

**MINUTES OF  
CHELMSFORD CITY COUNCIL CABINET**

on 12 September 2023 at 7.10pm

Present:

**Cabinet Members**

Councillor S Robinson, Leader of the Council (Chair)  
Councillor N Dudley, Cabinet Member for an Active Chelmsford  
Councillor M Goldman, Deputy Leader and Cabinet Member for a Connected Chelmsford  
Councillor L Foster, Cabinet Member for a Fairer Chelmsford  
Councillor I Fuller, Cabinet Member for a Growing Chelmsford  
Councillor R Moore, Cabinet Member for a Greener and Safer Chelmsford

**Opposition Spokespersons**

Councillors J Jeapes, J Raven, M Steel, S Sullivan, A, Thorpe-Apps, P Wilson and R  
Whitehead

Also present: Councillors H Clark, P Clark, S Dobson, D Eley, S Goldman, J Hawkins, R  
Hyland, B Massey and A Sosin

### 1. Apologies for Absence

No apologies for absence were received.

### 2. Declarations of Interest

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

### 3. Minutes and Decisions Called-in

The minutes of the meeting on 6 July 2023 were confirmed as a correct record. No decisions at that meeting had been called in.

## 4. Public Questions

Three public questions were submitted before the meeting, two of which were asked in person, the responses are detailed below and under the relevant minute.

The first question highlighted the PSPO consultation responses and stated that they detailed an overwhelming rejection of the restrictions with over 60% opposition. It also stated that the 33 cited dog related incidents were across the whole of Chelmsford rather than just Hylands Park, alongside not showing the previous year's figures. The Cabinet were asked to confirm the actual number of dog related crimes committed at Hylands Park that had led to an arrest, caution or conviction and the number for the previous five years. The Cabinet were informed that the justification for the restrictions appeared to be based entirely on hearsay, scaremongering and rumour rather than actual evidence. The Cabinet were also asked to confirm that if passing the motion, the purpose of wasting taxpayer funds on consultations that were ignored, given the previous parking charge consultation at Hylands had shown overwhelming rejection, but was still implemented.

*The Cabinet Member for Greener and Safer Chelmsford addressed the points raised when introducing Item 7.1 and the response is detailed accordingly under that minute.*

The second question was asked in person and related to concerns with the situation with Saltcoats Park and Compass Gardens in South Woodham Ferrers. The Cabinet were reminded of the decommissioned toddler play area in Saltcoats Park after improvements were made at the Compass Gardens play area. It was noted that the area had been designated for an enlargement to the parking capacity at Saltcoats to prevent cars parking on the Ferrers Road verges. The Cabinet heard that residents had expressed concerns at losing the much loved facility and that the extra parking was not in the vicinity of Saltcoats Park. The Cabinet were asked to detail the total area that had been decommissioned in Saltcoats Park and whether extra play area had been provided in the upgraded Compass Gardens facility to compensate the loss of play space. The Cabinet were also asked to explain what the new plans were for the decommissioned area and when it would be usable again as it had been cordoned off for a long period with nothing happening.

In response to the question and points raised, the Cabinet Member for Greener and Safer Chelmsford stated that 660sq Meters of the 952sq Meters Saltcoats Park Infant Play Area was designated play spaces, with the remainder glass margins. They stated that the infant play area had been replaced by a Neighbourhood Play Area providing equipped play for all age ranges including infants. They also stated that the policy to integrate smaller age-restrictive play areas into larger, more inclusive Neighbourhood schemes had been introduced in 2012 as part of the Equipped Play Development Plan, which was still in progress. It was noted that the new area recently installed had always been planned to be followed by the removal of the infant play area, which was done in 2021. It was noted that the boundary fence and hedges had been retained, with the area being topsoiled and overseeded in Spring 2022 and 2023, with plans to return the area to parkland for informal recreational use. It was also noted that additional car parking had been requested by local sports clubs and the refurbishment of the car park in 2022 had provided additional spaces, deemed sufficient for current use. The Cabinet Member also stated it was important to consider the wider plan for the area, including a longer-term vision to relocate the Rugby club, creating a home sports ground for football and

cricket and the aspiration to provide improved club facilities too. The Cabinet Member also stated that an in principle agreement remained with all sports clubs, but more detailed work was required when the timings for the Burnham Road Masterplan and development were confirmed.

The third question was also asked in person and related to a Freedom of Information request that had been submitted to the Council, that had revealed that fly tipping in Chelmsford had reached its highest level for five years, alongside the introduction of the booking system by Essex County Council for household recycling centres. The Cabinet were informed that a report by DEFRA in January had seen other Councils with booking systems, having issues with higher pressure on kerbside collections where residents used this rather than making a booking at their household recycling centre. The Cabinet were asked what the City Council's position on the matter was, did it believe that more pressure was being placed on kerbside collections and was that being measured. The Cabinet were also asked if they felt this change would lead to more fly tipping and would it look to recoup the costs from the County Council.

In response to the question and points raised, the Cabinet Member for Greener and Safer Chelmsford stated that there had been no evidence of increased pressure on kerbside collections in Chelmsford or of increased fly tipping in the area, but that the City Council had opposed the countywide implementation on that basis. The Cabinet Member stated that it had appeared to be a one size fits all approach across the county, with no prior consultation with local authorities. It was noted that there hadn't appeared to be huge problems in Chelmsford with the previous system and it was frustrating that it had been imposed on residents, with very little input from the City Council. It was also noted that the continuance or otherwise of a booking system was a matter for the County Council and that the City Council would respond accordingly to any consultation.

## 5. Members' Questions

A question was asked by Councillor Massey at this point of the meeting, other questions were asked by Councillors under the relevant items. Cllr Massey asked if the City Council were treating issues of littering and fly-tipping as seriously as residents and queried if the City Council were using the powers it had properly. They noted that only 6 fixed penalty notices had been issued for fly tipping and littering in the previous year, compared to considerably higher numbers elsewhere in Essex. They also asked how many enforcement officers the Council employed, did this include a dog warden and given the income being received at other Council's, wouldn't increased staff numbers be in effect self financing?

In response the Cabinet Member for Greener and Safer Chelmsford and officers stated that the Council did employ a dog warden, along with five community protection officers who also assisted with environmental crimes and low level noise investigations. It was noted that the dataset referred to in the question had caused confusion as some local authorities had submitted information on all littering in their district, which is not how the City Council had responded. It was noted that 21 FPN's had been issued for fly tipping and littering, with every single fly tip investigated. It was also noted that 175 of these had left information leading to who may have been responsible and that 22 warning letters had been issued, with four FPN's and one prosecution. It was also clarified that the guidance from Government, was that

enforcement should not be a revenue raising enterprise and enforcement was instead designed to change behaviour. The Leader of the Council also stated that it was disingenuous to suggest that other Council's were taking issues more seriously and that it was not a policy failure.

## 6.1 Proposed Amendment to Housing Allocations Policy (Fairer Chelmsford)

### Declarations of interest:

None.

### Summary:

The Cabinet received a report seeking their approval for an amendment to the Council's policy for the allocation of homes from the Housing Register for those wanting to downsize to a smaller home.

### Options:

- 1) Amend the existing policy to allow applicants in three- and four-bedroom homes to be considered for general needs homes with two as well as one-bedroom homes.
- 2) Amend the existing policy to allow applicants to apply for any home smaller than their existing home.
- 3) Await the decision of the Gateway to Homechoice Board to see if the Council can join this consortium which would then create this change in policy.

### Preferred option and reasons:

Option 1) was the preferred option as it would be the quickest to implement and would retain the largest affordable homes for those families to whom the Council was struggling to meet its legal duties to, those that were homeless and living in temporary accommodation.

### Discussion:

The Cabinet Member stated that the proposed change in policy would assist with persuading individuals to downsize their properties, to assist with freeing up properties needed for larger families. It was noted that little response had been received with the offer of just one bed properties, but the proposed change would allow 2 bedroom homes to be downsized too and it was hoped this would have greater interest.

In response to a question, it was noted that occupiers were charged for the size of the properties they were occupying and not the number of occupants. It was also noted that the City Council did not hold a register of those who could potentially downsize, but Chelmer Housing Partnership had recently found there would be scope to work with and were willing to help incentivise downsizing.

RESOLVED to

1. Amend the existing policy to allow applicants in three and four bedroom homes to be considered for general needs homes with two as well as one-bedroom homes.
2. Monitor the changes and report to Cabinet in 12 months time on the effectiveness and impact on the housing options of others.

3. Change the wording of the policy to, "The applicant is a tenant of a registered provider within Chelmsford and is giving up a two-bedroom general needs property to move to a one bedroom property, or giving up a three or four bedroom general needs property to move to a one or two bedroom property."

(7.24pm to 7.32pm)

## 7.1 Hylands Park – Public Spaces Protection Order (Greener and Safer Chelmsford)

### Declarations of interest:

None.

### Summary:

The Cabinet received a report following a public consultation to consider a Public Spaces Protection Order for Hylands Park. The order would restrict areas of Hylands Park where dogs are allowed, where dogs are allowed off the lead and restricting the numbers of dogs that can be walked by any individual, thereby providing a safe environment for all park users.

### Options

1. To make the Public Spaces Protection Order as presented.
2. To make the Public Spaces Protection Order with amendments.
3. Not to proceed with the making of the Public Spaces Protection Order.

### Preferred option and reasons:

To make the order as presented and provide a safe environment for all park users.

### Discussion:

The Cabinet Member stated that there had been an issue with the map detailed in Appendix 2 and therefore the black hatching section would be amended if agreed, to remove where it had encroached onto the car parks near Hylands House and the Writtle entrance, detailing that dogs would have to be on leads in car parks at all times.

The Cabinet were informed that complaints had been increasing in Chelmsford, with a similar trend nationwide, with national police data showing a 34% rise. The Cabinet also heard that more than 85% of the park would still be available for dogs off lead and it was felt that the proposals were both an important and proportionate measure for higher risk areas in the park. It was noted that the consultation was not a referendum and had been an opportunity to influence proposals with strong feelings indicated on both sides of the argument. The Cabinet heard that the consultation responses had been carefully listened to and considered, leading to the suggestion for off lead restrictions not to apply in certain areas before 9am being added into the proposals. It was also noted that some elements of the PSPO were simply formalising areas where dogs were already banned such as the fort play area. It was also noted that the proposal for dog walkers to not be able to walk more than four dogs, was in line with RSPCA advice. The Cabinet Member thanked all the members of the public and the consultees who had responded. They stated that if agreed, there would be a phased approach to the new arrangements, with signage being installed, 8 weeks of advisory enforcement unless advice was repeatedly ignored and then proactive patrols, mainly intelligence led. The Cabinet

Member stated that the proposals were not about money, but about changing behaviour and helping everyone enjoy a safe space together, including plenty of areas still being available to walk dogs off the lead.

In response to the public question, the Cabinet Member detailed that, complaints to the Council about dog on human and dog on dog attacked had been increasing with 78 made to the Council in the year ending 1 July 2023, up 36%. It was noted that this was a national trend and several of the attacks had occurred in Hylands Park. It was noted that complaints were not just focused on one area, but Hylands had been chosen due to its significant size, meaning restrictions wouldn't disadvantage any particular section of the public and to the risk to young children in the busy green space between the playground and Stables centre visitor car park. It was also noted that the PSPO was designed to ensure the estate was a safe place for all and that a small minority of dog owners could cause concerns for large number of park users, it would be irresponsible to ignore those concerns. It was noted that dog owners who kept their dogs under control would have no issues and 85% of the park remained available for them off lead. It was also noted that comments had been taken into account from the consultation, but that it was to inform decision making and not a referendum on whether the PSPO should go ahead or not. The Cabinet Member highlighted that every single response had been considered and it was almost always the case that people who opposed a proposal were the vast majority of respondents to any consultation.

In response to a point raised, the Cabinet Member stated that Essex Police supported the introduction of the PSPO. The Cabinet Member also agreed with the point made about the PSPO amplifying awareness and that its intention was to achieve public safety and to reassure park visitors it was a safe space.

The spokesperson for the opposition raised concerns with the proposals and the response to the consultation. They stated that the consultation had fairly convincingly indicated a majority against the implementation of the PSPO and that it was disproportionate and unenforceable. They stated that they tended to agree with those views but accepted that it was advisory and not a referendum. They also stated that the vast majority of dog owners knew when to keep dogs on lead and the anti social behavioural element only arose from those not following the law. They did not feel the measures would prevent bad behaviour and those already doing so would just continue. They also queried why Hylands had been selected and held concerns that soon all parks would have similar measures.

In response to the points raised, the Cabinet Member stated that, those in control of their dogs would not be affected, with 85% of the park remaining available off lead. They also stated that the consultation had informed decision making with all responses being considered, demonstrated by the amendments to the proposals for the on lead area in the bowl being enforced only after 9am. They stated that they were surprised members were against creating a safer and more reassuring place for residents and that they felt the measures were proportionate. They also stated that the PSPO could be reviewed at any time and in line with their duty of care they would ensure all city spaces and parks remained safe.

Other members at the meeting raised concerns about whether the consultation had been a tick box exercise for a predetermined policy as the majority of replies were not in support of the proposals. Concerns were also raised about how the matter would be enforced if it was

implemented, especially when PSPO's were in place for matters such as dog fouling, but remained an issue. A question was also asked as to why existing legislation such as the Animal Welfare Act 2006 could not be utilised instead.

In response to the points raised the Cabinet Member and officers stated that the purpose of the PSPO was to protect users of the park and not to criminalise dog walkers. It was stated that it was designed to protect particularly young children but also all park users. It was noted that enforcement officers often heard after issues, that an issue had not been caused by a specific dog, but that even responsible owners could have issues with their own dog being off lead. It was noted that intelligence would be important in assisting with enforcement and that would begin with advice being offered rather than enforcement.

Members of the Cabinet stated that just because an issue had happened in one area, it doesn't mean it would happen in the same place and therefore a serious attack could happen at Hylands Park. It was also noted that some respondents had not understood the proposals, with some stating a massive area would be enforced, whereas the proposals actually left 85% of the park free for dogs off lead. It was highlighted that it was not unreasonable for restricted areas for dogs and that for the fort area as an example this was more than understandable. The recent dog attack elsewhere in the country was also mentioned and it was highlighted that this could happen anywhere and it would not be appropriate to ignore the possibility of similar attacks happening in Hylands Park. They also stated that the consultation had been listened to, with the proposals changing as a result and that it was not accurate to state that other PSPO's in Chelmsford were not working as you could not detail how significant issues would be without them in place.

RESOLVED that the Director of Public Places be authorised to make the Public Spaces Protection Order as presented, with an amendment to the black hatching section of the map detailed in Appendix 2, to remove where it had encroached onto the car parks near Hylands House and the Writtle entrance as dogs had to be on leads in car parks at all times.

(7.33pm to 8.07pm)

## 7.2 Food Plan (Greener and Safer Chelmsford)

### Declarations of interest:

None.

### Summary:

The Cabinet were asked to consider approving a Chelmsford Food Plan. The plan presented a significant step towards establishing a healthier and more sustainable food system in Chelmsford. It was noted that it would serve as a catalyst, uniting various stakeholders to align and amplify efforts aimed at promoting healthy eating and sustainable lifestyles.

### Options:

1. Approve the Food Plan.
2. Approve an amended version of the Food Plan.
3. Not approve the Food Plan.



### Preferred option and reasons:

Option 1 was the preferred option as the Food Plan would contribute to achieving the best possible environment for the health of residents and a thriving, sustainable local economy.

### Discussion:

The Cabinet were informed that the plan was an aspirational one, to encourage sustainable food sources, healthier diets and generally improved health and wellbeing for Chelmsford residents. It was noted that it was accompanied by an action plan and had been put together with an overarching partnership of different people and sectors. The Cabinet Member thanked the officers who had helped to prepare the plan and referred to the three stages of consultation that had been undertaken. It was noted that the plan would empower healthier food choices, tackle the Climate and Ecological emergency, tackle food poverty and create a sustainable food system within the City.

The spokesperson for the opposition welcomed the plan and stated that it represented a major step forward via strong partnership working. They asked however why food producers hadn't been included and queried whether it should include details on the use of sweets etc on till ends by supermarkets. In response the Cabinet Member stated that the education authority had been consulted but government legislation would be needed to improve the availability of healthy choices on the end of tills etc. They also stated that they were identifying farm shops and other local food providers to provide their input and as it was a live document it would be updated with their contributions. In response to another point made by another member it was noted that all the actions had been paid for within existing resources, funded by accessing funding bids from bodies such as the County Council and the NHS Mid Essex Alliance.

RESOLVED that the food plan be approved.

(8.08pm to 8.20pm)

## 7.3 Environmental Crime Fixed Penalty Notice Level of Fine (Greener and Safer Chelmsford)

### Declarations of interest:

None.

### Summary:

The Cabinet were asked to consider the levels of fine for fixed penalty notices issued for littering, graffiti, fly tipping and breach of household waste duty of care.

### Options:

1. Approve the proposed levels of fine.
2. Amend the proposed levels of fine.
3. Retain the current levels of fine.

### Preferred option and reasons:

Option 1 was the preferred option as the increased levels of fine reflected the seriousness and consequences of the offences, whilst taking into account people's ability to pay.



### Discussion:

The Cabinet Member informed the Cabinet that the Government had raised the fines available in July and the report was detailing the proposed levels. It was noted that the possible levels had been increased substantially and local authorities had the discretion to set up to the maximum amounts and any discounts. It was noted that discounts encouraged quick payments therefore reducing the amount of cases in court, the maximum amount would only be charged if matters were not dealt with quickly. The Cabinet heard that offences such as fly tipping were pre meditated and therefore higher fines were proposed, compared to littering which whilst still an offence, was often not as planned or pre meditated. Therefore, the discounted amount for littering was a larger discount.

The spokesperson for the opposition stated that they had no problems with the new levels or discounts, but held concerns about the enforcement of such fines. They felt that with only five officers it would be difficult to enforce such measures. In response it was noted that due to limited funding it would always be difficult to match aspirations in areas such as this.

In response to another point made by a member, it was noted that, all instances of fly tipping were investigated and it was hoped a £1000 fine would be higher enough to change behaviours. In response to a further point on fly tipping instances not leading to prosecutions, it was noted that with sufficient evidence they would always be investigated, but this did not always mean there would be enough evidence to then seek prosecution. It was noted that officers would contact the member about the instances raised outside of the meeting. It was also confirmed that some CCTV cameras were placed covertly at hotspots in the district to pick up incidents.

RESOLVED that the proposed levels of fine be approved.

(8.21pm to 8.33pm)

## 8.1 North Essex Economic Strategy and Delivery Plan (Growing Chelmsford)

### Declarations of interest:

None.

### Summary:

The Cabinet received a report setting out the progress on the collaborative working across the North Essex Economic Board area and to consider adopting the North Essex Economic Board Strategy and Delivery Plan.

### Options:

- a) That Cabinet adopts the North Essex Economic Board Strategy and Delivery Plan, or
- b) That Cabinet does not adopt North Essex Economic Board Strategy and Delivery Plan

### Preferred option and reasons:

The preferred option was Option A. The City Council had been a partner of the North Essex Economic Board since 2020 and the partnership had been successful in delivering a range of economic development initiatives alongside the other partner authorities, sharing resources, expertise and delivering positive outcomes. The adoption of the North Essex Economic Strategy and Delivery Plan would cement this partnership and lay the foundations for

continued joint working across the North Essex Economic Area. The Strategy aligned with the City Council's corporate, economic and spatial planning objectives and would also assist in shaping any economic activity that emerged from the devolution agenda and associated discussions.

#### Discussion:

The Cabinet Member highlighted that the Board had been an excellent example of local authorities working together, in the way that the public expected. It was noted that the Board had worked together to support businesses and during Covid, had realised it could achieve economies of scale when receiving funding and reduce bureaucracy by pulling money together and jointly commissioning work. The Cabinet also heard that jobs had been safeguarded during the pandemic and the work of the Board continued to be a good example of what can be achieved through partnership working.

In response to questions raised, it was noted that the Board did scrutinise their work, by looking at which businesses were benefiting and if they need continued support, alongside key performance indicators being used too. It was also noted that the Tindal Square development was a key example of where having a shovel ready project within a strategic framework enabled the Council to access a funding stream quickly. It was also noted that all board members were cabinet members of each authority, therefore despite board members not being directly elected, they were already elected representatives of each authority. It was confirmed that some further information on the Board would be supplied to a Councillor outside of the meeting.

RESOLVED that the North Essex Economic Strategy and Delivery Plan be adopted and the work of the North Essex Economic Board continue to be supported.

(8.34pm to 8.46pm)

## 9. Urgent Business

There were no items of urgent business.

## 10. Reports to Council

None of the items were subject of recommendations to the Council.

The meeting closed at 8.46pm

Chair