

MINUTES
of the
OVERVIEW AND SCRUTINY COMMITTEE

held on 16 February 2026 at 7pm

Present:

Councillor J. Jeapes (Chair)
Councillor A. Thompson (Vice-Chair)

Councillors, C. Adutwim, D. Clark, H. Clark, P. Davey, S. Dobson, K. Franks, L. Mascot, M. Steel, S. Sullivan and A. Thorpe-Apps.

Also in attendance –

Councillor N. Dudley, R. Hyland, R. Moore and S. Robinson

1. Apologies for Absence and Substitutions

Apologies were received from Councillors N. Bugbee, S. Davis and P. Wilson.

Councillor K. Franks and A. Thorpe-Apps substituted for Cllrs Bugbee and Wilson respectively.

2. Chairs Announcements

No announcements were made for this meeting.

3. Declaration of Interests

All Members were reminded to declare any Disclosable Pecuniary interests or other registerable interests where appropriate in any items of business on the meeting's agenda. None were made.

4. Public Question Time

No public questions had been submitted for the meeting.

5. Decisions Called-In

The Committee noted that Cabinet decision relating to Community Infrastructure Levy – Governance Update had been called in and would be considered at this meeting.

6. Community Infrastructure Levy – Governance Update – Call-in

The Committee considered the called-in decision regarding amendments to the governance arrangements for the Community Infrastructure Levy (CIL). The Chair began by outlining the reasons for the call-in. It was explained that concern had been raised that no evidence had been presented showing whether the adjacent parishes of Great Waltham, Broomfield and Writtle had been considered as potential recipients of Neighbourhood CIL related to the Hollow Lane development. It was noted that a view had been expressed at Cabinet that the policy did not allow for such areas to be included, and Members sought further clarification on whether that interpretation was correct.

The Chair referred to additional information that had been requested ahead of the meeting, including details of eligibility criteria for CIL grants, information on applications previously considered, and clarity regarding questions asked at Cabinet. It was explained that minutes of the Community Funding Panel were not available because the Panel was not a decision-making body under the Constitution

The Cabinet Member for a Greener Chelmsford, explained that the call-in related specifically to Neighbourhood CIL generated in Chignal Parish. It was clarified that national regulations required such funding to be spent on infrastructure or measures addressing the demands arising from the development area, using this criteria, areas such as Great Waltham, Broomfield and Writtle were not considered to fall within the area most directly impacted by the Hollow Lane development.

The Council's Economic Development and Implementation Services Manager, provided procedural clarification. It was explained that the revised policy brought to Cabinet was designed to address all potential future scenarios involving CIL Cap balances. It was confirmed that the change sought to allow the Council to spend retained CIL Cap funds on its own capital projects, where these met the definition of infrastructure and were in the vicinity of the development, as permitted by national regulations. It was reiterated that the national test, that addressing the demands a development places on an area, must always be applied.

It was further explained that earlier approaches relying on expressions of interest from parishes or neighbourhood groups had not generated sufficient viable projects, leaving an unallocated balance. This, combined with the Council's financial context, prompted the move toward aligning CIL Cap spending with the Council's capital programme.

Members explained that the interpretation of policy wording, particularly terms such as "adjacent," "adjoining," and "impacted" should be amended as they were ambiguous and open to wider interpretation than intended. It was highlighted that national policy referred to "addressing the demands development places on an area," and some Members considered that the local policy should more clearly reflect this.

It was questioned whether the wording in the amended policy ("immediately adjoin" and "impacted") accurately reflected the national requirement relating to the "vicinity" of the development. Councillors queried whether adjacent parishes had ever been invited to submit projects under earlier policies and what consideration had been given to potential facilities used by residents of the new development. Officers provided clarification on these points and reiterated that in the specific case of Hollow Lane, the primary impact was assessed as falling within the adjoining urban area rather than in neighbouring parishes.

Clarification was sought in relation to the transparency of the Community Funding Panel's processes. It was explained that while the Panel did not produce minutes due to its

advisory status and that details of applications and recommendations were included in Cabinet reports. Officers supported the Panel through structured criteria and assessment processes. The constitutional basis for the Panel's operation was outlined.

It was suggested that clearer policy wording would help to minimise ambiguity in future. It was formally proposed that the decision be referred back to Cabinet for reconsideration, specifically for the purpose of refining the policy wording so that it aligned clearly with national regulations and set out the process for considering adjoining parishes in future scenarios. When put to a vote, the majority ruled against this recommendation.

Therefore, it was **RESOLVED** that Cabinet decision be implemented, unamended, as agreed at Cabinet.

(7.02pm to 8.20pm)

7. Urgent Business

There were no matters of urgent business.

The meeting closed at pm

Chair