

CHELMSFORD CITY COUNCIL
MINUTES OF THE MEETING OF THE COUNCIL
held on 18 December 2024 at 7pm

PRESENT:

The Mayor, J Potter
The Deputy Mayor, S Sullivan

Councillors C Adutwim, J Armstrong, G Bonnett, N Chambers, H Clark, P Clark, P Davey, S Davis, A E Davidson, C K Davidson, J Deakin, S Dobson, N Dudley, D Eley, L Foster, K Franks, J Frasca, I D Fuller, M C Goldman, S M Goldman, S Hall, R J Hyland, A John, J Jeapes, B Knight, J Lardge, R J Lee, L Mascot, B. Massey, R J Moore, V Pappa, G H J Pooley, S Rajesh, S Robinson, E Sampson, S Scott, T Sherlock, M Sismey, A B Sosin, J E Sosin, M S Steel, M Taylor, A Thompson, A G Thorpe-Apps, N M Walsh, R T Whitehead, P Wilson, and S Young.

1. Apologies for Absence

Apologies for absence had been received from Councillors Bugbee, D Clark, Hawkins, O'Brien, Raven and Tron.

2. Mayor's Announcements

The Mayor reflected on the sad passing of former Councillor Ian Wright and serving Councillor Ian Grundy, since the last meeting of the Council. The Mayor referred to Ian Wright's long service between 1999 and 2023 as a Councillor for the Little Baddow, Danbury and Sandon ward and their time as Planning Committee Chair and Vice Chair. The Mayor also reflected on Ian Grundy's long service between 2003 and 2024 as a Councillor for the South Hanningfield, Stock and Margaretting ward and the Cabinet roles that they had held. The Mayor stated that they would both be missed by everyone and their thoughts continued to be with their families. A minute's silence was then held in their memory, before Cllr Whitehead was invited to speak.

Cllr Whitehead informed the Council, that both Ian Wright and Ian Grundy had been long serving stalwarts of the Council who had served their residents well. Cllr Whitehead referred to Ian Wright's time on the Planning Committee, where he had been asked by the opposition to serve as Vice Chair, which showed credit for their valued impartiality on the Committee. Cllr Whitehead reflected on their time working with Ian Grundy as ward members for the last 20 years and that they had become great friends during that time. They also informed the Council about the youthful effect that Ian Grundy had on those they met. Cllr Whitehead thanked Council members for remembering both Ian Wright and Ian Grundy.

The Mayor welcomed Cllr Gillian Bonnett, who had recently been elected as a Councillor for the South Hanningfield, Stock and Margaretting ward. The Council also heard of the extremely busy December that the Mayoralty were having and that by 21st December, they would have attended a total of 257 engagements and meetings.

The Mayor also welcomed Cadet Staff Sargeant Ben Mahoney who had been appointed as the Mayor's Cadet. The Mayor presented them with a badge to be worn on their uniform.

3. Declarations of Interest

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

4. Minutes

The minutes of the meeting held on 17 July were confirmed as a correct record.

5. Public Questions

No public questions had been submitted for the meeting.

6. Cabinet Question Time

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

Question from Councillor J Jeapes to the Deputy Leader of the Council

This Liberal led Council has declared an 'Environmental Emergency' and a 'Housing Crisis'. In 2019 It inherited extremely healthy financial reserves from the Conservatives and building sites to enable home building.

Whilst the Liberals have vigorously pursued not cutting grass or maintaining designated open space, it does not seem to have applied the same focus in prioritising activity to address the 'Housing Crisis'.

This council has several, I believe 200 brown field sites that have the potential to provide affordable housing. Very specifically, since 2019, it has owned, a brownfield site worth 5million (at the time) adjacent to Riverside.

Given the housing crisis why are we still waiting, nearly 6years later, for this development to take place? Why has all the potential for housing, not been maximised?

Land Values have now fallen and building costs have soared. All this has contributed to the dire financial position the council now faces.

In addition, we now see reserves, 1.3 million spent on a new green field site without planning permission, while the Riverside site remains undeveloped.

Our residents are now footing the bill for this tardy approach with increased costs and the very real prospect of high council tax increases.

In the nearly six years that has passed what has been done to develop the Riverside site?

When will much needed homes be built?

In response the Deputy Leader referred to the answer they had given to a similar question at a recent Cabinet meeting. They stated that there had been various issues after the site had been cleared, including the pandemic, and inflation. They also stated that the economic position had changed dramatically, with stagnating land values and rocketing building costs, which had led to the Council's Property services looking at how to enhance the potential value of the site. They also informed Council that the criticism of not developing the site was at odds with previous criticisms about building on car parks but that it was important to note that the Waterloo Road car park was well used and provided important revenue for the Council. The Council also heard that the modelling carried out by Property Services had revealed that it would not be possible to provide any affordable housing on the site. The Council were also informed that the other brownfield sites referred to were not all owned by the Council and many already did have planning permission, but development could not be forced by the Council. The Council also heard that there were a significant number of planning permissions granted for homes, but that delays could always be an issue.

In response to a follow up question regarding the value of the site not being maximised and when progress would be seen, the Deputy Leader stated that they would not commit to building on the site and previous ideas had been reconsidered in light of financial issues and the important revenue from the car park on the site.

Question from Councillor R Whitehead to the Leader of the Council

The new Labour Government has announced plans to force District Councils to merge and form new Unitary Authorities.

Will the Leader of the City Council give us his view of these proposals and whether he is in favour of these plans to reduce local control, particularly of planning matters, and whether Essex Local Authority Leaders will be meeting to consider a joint approach to opposing four Unitary Councils in Essex?

In response the Leader of the Council stated that Governments had repeatedly reduced the power and resources of local Councils and that the idea of more locally devolved powers were welcomed. They stated the importance of Central Government listening to the needs of Local Government before making any drastic changes and that if the plans were not thought through properly, power could instead be taken away from local Councils. The Council heard that it was vital for Local Government to stay local with Council's embedded in their communities and they reflected on the recent great feedback on how the Council was run from a peer review. The Council also heard that that they would do all they could to ensure that excellent services continued to be provided to residents. The Leader of the Council also stated that they were meeting

with other Essex Leaders and Chief Executives soon and hoped that would reveal a clearer picture. They also referred to how proud they were of the Council and its excellent hard working staff and that they would continue to advocate for their staff and protect services that residents need and deserve and that they would report back with further information when able to.

Question from Councillor Scott to the Cabinet Member for Greener Chelmsford

I note that the guidance around the new regulations for the NPPF has allowed Chelmsford City Council to continue with the submission of proposals and the process to select development sites for the future.

This is now to be dealt with by the Policy Board on the 16th January 2025, at which final decisions will be made and these will include the very controversial proposals for a massive development at Hammonds Farm.

Given the huge public interest and concern about this development, with thousands of residents opposed to it, does this allow sufficient transparency and scrutiny by the public and councillors and will this go to Full Council for further discussion before submission?

In response the Cabinet Member for a Greener Chelmsford stated that the revised National Planning Policy Framework had recently been published and it was important that the Council did not have to start the Local Plan process again from scratch, therefore they needed to press on and meet the Government's deadlines. They stated that the Government had acknowledged the serious shortage of genuinely affordable homes and that housing targets had to be met in the most sustainable way possible. The Council heard that large sites such as Hammonds Farm were best placed to meet the high quantities of housing that was required. They also referred to the importance of low carbon homes and projects to create communities. The Council also heard that detailed public consultations had already been carried out with more people reached than ever before and that on 16th January 2025, the Policy Board would be asked to recommend the Local Plan for a further round of consultation allowing further scrutiny and comments. The Cabinet Member also stated that a decision on whether to submit the latest version for independent examination would be made by Full Council.

In response to a follow up question, the Cabinet Member stated that there were 6972 homes with planning permission, waiting to be built and that they could provide further information after the meeting if required.

(7.10pm to 7.33pm)

7. Exceptions to Council Tax Premiums in respect of empty properties

The Council received a report asking them to determine whether or not to apply any local discretionary exceptions to Council Tax premiums imposed in respect of empty properties. The Council heard that they had previously delegated to officers the implantation of statutory exceptions but that it had taken time for legislation to pass that would come into effect in April 2025 but that until then, the Council had to decide

whether it wished to use discretionary powers to exempt properties for the remainder of 2024/25, that were set to become exempt from those premiums in April 2025.

In response to questions the Council heard that officers would continue to deal with claims on their own merit based on their expertise and that the Cabinet Member had confidence in them being able to do so. The Council also heard that a specific case could not be discussed at the meeting but they would follow it up afterwards.

RESOLVED that;

1. Council agreed to implement local discretionary exceptions to Council Tax premiums, imposed on empty properties during 2024/25, in line with those coming into force with statutory effect from 1 April 2025 and;
2. Council agreed a limited discretionary exception to the second home premium with effect from 1 April 2025 in respect of privately rented furnished property left empty by a vacating tenant whilst still retaining the tenancy for a maximum period of one month.

(7.34pm to 7.41pm)

8. Review of Fees and Charges

The Council considered a report that asked them to note the approach to fees and charges, approve a number of changes that were outside delegations and to approve new charges for household garden waste collections. The Council heard that it was facing a very difficult financial position, with a budget shortfall but it was important to maintain high quality services. The Council also heard that extra assistance had been hoped for from central Government, but that had not happened and therefore a charge for the collection of garden waste had been developed. The Council were informed that it would be challenging to set a budget next year and that with limited potential increases to Council Tax and ever increasing costs to provide services, costs continued to rise higher than the funding received. The Council noted that there was essentially then a choice, to either cut services or increase fees and the Council did not want to cut any services. The Council also noted that fees were increasing in a number of services under officer delegations, but car park and bereavement fees could not be done under delegation, so Council were being asked to increase them.

The Council also heard that a charge for garden waste collection was reluctantly being proposed, something that all other Essex Council's, with a separate garden waste collection had already done. The Council were informed that the charge would be £60 a year for one bin or £90 for two and that anyone on Council Tax support would pay less. Alternatively, residents could choose not to pay and instead compost their garden waste, take it to an Essex recycling centre or reach an informal agreement with a neighbour to share a bin. The Council heard that in summary, the help from Government had not been sufficient and that as residents valued services, increases were the only option, rather than cutting services.

Members of the Council spoke against the introduction of a charge for collecting garden waste. The Council heard concerns that, in the past the administration had

said they would not charge for collecting garden waste, the amounts going to landfill would increase, the charge would not close the budget gap and that responsibility should be taken for the financial situation. The Council also heard that the charge did not align with the recently supported Essex Waste Strategy, those on Council Tax support should be exempt, those outside the City Centre would feel a greater impact due to having larger gardens and the funds raised being spent in the Centre. Also that, residents in certain areas were already battling ever increasing service charges, the charges should vary with the Council Tax bands and no alternatives had been offered.

Members of the Council also spoke in support of the charge, highlighting that cutting services was not an acceptable option, other Councils in Essex had already introduced the charge, no better ideas had been offered by the Opposition, the plans were not in place in the past and the facts had changed. The Council also heard that high service charges were not under the control of the Council, the budget position left no choice but to introduce the charge, a 40% take up had been assumed for the charge and the administration were happy to promote home composting and informal agreements being reached between residents to share brown bins.

On being put to a vote, a recorded vote was requested by ten members of the Council, which is detailed below.

For the motion: Cllrs Adutwim, H Clark, Davey, A Davidson, C Davidson, Deakin, Dudley, Eley, Franks, Foster, Frascona, Fuller, M Goldman, S Goldman, Hall, Knight, Lardge, Lee, Mascot, Moore, Pooley, Rajesh, Robinson, Sampson, Sherlock, A Sosin, J Sosin, Taylor, Walsh and Young.

Against the motion: Cllrs Armstrong, Bonnett, P Clark, Davis, Dobson, Hyland, Jeapes, John, Massey, Pappa, Scott, Sismey, Steel, Thorpe-Apps, Whitehead and Wilson

Abstained: Cllrs Potter and Sullivan

RESOLVED that;

1. Council noted the overall approach and;
2. Council approved;
 - a. the specific changes to fees and charges set out in the report that were above delegations
 - b. new charges for household garden waste collections as set out in the report.

(7.42pm to 8.27pm)

9. Treasury Management Mid-Year Review 2024/25

The Council received a report outlining the treasury activities undertaken in the first part of the 2024/25 financial year and to report on compliance with the approved treasury management strategy.

In response to a question it was confirmed that the higher cash balances than expected could not be used to prevent charging for garden waste collections. The

Council heard that this was because that sum was a one off amount and not something that could be relied upon when setting budgets.

RESOLVED that the contents of the report be noted with no changes required to the ongoing treasury management strategy.

(8.27pm to 8.29pm)

10. Gambling Act 2005 – Statement of Licensing Principles

The Council was requested to approve the latest Statement of Licensing Principles under the Gambling Act 2005. The Licensing Committee and the Cabinet had recommended that the Council adopt the Statement.

RESOLVED that the Statement of Licensing Principles under the Gambling Act 2005 submitted to the meeting be adopted.

(8.30pm to 8.31pm)

11. Annual Report of the Audit and Risk Committee

The Council considered the Annual Report of the Audit Committee for 2023-24, submitted in accordance with the Chartered Institute of Public Finance and Accountancy's (CIPFA) recommended practice.

The report included among other things, its work on internal audit strategy; the Revenue and Capital Outturns; the Committee's work programme for 2023-24 and its planned work for 2024-25. Officers were thanked for their support throughout the year.

RESOLVED that the Annual Report of the Audit and Risk Committee for 2023-24 be approved for publication.

(8.31pm to 8.32pm)

12. Annual Report of the Governance Committee

The Annual Report of the Governance Committee for 2023-24 was presented for approval.

It provided information on the statutory and procedural requirements of the standards regime; the terms of reference and membership of the Governance Committee; the work carried out by the Committee in 2023-24; details of complaints received about councillors; changes to the Constitution; monitoring matters such as whistleblowing and use of investigative powers; and the Committee's future work programme.

In response to a question about political balance, the Council's Monitoring Officer confirmed that the Committee was politically balanced as with all other Committee's when Annual Council set the Committee membership. The Council heard that a group of three Councillors, would not be entitled to seats on all Committees, rather that their

total number of seats would be smaller than the amount of Committees, hence why they did not hold seats on each Committee. The Council also heard that the use of further hyperlinks would be looked at for the next report.

RESOLVED that the Annual Report of the Governance Committee for 2023-24 be approved for publication.

(8.33pm to 8.36pm)

13. Committee Membership

The Council were asked to consider a change to the membership of the Planning Committee, put forward by the Liberal Democrat Group. The Conservative Group asked if they could put forward changes to the Monitoring officer to be dealt with under delegation, due to the recent by-election and this was confirmed as possible.

RESOLVED that, Cllr Pooley be replaced by Cllr Frasca on the Planning Committee, with Cllr Pooley taking Cllr Frasca's place as a named substitute.

(8.37pm to 8.38pm)

14. Notice of Motion

A notice of motion was presented to the Council by Cllr Ann Davidson and seconded by Cllr Rajesh, regarding the ending of Universal Winter Fuel Payments. The Council heard concerns about the amount of pensioners not claiming pension credit and the help that some residents required to claim it. The Council also heard that many pensioners can't afford to heat their homes and that income limits could also affect which pensioners could apply for pension credit. The Council were informed that the ending of the Winter Fuel Payments would lead to fuel poverty for many pensioners and that the Government had set the new threshold too low.

Members of the Council spoke in support of the motion and also expressed concerns about those affected by the changes. The Council also heard that the payments did not used to be means tested, but this was seen as an appropriate solution and that the Council should instead lobby other authorities to increase local support.

In response to the comments made, it was highlighted that pensioners would struggle with rising costs, it was difficult to apply for pension credit especially in cases where pensioners may be hard to reach and changes needed to be made to the way the payments were now being granted.

RESOLVED that;

Council notes the Labour Government's announcement that universal winter fuel payments will end, with eligibility for these payments restricted to those in receipt of Pension Credit and other benefits only.

Council is deeply concerned that many pensioners on lower incomes will now not receive the payments. Across England and Wales, the number of people eligible for

winter fuel payments will fall by 10 million (from 11.4 million to only 1.5 million). Age UK says 2 million pensioners who badly need the money to stay warm this winter will not receive it.

In the Chelmsford City Council area, only 2,363 residents will still qualify; 30,987 residents will lose out from the change in eligibility. That means 92.9% of Chelmsford residents currently eligible for winter fuel payments will no longer receive this payment. Council believes that the Labour Government has set the new threshold for winter fuel payments far too low. Only single pensioners receiving income of less than £218.15 a week (£332.95 a week for couples) are eligible for Pension Credit. This is significantly lower than the National Living Wage rate.

Council is also concerned by the low take-up of Pension Credit: only 63% of those eligible nationwide receive it; over 880,000 pensioners are not doing so. Council recognises the role we can play to increase awareness of Pension Credit, so residents are aware of the support they are entitled to.

Council further notes that the Energy Price Cap rose by 10% on 1 October. Combined with the removal of winter fuel payments, thousands of Chelmsford pensioners will fall into fuel poverty.

Council resolves to:

- Continue to promote awareness of Pension Credit, to maximise uptake among pensioners most in need of this vital help
- Instruct the Chief Executive to write to the Chancellor of the Exchequer calling for the policy on linking winter fuel payments to Pension Credit to be paused immediately and a new, higher threshold for eligibility for winter fuel payments to be introduced
- Invite the Council Leader and the other group leaders on the Council to write a joint letter to the Chancellor of the Exchequer calling for the new winter fuel payment policy to be suspended and reviewed, and to ask the three MPs covering the Chelmsford City Council area to add their names to this.

(8.39pm to 8.50pm)

15. Notice of Motion

A notice of motion was presented to the Council by Cllr Robinson and seconded by Cllr Moore, regarding addressing the cost of living including energy. The Council heard that climate action had been campaigned for and that the Climate and Ecological Emergency had been declared in 2019, leading to action being taken by the Council to address the cost of living with regard to energy. The Council also heard that greener options had regularly been encouraged and the Local Plan reflected the importance of green energy. The Council noted that the motion was intended to continue the push for green energy and to call on others to consider carbon neutral homes and how that could help to cut resident's energy costs. The Council also noted the importance of encouraging developers to be carbon neutral along with the motion being a first step and a lobbying call to all levels of Government. The Council were also informed that

the motion was clear in that action on climate change would not only have positive effects on the environment, but also save money on energy costs.

The Council were also informed that Cllrs Robinson and Moore were happy to accept the amendment put forward by the Conservative group, with a small change that Cllr Massey agreed to, so the additional line would read “The Government to remove stamp duty on low-carbon and low-energy homes, if that will assist this housing market sector.”

RESOLVED that;

This Council notes that

- a) the huge rise in energy costs over the last three years has been a key factor in the cost of living crisis
- b) reducing energy use in homes is the easiest way to cut energy costs, as well as reducing carbon output
- c) the cost of insulation and technology to make homes low energy use has been falling in recent years.

This Council regrets that the Government policy to make all new homes carbon neutral by 2016 was repealed.

This Council believes that

- (a) developers of all new homes should be required to build them to a zero-carbon standard that goes beyond the Government’s proposed Future Homes Standard 2025,
- (b) owners of existing homes can also reduce their energy bills and carbon emissions by installing more insulation and technology such as solar PV and battery storage,
- (c) this Council’s ambition to go beyond the 10% Biodiversity Net Gain target will improve health and wellbeing as well as the local environment,
- (d) the Climate & Nature Bill (due to have its second reading in the House of Commons on 25 January) will help us all to take welcome steps in that direction, including ensuring that the UK cuts its emissions fairly and fully, to stand the best chance of keeping the global temperature rise to 1.5°C.

This Council welcomes proposals to require solar panels on new buildings where they are appropriate; hopes that will be furthered by the draft New Homes (Solar Generation) Bill in Parliament, and believes that extending that to include battery storage would be beneficial.

This Council calls on

- a) the Government at a minimum to proceed as planned with the national Future Homes Standard
- b) the Government to give ambitious local authorities the encouragement and freedom to go further and
- c) registered providers in the district to build to low energy standards.
- d) The Government to remove stamp duty on low-carbon and low-energy homes, if that will assist this housing market sector.

This Council resolves to

- a) continue to promote energy saving schemes and grants such as Sustainable Warmth and Home Upgrade to local residents
- b) write to Chelmsford's three MPs, the Deputy Prime Minister and the Secretary of State for Energy and Net Zero with a copy of this motion
- c) call on its MPs to support the Climate & Nature Bill.

(8.51pm to 9pm)

The meeting closed at 9pm

Mayor