location. Hearings are open for the public to attend. Persons making representations may be required to attend the hearing by another party.
- 12.10 Only those relevant representations submitted to the Licensing authority may be amplified upon at the hearing. New material introduced will not be heard e.g. if the representation submitted was relating to crime and disorder, only the person making that representation would not later be permitted to refer to matters of public safety.
- 12.11 An applicant and a person making representation may agree to resolve issues prior to a hearing and outside of that hearing and at any time up until the day before the hearing. Where that is the case the licensing authority may determine that a hearing is no longer necessary.

13 Licensing committee

- 13.1 The Committee is made up of 13 Councillors with 4 named substitutes. Where representations have been made and remain unresolved an application will be usually be heard by a sub-committee of three members of the licensing committee.
- 13.2 When considering applications, the sub-committee shall have regard to this policy, statutory guidance, the Act and Regulations made in conjunction with the Act and the Licensing Objectives.
- 13.3 Each application is considered on its own merits.
- 13.4 If the application is approved by the sub-committee the mandatory conditions will be applied. In addition, the sub-committee will decide whether it is appropriate to attach further conditions to the licence, certificate or permission in order to promote the licensing

objectives. Any conditions will primarily focus on the activities taking place at the premises on the persons attending the premises and members of the public living, working or otherwise engaged in normal activity within the vicinity of the premises. 'Vicinity' is not defined and will be given its normal everyday meaning within the context of:

- The location of the premises
- The size of the premises
- The nature of entertainment or licensable activity
- The distance from residential or business property
- The proximity of other competing businesses within the area
- The potential impact upon the licensing objectives

13.5 The Licensing Authority will avoid placing any conditions on the licence that might duplicate any other requirement by legislation or Regulation.

13.6 A list of functions that are dealt with by the committee or delegated to Licensing Officers can be found at **Appendix C**.

Hearings

13.7 Hearings are conducted in accordance with the Licensing Act 2003 (hearings) Regulations 2005. The period of time in which a hearing shall be held is determined under these Regulations in accordance with the type of application.

13.8 These regulations set out the procedures to be adopted, the determination and notification of applications, records of proceedings and notices etc.

13.9 During the pandemic of 2020, under The Health Protection (Coronavirus) Regulations 2020, temporary procedures were introduced to allow for remote (video conferencing) hearings to take place along with other procedures, best practice and local arrangements being introduced. This policy will be regularly reviewed and amended to include any changes to licensing law and practices that may arise following any formal review over that period and also any amended guidance issued under s.182 of the Act as a result.

Administration, Exercise and Delegation of functions

13.10 A list of those matters that will be dealt with at committee and those which are delegated to licensing officers can be found at **Appendix C**

13.11 The Licensing Officers for Chelmsford City Council are delegated to deal with all aspects of the Licensing Act 2003, where no representations or objections have been made by responsible authorities or interested parties.

13.12 The Public Health and Protection Services manager is delegated to make representation on behalf of the Licensing Authority as a Responsible Authority on behalf of the Council.

14 Reviews

14.1 A responsible Authority or any person may ask the Licensing Authority to review a premises licence or club premises certificate due to any matter arising due to, at or from the premises where the licensing objectives are being undermined.

14.2 The Licensing Authority will not normally engage its role as a Responsible Authority by

calling reviews on behalf of other people, such as residents or community groups. These individuals or groups are entitled to make a request for a review and may also consult or seek legal representation where there are enough grounds to do so.

- 14.3 Where the Responsible Authorities have concerns about problems identified at premises, the Licensing Authority considers it to be good practice for them to give licence holders early warning of their concerns and where possible support the licence holder with advice and best practice which may involve the development of action plans.
- 14.4 The Licensing Authority draws attention to licence holders and Responsible Authorities to the Home Office publication, 'The Practical Guide for Preventing and Dealing with Alcohol Related Problems – What you need to know'. This document is widely referred to as good practice when dealing with problems related to licensed premises and can be found at the following web address:
- http://www.balancenortheast.co.uk/library/documents/Home_Office_Guide_to_Dealing_with_Alcohol_Related_Problems.pdf
- 14.5 There is no appeal to the decision of the Authority when choosing to reject an application for review or a representation, other than by way of judicial review.
- 14.6 No more than one review will be normally permitted from a person other than a responsible authority in relation to a particular premises within any 12 month period on similar grounds except in compelling circumstances or where it arises following a closure order. Neither will a request to review a licence be considered where the grounds for doing so are considered vexatious or frivolous.

Summary Reviews (Violent Crime Reduction Act 2006)

- 14.7 Where premises are considered to be associated with serious crime or disorder a senior police officer (Superintendent or above) may apply for a summary review of a 'premises licence'.
- 14.8 If a summary review is applied for, the Licensing Authority must consider the application within 48hrs (not including any time on a day that is not a working day) and determine what interim steps (if any) are necessary prior to a full review hearing in order to promote the licensing objectives. Interim steps may be:
- The modification of the conditions of the premises licence
 - The exclusion of the sale of alcohol by retail from the scope of the licence
 - The removal of the Designated Premises Supervisor
 - The suspension of the licence
- 14.9 Although the legislation allows for the decision in the absence of the premises licence holder, the Licensing Authority will endeavour to notify the licence holder of the application having been made and of the time, date and place it will be determined (unless through necessity the matter is considered by means other than face to face), in order to afford the licence holder or representative the opportunity to attend.
- 14.10 Where the Licensing Authority decide to take any of the interim steps, its decision has immediate effect, and immediate notice of the decision must be given to the licence

holder.

- 14.11 Where the licence holder makes representation in respect of the decision, the Licensing Authority must hold a hearing within 48hrs (not including time of a non- working day) of receipt of the representation and, unless withdrawn, consider those representations and any made by the police; consider whether steps are necessary for the promotion of the licensing objectives; determine whether to withdraw or modify the steps taken.
- 14.12 The Licensing Authority must hold a full review hearing within 28 days following a summary review.

15 Appeals

- 15.1 In most cases the applicant may appeal the decision of the Licensing Authority to the Magistrates Court. The appeal must be made within 21 days following the day on which the decision was notified and must be made by:
 - The applicant or their agent
 - A Responsible Authority or person making a relevant representation
 - In the case of a review, the holder of the licence or certificate being reviewed

16 Suspension of Premises Licence - Non-Payment of Annual Fee

- 16.1 The Licensing Act 2003 requires that the Licensing Authority **must** suspend the premises licence or club premises certificate where the annual fee is not paid when due under s. 55(2) of the Act unless not paid due to an administrative error **either before or at the time** the fee became due the licence holder informs the Licensing Authority that it disputes either liability for payment or the amount due **and** the grace period of 21 days has not expired. The grace period is intended to allow resolution between the licence holder and the Licensing Authority. The grace period of 21 days begins the day after the notice is given and must be made on or before the date when the annual fee has become due.
- 16.2 The responsibility lies with the licence holder to remember and not for the Licensing Authority to remind the licence holder to make payment for the annual fee. It is for the Premises licence or Club certificate holder to notify the Licensing Authority within the grace period where a dispute is claimed, and 'administrative' will be given its normal everyday meaning (para. 15.3 of the s.182 guidance).
- 16.3 Where a licence is suspended the Licensing Authority will inform the licence/certificate holder in writing and specify the date on which it is to take effect. The date from which the suspension will take effect will be determined on a case-by-case basis but will be no earlier than two working days following receipt of the notice.
- 16.4 Any suspension of the licence following notification of non-payment of the annual fee will cease to have effect on the day that the fee has been paid.
- 16.5 Liability for payment of the annual fee will be that of the individual or company shown on the premises licence as being that of the licence holder. It is the responsibility of the licence holder to make the relevant application informing the Licensing Authority of any transfer of the licence whereupon the liability for the payment of the annual fee will become that of the new premises licence holder. The Licensing Authority are unlikely to accept any dispute where the licence holder fails to notify a transfer of the licence.

APPENDIX A

Creation Date	Version No	Changes Made	Changes made by	Date of Change
14 th April 2020	1	V1 Draft of 2016	Nigel Dermott	15/4/2020
14 th April 2020	2	Final draft prior to cons	Nigel Dermott	24/6/2020
2nd July 2025	3	V1 Draft 2021	Daniel Winter	03/07/2025
01/08/2025	4	Final Draft prior to cons	Daniel Winter	

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Appendix B: Consultees

1. Chief Officer of Police for the Area
2. Fire and Rescue authority for the area
3. Director of Public Health covering the area of Chelmsford
4. Persons/ Bodies representing local premises licence holders:
 - a) Business Improvement District Board (BID)
 - b) Pubwatch Chair
 - c) British Institute of Innkeepers (BII)
 - d) National Pubwatch
5. Persons/Bodies representing club premises certificate holders
 - a) Specifically; Chelmsford Social Club
 - b) Galleywood Social Club
 - c) Chelmsford Football Club
6. Persons/Bodies representing personal licence holders
 - a) BIIAB
 - b) Highfields
 - c) CPL learning
7. Persons/ Bodies representative of businesses and residents in the area

As 4 a), b), c) and 5 a), b), & c). Additionally:
 - a) Chelmsford Street Pastors
 - b) Open Road (SOS bus providers)
8. Environmental Health (commercial)
9. Environmental Health (pollution)
10. Health & Safety
11. Essex Trading Standards
12. Chelmsford City Council Planning
13. All ward councillors for the Chelmsford City Council
14. Neighbourhood watch co-ordinators registered with Essex Police
15. Essex Safeguarding Children Board

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Appendix C - Delegation of Functions**Table: Recommended Delegation of Functions**

Matters to be dealt with	Sub Committee	Officers
Application for personal licence	If a police objection	If no objection made
Application for personal licence with unspent convictions	All cases	
Application for premises licence/club premises certificate	If a relevant representation made	If no relevant representation made
Application for provisional statement	If a relevant representation made	If no relevant representation made
Application to vary premises licence/club premises certificate	If a relevant representation made	If no relevant representation made
Application to vary designated premises supervisor	If a police objection	All other cases
Request to be removed as designated premises supervisor		All cases
Application for transfer of premises licence	If a police objection	All other cases
Applications for interim authorities	If a police objection	All other cases
Application to review premises licence/club premises certificate	All cases	
Decision on whether a representation is irrelevant frivolous vexatious etc		All cases
Decision to object when local authority is a consultee and not the relevant authority considering the application	All cases	
Determination of an objection to a temporary event notice	All cases	
Determination of application to vary premises licence at community premises to include alternative licence condition	If a police objection	All other cases
Decision whether to consult other responsible authorities on minor variation application		All cases
Determination of minor variation application		All cases

Appendix D: Glossary of Terms

Anti-social behaviour	- generally unacceptable behaviour that falls short of being a specific criminal offence that causes upset within the local community.
Best Bar None	- a national accreditation scheme that assesses licensed premises
CCTV	- closed circuit television.
Challenge 21/25	- a policy to ensure proof of age by challenging those having the appearance of being under 21 or 25yrs against set requirements.
Club Premises Certificate	- Similar to a Premises Licence but a venue restricted to supply of alcohol to members and guests under club rules. Supply of alcohol does not require authorisation by a personal licence holder and a DPS not required.
Closure powers	- closure powers available to enforcing officers available under certain conditions to close licensed premises.
Conditions	- Control measures identified within the operating schedule converted into conditions that are clear, enforceable and understandable. May also be attached following a hearing.
Cumulative Impact Zone (CIZ)	- a local policy established after consultation and data collection to ensure the licensing objectives are promoted and prevent over saturation of licenced venues within an identified area (Chelmsford does not have one).
DISC	- A communication system used by Pubwatch members to control those banned from premises and circulate information of interest.
Designated Premises Supervisor	- (DPS) The person named on the Premises Licence who normally has day to day control and is a single point of contact at the premises.
Late Night Levy	- following consultation and data collection, a statutory charge based on the rateable value of premises as a way of collecting funds to support additional burdens placed on local services.
Late night refreshments	- The sale of hot food or drink between 11pm and 5am.
Late TEN	- a TEN given to the Licensing Authority with less than 10 and more than 5 working days notice.
Licensable activities	- The sale of alcohol, regulated entertainment and sale of hot food and drink (see LA2003 for further explanation).
Licensing Authority	- Chelmsford City Council.
Licensing committee	- Individual Council members appointed to undertake functions under the LA2003.

APPENDIX A

Licensing Objectives	- The four specific objectives under s. 4(2) LA2003.
Licensing Sub-Committee	- those committee members selected to lead a specific hearing.
Mandatory Condition	- conditions that apply to all licences authorising the sale of alcohol required by the LA2003.
Model Conditions	- a point from which applicants might formulate a condition in the operating schedule that can be amended to be applicable and may be used in the absence of any specific instruction
Night time economy (NTE)	- as different to the daytime economy. Usually refers to leisure facilities open between 9pm and 6am.
Objection	- see Representation. A term having similar meaning.
Operating Schedule	- a section of a premises licence application where the applicant sets out control measures to promote the licensing objectives.
Personal licence	- a licence held by a person authorising them to sell alcohol.
Publink	- a radio system used within the NTE allowing premises to communicate with each other.
Pubwatch	- a local group of licence holders working together to promote the licensing objectives and keep trouble makers out of premises.
Purple Flag	- a national assessment scheme that measures local strategy and policy within the NTE and enabling use of its logo to promote safe communities
PSPO	- Public Safety Protection Order.
Premises Licence	- a licence issued to specific premises authorising licensable activities.
Premises Licence Holder	- the person named on the licence as being responsible for ensuring compliance with legislation and promotion of the objectives.
Representation	- a statement for or against an application made only on the grounds of undermining an objective under the LA2003.
Responsible Authority	- an Authority specified in the LA2003 having a function in connection with certain applications e.g. Police & Environmental Health.
Sec 182 Guidance	- Guidance issued by the Secretary of State under section 182 of the LA2003.
Standard TEN	- A TEN given to the Licensing Authority giving 10 working days or more notice.
Street pastors	- a faith group led voluntary organisation offering the community support and advice within the night time economy.

APPENDIX A

Tacit Consent	- consent by silence. Except for minor variations, applications are deemed granted unless subject of representation.
Temporary Event Notice (TEN)	- A notice given to the licensing authority of an event of a temporary nature that authorises a licensable activity.
The Act	- The Licensing Act 2003 (LA2003).
Variation of a licence	- to vary the original or existing licence to change the DPS, make minor amendments such as administrative or a major amendment to licensable activities or full variation seeking change to hours and activities.

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APPENDIX E: References to Guides and Best Practice

(some of these links might need to be copied and pasted into your address bar)

Guidance Issued under Section 182 of the Licensing Act 2003	https://preview.tinyurl.com/luqojyy
Home Office - Tackling Problem related licensed Premises	https://tinyurl.com/t7yztrf
Regulatory enforcement code	Regulators' Code - GOV.UK
Legislative and Regulatory Reform Act 2006	https://www.legislation.gov.uk/ukpga/2006/51/contents
Environmental Services Enforcement Policy	www.chelmsford.gov.uk
Safer Clubbing	https://tinyurl.com/r8nsdcf
The National Alcohol Strategy	https://tinyurl.com/rcbv5fp
The Point of Sale Promotions	www.beerandpub.com
Security in Design	https://tinyurl.com/wwp9ran
Drugs and Pubs	www.beerandpub.com
Guide to Fire Precautions in Existing Places of Entertainment and Like Premises	www.opsi.gov.uk
The Event Safety Guide	www.beerandpub.com
Safety in Pubs	www.beerandpub.com
Good Practice Guide on the Control of Noise from Pubs and Clubs	www.ioa.org.uk
Licensed Property: Noise	www.beerandpub.com
Public Places Charter	www.airinitiative.com
The Portman Group Code of Practice on the Naming, Packaging and Promotion of Alcoholic Drinks	www.portman.group.org.uk
The Retailer Alert Bulletin	www.portman.group.org.uk

British Institute of Innkeepers Best Practice
Training Qualifications:
Door Supervisors
Personal Licence Holders
Other Bar Staff

www.bii.org

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Chelmsford City Council

3 December 2025

Annual Report of the Overview and Scrutiny Committee

Report by: Overview and Scrutiny Committee from its meeting on 15 September 2025

Officer contacts:

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Purpose

To consider the Annual Report on the activity of the Scrutiny function for 2024/25.

Recommendation:

That the Annual Report of the Overview and Scrutiny Committee and the activity of the Scrutiny function in 2024/25 be approved for publication.

1. The Local Code of Corporate Governance was adopted by the Council on 23 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.
2. At its meeting on 15 September 2025 the Overview and Scrutiny Committee considered its Annual Report on the Scrutiny Function for 2024/25 and recommended to Council that the Report be approved for subsequent publication, with a minor amendment to reference the work of the Theatre Task and Finish Group carrying over from 2023/24 into 2024/25.

3. The Report 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 2024/25
- future work for 2025/26
- “call in” of Cabinet decisions
- training and development

Appendices

1. Annual Report on the Scrutiny function 2024/25

Background Papers

None

Corporate Implications

As set out in the original report to the Overview and Scrutiny Committee



CHELMSFORD CITY COUNCIL ANNUAL REPORT ON THE SCRUTINY FUNCTION 2024/25

**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 2024/25 the membership of the Committee comprised the following members:

LD Councillors D. Clark, H. Clark, P. Davey, J. Deakin (May 2025), 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

Following the Annual Council Meeting on 14th May 2025, 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 C. Adutwim (as of August 2025), N. Bugbee, D. Clark, H. Clark, P. Davey, J. Deakin (until May 2025), L. Mascot and A. Thompson (Vice Chair)

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

IND Councillor S. Davis

(d) Programme of Meetings

The Committee met on four occasions in the municipal year 2024/25. It has five meetings programmed for 2025/26. 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 2024-25

The main areas of activity considered by the Committee during the municipal year (May to May) 2024/25 were as follows –

<u>Subject</u>	<u>Date(s) considered</u>
Planning Enforcement Inform and Debate	14 October 2024
Theatre Refurbishment Evaluation Task & Finish Group Report	14 October 2024
Report on the Updates from Council Representatives on Outside Bodies	14 October 2024
Declaration of John Shennan Field as a Local Nature Reserve (Call-In)	4 November 2024
Cabinet Portfolio Update from the Cabinet Member for an Active Chelmsford	10 February 2025

Cabinet Portfolio Update from the Cabinet Member for a Safer Chelmsford	10 February 2025
Annual Presentation by Safer Chelmsford Partnership and Essex Police	10 February 2025
Report on Decisions Taken Under Delegation to the Chief Executive	10 February 2025
Annual Report of the Committee (2023/24)	10 February 2025
Cabinet Portfolio Update from the Leader of the Council	10 March 2025
Cabinet Portfolio Update from the Deputy Leader and Cabinet Member for a Fairer Chelmsford	10 March 2025
Annual Report of Key Housing Delivery Statistics	10 March 2025
Cabinet Portfolio Update from the Cabinet Member for a Greener Chelmsford	10 March 2025
Responding to the Climate and Ecological Emergency and Meeting the Council's Biodiversity Duties	10 March 2025
Appointments to Outside Bodies	10 March 2025
Review of Parking Provision	10 March 2025

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 normally be considered at July Full Council along with the Annual Reports for Governance and Audit & Risk Committees, but this year due to the timetable will be considered at December Full Council
- 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 minutes of the Committee meetings for this municipal year can be accessed below:

- Minutes of the meeting on [14th October 2024](#);
- Minutes of the meeting on [4th November 2024](#);
- Minutes of the meeting on [10th February 2025](#), and;
- Minutes of the meeting on [10th March 2025](#).

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 2024-25, the Theatre Task and Finish Group that had started in the previous year concluded their work.

‘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 2024-25, one Cabinet decision had been called in regarding [the decision taken in regard to the declaration of John Shennan Field as a Local Nature Reserve](#). 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 were no training sessions for members of the Overview and Scrutiny Committee for 2024-25.



Chelmsford City Council

3 December 2025

Community Governance Review

Report by:

Chief Executive

Officer Contact:

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

Purpose

To update the Terms of Reference for the Community Governance Review (CGR) to reflect the minor adjustments made to the timing of the initial consultation.

Recommendations

1. That Council approve the revised Terms of Reference, with the revision to the timing of the initial consultation, to accommodate the additional consultation preparation.

1. Background

- 1.1. At an extraordinary meeting of Full Council on 3rd September 2025, the Council approved the commencement of a CGR of its own volition, alongside the relevant Terms of Reference.
- 1.2. Following this, the Connectivity and Local Democracy Working Group met to prepare for the initial consultation, with a view to launching the consultation on 22nd September. With thanks to member input, it was recognised that additional legal and professional advice would be helpful to ensure the

consultation met necessary requirements. The launch of the consultation was adjusted to accommodate this.

2. Revised Terms of Reference

- 2.1. The Terms of Reference for the CGR included an indicative timetable for the process, which originally stated that the initial consultation would be open from 22nd September 2025 – 22nd December 2025.
- 2.2. As the timetable included in the Terms of Reference is an indicative timetable, the dates of the consultation could be adjusted to accommodate additional preparations without approval from Full Council. However, for completeness, the Terms of Reference are now being updated to reflect this formally.
- 2.3. The revised Terms of Reference (Appendix 1) have been updated to reflect that the consultation was launched on 13th October 2025 and will now close on 4th January 2026.

3. Conclusion

- 3.1. The change in timing for the initial consultation is reflected in the revised Terms of Reference which are presented to Full Council for approval. No other changes are necessary, and the outcome of the initial consultation will follow, as planned, in 2026.

List of appendices:

Appendix 1 – Draft Revised Terms of Reference

Background papers:

Joint Statutory Guidance on Community Governance Reviews (2010)

Corporate Implications

Legal/Constitutional: A community governance review is a non-executive function which falls within the terms of reference for Full Council.

In undertaking a CGR the council must comply with the statutory process laid down in the 2007 Act, the published guidance and its own Terms of Reference. This sets out the criteria that must be considered in taking decisions and consulting.

Financial: There are no financial implications of the adjustments made to the Terms of Reference for the CGR.

Potential impact on climate change and the environment: None

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

Personnel: None

Risk Management: A risk register has been drafted for the completion of this review and the adjustment of the dates for the initial consultation was considered and monitored as part of this.

Equality and Diversity: The Equality and Diversity Impact Assessment for the CGR was considered when seeking additional advice and in adjusting the start of the consultation, the closure was also adjusted to ensure sufficient time to engage.

Health and Safety: None

Digital: None

Other: None

Consultees:

Connectivity and Local Democracy Working Group

Relevant Policies and Strategies:

Our Chelmsford Our Plan – Bringing people together, empowering local people and working in partnership to build community capacity, stronger communities through encouraging participation in local democracy, increasing representation of community interests to help people feel better represented at a local level and more involved in deciding how best the interests of their community can be met.

Appendix 1



Chelmsford City Council

Community Governance Review 2025

Terms of Reference

1. Introduction

- 1.1. Chelmsford City Council has resolved to undertake a Community Governance Review (CGR) under the provisions of Part 4 of the Local Government and Public Involvement in Health Act 2007 ("the 2007 Act"). A CGR provides the principal authority (Chelmsford City Council) the opportunity to review community governance arrangements in the area included in the review.
- 1.2. Chelmsford currently has 29 parished areas (25 parish councils, one town council, one village council, one community council and one parish meeting). There is also currently an 'unparished' city centre area. The last full review of the arrangements across the whole of the authority area was conducted in 2021/22.
- 1.3. This review primarily seeks to consider whether the currently 'unparished' area would benefit from the introduction of a form of recognised community governance in light of Local Government Reorganisation (LGR) in Essex. However, other matters, such as electoral arrangements, and the boundaries between the unparished area and adjacent civil parishes will also be included in the review.
- 1.4. The review will comply with the legislative and procedural requirements set out in Part 4 of the 2007 Act as well as any statutory guidance (this currently includes Joint Guidance produced in 2010 by the Department for Communities and Local Government and the Local Government

Boundary Commission for England). It will follow the approach set out in the Terms of Reference, including the indicative timetable.

- 1.5. The Connectivity and Local Democracy Working Group will support the review and draft recommendations for consideration by Governance Committee and Full Council for approval.

3. Scope of Community Governance Reviews

- 3.1. A CGR evaluates any existing, as well as the introduction of new community governance arrangements within the area under review. A CGR can take place for the whole of the council area, or specific parishes and areas. It may consider:

- The creation, merging, altering or abolition of a parish tier council.
- The creation of area committees, community forums, neighbourhood associations and other forms of community governance.
- The boundaries of a parish tier council.
- Naming of parish tier councils, and the style of any newly created parish tier council
- The number of Councillors that may represent a parish tier council.
- The warding of a parished area.
- Amending the ordinary year of election.
- Grouping or ungrouping parish tier councils.
- The ordinary year in which elections are held

- 3.2. Section 93 of the 2007 Act requires principal councils to ensure that community governance within the area under review will be:
- a) reflective of the identities and interests of the community in that area; and
 - b) effective and convenient to the community in that area.

In doing so the review is required to take into account:

- a) the impact of community governance arrangements on community cohesion; and
- b) the size, population and boundaries of the local community or parish.

They therefore must consider the geographical and population size of the area, as well as social cohesion.

- 3.3. A CGR cannot consider Local Government or Parliamentary boundaries.

3. Reasons for undertaking a review

- 3.1. A CGR should be completed at least every 10 to 15 years. They can be considered more frequently than this in response to local issues e.g. significant community growth through housing developments, a request from the public and other social changes.

- 3.2. In December 2024, the Government produced a White Paper on devolution on England. This set out plans to devolve greater power and funding to local areas and to deliver LGR in areas currently operating in a two-tier system of local government, including Essex. This means that Chelmsford City Council, Essex County Council and the other thirteen Councils in Essex are to be abolished and will be replaced by between two and five unitary authorities, delivering all services for the residents in their area. This programme is due to be delivered by April 2028.
- 3.3. This is a significant change for residents in Chelmsford and will mean that residents in the city centre may no longer have local community representation as there will be no lower tier of local government, below that of the new unitary authority. With this in mind, Chelmsford City Council want to ensure that residents have the opportunity to consider the options available to them and to have a say in how they are represented.
- 3.4. In order to preserve the historic property, privileges, rights and traditions presently enjoyed by the residents of the area, the new arrangements establish Charter Trustee areas in the unparished parts of the town with effect from 1 April 2027. The trustees have the power to carry out ceremonial functions but they are not intended to act as administrative units and will have no power in respect of general functions or services. Once elections are held to any new Parish-tier Council then the privileges, rights and traditions are transferred to the Parish-tier Council.

4. Areas under consideration

- 4.1. As a full review was conducted in 2021/22, the Council intends to limit this review to the city centre, or the 'unparished' area, and any parish tier council area that currently adjoins this. This includes: Broomfield, Chelmer, Chignal, Galleywood, Great Baddow, Margaretting, Springfield, Stock and Writtle. A map representing this can be found under section six, and a list of the areas included in the review is shown below.
- 4.2. Table one below outlines the electorate in within the area that the review is considering. Any of the other 20 parish areas within Chelmsford that are not listed in this table are not part of the review and will not be considered. The electorate of the area included in this review is 90,692, included in this figure are 51,536 electors in the currently unparished area.

	<i>Parish Area</i>	<i>Households (1 July 2025)</i>	<i>Electorate (1 July 2025)</i>
1	Broomfield	2514	4017
2	Chelmer	3940	6757
3	Chignal	293	515
4	Galleywood	2469	4271
5	Great Baddow	6762	11,032
6	Margaretting	384	660
7	Springfield	3692	6269
8	Stock	1047	1731
9	Writtle	2816	3904
10	Chelmsford City Centre (currently unparished)	32,807	51,536
	TOTAL	56,724	90,692

Table one

The unparished part of Chelmsford city centre currently comprises the following wards of Chelmsford City Council:

	<i>Ward</i>	<i>Households (1 July 2025)</i>	<i>Electorate (1 July 2025)</i>
1	Goat Hall	2590	4580
2	Marconi	4179	5906
3	Moulsham and Central	7745	10,000
4	Moulsham Lodge	2259	4307
5	Patching Hall	3969	6721
6	St. Andrews	3957	6583
7	The Lawns	2592	4174
8	Trinity	2668	4581
9	Waterhouse Farm	2848	4684
	TOTAL	32,807	51,536

Table two

- 4.3. In conducting the review Chelmsford City Council will use the current electoral statistics whilst taking into consideration any likely changes to the electorate in the next five years, through community development and growth.
- 4.4. Whilst the CGR is undertaken primarily to consider options for the unparished part of the Council area, it is emphasised that all of the parishes listed above are included in the CGR, and any of the options listed at 4.2 above are included in the scope of this review.

5. Consultation

- 5.1. Consultation and community engagement is a vital part of this review, the Council hopes to engage local residents and special interest groups to ensure that we effectively capture the priorities of the community. We shall ensure that we comply with the statutory consultative requirements by:
 - Consulting local government electors and other persons or bodies who appear to the Council to have an interest in the review
 - informing the County Council of the review, and sending them a copy of this Terms of Reference document
 - Taking into account any representations received in connection with the review
 - Notifying consultees of the outcome of the review
 - Publishing all decisions taken and the reasons for such decisions.

The Council will also be pleased to receive comments from any other person or body that wishes to make representations

- 5.2. The review will include two stages of formal consultation. The first stage will gather initial views to help the Council formulate their recommendations, which will then be taken to a second round of consultation with the public before being considered for approval. The Council will take such steps as it considers sufficient to ensure that persons who may be interested in the review are informed of the recommendations and the reasons behind them.
- 5.3. The Council will develop a webpage for the review, outlining the purpose of the review and the key milestones. This area will be updated as the review progresses to include maps and statistical information in relation to any recommendations. Documents related to the view can also be viewed in person at: Chelmsford City Council, Civic Centre, Duke Street, Chelmsford, Essex, CM1 1JE during opening hours.
- 5.4. Notice of the review will be sent to all affected existing parish councils as well as any local community groups in the relevant area. Residents will receive notice of the review through the post during the initial consultation and through targeted social media campaigns throughout. The main response mechanism shall be online, with paper versions available on request.

- 5.5. All relevant consultation responses, available evidence and legal considerations (including those referred to above) will be used to help inform the decisions made during this review.

6. Other forms of community governance

- 6.1 The Council is required by law to consider other forms of community governance. There may be other arrangements for community representation or community engagement in an area, including area committees, neighbourhood management programmes, tenant management organisations, area or community forums, residents' and tenants' associations or community associations, which may be more appropriate to some areas than parish-tier councils.
- 6.2 The Council will be mindful of such other forms of community governance in its consideration of whether parish governance is most appropriate. However, the Council also notes that what sets parish-tier councils apart from other kinds of governance is the fact that they are a democratically elected tier of local government with directly elected representatives, independent of other council tiers and budgets, and possessing specific powers for which they are democratically accountable.

7 Legal Framework

- 7.1 In undertaking this review the Council will be guided by:
- Part 4 of the Local Government and Public Involvement in Health Act 2007
 - the relevant parts of the Local Government Act 1972
 - Guidance on Community Governance Reviews issued in accordance with section 100(4) of the Local Government and Public Involvement in Health Act 2007 by the Department of Communities and Local Government and the Local Government Boundary Commission for England in March 2010
 - Local Government (Parishes and Parish Councils) (England) Regulations 2008
 - Local Government Finance (New Parishes) Regulations 2008

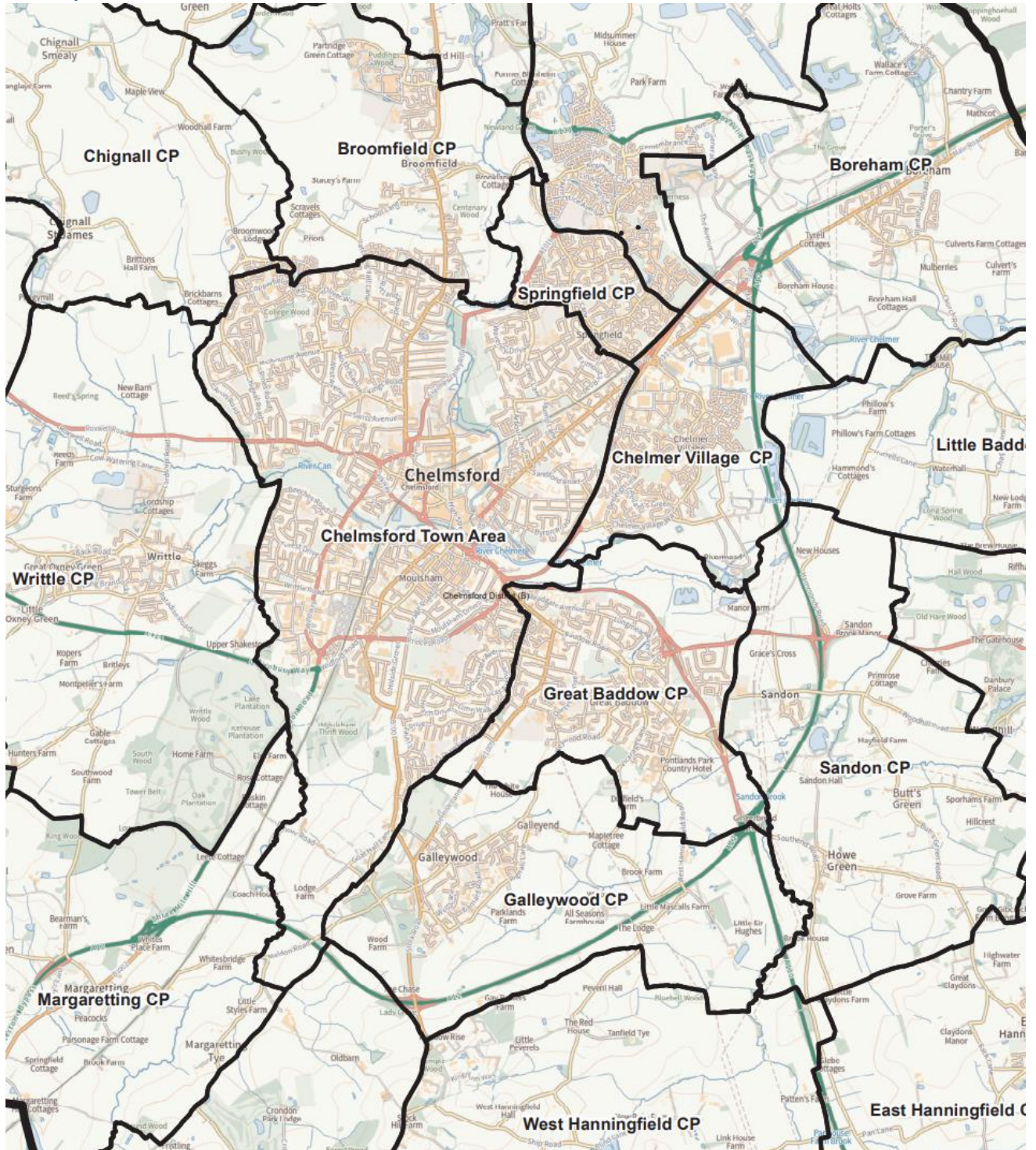
8. Consequential Matters

8.1 The Council notes that a Reorganisation Order may cover any consequential matters that appear to the Council to be necessary or proper to give effect to the Order. These may include:

- The transfer and management or custody of property;
- The setting of precepts for new parishes;
- Provision with respect to the transfer of any functions, property, rights and liabilities;
- Provision for the transfer of staff, compensation for loss of office, pensions and other staffing matters.
- In these matters the Council will be guided by the 2007 Act and the Regulations that have been issued under it, including the Local Government (Parishes and Parish Councils) (England) Regulations 2008 and the Local Government Finance (New Parishes) Regulations 2008

8.2 In particular the Council notes that Regulations regarding the transfer of property, rights and liabilities require that any apportionments shall use the population of the area as estimated by the Proper Officer of the Council as an appropriate proportion. Furthermore, the Council notes that the Regulations regarding the establishment of a precept for a new parish require the Council to calculate the first anticipated precept for a newly constituted parish-tier council and for the amount of that precept to be included in the Reorganisation Order.

9. Map



10. Indicative timetable

Commencement of Community Governance Review and Terms of Reference Agreed	3 rd September 2025
Initial Consultation	13th October 2025 – 4 th January 2026
Consideration of initial consultation and draft recommendations prepared	January 2026 – May 2026
Draft recommendations considered by Governance Committee	Mid June 2026
Draft recommendations considered by Full Council	Mid July 2026
Second consultation (on draft recommendations)	Mid July 2026 – mid October 2026
Consideration of second consultation and drafting of final recommendations	Mid October 2026 – mid November 2026
Final Recommendations considered by Governance Committee	Mid November 2026
Final Recommendations considered by Full Council	Early December 2026
Preparation of Community Governance Order	December – February 2027
Community Governance Order considered by Full Council	Mid February 2027
Community Governance Order takes effect (new councils exist)	April 2027

Publication

This document is being published on our website. A copy of this document will be sent to the Chief Executive of Essex County Council upon publication.

How to contact us

If you would like to say how you view potential future arrangements under these Terms of Reference please respond to the online consultations on the Chelmsford City Council website: www.chelmsford.gov.uk/CGR2025