

CHELMSFORD CITY COUNCIL

MINUTES OF THE MEETING OF THE COUNCIL

held on 22 February 2023 at 7pm

PRESENT:

The Mayor (Councillor S Dobson)

The Deputy Mayor (Councillor R Massey)

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

1. Apologies for Absence

Apologies for absence had been received from Councillors Ayres, Bracken, P Clark, Gulliver, Hughes, Knight and Millane.

2. Mayor's Announcements

The Mayor acknowledged the sad passing of Councillor Tom Willis and offered her thoughts and condolences to his family. The Council held a minute's silence in his memory. Members of the Council paid tribute to their colleague and friend. Members reflected on his time as both a Councillor and the Mayor in 2008. It was noted that he had always been a thoughtful colleague as well as being a great family man. The Council heard of his passion for the environment which had culminated in his role as the Council's Climate Ambassador. The Council heard that Cllr Willis had been ahead of his time, on environmental causes, including turning his own home to a carbon neutral one. The Council heard that Cllr Willis would be greatly missed, by all sides of the Chamber and that their thoughts were with his family at this difficult time.

The Mayor also passed on the Council's condolences to Cllrs Hughes and Potter, who had both recently lost their husbands. The Mayor also informed the Council of the passing of ex Councillor Rex Barriball, who had been Deputy Mayor in 2002. The Mayor also reiterated the Council's support to Ukraine and informed the Council that a national minute's silence would be observed on Friday, to mark one year since the Russian invasion.

3. Declarations of Interest

Members were reminded to declare at the appropriate time any personal and prejudicial interests in the business on the meeting's agenda. None were declared.

4. Minutes

The minutes of the meeting held on 7 December 2022 were confirmed as a correct record.

5. Public Questions

Two public questions had been submitted in advance of the meeting, which were asked in person.

The first question referred to the removal of the name "Cramphorn" from the exterior of the Cramphorn Studio Theatre. The member of the public asked why this and the removal of the name from the website had taken place. They also noted that members of the family had expressed concerns about the removal. They informed the Council of the important role that Thomas Cramphorn had held and noted that he had been the Mayor of Chelmsford six times. The Council were asked to reinstate the name and to direct its Cultural Strategy to build on the legacy of past generations.

In response the Cabinet Member for Connected Chelmsford stated that this matter had been responded to already at previous public meetings. The Cabinet Member stated that the Council had been working closely with the Cramphorn family who had understood that the changes, had been made in the best interests of Chelmsford. The Council heard that the changes had been made to give the theatre the best possible chance of success. The Cabinet Member informed the Council, that the family were happy with the external blue plaque and a separate internal one providing further information and that this had been confirmed with them. The Cabinet Member also highlighted that they agreed that the City's cultural history, was of great importance and would form a key part of the Cultural Strategy.

The second question asked for information to be provided as to the levels of affordable housing that were currently being delivered across the various development sites in the City. The Council were asked if stated objectives were being achieved and if not, what was being done to meet them.

In response the Cabinet Member for Fairer Chelmsford informed the Council that this had been a very important issue to which high priority had been given over the last four years. It was noted that the Council had declared a housing crisis in the City and had developed a strategy aimed at addressing the housing needs of all Chelmsford residents, with a focus on increasing the supply of affordable homes. The Council heard that 459 affordable homes had been approved on larger sites in 2021/22 and 2022/23, an average of 29% affordable housing across eight sites. The Council also heard that new planning advice notes had been published alongside a review of the Local Plan and relationships with partners continued to be

developed. The Cabinet Member stated that the Council were ensuring that affordable housing would take up an increasing share of new homes built in Chelmsford.

(7.15pm to 7.26pm)

6. Cabinet Question Time

The following questions from Councillors were put to members of the Cabinet:

1. Question from Councillor R Gisby to the Cabinet Member for Greener and Safer Chelmsford

On Monday 13th February, we woke to the devastating news of an attack which had taken place in Moulsham Lodge, resulting in the tragic loss of a young man's life. We later learnt the victim to be Andy Wood, just 16 years of age and described as a 'kind and Loving young man'. My thoughts and those of so many, remain with his family and friends at such a difficult time. As we seek to understand, many are wondering about the circumstances surrounding the incident. I am sure in time we will learn more, but no matter what the situation, it takes nothing away from the tragic loss of a young life.

In the months prior to this incident, and each day subsequently, I have spoken with residents of my Ward, in Chislett Row, Waterson Vale and Lister Tye. The police are confident that this was 'an isolated incident', but for residents I must share that that the overbearing feeling is that 'something' was inevitable. They shared that repeated requests have been made to this Council to cut back undergrowth and spoken of the challenges of gatherings in the screened areas and play areas in the Chislett Row green space and Burghley Way. Residents have been raising their concerns in this area for many months. There are ongoing issues around antisocial and illicit behaviour in the wider space, including littering and fly-tipping, fire setting, damage to trees and suspected drug use and dealing. All of this taking place on Council land. Local residents' concerns have been repeatedly dismissed by this Council, including in a letter to our Member of Parliament by the Chief Executive last August, which categorically states that "an appropriate plan of action" was in place to manage antisocial behaviour. Clearly this was not the case.

Not only do residents feel that their existing concerns are not being listened to, many have felt that the approach of the playground renewal and relocation project has been doggedly inflexible with respect to the concerns from residents about the possible negative impact on anti-social behaviour. A petition objecting to the location and style of the new play equipment was signed by a significant number of residents.

Residents, myself and indeed representatives of Essex Police have met at the park location on more than one occasion and have discussed practical concerns with Officers and Members. We have been clear that the new location brings challenges for antisocial behaviour, through creating shelter with screen planting, the new position not being visible from the road further removing the deterrent of motorists and patrolling Police cars who cannot see the play area from vehicles.

In light of the tragic events of last week, I would like to ask the Cabinet Member for her commitment on a number of points:

- Will the Cabinet Member commit to take immediate steps to review options for the wooded area adjacent Waterson Vale / Chislett Row and how this can either be sympathetically improved to reduce natural screening or fenced on the remaining part of the perimeter.
- Will the Cabinet Member insist on, and take part in, a multi-agency review of the green space and play area in Chislett Row / Waterson Vale to ensure the right level of CCTV coverage, lighting and other measures are understood and provisioned for including the suggestion to ensure the play area is lockable out of hours.
- Will the Cabinet Member support the use of a Public Spaces Protection Order, should it come to this Council.
- And finally, will the Cabinet Member apologise to the residents of the local area for not taking their very real concerns more seriously and acting sooner.

The Cabinet Member for Greener and Safer Chelmsford, expressed their disappointment in the question, which they viewed as a blatant attempt to make a political point out of a tragic event. They stated that they were unable to comment on any matters relating to the incident, due to an ongoing investigation by Essex Police. They also stated it was entirely inappropriate to comment on speculation that attempted to link occasional low level anti-social behaviour in the location to the tragic event that occurred on 12th February 2023. They informed the Council, that the incident certainly had nothing to do with the play area that was currently being refurbished and that any speculation that the events were linked was unhelpful. The Cabinet Member asked Cllr Gisby, to refer back to previous responses on the subject, from both officers and Councillors and noted that it would not be appropriate to respond to any of the demands set out in the question. The Cabinet Member noted that the Council continued to work closely with partners in the Police and Youth service, with a wide range of ongoing initiatives to strengthen bonds, raise awareness, address local challenges and build trust towards a more connected community. It was noted that the Council continued to do everything they could, within the resources available to address antisocial behaviour.

2. Question from Councillor A Sosin to the Cabinet Member for Connected Chelmsford

The last minute announcement of the requirements of voter id will place extra work on the Democratic Services Department. Will this require extra resources to be transferred to this department to handle the extra requirements including the provision of the " Voter Authority Certificate", the influx of postal vote requests to avoid voter i.d. and extra requirements at polling stations? It is also a concern there is a risk of abuse of pol workers and unrest at poling stations. Will extra security staff or police be necessary?

The Cabinet Member for Connected Chelmsford stated that the Returning Officer and his team had been carefully monitoring updates in relation to this matter. The Council heard that the core team and other customer service facing staff had completed training, in assisting with applications for voter authority certificates and approving applications. It was also noted that there would be a few differences for voters including, private areas for ID checks if required

and no all male polling station staff teams. The Council was informed that the number of staff in polling stations would increase and as in the past they would work closely with local police. The Cabinet Member also stated that poll staff would be completing additional training to administer the changes and support voters with any queries. The Cabinet Member also encouraged everyone to check they have the required ID to vote and if not to apply for a voter authority certificate, before the 25th of April.

3. Question from Councillor W Daden to the Cabinet Member for Fairer Chelmsford

Does this administration share my concern at how much the government has slashed local authority's budgets, this councils from approx. £10 million to under £3.5million in recent years; Mr Reeves has made strong representation to Civil Servants that Chelmsford City Council's long term financial sustainability is under threat, reading this report his concerns appear to be ignored.

Can you confirm if that is correct? or what help is government offering to fill this gap its created?

Chelmsford MPs (Kemi Badenoch and Vicky Ford); have they been supportive of Mr Reeves and this city council receiving funding either in line with inflation, population growth, MPs pay rise, or do they expect residents to sustain this significant funding gap in these depressing times?

Council Tax: section 8

I am sure we all have sympathy for struggling hard working families and the hardship government decision inflict on them; How many wilful nonpayers of council tax are there. Residents the council deems capable of paying but are choosing not to :

- What are the reasons presented to this council?

If this situation exists:

- How are we addressing this situation?
- What is the loss to council tax ?
- What is the cost of retrieving this tax?

In response the Cabinet Member for Fairer Chelmsford shared the concern regarding the reduction in Government support for local authorities since 2010. The Council heard that spending power funded by Government had fell in real terms by more than 50% between 2011 and 2021, according to the National Audit Office. It was noted that for Chelmsford, this had been even steeper. The Cabinet Member stated that the Council had continued to press the Government for improved funding through a range of contacts. It was also noted that the City Council had an excellent record in collecting Council Tax, but if residents expressed issues with paying, officers would discuss their financial situation with them and aim to agree a suitable payment arrangement. It was also noted that in some instances residents did not agree to pay and these cases were generally resolved amicably or via legal processes. The Cabinet Member stated that last year 96.9% of Council Tax had been collected within the year

it was due and the rest to be collected over subsequent years, leading to a 99.5% expected collection rate, and the figure was expected to be similar this year. It was also noted that the cost of collection in 2021-22 had been £568k, of which £401k had been recovered via the court process.

(7.27pm to 7.55pm)

7.1. Local Council Tax Support Scheme 2023/24

The Council was required to approve a Local Council Tax Support Scheme for 2023/24. The Cabinet on 24 January 2023 had recommended that the 2022-23 scheme be retained in its current form.

RESOLVED that the Local Council Tax Support Scheme for 2022-23 be retained and adopted as the Scheme for 2023-24.

(7.56pm to 7.57pm)

7.2 Capital, Treasury and Investment Strategies for 2023/24

The Council received a report setting out a proposed approach to the management of its cash, capital investments (the capital expenditure programme) and other types of investment, including property, which the \cabinet on 24 January 2023 had recommended be adopted.

RESOLVED that the Capital, Treasury and Investment Strategies 2023/24 as submitted to the meeting be approved.

(7.58pm to 7.59pm)

7.3 & 8.1 Budget for 2023/24 & Budget Update and Amendment

The Council had before it a report and recommendations from the Cabinet on the revenue budget for 2023/24 and its capital investments for that year. The proposed Council Tax resolution for the 2023/24 budget was included as part of the report. It was noted that item 8.1 on the agenda which provided additional information and an amendment was being considered as part of this item.

In introducing the report, the Cabinet Member for Fairer Chelmsford said that this was not a good year for any Council to be presenting a budget, due to the impact of inflation which had reached just over 10% rather than the expected 5%. It was noted that inflation was brutal for every local authority as 10% of a £60m budget, was an extra £6m in costs. The Council heard of one significant piece of good news, highlighted in Item 8.1, which detailed that the Council were expecting to win a dispute with HMRC over the VAT treatment of leisure income. It was noted that this would save £0.75m per year, as assumed in the budget report but was also

hoped to generate a refund of up to £4m in past payments. The Council heard that the budget gap was not as significant as feared, despite still being £6.9m. It was noted that some rainy day reserves were being used to balance the budget but the damage of inflation had led to no opportunities to introduce improvements to services. The Cabinet Member stated that the Council remained ambitious however, with investments in the theatre, plans to decarbonise the Council and investments in other areas such as the retail market and leisure centres. The Council also heard that key services would continue to be delivered, such as bin collection and the maintenance of parks. It was noted that the proposals for the City Council's share of Council Tax was an increase for a Band D property of an extra £6.22 per year, with the overall increase being £79 per year on average due to the County Council, Police, Fire and parish/town council shares.

It was moved as an amendment by Councillor K Bentley and seconded by Councillor I Roberts, that the proposed budget be amended as follows:

- In Appendix 1 to the report, Revenue Funded New Service Investment, add "Ongoing addition Street Cleansing Provision in the City Council area £38,000 per year" and officers are asked to review at the end of the current contract the pre-existing arrangements for providing SWF Town Centre street cleaning. The objective would be to improve the quality of delivery and efficiency of the service, most likely by bringing the service in house.
- In Appendix 1 to the report, Balanced Revenue Budget, amend "Increase the Use of Unearmarked Reserves by £38,000", Officers are asked during 2023/24 to identify savings to fund the additional ongoing spend of £38,000
- In Appendix 1 to the report, Capital Asset Rolling/Replacement Programme, add "An additional Electric Van for the Street Care Team funded by leasing £35k.

Those who spoke in favour of the amendment emphasised the benefit of additional street cleansing, especially in areas outside of the City Centre, with the use of the additional electric van. The Council heard that the £38k could be funded from unearmarked reserves and that the quality of street cleansing in the South Woodham Ferrers Town Centre had not been sufficient. The Council also heard that despite more properties, the amount of Council Tax for matters such as this, did not necessarily increase. It was noted that smaller areas outside of the City Centre needed greater support. The Cabinet Member for Fairer Chelmsford highlighted that 60% of what was being asked for regarding street cleansing, was already in the budget and they would look at the situation when preparing the Medium Term Financial Statement later in the year. It was also noted that it was irresponsible to ask officers to find the money elsewhere and that officers had worked hard to find the savings that had been found. It was also noted that there were a wide range of priorities the Council wanted to focus on.

On being put to the vote, the amendment was lost, with the voting being as follows:

For the motion: Councillors Ambor, Bentley, Daden, Gisby, Grundy, Hyland, John, Poulter, Raven, Roberts, Roper, Scott, Sismey, Thorpe Apps, Steel, Whitehead and Wright

Against the motion: Councillors Ashley, Chambers, D Clark, A Davidson, C Davidson, Deakin, Dudley, Frasca, Fuller, M Goldman, S Goldman, Jones, Lager, Lardge, Lee, Mackrory,

Mascot, Moore, Pooley, Rajesh, Robinson, Sampson, Shaw, A Sosin, J Sosin, Tron, Walsh and Young

Abstained: Councillors Dobson and Massey

It was moved as an amendment by Councillor R Whitehead and seconded by Councillor M Sismey, that the proposed budget be amended as follows:

- In Appendix 1 to the report, Service Investment, add “£90,000 to reinstate the Highway Rangers”
- In Appendix 1 to the report, Balanced Revenue Budget, Section 9 Service Budgets, amend, “Not to increase Members Allowances in 2023/24 saving £26,500 and increase Theatre Income by £63,500

Those who spoke in favour of the amendment, stated that the highway rangers were an important service that should continue to be funded. It was noted that this could be funded by not increasing members allowances and by increasing the expected income from the new theatre. It was noted that the Council should fund the highway rangers as the jobs they conducted could not be taken on by Parish Councils and it had originally been a service performed by the City Council. Those speaking in support also highlighted the wide variety of jobs conducted by the Highways Rangers and stated that it was areas outside of the City Centre that would suffer as a result of not providing the funding. The Council also heard that by not increasing members allowances, Councillors would be putting residents first and sharing the burden of the cost of living crisis and that no justification could be seen for an increase. It was noted that highways maintenance was generally a County Council function, but the rangers were a supplement often funded by district level Councils. It was also noted that despite a recommendation that Councillors allowances be increased, it was up to the Council to accept this.

Those who spoke against the amendment, highlighted that the withdrawal of funding for the Highways Rangers had been an Essex County Council decision and it was ignoring its statutory responsibilities as the highways authority. It was noted that if the City Council decided to fund it, then it would be opening up the opportunity of similar issues in the future. The Council also heard that there was great confidence being shown in the theatre by the proposal to increase its revenue, but that any potential increase, may be required in other areas and should not be used to fund the County Council’s statutory responsibilities. The Council also heard that it was open to any individual Councillor to not accept their allowances, but it was important that allowances kept pace with other earnings to enable a wider pool of residents to stand as Councillors. It was also noted that the Independent Remuneration Panel which recommended allowances, was due to meet after the elections as it did every four years.

On being put to the vote, the amendment was lost, with the voting being as follows:

For the motion: Councillors Ambor, Bentley, Chambers, Gisby, Grundy, John, Poulter, Raven, Roberts, Roper, Scott, Sismey, Steel, Thorpe-Apps, Whitehead and Wright

Against the motion: Councillors Ashley, D Clark A Davidson, C Davidson, Deakin, Dudley, Frascona, Fuller, M Goldman, S Goldman, Jones, Lager, Lardge, Lee, Mackrory, Mascot, Moore, Pooley, Rajesh, Robinson, Sampson, Shaw, A Sosin, J Sosin, Tron, Walsh and Young.

Abstained: Councillors Daden, Dobson, Hyland and Massey

At this point Councillors debated the original proposed budget, as both amendments had been lost. Concerns were raised against the budget which included high staffing costs, high funding for tree planting, falling reserves and empty sites such as the old swimming pool site. In response the Council heard that the budget had focused on spending in areas to benefit residents, such as housing and tackling the Climate and Ecological emergency. It was also noted that funding for staff would continue to be one of the main priorities as they delivered the services that residents needed. The Council also heard that the quality of services being provided, depended on the high quality of work from the Council's staff. The Council was informed that money had been spent in areas such as the theatre, to provide an enhanced cultural offer to residents and that the theatre was now of the required high standard. The Council also heard of the importance of delivering a balanced budget, which had been proposed and it was highlighted that there had been significant discussions about where funds should be spent but that sadly, the damage of inflation had limited ambitions.

On being put to the vote, the budget proposed in the two reports to the meeting was approved, with the voting being as follows:

For the motion: Councillors Ashley, Bentley, D Clark, A Davidson, C Davidson, Deakin, Dudley, Frasca, Fuller, M Goldman, S Goldman, Hyland, Jones, Lager, Lardge, Lee, Mackrory, Mascot, Moore, Pooley, Rajesh, Roberts, Robinson, Sampson, Shaw, A Sosin, J Sosin, Tron, Walsh and Young

Against the motion: Councillors Ambor, Chambers, Gisby, Grundy, John, Poulter, Raven, Roper, Scott, Sismey, Steel, Thorpe-Apps and Whitehead

Abstained: Councillors Daden, Dobson, Massey and Wright

RESOLVED that

1. the report of the Section 151 Officer on the risks and robustness of the budget in **Section 7 (Appendix 1)** be noted.
2. the following be approved
 - A. The budget report in **Appendix 1**, including:
 - i. The new Capital investments in Council Services and the delegations to undertake them in **Section 4** Table 8 and 8a
 - ii. The Revenue Budgets in **Section 9** and Capital Budgets in **Section 10**
 - iii. An increase to the average level of Council Tax for the City Council increasing the average annual Band D Council Tax to £215.08 in **Section 8**
 - iv. The movement in reserves and budget forecast shown in **Section 6 (please note a further amendment is recommended in item 8 on the agenda)**
 - v. Special expenses, Parish tier Councils precepts as identified in **Section 8, Table 17.**

vi. Delegation to the Chief Executive to agree after consultation with the Leader of the Council the pay award for 2023/24 within the normal financial delegations.

B. The Council Tax Resolution in **the Budget Update and Amendment Report at**

Item 8 which fulfils the legal requirements to set a Council Tax for 2023/24.

(8.pm to 9.30pm)

9. Pay Policy Statement for 2023/24

The Council was requested formally to approve the annual Pay Policy Statement in accordance with Section 38 of the Localism Act 2011.

RESOLVED that the Pay Policy Statement for 2023-24 be approved.

(9.31pm to 9.32pm)

10. Report from the Outside Bodies Task and Finish Group

The Council was asked to consider the recommendations from the Overview and Scrutiny Committee's Task and Finish Group on Outside Bodies. During discussion of the report, it was noted that some representatives had not been able to be contacted but that efforts had been made by officers. It was also noted that annual reports would now be provided by all representatives to Overview and Scrutiny Committee.

RESOLVED that

1. Appointments no longer be made to the Fields in Trust, South Woodham Ferrers Swimming Pool Steering Group and William De Ferrers Centre users Committee, outside bodies.
2. The Chelmer and Blackwater Navigation Advisory Committee be added to the list of outside bodies.

(9.33pm to 9.37pm)

The meeting closed at 9.37pm

Mayor