

CHELMSFORD CITY COUNCIL

MINUTES OF THE FIRST EXTRAORDINARY MEETING OF THE COUNCIL

held on 22 March 2022 at 7pm

PRESENT:

The Deputy Mayor (Councillor L Mascot), who chaired the meeting in the absence of the Mayor

Councillors R H Ambor, L Ashley, H Ayres, K Bentley, M W Bracken, D J R Clark, P H Clark, W A Daden, A E Davidson, C K Davidson, S M Dobson, N A Dudley, J A Frasca, I D Fuller, J Galley, M C Goldman, S M Goldman, I S Grundy, P V Hughes, R J Hyland, G B R Knight, J C S Lager, J S Lardge, R J Lee, M J Mackrory, R Massey, R J Moore, G H J Pooley, S Rajesh, I C Roberts, S J Robinson, T E Roper, E J Sampson, C M Shaw, C R Tron, N M Walsh, T N Willis and S Young

Before the start of the meeting the Deputy Mayor referred with sadness to the recent death of former Councillor David Stevenson, who had represented Old Moulsham ward between 1987 and 1995 and Galleywood ward from 1999 to 2019. Councillor Massey paid tribute to David Stevenson's work as a member of the Council.

The Deputy Mayor also reported with deep regret the death of Jacqueline Whitehead, the wife of Councillor Roy Whitehead. On behalf of the Council, she expressed her sympathies for Councillor Whitehead's loss.

At this point, the Deputy Mayor asked the Council to observe a minute's silence to think about the conflict taking place in Ukraine and the suffering of the people of that country. In doing so, she asked that members also remember David Stevenson and Jacqui Whitehead.

1. Apologies for Absence

Apologies for absence had been received from Councillors N Chambers, J A Deakin (Mayor), N Gulliver, D G Jones, J A Potter, R J Poulter, M Sismey, A B Sosin, J E Sosin, M S Steel, A Thorpe-Apps, R T Whitehead and I Wright.

2. Declarations of Interest

Members were reminded to declare at the appropriate time any relevant interests in the business on the meeting's agenda. In relation to the community governance review item, members were advised that it was not necessary for membership of other tiers of local government which is already in the public domain to be declared.

3. Minutes

The accuracy of the minutes was challenged insofar as one member of the Council did not accept that the paragraph before the resolution in minute number 12 reflected procedurally the voting on the Notice of Motion. However, it was agreed by the other members present that the minutes were accurate and the minutes of the meeting held on 22 February 2022 were confirmed as a correct record.

4. Public Question Time

A representative of Springfield Parish Council and a member of the public asked questions and made statements on the Community Governance Review.

The Parish Council representative said that the Council objected to the proposals for Springfield arising from the Review; had asked for, but not been given, assistance in understanding the implications of the review; questioned the number of responses deemed to be acceptable as a threshold; and asked

- whether the City Council would guarantee that ratepayers would not have to pay additional increases in council tax as a result of the changes
- how the assets of the Parish Council would be divided up
- how its contract and other liabilities would be divided up
- whether the City Council would fund HR/legal support for the possible officer redundancy considerations and cover the costs of the redundancy
- whether the City Council would provide the legal expertise and fund the negotiations with the Charity Commission and lawyers to reshape the trusts that ran the community buildings in Chelmer Village and Beaulieu, and
- how the representatives of each new parish would be selected?

The member of the public also objected to the proposals for the Springfield area, said that she has received no information about them, and asked about the transfer of the Community Centre and the financial effect on residents of the proposed changes.

Responses to the questions and statements were given during the consideration of the report on the Community Governance Review and are recorded under minute number 5 below.

5. Community Governance Review

The Council considered a report from the Governance Committee which set out the final recommendations of the Community Governance Review (CGR) for Chelmsford.

The Chair of the Committee outlined the statutory process for carrying out the review; the criteria that needed to be followed in considering the governance arrangements for an area, i.e., that they should reflect the identities and interests of the community in that area and were effective and convenient; and the government guidance on those matters that should be taken into account in conducting the review. It was emphasised that in reaching a decision it was necessary to balance competing and conflicting information and that more weight would attach to the representations made by people directly affected in an area. Sometimes people outside of that area express a different view (eg a parish council or an individual councillor) but those would carry less weight. The Council was informed that if the final recommendations were accepted, a legal Order implementing the changes to parish and town council governance arrangements would be made with a view to the changes taking effect from the date of the local elections in May 2023. It was hoped that minor boundary changes could be dealt with through a request for a consequential amendment to the LGBCE. However, significant boundary changes arising from the creation of the new parishes would be dealt with at a later stage through an electoral review.

Responding to the statement and questions from the representative of Springfield Parish Council put earlier in the meeting, the Chair of the Governance Committee said that detailed reports about the Community Governance Review including the Terms of Reference, background documents and papers for discussion and decision had been presented to the City Council and shared with all parish councils in advance. All parish councils therefore had access to the same information as City Councillors in terms of what a CGR was and how it worked.

In the first statutory consultation, Springfield Parish Council had made several suggestions in their response. These were considered alongside other submissions by the City Council Working Group, Governance Committee and this Council and largely adopted as the Draft Recommendations that went out to the second round of statutory consultation. As a result, the relevant Draft Recommendations largely came from Springfield Parish Council. The Final Recommendations reflected the submissions made, and evidence presented, during that consultation process.

In their response to the second consultation, Springfield Parish Council did not identify properties within the parish that they wished to remove, and no submissions were made by residents to that effect.

The City Council's independent consultant had considered the submissions made and advised that the number of responses received during the consultations was higher than many CGRs received. Having said that, it was the strength of the evidence submitted that must be considered, as this was not a referendum. The evidence received was clearly in support of the creation of Chelmer Village council and Chelmsford Garden Community council, and against widening Springfield to take in The Lawns and part of Trinity ward.

The specific questions raised by the representative of Springfield Parish Council were important. However, they were outside of the scope of the CGR itself. The CGR may only focus on questions of governance: whether it reflected the interests and identities of communities, and whether it was effective and convenient. The ownership and potential transfer of assets and liabilities must follow the CGR itself, and these would be considered separately.

Decisions about council tax precepts would be made by the parish councils for that area. Representatives for each new parish would be elected at the parish council elections in 2023, with the City Council appointing interim representatives as part of a statutory post-CGR process.

Replying to the other question asked earlier by a member of the public, the Chair had already explained how the CGR was promoted and confirmed that the Council made arrangements for a leaflet to be delivered to all households in the whole of the area for the proposed Chelmsford Garden Community. The Council was not aware of any delivery problems but in any event had taken further reasonable steps to promote the CGR over social media and on the City Council website. There remained a dedicated area on the City Council's website which included full details of all proposals and during the consultation period also enabled any interested party from anywhere in the city to submit online responses to both consultations. The Chair had already explained the position concerning the transfer of assets and the setting of the precept in the response to the representative of Springfield Parish Council but confirmed that these were issues outside of the CGR itself which would be considered separately at a later stage.

During the discussion of the report by the Council a ward councillor for Rettendon and Runwell (who advised that they are the Chair of Runwell Parish Council) also argued that the recommendations of the review relating to that area were either inaccurate or flawed. There were good arguments for making no changes to the current governance arrangements for Rettendon, particularly in relation to the area covered by Hayes Country Park, and the opposition of the Parish Council to any changes appeared to have been considered.

In relation to Runwell, the councillor submitted that residents of East Ward were not consulted on the proposal to reduce the number of parish councillors for that ward and the information about that change was misleading. Only residents of St Luke's Park had been consulted at the second stage of consultation on the proposal to create a new parish ward for that area. Eight residents had commented at that stage: not all were in favour of the proposal and not all the responses were relevant to the issue of creating a new ward. The one response opposing the creation of a new ward was from a parish councillor and the fact that it came from an elected representative of the area should be given more weight. The response of Runwell Parish Council arguing in favour of retaining the existing warding arrangements had been disregarded.

In response to the points made by the ward councillor for Rettendon and Runwell, it was reiterated that the review was not a referendum. All responses received to the consultation were taken into account, but the views of a parish council were not the decisive factor in

deciding whether the governance arrangements for an area should be retained or changed. The views of residents were equally valid, if not more so.

At the close of the debate, the Council was informed that all the issues and questions raised about the next steps in making the proposed changes, especially arising from the creation of new parishes, would be addressed. The City Council would work closely with the affected parishes to ensure that the transition was as smooth as possible.

RESOLVED that

1. The results of the formal consultations on the Community Governance Review for Chelmsford be noted.
2. The following final recommendations of the Community Governance Review be approved and implemented through a legal Order

Area	Draft Recommendations	Final Recommendations
East Hanningfield	No changes	No changes
Good Easter	No changes	No changes
Great Waltham	No changes	No changes
Highwood	No changes	No changes
Pleshey	No changes	No changes
South Hanningfield	No changes	No changes
South Woodham Ferrers	No changes	No changes
Stock	No changes	No changes
Woodham Ferrers and Bicknacre	No changes	No changes
Danbury	Reduce councillors from 15 to 12	Reduce councillors from 15 to 12
Little Baddow	Reduce councillors from 9 to 8	No changes
Great and Little Leighs	Increase councillors from 9 to 10	Increase councillors from 9 to 10
Margaretting	Reduce councillors from 9 to 7	Reduce councillors from 9 to 7
Roxwell	Reduce councillors from 9 to 7	Reduce councillors from 9 to 7
Sandon	Increase councillors from 7 to 8	Increase councillors from 7 to 8
West Hanningfield	Reduce councillors from 9 to 8	Reduce councillors from 9 to 8
Mashbury	No changes (but consult)	No changes
Rettendon	No changes (but consult)	No changes
Runwell	(i) Create new parish ward (ii) Change parish councillor numbers	(i) Create new parish ward (Area A) (ii) Parish councillors to remain at 13 in total across 3 wards
Writtle	(i) Adjust parish ward boundary	(i) Remove parish wards

	(ii) Change parish councillor numbers	(ii) Parish councillors to be 15 in total
Galleywood	(i) Adjust boundary to include southern part of Goat Hall (ii) Remove parish wards (iii) Change number of parish councillors	(i) No change in boundary (ii) Remove parish wards (iii) Change number of parish councillors to be 9 in total
Great Baddow	(i) Adjust boundaries (Petrel Way) (ii) Adjust boundaries (Regal Close) (iii) Adjust boundaries (Waterson Vale etc) (iv) Number of parish councillors	(i) Adjust boundaries (Petrel Way) (Area B) (ii) Adjust boundaries (Regal Close) (Area C) (iii) Adjust boundaries (off Baddow Road) (Area D) (iii) Number of parish councillors to increase to 15 across 3 existing wards
Chignal	(i) Adjust boundary (Hollow Lane)	No changes
Broomfield	(i) Adjust boundary (Hollow Lane) (ii) Adjust boundary (Petty Croft) (iii) Adjust boundary (north of hospital development) (iv) Adjust boundary (new parish) (v) Number of parish councillors	(i) no change (ii) Adjust boundary (Petty Croft) (Area E) (iii) no change (iv) Adjust boundary (new parish) (Area F) (v) Number of parish councillors – no change
Little Waltham	(i) Adjust boundary (Petty Croft) (ii) Adjust boundary (north of hospital development) (iii) Adjust boundary (new parish) (iv) Parish councillors	(i) Adjust boundary (Petty Croft) (Area E) (ii) no change (iii) Adjust boundary (new parish) (Area G) (iv) Parish councillors – reduce from 9 to 7
Boreham	Adjust boundary (new parish)	Adjust boundary, revised (new parish) (Areas H and L)
Springfield	(i) Adjust boundary (new parish) (ii) Adjust boundary (Chelmer Village) (iii) Adjust boundary (Trinity and The Lawns) (iv) Parish councillors	(i) Adjust boundary (new parish) (Areas I and J) (ii) Adjust boundary (Chelmer Village) (Area K) (iii) no change (iv) parish councillors – reduce to 13 (v) Adjust boundary (Area

		L)
Chelmsford Garden Community	Create new parish called <i>Chelmsford Garden Community</i>	Create new parish (Areas F, G, H, I and J) New parish to be named <i>Chelmsford Garden Community</i>
Chelmer	New parish called <i>Chelmer Village</i>	Create new parish of <i>Chelmer Village</i> with 15 councillors (Area K)
Unparished area	No further changes	No further changes (Areas B, C and D)

The meeting closed at 7.42pm

Mayor