

MINUTES OF CHELMSFORD CITY COUNCIL CABINET

on 6 July 2023 at 7pm

Present:

Cabinet Members

Councillor S Robinson, Leader of the Council (Chair)
Councillor N Dudley, Cabinet Member for Active Chelmsford
Councillor M Goldman, Deputy Leader and Cabinet Member for Connected Chelmsford
Councillor L Foster, Cabinet Member for Fairer Chelmsford
Councillor I Fuller, Cabinet Member for Growing Chelmsford
Councillor R Moore, Cabinet Member for 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, C Davidson, J Hawkins, R Hyland, B Massey, V Pappa and A Sosin

1. Apologies for Absence

Apologies for absence were received from Councillors Eley and S Goldman.

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 14 March 2023 were confirmed as a correct record. No decisions at that meeting had been called in.

4. Public Questions

No public questions were asked at the meeting.

5. Members' Questions

One question was asked by Councillor Steel at this point of the meeting, other questions were asked by Councillors under the relevant items. Councillor Steel asked about the second consultation from National Grid about the Norwich to Tilbury Powerline. Councillor Steel stated that on the last round, the Council missed the response deadline, despite other Council's managing to meet it and asked if the latest deadline could be met. In response to the question, the Leader of the Council stated that previously, they had wanted to ensure that all members could express their view and therefore the matter had gone to the Policy Board. The Cabinet heard that the Council opposed the plans along with many others and that the latest proposals had not really changed. It was noted that the Council would aim to respond during the consultation period.

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

Declarations of interest:

None.

Summary:

The Cabinet considered a report asking them whether to commence consultation on a Public Places Protection Order for Hylands Park. It was noted that this would restrict areas where dogs were allowed, where dogs are allowed off the lead and restrict the number of dogs that could be walked by an individual. It was noted that this is intended to help provide a safe environment for all park users. The Cabinet heard that there had sadly been a local and national increase in the number of dog attacks, with 33 reported in Chelmsford last year. It was noted that this was just the first part of the process and comments would be welcomed during the consultation period if agreed by the Cabinet. If any objections were received then they would be considered at the September Cabinet meeting, before a final decision.

Options:

1. To consult on the making of the Public Spaces Protection Order
2. To consult on the making of 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 consult on the making of the Public Spaces Protection Order and to hear any objections to it at a future Cabinet meeting. This would allow the public their opportunity to comment on the proposals.

Discussion:

In response to points raised, the Cabinet Member for Greener and Safer Chelmsford stated that the number of four as a maximum for professional dog walkers was a recommendation from the RSPCA. It was also noted that if approved, enforcement would be key and to begin

this would take the form of advice, with literature being circulated and available in the park, alongside a communications plan. The Cabinet also heard that one dog attack was too many and that data may indicate the requirement for similar proposals in other areas.

RESOLVED that;

1. the Director of Public Places be authorised to consult on the proposed Public Spaces Protection Order.
2. If following the consultation, no objections are received the Director of Public Places be authorised, in consultation with the Cabinet member for Greener and Safer Chelmsford, to make the Public Spaces Protection Order.

(7.04pm to 7.15pm)

7.1 Treasury Outturn Paper (Leader)

Declarations of interest:

None.

Summary:

The report to the meeting detailed the findings of the annual review of the Council's Treasury Management function and the rates of return on investments in 2022/23. It was noted that the report had come from the Treasury Management and Investment Sub Committee and would then go on to Full Council.

Options:

The report was factual and no options were presented.

RESOLVED that the Treasury Management Outturn report for 2022/23 be noted and that the Council be recommended to endorse it.

(7.16pm to 7.18pm)

7.2 Capital Programme Update and Provisions Outturn 2022/23 (Leader)

Declarations of interest:

None.

Summary:

The report to the meeting detailed capital expenditure incurred in 2022/23 and the resources used to finance it; set out variations to approved capital schemes and the Asset Replacement Programme; and presented a budget for asset replacements in 2023/24.

Options:

Approve or revise the proposals for the replacement of assets in 2023/24.

Preferred option and reasons:

The capital programme and the amendments to it ensured that services would be able to proceed with the capital schemes and replacements required to continue to deliver services.

Discussion:

The Leader of the Council stated that the Capital Programme highlighted how the Council could continue making a difference to the City, in areas such as supporting businesses, the High Street, Theatre along with investments to prevent homelessness.

In response to a question on the £13m of grant money, officers confirmed that this had been spent and a report on the bridge element of the Waterside scheme would be provided at the July Full Council meeting. A further question queried whether the Beaulieu Railway Station and North East bypass projects remained on schedule and budget. The Leader of the Council stated that both projects were Essex County Council led and their negotiations continued with Homes England. In response to another question, it was noted that some tree planting costs came under capital and some under revenue and at the end of the year costs were moved between the two if required.

RESOLVED that the following be approved;

1. the latest proposed budgets for the Capital Schemes a net increase of **£183k** from £123.876 to £124.059m shown in **Appendix 1** and detailed in **paragraph 3.1** which includes;
 - a. the cost of the increased schemes £495k
 - b. the net reduction in the outturn of the completed schemes, -£257k
 - c. the budget removed as the spend was transferred to revenue, -£55k

2. Approve the proposed Asset Replacement Programme for 2023/24 a net increase of £222k from £5.013m to £5.235m shown in **Appendix 4** and detailed in **paragraph 4.2** which includes;
 - a. the rephasing of spend from 2022/23 £176k and
 - b. increases in budgets £46k.

RECOMMENDED to the Council that it:

1. approves the method of funding the capital expenditure incurred in 2022/23, as set out in the table in **paragraph 5** and as recommended by the S151 Officer to be the most cost effective;
2. note that changes to the budgets for the Chelmer Waterside Infrastructure project are not contained in this capital update report but dealt with in a separate report to be taken to July Council;
3. notes the proposed budget for the Capital Schemes, £124.059m and the risks associated with those budgets;
4. note the Asset Replacement Programme for 2023/24, £5.235m

(7.19pm to 7.26pm)

7.3 Budget Framework – Medium-Term Financial Strategy 2024/45 (Leader)

Declarations of interest:

None.

Summary:

The Cabinet received a report providing them with a framework to manage the Council's 2024/25 budget and to update the financial strategy.

Options:

1. Agree to the Budget Framework Medium-Term Financial Strategy, or
2. Propose other amendments to the Framework

Preferred option and reasons:

Approve the framework as it enables a flexible response to the risks the Council faces.

Discussion:

The Leader of the Council highlighted the continued inflationary pressures facing everyone and stated that normally at this point the full Medium Term Financial Strategy would be presented. The Cabinet heard that due to the amount of uncertainty, it had been decided to split it into two documents. Therefore the Cabinet had before it a short broad framework, to detail how the process to set a balance budget in February 2024 would start alongside a more detailed report to the Autumn Cabinet meeting. The Cabinet heard that there was a shortfall for all Council's, despite some good news recently regarding lower energy costs.

RESOLVED that the following be approved;

- 1) The carry forward of budgets of £146k from 2022/23 for audit costs and initiatives which were delayed, as detailed in Appendix 4.
- 2) That a financial forecast of both revenue and capital is to be reported to Cabinet in the Autumn as part of the process to produce a balanced 2024/25 budget.

RECOMMENDED to the Council that it:

- 1) approve the Actions in Appendix 3 as the basis of financial management
- 2) Council notes Financial Risks and Potential Upsides (Appendix 1)
- 3) approve the approach to reserves in Appendix 2 of the report
- 4) approve the budget guidelines in Appendix 4

(7.27pm to 7.29pm)

7.4 Proposed Amendments to the Constitution (Leader)

Declarations of interest:

None.

Summary:

The Cabinet considered the recommendations of the Constitutional Working Group arising from its reviews of the City Council's Constitution.

Options:

To either accept or reject the recommendations being made by the Constitutional Working Group and the Governance Committee to the Council.

Preferred option and reasons:

To recommend the proposed changes to the constitution for the reasons set out in the report and appendices.

RECOMMENDED to Council that it approve the amendments to the Constitution detailed in Appendices 1 and 2 to the report.

(7.30pm to 7.31pm)

8. Urgent Business

There were no items of urgent business.

9. Reports to Council

RESOLVED that Items 7.1,7.2,7.3 & 7.4 be the subject of reports to the Council.

Exclusion of the Public

RESOLVED that under Section 100A(4) of the Local Government Act 1972 the public be excluded from the meeting for item 10 on the grounds that it involves the likely disclosure of exempt information falling within paragraph 3 of Part 1 of the Schedule 12A to the Act (information relating to the financial or business affairs of any particular person including the authority holding that information).

10. Proposed Land Purchase (Fairer Chelmsford)

Public interest statement: It is not in the public interest to release details of this report at present, on the grounds that the report contains information that is commercially sensitive and to place the information in the public realm will be detrimental to the negotiations to be.

Declarations of Interest:

None

Summary:

The Cabinet was requested to approve the purchase of a property on the terms outlined in the report. The report set out the proposed purchase and detailed the opportunity it provided the City Council to secure the property as a community asset in perpetuity.

Options:

Proceed or not proceed with the purchase

Preferred option and reasons

To proceed with the purchase which would secure the property as a community asset in perpetuity.

RESOLVED that approval be delegated to the Director of Public Places to conclude negotiations and acquire the property.

(7.31pm to 7.44pm)

The meeting closed at 7.44pm

Chair