

Overview and Scrutiny Committee Agenda

26 July 2021 at 7pm

**Council Chamber, Civic Centre, Duke Street,
Chelmsford**

Membership

Councillor J. Galley (Chair)

and Councillors

L. Ashley, M.W. Bracken, W.A. Daden, I.D. Fuller, R.J.E. Gisby, I.S. Grundy, J.C.S. Lager, C.M. Shaw, M. Sismey, M.S. Steel, C.R. Tron and S. Young

Local people are welcome to attend this meeting, where your elected Councillors take decisions affecting YOU and your City. There will also be an opportunity to ask your Councillors questions or make a statement. If you would like to find out more, please email Daniel.bird@chelmsford.gov.uk or phone Daniel Bird in the Democracy Team on Chelmsford (01245) 606523

Overview and Scrutiny

Committee

26 July 2021

AGENDA

1. Apologies for Absence and Substitutions

2. Election of Vice-Chair

3. Minutes

To consider the minutes of the meeting held on 1 February 2021.

4. Declaration of Interests

All Members are reminded that they must disclose any interests they know they have in items of business on the meeting's agenda and that they must do so at this point on the agenda or as soon as they become aware of the interest. If the interest is a Disclosable Pecuniary Interest they are also obliged to notify the Monitoring Officer within 28 days of the meeting.

5. Public Question Time

Any member of the public may ask a question or make a statement at this point in the meeting. Each person has two minutes and a maximum of 15 minutes is allotted to public questions/statements, which must be about matters for which the Committee is responsible.

The Chair may disallow a question if it is offensive, substantially the same as another question or requires disclosure of exempt or confidential information. If the question cannot be answered at the meeting a written response will be provided after the meeting.

6. Decisions Called-In

To report on any Cabinet decisions called in and to decide how they should be progressed.

7. Cabinet Portfolio Update – Leader of the Council

8. Final Report from the Riverside Project Task and Finish Group

9. Annual Report of the Committee

10. Report on Decisions Taken under Delegation to the Chief Executive

11. Annual Report from the Chelmsford Policy Board

A verbal update will be provided by the Chair of the Chelmsford Policy Board.

12. Work Programme

13. Urgent Business

To consider any other matter which, in the opinion of the Chair, should be considered by reason of special circumstances (to be specified) as a matter of urgency.

MINUTES

of the

OVERVIEW AND SCRUTINY COMMITTEE

held on 1 February 2021 at 7pm

Present:

Councillor J. Galley (Chair)
Councillors S. Young (Vice-Chair)

Councillors L. Ashley, M.W. Bracken, I.D. Fuller, I.S. Grundy, R.J. Hyland, G.B.R. Knight, J.C.S. Lager, J.S. Lardge, C.M. Shaw, M. Sismey, M.S. Steel, N. Walsh, T.N. Willis and R.T. Whitehead

1. Apologies for Absence and Substitutions

No Apologies for absence were received.

2. Minutes

The minutes of the meeting held on 23 November 2020 were agreed as a correct record and signed by the Chair.

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 questions were asked or statements made.

5. Decisions Called-In

The Committee noted that no decisions taken by the Cabinet had been called-in.

6. Cabinet Portfolio Update – Cabinet Member for Greener and Safer Chelmsford

Cllr Moore provided the Committee with an update on their role as the Cabinet Member for Greener and Safer Chelmsford. Cllr Moore informed the Committee of their key roles and activities. The Committee heard that the portfolio covered a wide range of services offered by the Council. [The Presentation slides can be viewed here.](#)

The Committee was informed that building services had risen to the challenges of Covid and continued to improve services and facilities including at SWF Leisure Centre and the High Chelmer Multi Storey Car park. It was noted that Leisure & Heritage Services had been severely impacted by Covid, but that staff had been re-deployed to the Community Food

Hub and had been a vital resource for the project. The Committee heard that various works had been undertaken at the leisure centres, including a new lighting system at the Ice Rink. The Committee was informed that the team at Hylands Estate had been impacted by Covid too, but important works had been undertaken to the venue along with smaller services as permitted by the Covid regulations.

Cllr Moore informed the Committee of the vital role played by the Parks and Green Spaces team during the pandemic. It was noted that they had of course been a valuable resource during this time and the work to maintain and improve the sites by staff had been greatly appreciated. Cllr Moore also highlighted the crucial role of staff in Bereavement Services. It was noted that during a difficult time they had continued to support families using the service and had adapted to hold smaller services as permitted. The wide role covered by the Public Health and Protection team was also highlighted to the Committee. It was noted that they covered areas including Licensing, Environmental Health and CCTV, and had been very busy in 2020 as a result of the pandemic. The Committee heard that the team had been involved in various aspects related to Covid and had continued to provide an excellent service to residents. Cllr Moore also informed the Committee of the vital and increased role played by the Community Safety team in 2020. It was noted that they had worked closely with Essex Police, in helping to protect residents and to keep Chelmsford as safe as possible during the pandemic.

Cllr Moore also informed the Committee of the key role played by the Street Care team, who are responsible for the cleansing of the whole district. It was noted that litter in areas such as parks had increased as more people used them and they had worked hard during the pandemic to keep the areas clear of litter and inviting for residents. The importance of keeping a full Waste and Recycling collection service during the pandemic was also noted by the Committee. They heard that since Covid, collections had continued as normal and this was a credit to the hard work of the staff in the team. Cllr Moore informed the Committee of the key role the City's markets played for residents and thanked the team for their hard work in keeping both the indoor and outdoor markets open during a difficult year. The continued hard work from the Love Your Chelmsford team was also highlighted and the Committee heard that a film on Sustainability and Recycling had received nearly 50,000 views.

In summary, Cllr Moore stated that the service had been hit by many challenges related to Covid during 2020. Teams across the service however, had responded brilliantly and they were thanked for their hard work.

RESOLVED that;

1. the update be noted;
2. the Cabinet Member for Greener and Safer Chelmsford be thanked for their attendance and;
3. the staff members across the directorate be thanked by the Committee.

(7.02pm to 7.30pm)

7. Annual Presentation by Safer Chelmsford Partnership

The Chair informed the Committee that the presentations for items seven and eight would both be heard, before questions on them together afterwards.

The Council's Public Protection Manager gave a presentation on behalf of the Safer Chelmsford Partnership, regarding its statutory duties, key priorities, key projects and funding in 2020/21.

The Committee was reminded of the Partnership's statutory duties, which were;

- Strategic Assessment and Partnership Plan
- Co-Ordination of Partnership activities
- Strategic Priorities plus Reducing Reoffending
- Prevent, Modern Day Slavery and Domestic Homicide Reviews
- Face the Public – combined with Police, Fire and Crime Commissioner and Essex Police.
- Survey Public opinion – fear of crime and perceptions
- Annual presentation to Overview and Scrutiny Committee

The Committee was also reminded of the Partnership's strategic priorities for 2020/21. Due to the pandemic these had not been changed from 19/20 and they were:

- Tackling violent crime
- Driving down anti-social behaviour in public places
- Identifying and supporting vulnerable people
- Tackling rural and environmental crime

The Committee heard that due to the pandemic, there had been some specific impacts on the work of the partnership. These included increases in, domestic abuse, anti-social behaviour, mental health and wellbeing, scams, conspiracy theories and domestic extremism.

The key projects carried out in the last 12 months included;

- further establishment of the Community Safety Hub, since it had gone live in March 2019 and continued improved communications
- Partnership response to tackling Anti-Social behaviour associated with rough sleeping and supporting our most vulnerable
- Violence and Vulnerability – supporting young people being criminally and sexually exploited, corporate safeguarding, Operation Enlightenment, Spot it Stop it, Crucial Crew, Storylab and Building Lives Project
- Education, awareness and community engagement
- Night-time Economy Interventions – Street Pastors, Taxi Marshalls, SOS project and Drinkaware Crews, Best Bar None and Purple Flag
- CCTV Capital Programme and full digital transformation

The Committee also heard that work had continued on Communications and Community Engagement and this would be covered during Item 10. The Committee were also informed

of the importance of the Chelmsford SOS project, work to tackle Anti-Social Behaviour and work in responding to violence and vulnerability.

RESOLVED that;

1. the report be noted and;
2. the Committee's appreciation for the excellent work of the Safer Chelmsford Partnership and the detailed presentation from the Council's Public Protection Manager be noted.

(7.31pm to 8.02pm)

8. Annual Presentation by Essex Police

The Committee received a verbal update from Kelly Thurston, Detective Inspector from Essex Police. The Committee heard that the Chelmsford and Maldon Community Policing Team, included the Town Centre Team and was based in the Community Safety hub with Chelmsford City Council officers. It was noted that they worked to the local priorities of the Community Safety Partnership and that Local policing teams offered a 24/7 response.

The Committee were taken through the 2020/21 Force Plan for Essex police, which detailed how they worked along with their key priorities. It was noted that the seven policing priorities to protect Essex were;

- More local, visible and accessible policing
- Crack down on anti-social behaviour
- Breaking the cycle of domestic abuse
- Reverses the trend in serious violence
- Tackle gangs and organised crime
- Protecting children and vulnerable people
- Improve safety on our roads

The Committee heard details of the latest Recruitment campaign from Essex Police. It was noted that the 'we value difference' campaign had been a part of their successful Fit the Bill recruitment drive. It was noted that it focused on dispelling myths that you had to be a certain type of person to be a police officer. It was noted that Essex was diverse community and Essex police wanted that to be reflected in their policing. The Committee was informed that in the rolling 12 months to December 2020, crime was down by 9.4%, with similar trends across Essex. It was noted that Anti-Social behaviour was however up 22.2%, predominantly from Covid breaches. This was high but good in comparison to other areas of Essex. The Committee heard that areas of concern included, violence without injury, stalking and harassment and Domestic Abuse and Hate Crime. The Committee was informed of the impact of Covid on policing. This had caused a large impact, with a huge demand on patrolling areas to ensure compliance with Covid laws. It was noted that this had been met with an effective response to issues, including licensing, protests and supporting business to operate. It was also noted that Essex police had been supporting vaccination sites and the victims of domestic abuse.

The Committee was informed of various policing tactics from Essex Police, which included, Community Policing, being more accessible and ensuring the capability to support rural areas. It was noted by the Committee that, Essex police were committed to the joint working approach at the Community Safety Hub. Other operations included preventing violent crime and drugs, minimising vulnerability and looking at other local issues.

RESOLVED that;

1. the Committee's appreciation for the work of Essex Police be noted and;
2. the Committee's thanks for the attendance of the Detective Inspector be noted.

(8.03pm to 8.37pm)

9. Final report from Community Safety Communication Task and Finish Group

The Committee received a report, informing them of the outcome of the Community Safety Communication Task and Finish group. The group consisted of cross-party Councillors and officer input from the Public Protection and Communications teams. It was noted that an interim report had been considered in February 2020 and work had continued since then leading to, much improved communication on Community Safety.

It was noted that the group had been fundamental in many of these improvements, including the new Sharepoint site and Community Safety Partnership e-newsletter. Members were reminded that they had been sent a link to the new Sharepoint site and feedback was welcomed. It was noted that other objectives had been met, including examining how the Council and Essex Police could improve communication on Community safety initiatives and how feedback on residents reports and intelligence could be provided in a timely and meaningful way. It was noted that the progress made put in place, foundations to build upon further improving communication and that Neighbourhood watch had been identified as a critical stakeholder in this area. It was also noted that the providing of meaningful local level crime data from Essex Police was vital and the use of PowerBi should assist with this.

The Committee thanked the Councillors and officers involved for their detailed report and were happy to support the recommendations made by the group.

RESOLVED that;

1. the report be noted;
2. Community Safety communication forms part of the annual community safety report;
3. provision of local level data is progressed requiring collaboration between Chelmsford City Council and Essex Police. The task and finish group continue to oversee this strand of work;
4. A process is developed to enable Members to be updated on the outcome of significant incidents and
5. the Community Safety Partnership continues to develop and has communication as a core objective to its work.

(8.38pm to 8.48pm)

10. Climate and Ecological Emergency Action Plan Update

The Committee received a report which updated them on the progress made in implementing the initial action plan as agreed by Cabinet, which was intended to support the delivery of the ambitions highlighted in the Council's Climate and Ecological Emergency Declaration.

The Committee heard that the plan covered the whole spectrum of Council activities and detailed the progress made so far. The declaration was detailed at Appendix A, with the progress up to 31 December 2020 at Appendix B and the Carbon Baseline for Council operations at Appendix C. It was noted that 56 actions were detailed in Appendix B and that some of these were much longer term than others. The Committee heard that the Carbon Baseline for 2019/20 was calculated as being 5,730 tonnes of equivalent Co2 and that as a result the Council's own emissions were less than 1% of the total area emissions. The Committee heard that a lot of attention was given to reducing carbon emissions, but other important aspects of the plan focussed on ecological matters and these were also key themes. The report summarised that, good progression had been made and that further work would continue to progress this ahead of the 2030 target for net zero carbon emissions by the Council.

In response to questions from the Committee, it was noted that;

- The 2030 target for the Council having net zero carbon emissions, would include offsetting from the planting of trees and other areas.
- The Council's initial focus would continue to be on matters within their remit, with a later focus on encouraging carbon reduction activities in the wider area of Chelmsford.
- It was currently difficult to accurately measure the impact of offsetting carbon and once this was clearer it would be added into the baseline calculations. It was also noted that offsetting would play a crucial role in the Council becoming net zero for carbon emissions.
- It was not currently easy to measure the specific impacts for all 56 actions mentioned in the report. It was noted that over time the document would become more detailed and sophisticated once degrees of consistency were established in the relevant areas.
- It was hoped that by May 2021 the calculation of the carbon emissions for the 2020/21 would be available indicating where carbon emissions had changed. However, this may not be a particularly useful comparison due to many pandemic related variables.

The Committee thanked officers for their hard work in developing a detailed and comprehensive report on the action plan. It was noted that this had been developed during a pandemic and that it was appreciated by the Committee. The Committee continued to support the initiative and it was noted that in the future, a quantitative A to B style approach on some of the targets would be useful.

RESOLVED that;

1. the progress achieved to date be noted and;
2. the Council be encouraged to continue to priorities the delivery of the Climate and Ecological Emergency Action Plan and consider allocating appropriate resources to support the plan as and when they become available.

(8.49pm to 9.10pm)

11. Work Programme

The Committee considered a report on its work programme which had been updated following the last meeting on 23 November 2020. The Committee was informed that the Chair and Vice Chair had agreed to cancel the April 2021 meeting due to the likely impact of purdah for the May Local Elections. It was agreed that the two scheduled items be moved to the June 2021 meeting. It was also agreed that if the elections were postponed that consideration be given to the April meeting being reinstated.

The Committee was informed that Management Team had been asked to put forward some ideas for future items and that the Committee would be consulted on these soon via email. A member of the Committee suggested a report on the South Essex Parking Partnership and it was agreed that the relevant director would look into this.

RESOLVED that;

1. the report be noted;
2. the April 2021 meeting be cancelled and its items moved to the June 2021 meeting and;
3. the Committee be consulted via email on some additional items for the future work programme.

(9.11pm to 9.15pm)

12. Urgent Business

There were no matters of urgent business brought before the Committee.

The meeting closed at 9.15pm.

Chair

Report to Overview & Scrutiny Committee 26th July 2021

Roles held and regular meetings attended

1. Chair of Cabinet

Cabinet meets formally in public eight or nine times a year to consider such items of business as allocated by the Constitution and answer questions from the public and non-Cabinet Councillors. In order to improve transparency, since September 2019, each Cabinet member has briefed their two Shadows from Opposition groups on papers that are coming to Cabinet, in advance of formal publication.

Shadow Cabinet members have also been advised that they can meet Cabinet Members and Directors at other times for briefings on current issues.

Members who attend Cabinet meetings will be aware that I have sought to be as inclusive as possible and not insist on questions being asked solely by the official spokespeople.

Over the last year, Cabinet and the Senior Management Team have had a series of “deep dive” meetings to look in detail at some of the departments with the biggest financial challenges, to identify areas for service improvement and possible savings, given the challenges in the MTFs.

2. Liaison with the Chief Executive

The Deputy Leader and I meet almost every week with the Chief Executive for brief updates on current issues that have been considered by Senior Management Team or arising from external contacts with businesses or other parts of the public sector.

3. The Local Government Association (LGA)

The Leader represents the Council at the annual LGA conference. Last year it was cancelled, and this year was held online. The LGA is mainly a way to share ideas and gain insight on common issues of the day. All 50 Leaders from the East of England LGA meet two or three times a year and I am one of four who have been elected to form the EoELGA Management Board, which meets quarterly to oversee the work of the EELGA staff.

4. The Essex Leaders and Chief Executives Group

The Leaders of the 12 Districts, two Unitaries, Essex CC, the Police Commissioner and their Chief Executives normally meet four times a year to discuss areas of common interest. Obviously, the main topic over the last year has been Covid and for six months the other key topic was the possibility of council reorganisation. We have not met in person since just before lockdown in March 2020, which has meant CCC has not formally hosted any of their meetings.

A sub-group that has emerged is the North Essex Economic Board. It was formed by Braintree, Colchester and Tendring. It now includes Uttlesford, Chelmsford and Maldon. Our Deputy Leader attends these meetings and one of the recent outcomes was an agreement to pool some of the grant money from central Government. The first project to benefit was a partnership with the online trading website for small businesses called “Click It Local”.

5. **The Essex CC / Chelmsford CC Highways Liaison Group**

This is also known as the “5 a-side Group”. CCC Officers and Members from the planning function plus myself normally meet eight or so times a year with ECC Officers and Members from Highways to discuss current topics, for example Tindal Square, Waterside bridge, the new station and North East bypass – all of which have progressed over the last 12 months.

Unfortunately, some of these meetings have been cancelled by ECC recently. However, they have established separate groups such as the one for the controversial “Active Travel Fund” projects and the Army & Navy Taskforce. The latter has considered all the possible options for the junction and widened its remit to include managing the whole Chelmsford network better. Public consultation on the two final options is about to launch.

6. **The “One Chelmsford” Board**

This comprises representatives of the public sector in Chelmsford – the NHS, Police, Fire, the MPs, ECC and CCC. It meets four times a year to discuss areas of common interest. Last week’s meeting did feel, perhaps for the first time, that there might now be a shared purpose in coming together. All partners agreed that the top priorities to ensure healthy living are: a job, a home and a friend and that we all have a role to play in that. It was good to see the NHS acknowledging that improving the wider wellbeing of the community is key to managing the demands on the NHS.

7. **Project Panels**

No new ones have been convened in the last 12 months. As reported last year, the two current ones are for Waterside and the Chelmsford Garden Community (CGC). Both have made significant progress in the last 12 months despite the Covid challenges.

The Waterside panel discussed a range of options for the new road and bridge (from Wharf Road to Baddow Road), secured an extension from Homes England for the grant money, submitted a (successful) planning application and published a consultation draft Masterplan for the whole area.

The CGC Board has continued to develop a Masterplan for the development. Cllr Mackrory and I worked with our officers on a bold vision statement to be the introduction for the Masterplan, setting out our ambition to ensure a carbon-neutral, sustainable and connected neighbourhood. There was a presentation for all Members in May.

In February I was one of three speakers at a webinar for developers on the topic of “20 minute neighbourhoods” – which is essentially what we aim to deliver in the CGC.

8. **CCC Working Groups**

- a) **Mayoral:** The Leaders of the three Groups, the Mayor, Deputy Mayor and officers meet every two months to consider the upcoming programme of civic events.
- b) **Constitution:** this is a little more ad hoc but has met a number of times over the last year, with proposals to Governance and Council.
- c) **Local Democracy:** I am the Cabinet lead for the Community Governance Review, which has been considered by the Governance Committee and is reporting to Council this month.

9. **The Employment and Joint Staff Committees**

These have certain limited functions as specified in the Constitution and have not met since May 2019.

10. External spokesperson

As mentioned last year, I am contacted from time to time by local media. We no longer issue media releases *per se* but have switched to delivering a great deal more content online at citylife.chelmsford.gov.uk

Inevitably, there have almost no external face-to-face meetings in the last 16 months. We usually host the CVS Annual Meeting at Hylands House and have now missed that twice but we did co-host a cut down version on Zoom in March.

Cllr Mackrory and I have also attended four meetings with the Highways England A12 Widening Project Team to discuss the impact on our district.

11. Essex Covid Outbreak Engagement Board

Just after I reported to you in June 2020, I and three other District Leaders were nominated by the other Leaders (with four other CEOs) to this Board. It was meeting almost weekly but is now every two or three weeks. Its role is to receive the latest Covid data and question the Director of Public Health and the ECC Cabinet Member; to discuss key messages and communications plans with the ECC Head of Comms, and to discuss enforcement issues with the PFCC.

12. Ministerial briefings for Leaders & CEOs of all 337 English Councils

These are usually fortnightly and almost all the time they are webinars hosted by the Secretary of State for Communities, Housing and Local Govt (CHLG) or his Ministers i.e. no video and only a moderated chat-box for asking questions. It's rare to learn anything that isn't in the long emails that Leaders and CEOs receive every day from MCHLG!

13. Meetings of Leaders & CEOs of all 187 English Districts

These are two or three a month and rather more productive. They are held on normal Zoom, so everyone can be seen. They are chaired by the Chair of the District Councils Network, the South Norfolk Leader, and are much more interactive than the above. Any Leader can raise issues and we use Slido to "upvote" which questions / topics are crucial. Irrespective of party, we share the same concerns about finances, lack of information and not being trusted enough by central Government.

The most recent was mainly used to make clear to the Minister for Waste & Recycling that their plans for a national specification for bin collections are badly thought through and lacking any clarity on costings.



Overview and Scrutiny Committee

26 July 2021

Riverside Project Evaluation

Report by:

Riverside Project Evaluation Task and Finish Group

Officer Contacts:

Keith Nicholson Director of Public Places keith.nicholson@chelmsford.gov.uk
(01245 606775

Jon Lyons Leisure and Heritage Services Manager jon.lyons@chelmsford.gov.uk
(01245 606989

Purpose

To consider the main findings from the evaluation of the Riverside Project and any recommendations that may need to be considered when planning or undertaking similar construction projects in the future.

Recommendations

The suggested recommended actions, as set out in the report, should be considered when the Council is planning and undertaking similar construction projects in the future.

1. Background

- 1.1. The Overview and Scrutiny Committee established a Task and Finish Group to undertake a project evaluation of the Riverside Leisure Centre re-development scheme. The terms of reference agreed by the Committee are

set out in full at Appendix A, but the main purpose of the project evaluation was to identify the lessons learnt and any recommendations that may need to be considered when the Council is planning or undertaking similar construction projects in the future.

- 1.2. A comprehensive evaluation report was prepared by Officers setting out:
 - § The project chronology, key milestones and decision points
 - § Details of the work undertaken during the project inception and feasibility stages
 - § A review of the consents, approvals and permits that had to be obtained in order to deliver the project
 - § The arrangements made to ensure effective governance and project management, including the appointment of design and professional services
 - § Details of the construction contract
 - § A review of non-construction workstreams including procurement of equipment, fixtures and fittings, catering operator, the introduction of a new leisure management system etc.
 - § Programming and timings of the different stages of the project
 - § Financial aspects, including the comparison of out-turn costs to the budget set
 - § The outcomes and performance achieved
 - § Key operational issues of interest
 - § Salient points from user and customer feedback received to date
- 1.3. A summary of the project chronology and key milestones is set out in Appendix B.
- 1.4. In addition to the evaluation report members of the Task and Finish Group had access to extensive supporting documentation relevant to the scope of the project evaluation.
- 1.5. The findings outlined in the initial project evaluation report and associated documentation were reviewed and examined by the Task and Finish Group at meetings on 21 October 2020, 10 December 2020, and 21 April 2021.
- 1.6. This report summarises the key issues identified and suggests a number of recommendations that should be considered when the Council is planning or undertaking similar construction projects in the future.

2. Key issues identified from the project evaluation

- 2.1. The detailed project evaluation identified some 70+ learning points and 24 recommendations, which are summarised in Appendix C and Appendix D to the report. Aspects that are considered to be commercially sensitive have been omitted from these summaries but were considered in depth by the Task and Finish Group and are reflected in the recommendations.

- 2.2. The 'governance' arrangements for the redevelopment of the Riverside Leisure Centre were reviewed by Ernst & Young LLP as part of the external audit value for money assessment in 2018 and were found to be adequate.
- 2.3. Too much weight was given to some of the findings from the initial feasibility study [which was undertaken in 2015] in the absence of an overall design. In particular, the indicative costs identified at the feasibility stage were taken to be more definitive than they should have been and were then perceived to be a 'project budget'. This was the source of much of the contention and media 'speculation' surrounding the project. A more detailed 'second stage' feasibility study and a further cost appraisal would have been of benefit in defining the full scope and ambition of the project prior to engaging in more detailed design.
- 2.4. Communications and messaging, particularly at the project inception phase, were mixed and could have been clearer.
- 2.5. The original timescales envisaged for the project proved to be unrealistic. There was not enough time contingency allowed in the project programme, especially given the complexity of the build, degree of uncertainty and the associated risks identified, level of site contamination and the number of statutory approvals required.
- 2.6. The arrangements made for project management and scheme design passed too much 'control' to the professional team, and this created some potential conflicts of interest, for example design fees were uncapped and initially determined as a percentage of project costs. The quantity surveyor was appointed as part of the design team and so their role as a cost manager working on behalf of the Council was restricted.
- 2.7. The lead architect was also appointed as the contract administrator, leading to some tension between design and construction contract matters. On reflection It may have been beneficial to have built-in performance incentives, particularly for the lead architect, to help ensure that the best financial outcomes for the Council were achieved.
- 2.8. The appointment of the project manager was made at the same time that the design team was selected, restricting the project managers involvement in some of the key professional service appointments and, to a degree, limited their scope of services. An earlier appointment would have brought more formal 'project management disciplines' into play, for example, using 'project gateways' rather than relying on RIBA 'work stages' which tend to be driven from a design and procurement perspective.
- 2.9. For projects of this nature and scale it is suggested that the Council should directly appoint a cost manager, with appropriate knowledge and experience, operating independently to the design team. This would improve project oversight, the identification and mitigation of financial risks and help provide more effective cost control generally.

- 2.10. The main contractor was notably 'claims-conscious', submitting a number of extension-of-time claims and claims for additional work. It is apparent that some of the valid claims were caused by late or incomplete design information and the delayed issue of some construction details.
- 2.11. The relationship between the architect / contract administrator and the main contractor was not always harmonious. Only when the Council took a more proactive and direct role in how the construction contract was progressing did this improve.
- 2.12. The original project budget was set by the Council when the level of cost certainty for the construction contract was only 8%. The second stage construction contract was formally awarded at a point when 18% of the sub-contract packages remained untendered, including the high value, high risk cladding sub-contract. Whilst such circumstances are not uncommon with a two-stage tendering procedure, the provisional sums assigned to these outstanding works packages proved inadequate.
- 2.13. A negative provision, equating to a contract savings target of £1.8m, was included in the contract sum, with the associated cost reductions expected to be achieved through value engineering processes. However, this proved unrealistic.
- 2.14. Several risks were identified, for example for asbestos removal, which if they occurred were expected to be funded from the project contingency. This contingency provision, though, was over-committed given the level of risk materialisation, i.e. too many of the identified risks occurred.
- 2.15. The original project budget was approved at Council on 12 July 2017 in the sum of £35.216m, which was then increased to £36.110m in June 2018 to cover demolition costs and additional works to the café fit-out which were subsequently included into the contract. This compares to a final out turn cost of £40.778m, the construction element being £37.064m. This equates to a 12.93% increase in actual overall project costs compared to the budget.
- 2.16. Without the direct intervention by the City Council in negotiating a commercial final account settlement, it was anticipated that costs could have escalated to closer to £43.0m and the project completed 6 months later than was the case.
- 2.17. There is no doubt that the redevelopment of Riverside proved to be a complex and demanding project. Most of the potential risks identified – asbestos, site contamination, unexpected utility pipes, working by the river – actually materialised. Whilst the main contractor's performance was generally good, there were delays that substantially increased project costs.
- 2.18. The existing leisure team acted as the 'client' for the project whilst continuing to operate all the existing sports and leisure facilities that the Council provides. Despite the challenges, the leisure team, working in collaboration with multiple Council services, ensured the completion, opening and successful operation of the new facilities. Parallel workstreams undertaken

directly by the Council were effectively delivered on time and within the budget.

- 2.19. All strategic project objectives were achieved and the outcomes positive. Operationally performance has been good, with the level of use and income [before Covid] being exceptional and exceeding projections. User feedback to date has been excellent, the main issue for customers being the capacity of on-site car parking at peak times.

3. Recommendations to be considered when planning or undertaking similar construction projects in the future

- 3.1. The Task and Finish Group suggest that the key recommendations that the Council should consider when planning and undertaking similar construction projects in the future are:
- i. Ensure absolute clarity regarding the status of any feasibility work, the level of confidence and degree of risk qualifying any potential / indicative costs quoted, in particular, making any assumptions really clear and describing potential risks in easy-to-understand, non-technical terms.
 - ii. Allow an adequate time contingency in any project programme for any work that is outside the Council's direct control – for example attaining consents and approvals from third parties – as any consequential delays can impact significantly on cost and under most contractual terms this will be at the client's expense.
 - iii. For similar construction projects consideration should be given to the appointment of a 'project manager' during project inception stage. This would have the benefit of bringing more formal 'project management disciplines' into effect. Similarly, directly appointing a cost manager or quantity surveyor, operating independently to the design team would improve project oversight, the identification and mitigation of financial risks and provide more effective cost control generally.
 - iv. Wherever possible any similar construction contract should be finalised and agreed prior to commencement of works, i.e. avoiding pre-construction or site enabling works agreements and prior purchase arrangements to reserve materials on long lead in times. *[It should be recognised, however, that there may be some circumstances where it may be appropriate to proceed in advance of the contract being engrossed as it may be more cost effective to do so].*
 - v. Where a pre-construction services or enabling works agreement is required, there should be practical arrangements in place to avoid the Council being bound into a second stage agreement / contract as the only option.

- vi. That the level and nature of 'value engineering' necessary to bring a contract submission within the budget is realistic and commensurate to the risks involved and that value engineering options are not used as a substitute for agreeing a realistic project budget or adequate provision of a project contingency.
 - vii. Whilst the appointed project manager is best placed to advise technically on the most appropriate form of contract to be used for construction works, which will vary according to the scope and nature of the scheme, the Council should satisfy itself that it fully understands the merits and potential disadvantages of the form of contract adopted in terms of quality, cost and, in particular, appetite for risk.
 - viii. Consideration should be given to appointing a contract administrator who is not an integral part of the design team and therefore can offer a degree of independence to this role – for example the role of contract administrator is often included as part of the duties of the project manager.
 - ix. Caution is required when relying on quantity surveyors' estimates, particularly those based on feasibility studies, when setting provisional budgets as costs are not accurate at that point in time. Every project is different, and, in the final analysis, it is only the contract price that determines the accuracy or otherwise of the budget.
- 3.2. It may not be appropriate to apply these recommendations universally to all construction projects undertaken by the Council in the future as projects do vary in nature and approach. However, the Task and Finish Group believe that they reflect the key learning points arising from the project evaluation and generally would be regarded best practice.

4. Conclusion

- 4.1. The Task and Finish Group have undertaken a comprehensive project evaluation considering all aspects of the Riverside Redevelopment scheme, from project inception through to the first six months of operation.
- 4.2. The project evaluation has identified some 70+ learning points and 24 recommendations; the key ones of which are reflected in this report. It is proposed that these recommendations should be considered when planning and undertaking similar construction projects in the future.

List of appendices:

Appendix A: Terms of reference for Task and Finish Group

Appendix B: Project chronology and key milestones

Appendix C: Summary of key issues and lessons learnt

Appendix D: Summary of recommendations

Background papers:

Riverside Project Evaluation and supporting documents considered by the Task and Finish Group

Corporate Implications

Legal/Constitutional:

There are no immediate / direct legal or constitutional issues arising from this project evaluation

Financial:

There are no immediate / direct financial implications arising from this project evaluation

Potential impact on climate change and the environment:

The new centre was built to exacting environmental standards and is much more energy efficient so will be more sustainable than the previous facility going forward. This was reflected in the project evaluation.

Contribution toward achieving a net zero carbon position by 2030:

The project evaluation itself does not make any contribution towards achieving a net-zero carbon position

Personnel:

There are no immediate / direct personnel implications arising from this project evaluation

Risk Management:

The findings from the project evaluation will improve the approach to risk management in the future

Equality and Diversity:

An equality and diversity assessment has been undertaken for the operation of Riverside Leisure Centre in its own right

Health and Safety:

There are no immediate / direct health and safety implications arising from this project evaluation

Digital:

There are no immediate / direct implications for digital services arising from this project evaluation

Other:

Consultees:

N/A

Relevant Policies and Strategies:

N/A

Appendix A

Overview and Scrutiny Committee Task and finish group to undertake a project evaluation of the Riverside Leisure Centre re-development scheme TERMS OF REFERENCE	
Purpose:	<p>The purpose of a project evaluation is to undertake a systematic and objective assessment of a completed project to:</p> <ul style="list-style-type: none"> § Determine the level of achievement of the project objectives § Compare planned costs and benefits with actual costs and benefits § Review the efficiency and effectiveness of the approach and working arrangements practices adopted § Consider the overall value for money achieved
Scope:	<p>The project evaluation will examine, but is not limited to:</p> <ol style="list-style-type: none"> 1. Project inception and project objectives – including early-stage feasibility and consultation 2. Project chronology – highlighting key decision points and milestones 3. Consents and approvals – including any planning conditions, licensing requirements or permits outstanding 4. Project management – including the role and appointment of design and professional services, project manager, cost manager [quantity surveyor] and specialist consultants 5. Construction contract – including procurement options, appointment of main contractor, form of contract used 6. Other non-construction workstreams – including procurement of equipment, fixtures and fittings, catering operator etc. 7. Programme and timings – highlighting the reason and cause of any delays 8. Financial aspects – including cost control, comparison between budget and actual costs, explanation of variances, approach to risk management etc.

	<p>9. Outcomes and achievements – including operational matters, user and customer opinions, staff feedback, environmental impact etc.</p> <p>10. Any other considerations</p> <p>Taking into account the views of other project sponsors / funders, officers will prepare and present a detailed project evaluation report, for consideration and scrutiny by the task and finish group</p> <p>For each aspect of the project, the evaluation will identify the lessons learnt and any recommendations for consideration when planning or undertaking large scale construction projects in the future</p>
<p>Members:</p>	<p>Councillor S Goldman Councillor D Clark Councillor S Young Councillor M Sismey Councillor R Hyland</p>
<p>Director lead:</p>	<p>Director of Public Places [Keith Nicholson]</p>
<p>Co-ordinating officer:</p>	<p>Leisure and Heritage Services Manager [Jon Lyons]</p>
<p>Contributing officers:</p>	<p>General Manager Leisure Centres [Sarah Smith] Leisure Projects Officer [Mark Owers] Senior Accountant [Sue Jones]</p>

Appendix B

Project chronology and key milestones

DATE	EVENT / ACTION
March 2014	Condition survey of the existing Riverside Ice and Leisure Centre undertaken. Assessment then made as to whether it was worth spending money trying to maintain the existing centre or whether it would be more effective to construct a new centre or perhaps a hybrid of the two approaches. This resulted in a first stage feasibility study being commissioned
Cabinet 7 July 2015 Council 15 July 2015	Feasibility study completed to assess how the Leisure Centre could be redeveloped on the current site and to explore the potential scope of new facilities
July 2015	Enabling and preparation works commenced
July to October 2015	Formal public consultation and engagement on the outline proposals for the redevelopment of Riverside Ice and Leisure Centre undertaken
Council 2 December 2015	Results of public consultation considered and scope and mix of facilities to be provided agreed
21 April 2016	External project manager appointed
May 2016	Works to construct temporary car parking on site of the former outdoor pool complete
Cabinet 16 June 2016	Design team selected under revised procurement approach [actual appointment made on 1 July 2016]
Cabinet 16 June 2016	Procurement approach for main construction contract agreed
11 August 2016	Concept design completed to RIBA Stage 2
23 August 2016	OJEU notice for the procurement of a main construction contractor published
6 October 2016	Developed design completed to RIBA Stage 3
Cabinet 18 October 2016	Main contractor appointed for stage-one works
19 October 2016	RIBA stage 3 Design approved

DATE	EVENT / ACTION
Cabinet 18 April 2017	Technical design to RIBA Stage 4 completed Phased contract strategy agreed
6 June 2017	Planning application [16/02242/FUL] for the new leisure centre and alterations to the existing ice rink building approved
10 July 2017	Main construction works commence on site
11 July 2017	Sport England grant funding [£1.5m] confirmed
Council 12 July 2017	Budget for capital expenditure on the Riverside Project approved
Council 12 July 2017	Likely revenue implication of the Riverside Project considered
27 November 2017	Kier formally appointed as main construction contractor for stage 2 works
Council 6 December 2017	Update on project cost, construction and contractual position
Council 21 February 2018	Additional financial approval [£250,000 added to budget]
Cabinet 13 June 2018	Options considered for undertaking the enabling works [including demolition of existing pools complex] prior to the re-development of the former Riverside pools site
Cabinet 16 October 2018	Pricing strategy approved
Council 27 February 2019	Additional financial approval [£4.5m added to budget]
7 June 2019	Practical completion of section 1 & 2 of the main building contract
10 June 2019	New facilities open to the public
Cabinet 19 November 2019	Additional financial approval [£200,000 added to budget to cover anticipated final account settlement costs]
13 March 2020	Demolition phase practically complete and final site handover

Appendix C

Riverside project evaluation - summary of key issues and lessons learnt

Project inception, project objectives and feasibility

- a) The route from initial idea through project inception to agreeing a defined brief was reasonably well structured and formal decisions made at the appropriate levels and times
- b) Perhaps too much weight was given to some of the findings from the initial feasibility study, despite this work being at an early stage of the project and in the absence of an overall design at this stage
- c) It is apparent that the indicative costs identified at the feasibility stage, despite the scheme not being fully scoped and designed at that point, were taken to be more definitive than they should have been and were incorrectly translated into or perceived to be a 'project budget'. This became an issue later in the project when media reported on perceived project overspends compared to the early stage indicative costs rather than the actual project budget that had been approved
- d) Similarly, public perception was created that a new leisure centre would be built for £25m laying the foundation for continuous media speculation about the perceived level of project overspend

Consents, approvals and permits

- e) Attaining the necessary approvals and permits was complex, iterative and time-consuming. Whilst a 'consent tracker' was in place during the entire design and construction period, delays in securing some consents, particularly environmental permits, were caused by the late submission of design information. This also extended the period for the permits to be considered and approved by the relevant agency. This caused consequential delays to the construction programme
- f) Attaining a 'Very Good' BREEAM rating for a project as complex as Riverside, with intrinsically high resource / energy demands, with the added complication of combining new and existing structures, was a notable achievement; the benefits of which should be realised over the coming years
- g) The necessary works to satisfy condition 16 in respect of planning application 16/02242/FUL [implementing a scheme to comprehensively re-clad the existing ice rink and sports hall structure which has been retained] remains outstanding. The design details have yet to be agreed, but funding has already been provided in the capital programme to meet the anticipated cost of these works

Appendix C

Governance, project management, design and professional services

- h) In the earlier stages of the project there was possibly too much reliance on the opinions and advice of the professional services team, reflective perhaps of the relative inexperience of the Council in dealing with major construction projects of this nature available at that time
- i) The appointment of the project manager was made slightly later than would normally be the case, which restricted their involvement in some of the key appointments and, to a degree, limited their scope of services
- j) The individual initially appointed by Artelia to act as project manager was replaced in by someone who had more direct experience of this type of project, with a noticeable improvement in performance afterwards
- k) Artelia advise that, from their perspective, the establishment of a clearer protocol for passing key project gateways may have been beneficial, rather than relying on the RIBA Work Plan stages. It is acknowledged that there was a degree of uncertainty over roles in the earlier stages of the project and the exact process for decision making evolved during this period
- l) The initial assumptions about the level of design fees identified during the procurement process was unrealistic, being based on a smaller-scale project
- m) Design team fees were originally linked to a percentage of total project costs. This did not incentivise the design team to effectively manage project costs; possibly even the contrary, as higher project costs meant more design fees could be claimed. This was corrected during the later stages of the project
- n) The definition of total project costs included in the services agreement originally included fees, so there was potential for 'double counting' of the fees chargeable, although this was changed later in project and partly recovered
- o) The lead architect at Pick Everard was appointed to act as the contract administrator. There are some doubts about the efficacy of this approach as it can lead to potential conflicts between design and contract administration ... redacted
- p) The Council chose not to appoint a separate cost manager – the quantity surveyor who undertook this function being part of the architect-led design team ... redacted In their feedback Artelia [project manager] also suggested that the appointment of a separate 'cost manager' or quantity survey would have provided a better level of independence and oversight for the project
- q) There were no real incentives in play for the design team to work effectively with Kier to deliver alternative or more cost-effective build solutions, the project

Appendix C

involving a mainly a traditional design approach which the contractor then priced, with relatively limited contractor designed portions

- r) ... redacted
- s) The design team, particularly mechanical and electrical services were very protective of their design and were unable to achieve some of the 'value-engineering' options identified and agreed
- t) The Pick Everard design team proved not to be so closely integrated as claimed as one of their key benefits during procurement. The lead architect frequently referred to lack of resources available internally and delays in the production of construction details, in particular with mechanical, electrical and civil engineering specialists ... redacted
- u) Variations were evident between the original project brief and the 'concept designs' submitted from the competing design teams. This was to be expected as an open procurement route was adopted that encouraged alternative design solutions eventually, but could have been in place much earlier
- v) The meetings involving the 'principals' of the key organisations proved to be essential in bringing the project to a successful completion ... redacted ... including negotiating a commercial settlement between parties. It was disappointing that the Council had to resort to this remedy
- w) ... redacted the role of 'client care' was not particularly active. In fact, no formal client care reviews were undertaken
- x) The project manager advised that that better / more direct contact between Kier and the Council at senior level would have been beneficial. This was achieved [later in the project]

Construction contract

- y) During analysis of the second stage tender submitted by Kier, the Council was advised that pursuing further options with Kier was unlikely to improve their financial offer or reduce the risks to the project; and that this would in fact prove counter-productive in that further delays in the programme could result in additional costs and no lessening of the risk. The judgement was made, at that time, that the best option was to enter into a contract with Kier on the basis of the second stage tender submitted
- z) The JCT form of contract is widely used and is generally considered to provide a balanced approach. However, there is perhaps more focus on building quality, than cost control. Administratively JCT contracts are quite intensive and the contract administrator is under the obligation to administer the contract 'fairly' and

Appendix C

therefore does not necessarily represent the Council's interests in any disputes. When the contract administrator is also the lead designer this can lead to a degree of 'loss of control' for the client

- aa) In the early and mid-phases of the project, Kier were notably claims conscious, in particularly submitting a large number of extension of time claims and claims for additional work. The extension of time claims related mainly to adverse weather / ground conditions and the late provision of design information / construction details, together with a number of technical issues. These had to be considered by the contract administrator in accordance with the JCT contract terms based on the evidence submitted, resulting in a number of these claims being treated as valid, despite the cause of some of these delays being Pick Everard in their role of lead designer
- bb) The conclusion of Pick Everard's Stage 2 Contract Sum Report [17 November 2017] was that 'with careful contract and cost management and the full cooperation from all parties the risks identified can be managed'. This proved to be somewhat 'hollow' as this is not what happened, and all parties did not cooperate and play their full part in mitigating and resolving these risks
- cc) ... **redacted** Only when the Council took a more proactive and direct role in how the construction contract was progressing did this [relationships] improve
- dd) Only a relatively small 'contractor-design portion' was included in the main construction contract; the design responsibility being predominantly with Pick Everard. Consequently, virtually all significant design risk lay with the client [the Council]. This risk was manifest in delays in issuing design information and construction details translating into valid extension of time claims by the contractor
- ee) The project manager has indicated that, with hindsight and despite their contrary advice at the time, it might have been better to employ a 'design and build' route or an approach with a higher 'contractor design' portion as this transfers a lot of the risk to the main contractor. However, the downside with such an approach is that the quality of the building and, in particular the finishes, tends to be diminished

Other non-construction workstreams

- ff) A considerable amount of knowledge and insight into customer behaviour and demands, and how to successfully operate leisure facilities, had been built up by the in-house leisure team and this was used to not only inform the design, but also to carry out customer journey mapping in advance of opening. This ensured that the way the customer interacted with the building (signage, booking systems etc) was carefully thought through and not just reliant on the architect's design capability

Appendix C

- gg) There were initial problems attracting interest from catering operators despite wide market testing and a proactive approach to procurement. Additional investment by the Council was required to stimulate market interest, which proved successful. A return on this additional investment from the catering operator will be achieved within three years and revenue overall is expected to significantly exceed the original business plan forecast
- hh) Whilst incorporating the enabling works for the future development site increased the perceived expenditure on the Riverside Project, the economies of scale, practicalities of carrying out the work, the avoidance of duplication of work and the minimal impact on the delivery programme for Riverside made this a sound choice
- ii) A complex project with multiple parallel workstreams required support from numerous services across the Council. A real corporate effort was evident requiring prioritisation of workloads to ensure deadlines were met. The 'workstreams tracker' proved to be a very useful project management tool to monitor progress, align priorities and identify and mitigate any risks
- jj) On the whole these 'non-construction' workstreams were managed well, demonstrating the ability of the City Council to effectively deliver on key areas of responsibility. The most challenging aspect was to constantly realign these workstreams in light of delays to the main construction contract. Although a scheme of this size probably will not be attempted again by the Council in the short-term, this project reinforced that there are a wide range of complementary skills available in-house to successfully deliver large-scale projects.

Programme and timings

- kk) The timescale originally proposed for project delivery was quite optimistic and did not really include any scope to accommodate delays in design, attaining permissions or construction. The architect, project manager and main construction contractor all highlighted that adhering to the programme would be challenging, but with cooperation would be achievable. In retrospect that was never going to be the case
- ll) The opening of the new centre was 28 weeks later than originally envisaged and some 16 weeks later than the programme agreed by the main construction contractor.
- mm) There were many causes of delays; starting with the initial challenge to the appointment of the design team, increased project scope added in, late production of design and construction details, difficulty in ensuring competitive pricing of works packages and the contractor having to undertake a considerable amount of unforeseen additional works, for example to remove asbestos, time taken to

Appendix C

satisfy the Environment Agency requirements for flood protection, and modified foundations due to working adjacent to the river

- nn) The original brief for the design team only included the provision of the new facility. The extension of the brief to include the enhancements to the public realm, the riverside walk, refurbishment of the ice rink / sports hall and demolition of the existing redundant buildings considerably increased the workload, but this was not fully reflected in the programme, putting additional strain and time pressures on what was already a complex project being constructed in a sensitive location
- oo) There were unexpected delays and challenges in specifying, safety validating and procurement of the external building cladding following the Grenfell disaster
- pp) ... redacted

Financial aspects

- qq) Effectively the budget for the project [£35.216m] was agreed at Council on 12 July 2017, some 2 months prior to the Stage 2 tenders being finalised and evaluated. At that time the level of cost certainty identified in the tender received from Kier was just 8%, although this improved to 82% before the second stage contract was awarded. Given the disconnect between setting the budget and the tender received for construction works, future variances to the budget were inevitable
- rr) At the point of evaluation of the second stage tender 18% of the sub-contract works packages remained untendered, including the high value and high risk cladding sub-contract package where Kier had been unable to obtain firm prices from their supply chain. Provisional sums were assigned to these unpriced works packages in the pricing document submitted by Kier, but these allowances proved to be inadequate
- ss) Less than three tenders were received by Kier for a number of the sub-contract packages. The lack of competition in the construction market in the region at the time was believed to have contributed to these increased costs
- tt) The pricing document submitted by Kier highlighted a number of risks, for example no allowance was made in the second stage tender for the costs of asbestos removal, which was to be funded from the project contingency, but the provision was probably already over-committed at this stage
- uu) A contingency provision of £1.4m (4%) remained in the cost plan at the time the second stage tender was evaluated. It could be argued that some of these additional costs were foreseeable and accordingly a much higher level of contingency should have been provided when the original budget was agreed.
- vv) ... redacted

Appendix C

- ww) The issue of late design development / information after the sub-contract packages were tendered resulted in 18 tender addendums being issued for which Kier were unable to obtain prices; a provisional sum of £488,400 was allowed, but all these works were at risk of cost variations, which proved to be the case
- xx) The provisional sum to cover instructions issued by the architect [usually for additional work or changes to the specification] included in the cost plan was inadequate
- yy) The level of value engineering that was identified at the second stage tender evaluation – and included as a negative provision in the sum of £1.833m – was unrealistic and proved to be unachievable. Rather contradictory advice was received from the main contractor, design team, quantity surveyor and project manager as to how realistic these savings were and what impact they would have on the project, but what was not in dispute was that all these risks rested with the Council. Pick Everard felt that the main contractor did not approach the VE process proactively enough to achieve anticipated savings. The Council's view was that none of the parties did.
- zz) The project manager and quantity surveyor identified a risk that the project may not deliverable for the budget available ... redacted

Outcomes, achievements and performance

- aaa) The ourChelmsford brand and 3 tier card structure system was well conceived and effectively communicated and has been a crucial contributor to the success of the project
- bbb) Launching the new website in line with the new centre would have prevented re-writing pages and saved time, avoiding the possibility for misinformation on the webpages – especially with regards to activities and pricing
- ccc) More centralised communication, for example a working group or designated representative at each of the 4 leisure centres, would have been useful for a web development of this scale and more time for testing should have been built in
- ddd) Customer profiles and the customer journey should have been planned through the website before navigation and build, as this helps form these elements more clearly before writing the pages
- eee) More attention needed to be given to search engine optimisation as this influences how the site is constructed and the appearance of keywords in the content
- fff) Being able to link the website to the signage and centre branding provided a clear, joined-up approach to marketing and communication, creating a much more professional and robust product

Appendix C

Operational

- ggg) Operationally the time spent during pre-opening engaging with customers meant that the team were in tune with customer opinion once the centre had opened
- hhh) The time invested in operational planning proved invaluable and was a credit to the team who were seeking to run existing services whilst planning for the new. It was crucial that the operational team were involved at all stage of the design process so that knew what to expect and could plan effectively and also had full ownership of the facility from the outset
- iii) There was a good initial understanding of what was working well, what needed to be reviewed and those issues which required immediate change. Changes were made promptly where necessary and customers felt they had been listened to
- jjj) Income projections have exceeded expectations for the first 9 months and the membership base has grown substantially providing a firm foundation for future years
- kkk) Overall, the introduction of the programme and pricing changes were effective and despite a few issues arising, this went very well given the volume of customers
- lll) Car parking was always likely to be a challenge, given the reduced car parking available on site and the increased demand. A corporate approach to this issue and a more flexible regime for customers meant that this was manageable
- mmm) A significant amount of time was spent with external partners, for example Churchills and Chelmsford Physio, and consequently they have added value to the offer and reflect the values of the Council

User and customer feedback

- nnn) A significant amount of planning went into the opening of the new Riverside centre and this was reflected in a relatively smooth opening period and a rapid increase in the volume of customers using the facilities
- ooo) The majority of building related issues have now been resolved and some initial customer related issues have either been overcome or have settled down
- ppp) Parking provision remains an area of dissatisfaction for some customers. At peak times there remains insufficient parking and there is competition with shoppers, despite dedicated parking spaces for Riverside members
- qqq) Investment in customer surveys has proved invaluable and has enable the Council to respond to issues positively

Appendix C

Other feedback

- rrr) When a more corporate approach to the project was adopted there was greater cohesion and significant prioritisation afforded to the delivery of the final stages of the project ensuring services secured deadlines and prioritised the delivery of the project
- sss) Positive comments from staff regarding their pride and ownership in the new centre and the sense of camaraderie created as the new centre was brought online should be maintained as some of the staff involved inevitably change in the future
- ttt) The direct involvement of staff who subsequently operate the facility and their contribution to the success of the project has been recognised in the recent Investors in People assessment and cited as an example of best practice

Appendix D

Riverside project evaluation – summary of recommendations

Project inception, project objectives and feasibility

- A. Ensure absolute clarity regarding the status of any feasibility work, particularly the level of confidence and degree of risk qualifying any potential / indicative costs quoted. Make any assumptions clear in all circumstances – describe potential risks in easy to understand / non-technical terms

Consents, approvals and permits

- B. Possibly need to allow a greater time contingency in the project programme to attain all necessary consents and permits as the timescale for their consideration and decision making is largely outside the Council's direct control and any consequential delays can impact significantly on cost

Governance, project management, design and professional services

- C. The appointment of a 'project manager' should be made earlier during project inception. This would have the benefit of bringing more formal 'project management disciplines' into effect earlier
- D. For projects of this nature and scale the Council should consider directly appointing a cost manager or quantity survey, operating independently to the design team. This is likely to improve project oversight, the identification and mitigation of financial risks and provide more effective cost control generally

Construction contract

- E. Wherever possible any large-scale construction contract should be finalised and agreed prior to commencement of works, i.e. avoiding pre-construction or site enabling works agreements and prior purchase arrangements to reserve materials on long lead in times
- F. Where a pre-construction services or enabling works agreement is in place, there should be practical arrangements in place that avoids the Council being bound into a second stage agreement / contract as the only option
- G. Similarly, arrangements should be in place that allows the Council to terminate any initial pre-construction agreement without jeopardising any future works contract
- H. That the level and nature of 'value engineering' necessary to bring a contract submission within the budget is realistic and commensurate to the risks involved

Appendix D

and that value engineering options are not used as a substitute for an adequate provision of a project contingency

- I. Whilst the appointed project manager is [technically] best placed to advise on the most appropriate form of contract to be used for construction works, which will vary according to the scope and nature of the scheme, the Council should satisfy itself that it fully understands the merits and potential disadvantages of the form of contract adopted in terms of quality, cost and appetite for risk
- J. Consideration should be given to appointing a contract administrator who is not an integral part of the design team and therefore can offer a degree of independence to this role – for example the role of contract administrator is often included as part of the duties of the project manager

Other non-construction workstreams

- K. In order to maximise the benefit and outcomes from a large-scale project, it is important to consider the wide range of opportunities to make improvements to other aspects of the service in parallel. This adds to the workload and complexity, but provides the optimum time to make effective changes and maximise the impact of the project
- L. To utilise the available resources within the Council where possible, so long as these are carefully managed and priorities / deadlines understood

Programme and timings

- M. Examine and test the validity of the project delivery programme at every stage to better assess the risks and determine level confidence in achieving it. A realistic time contingency needs to be allowed with similar very complex, large-scale projects

Financial aspects

- N. With hindsight the Council should not have committed to precontract works until there was a better understanding of the likely full contract costs. For future projects the Council should aim for greater cost certainty prior to commencement, irrespective of any timing pressures that may exist
- O. Caution is required when relying on quantity surveyors' estimates for setting budgets as costs are not accurate at that point in time. Every project is different and, in the final analysis, it is only the contract price that determines the accuracy or otherwise of the budget

Appendix D

Outcomes, achievements and performance

- P. Ensure the marketing and communications team are fully integrated into the project team from the outset
- Q. Allow more time than expected to gather, write and curate the content for the individual pages on the website

Operational

- R. There is a need for a significant investment in time towards operational planning in line with the construction work so that the full community value from a new asset can be achieved
- S. Continue to develop relationships with external partners as a positive working relationship benefits both partners and their success will improve outcomes from future procurement exercises

User and customer feedback

- T. Ensure that a regular programme of customer surveys are built into evaluation programmes to provide customer feedback and assess satisfaction levels

Other feedback

- U. The need to have clearly define roles and responsibilities for internal and external individuals and groups from project initiation to completion
- V. To consider how Digital Services representation at all stage of the development can be achieved
- W. To review operational staff resource pressures particularly, as in this instance, the same staff were managing existing facilities and planning for a new building simultaneously
- X. A significant amount of experience has been gained by staff at all stages of this project, from initial master planning through to delivery to customers, and this should be utilised for future projects



Chelmsford City Council Overview and Scrutiny Committee

26 July 2021

Annual Report on the Scrutiny function 2020/21

Report by:

Director of Connected Chelmsford

Officer Contact:

Daniel Bird, Daniel.bird@chelmsford.gov.uk (01245) 606523

Purpose

To report on the activity of the scrutiny function of the Council for 2020/21, in accordance with the Local Code of Corporate Governance (Core Principle 6 – Engaging with local people and other stakeholders to ensure robust public accountability), which was adopted by the Council on 23rd April 2008.

Recommendations

That the Council be recommended to approve the Committee's Annual Report on the Scrutiny function for 2020/21 for subsequent publication.

1. Background or Introduction

- 1.1. The Local Code of Corporate Governance was adopted by the Council on 23rd April 2008 (m6. 1, CL52,2008). Under the Code's Core Principle 6 – Engaging with local people and other stakeholders to ensure robust public accountability

– the Overview and Scrutiny Committee is required to produce an annual report on its work for consideration by the Council and subsequent publication.

1.2. The Committee's Annual Report on the Scrutiny Function for 2020/21 is attached at Appendix 1 to this report and covers the following matters:-

- Statutory provisions
- Terms of reference
- Membership
- Publication of information
- Work undertaken in 2020/21
- Future work for 2021/22
- "call in" of Cabinet decisions
- Training and Development

1.3 Members are asked to recommend to Council that it approves the Committee's Annual Report for subsequent publication.

List of appendices:

Appendix 1 – Annual Report on the Scrutiny Function 2019/20

Background papers:

Nil

Corporate Implications

Legal/Constitutional: None

Financial: None

Potential impact on climate change and the environment: None

Contribution toward achieving a net zero carbon position by 2030: None

Personnel: None

Risk Management: None

Equality and Diversity: None

Health and Safety: None

Digital: None

Other: None

Consultees:

Chair and Vice Chair of the Overview and Scrutiny Committee

Relevant Policies and Strategies:

Local Code of Corporate Governance



CHELMSFORD CITY COUNCIL ANNUAL REPORT ON THE SCRUTINY FUNCTION 2020/21

**Councillor J. Galley
(Chair – Overview and Scrutiny Committee)**

www.chelmsford.gov.uk

CONTENTS

	Page No
1. Background	1
(a) Statutory provisions	1
(b) Terms of Reference of the Overview and Scrutiny Committee	1-2
(c) Membership of the Committee.....	2-3
(d) Programme of Meetings	3
(e) Publication of information	3
2. Work undertaken in 2020/21.....	3-4
3. 'Call in' of Cabinet decisions.....	4
4. Planned future work.....	4
5. Training and development.....	5

Background

(a) *Statutory Provisions*

Under the Local Government Act 2000 each local authority is required to establish at least one committee to review or scrutinise decisions taken by the Executive or any other part of the council and make reports to the council or to the cabinet. It can also report on any matters that affect the authority's area or its inhabitants. Its role includes both developing and reviewing policy and holding the Executive to account. The Committee has power to require Cabinet members and officers to attend before it to answer questions and it may also invite other people to attend its meetings.

Chelmsford Council chose, in 2005, to set up a single Scrutiny Committee. The Committee's first meeting was on 23rd May, 2005. It was later renamed the Overview and Scrutiny Committee by Council on 10th May, 2006.

New legislation came into effect in 2009 which placed additional duties on the Council and in respect of which it was required to make arrangements for their discharge. The legislation concerned was:

- The Police and Justice Act 2006 (Sections 19 -21), which placed a duty on all local authorities to scrutinise the activities of organisations comprising the local crime and disorder reduction partnership, and
- Section 119 of the Local Government and Public Involvement in Health Act 2007, which allowed councillors to ask for discussions to take place at an overview and scrutiny committee on issues of neighbourhood concern.

In December 2009 the Council agreed that the Overview and Scrutiny Committee take responsibility for those functions and that its terms of reference were amended accordingly.

The Local Democracy, Economic Development and Construction Act 2009 (Commencement No. 3) Order 2010 brought into force on 15th June 2010 the requirement for local authorities to have a scheme for responding to petitions from people who live, work or study in the area. Petition organisers who are dissatisfied with the Council's response can ask for a review by the Overview and Scrutiny Committee. A report on this matter was agreed by Cabinet on 8 June and Council on 9 June 2010 and the Committee's terms of reference were again amended to reflect this additional function.

(b) *Terms of Reference*

The Terms of Reference of the Committee are contained in Part 3 of the Council's Constitution. They are as follows –

General role

To act as a channel for public involvement in the activities of the Council and other bodies operating in the City; to oversee the proper and efficient administration of the Council; to review the effectiveness of its work and services; and to support and complement the activities of the Cabinet, whilst at the same time scrutinising them and offering constructive comment or advice where appropriate.

Specific role

- monitor the performance of the Council's services, carry out detailed reviews of them where considered necessary and report any resulting recommendations to the Cabinet;
- review the decisions, decision-making processes and activities of the Cabinet, other Council bodies and in respect of the Committee's own work to ensure that they comply with the requirements of the Constitution and the policies of the Council;
- monitor the activities and performance of external bodies, liaising with them where necessary, and carry out detailed assessments of the effectiveness of services provided by them if any apparent shortcomings are identified;
- scrutinise the work of the community safety partnership (Safer Chelmsford) and the partners who comprise it, insofar as their activities relate to the partnership itself and exercise all the other functions of a crime and disorder committee pursuant to Section 19 of the Police and Justice Act 2006;
- consider Councillor Call for Action requests following agreement by the Chair and Vice-Chair of the Committee after consultation with the Director of Corporate Services
- consider and respond to petitions, requesting that officers appear before the Committee to answer questions on functions, services or decisions for which they are responsible
- review the Council's handling of or responses to petitions where the petition organiser is dissatisfied with the action taken.

The Committee will also be responsible for

- providing opportunities for officers to acquaint members with the operation of the Council.

(c) *Membership of the Committee*

The Committee had 15 members, all Members of Chelmsford City Council. They are appointed by the full Council at its Annual Meeting in May of each year on a proportionality basis. No member of the Cabinet may be a member of the Committee.

In 2020/21 the membership of the Committee comprised the following members:

LD Councillors L. Ashley, M.W. Bracken (*From July 2020*) N.A. Dudley (*until July 2020*), I.D. Fuller, S.M. Goldman (*Until July 2020*) (*Vice Chair*), J.C.S. Lager, J.S. Lardge, C.M. Shaw (*From July 2020*) T.N. Willis and S. Young (*Vice Chair from July 2020*)

CON Councillors J. Galley (Chair), I.S. Grundy, G.B.R. Knight (*from December 2020*) M. Sismey, M.S. Steel, M.D. Watson (*Until December 2020*) and R.T. Whitehead

IND Councillor R.J. Hyland

Following the Annual Meeting on 19 May 2021 the membership is now 13 members and as follows –

LD Councillors L. Ashley, I.D. Fuller, J.C.S. Lager, J.S. Lardge, T.N. Willis, C. Shaw and S. Young (Vice Chair)

CON Councillors J. Galley (Chair), R.J.E. Gisby, I.S. Grundy, M. Sismey and M.S. Steel

IND Councillor W.A. Daden

The Committee is currently chaired by Councillor J. Galley, who is a member of the Opposition group on the Council (the Conservatives).

(d) Programme of Meetings

The Committee met on four occasions in the municipal year 2020/21. It has five meetings programmed for 2021/22. Additional meetings may be arranged as required, including any which may be necessary if any decisions of the Cabinet become subject to the 'call In' procedure mentioned in Part 3 of this Report.

(e) Publication of Information

The agendas for the Committee's meetings are published on the Council's website not later than five clear days before the date of each meeting. The minutes of each meeting are also published on the website as soon as possible after each meeting has taken place.

Work Programme 2020-21

The main areas of activity considered by the Committee during the municipal year (May to May) 2020/21 were as follows –

<u>Subject</u>	<u>Date(s) considered</u>
Cabinet Portfolio Updates	8 June 2020
Quarterly review of the work of the Chelmsford Policy Board	8 June 2020
Reports from representatives on Outside Bodies	8 June 2020
Annual Report on the Scrutiny Function 2019/20	8 June 2020
Decisions taken under delegation to the Chief Executive	8 June 2020
Performance Review – Recycling and Waste Collection	21 September 2020

Annual Report on Corporate Health and Safety	21 September 2020
Quarterly Review of the work of the Chelmsford Policy Board	21 September 2020
Cabinet Portfolio Updates	23 November 2020
Mid-Year Budget Review	23 November 2020
Cabinet Member for Sustainable Development's Annual Report on Housing Delivery	23 November 2020
Leisure and Heritage Performance Review	23 November 2020
Report on Decisions taken under delegation to the Chief Executive	23 November 2020
Cabinet Portfolio Updates	1 February 2021
Annual Presentation by Safer Chelmsford Partnership	1 February 2021
Annual Presentation by Essex Police	1 February 2021
Final report from Community Safety Communication Task and Finish Group	1 February 2021
Climate and Ecological Emergency Action Plan Update	1 February 2021

The Overview and Scrutiny Committee took on the role of scrutinising Safer Chelmsford to meet the requirements of the Police and Justice Act 2006, which stated that there must be a formal place where community safety matters can be discussed. The presentations on the Safer Chelmsford Partnership and by the Essex Police are both made to the Committee annually at its February meeting, so that cross-cutting issues can be identified and discussed.

'Call-in' of Cabinet Decisions

This Council's Executive Arrangements, made under Section 21 of the Local Government Act 2000, provide an opportunity for Members to require that the Overview and Scrutiny Committee review a decision taken by the Executive (Cabinet) but not yet implemented. Depending on its conclusion, that Committee could then request that the Cabinet reconsider, and possibly amend, that decision.

The procedure for "calling in" Cabinet decisions is set out in the Council's Constitution (Part 4.5 – Overview and Scrutiny Rules – Rule 4.5.11). In brief this provides that at least five Members of the Overview and Scrutiny Committee must request the call-in in writing, setting out their reasons, and the request must be received by the Council's Legal and Democratic Services Manager by 5 p.m. on the fourth working day after the Cabinet decision was taken.

During 2020-21 no decisions of the Cabinet were called in for consideration by the Overview and Scrutiny Committee.

Future Projects

The Committee keeps its work programme under constant review. The work programme is considered at the end of each meeting and officers are intending to propose some topics at the July meeting.

Training and Development

Members of the Overview and Scrutiny Committee form small “Task and Finish” groups to look into a particular subject or service where appropriate. They work with officers to find out more about the service area and to identify possible improvements. They attend site visits, forums and meetings and undertake research as necessary in order to obtain further understanding and information to support the review. Their findings are fed back to the rest of the Committee in the form of a report and recommendations. In addition to ensuring value for money and that things are done correctly, ‘Task and Finish’ groups provide excellent development opportunities for Members, help to maintain good Member/Officer relations, raise awareness of issues and services amongst Members and can identify gaps in Member training.



Chelmsford City Council Overview and Scrutiny Committee

26 July 2021

Report on Decisions taken under delegation to the Chief Executive

Report by:

Director of Connected Chelmsford

Officer Contact:

Daniel Bird, Daniel.bird@chelmsford.gov.uk (01245) 606523

Purpose

To report on the decisions taken under delegation to the Chief Executive for the period 1 November 2020 to 30 June 2021.

Recommendations

That the report be noted.

1. Background or Introduction

- 1.1. The Constitution of the Council includes, at Part 3 (Responsibility for Functions), details of matters on which the officers of the Council are authorised to take decisions. These are known as delegations to officers and among them is the following, which is delegated to the Chief Executive:

“ Deal with any matter on grounds of urgency, following consultation with the Leader of the Council or the Chair and Vice Chair of the appropriate Committee in respect of non-executive matters.

1.2. The decisions taken by the Chief Executive under this delegation are recorded and notified to the public and members of the Council by publication on the Council’s website. On 8 February 2010 the Overview and Scrutiny Committee agreed that a list of those decisions should also be brought to the Committee for information in June and November each year.

2. Latest Decisions

2.1. Seven decisions were taken under delegation to the Chief Executive during the period 1 November 2020 to 30 June 2021. Summaries of those decisions are attached as appendices to this report.

2.2. Members are asked to note the content of the report.

List of appendices:

Appendix 1 – Decisions taken under delegation to the Chief Executive for the period 1 November 2020 to 30 June 2021.

Background papers: Nil

Corporate Implications

Legal/Constitutional: None

Financial: None

Potential impact on climate change and the environment: None

Contribution toward achieving a net zero carbon position by 2030: None

Personnel: None

Risk Management: None

Equality and Diversity: None

Health and Safety: None

Digital: None

Other: None

Consultees:

Director of Connected Chelmsford

Relevant Policies and Strategies:

None relevant

DECISION TAKEN UNDER DELEGATION TO THE CHIEF EXECUTIVE

Subject:

Local Restrictions Grants Scheme

Date of Decision:

12 November 2020

Decision Number:

9/2020

Background:

In order to assist businesses across the country legally required to close as a result of the latest lockdown, the Government has updated its guidance regarding support for business and created a number of schemes offering a mix of prescribed and discretionary support for those businesses forced to close or that have been severely impacted by COVID-19 restrictions. Two of those schemes are the Local Restrictions Support Grant – Closed and Addendum - schemes.

Those schemes will be administered locally and a policy has been drawn up for their operation in Chelmsford by the City Council. The proposed policy is in Appendix A to the attached Briefing Note. Businesses legally required to close as a result of the legal requirements will be paid grants for each 28 day period of closure at a rate dependent upon their rateable value.

Decision and Reasons for Urgency:

As the length of the national lockdown is known in advance and will be in force for at least 28 days, it was considered appropriate and desirable to begin making payments to businesses as quickly as possible. The need to provide financial support to businesses quickly would be frustrated by the timescales of the usual decision-making process. The Chief Executive therefore accepted the need to exercise his delegated authority to take urgent decisions and approved the introduction of the policy with immediate effect.

Supporting Information:

The Cabinet Member for Fairer Chelmsford was consulted before taking the decision and had no objection to it.

DECISION TAKEN UNDER DELEGATION TO THE CHIEF EXECUTIVE

Subject:

Local Restrictions Support Grants

Date of Decision:

24 November 2020

Decision Number:

10/2020

Background:

On 22nd October 2020, the Secretary of State for Business, Energy and Industrial Strategy announced a package of support for businesses which have been severely impacted by the imposition of Tier 2 and Tier 3 COVID-19 restrictions, although not forced to close. As a result of the request from Essex councils to be placed into Tier 2 with effect from 17th October 2020, the Local Restrictions Support Grant (Open) funding has been made available to Chelmsford City Council and the Council has had to decide on a discretionary scheme to support affected businesses. In addition to this, the Secretary of State announced a further fund, the Additional Restrictions Support Grant Scheme, on 31st October 2020. The Additional Restrictions Grant funding is intended to support businesses affected during periods of Tier 3 and national lockdown restrictions. Each local authority also has discretion as to how this funding is distributed.

Decision and Reasons for Urgency:

It is necessary to put in place the policies for the distribution of the Local Restrictions Support Grant (Open) – LRSG(Open) and Additional Restrictions Grant (ARG) funding. Those policies are attached as Appendices A and B to the attached briefing note.

The need to provide financial support to businesses quickly would be frustrated by the timescales of the usual decision-making process. The Chief Executive therefore accepted

the need to exercise his delegated authority to take urgent decisions and approved the introduction of the policies with immediate effect.

Supporting Information:

The Cabinet Member for Fairer Chelmsford was consulted before taking the decision and had no objection to it.

DECISION TAKEN UNDER DELEGATION TO THE CHIEF EXECUTIVE

Subject:

Christmas Support Payments Scheme for Wet-Led Pubs

Date of Decision:

21 December 2020

Decision Number:

11/2020

Background:

On 1st December 2020, the Secretary of State for Business, Energy and Industrial Strategy announced a one-off grant off £1,000 to support pubs during the Christmas period. It is only available to pubs which derive the majority of their income from the sale of drink, rather than food. Eligible businesses also have to be in areas where Tier 2 or Tier 3 COVID-19 restrictions are in place at any point between 2nd December 2020 and 29th December 2020.

A policy for the distribution of payments from the Christmas Support Payment (Wet-led Pubs) Scheme was produced and is attached as an Appendix. The Scheme is summarised in the attached briefing note.

Decision and Reasons for Urgency:

The need to provide financial support to businesses quickly would be frustrated by the timescales of the usual decision-making process. The Chief Executive therefore agreed to exercise his delegated authority to take urgent decisions and approved the Payment Scheme.

Supporting Information:

The Cabinet Member for Fairer Chelmsford was consulted before taking the decision and had no objection to it.

DECISION TAKEN UNDER DELEGATION TO THE CHIEF EXECUTIVE

Subject:

Drakes Lane Gypsy and Traveller Site

Date of Decision:

2 March 2021

Decision Number:

1/2021

Background:

Chelmsford's Local Plan identified the requirement and makes provision for the City Council's future Gypsy and Traveller needs up to 2036. The Plan site allocation GT1 identifies land at Drakes Lane in Lt Waltham as a suitable location for this development. Planning permission for the Drakes Lane site expires later this year having been granted in 2018. The permission makes provision for nine Gypsy and Traveller pitches, together with a site office and associated infrastructure under application reference 18/01476/FUL.

The City Council does not own the land at Drakes Lane but has secured through a section106 agreement the option to acquire the land for £1 to provide this facility. The delivery of this development will allow this Council to demonstrate that there is adequate provision for this type of accommodation which is a key element of preventing illegal encampments.

The Council has tried on a number of occasions to find a developer willing to take ownership of the site to deliver and manage this need. Most recently Hastoe Homes had entered into contract discussions with the Council only to withdraw stating that they no longer had the capacity to deliver and manage the site.

Working with CHP and cost consultants Oxbury Surveyors the Council has assessed the cost of the development and has allocated funding, partly from section 106 agreements connected with the larger area.

CHP has agreed to undertake and complete the development acting as Development Agent and to also manage the completed facility; this will be under a management agreement similar to the Council's Homes 2 Lease properties.

Decision and Reasons for Urgency:

The need for this facility has been identified and its provision is part of the Council's Local Plan strategy. The facility will provide additional accommodation for a part of the community that is often disadvantaged or under provided for.

It is likely that the next Cabinet meeting in April will be cancelled owing to purdah and the next meeting of the Council, which would normally approve the budget required for the proposal, is not until May. To avoid delay in progressing the scheme, the Chief Executive agreed to exercise his authority under the Delegation to Offices, paragraph 3.4.2.7, to authorise:

1. Entering into agreements with CHP for the management and delivery of this project including grant funding applications.
2. The exercise of the option to acquire the land outlined on the plan attached.
3. The allocation of the capital budget and revenue budget required for this project.

Supporting Information:

The Leader of the Council and the Mayor and Deputy Mayor were consulted before taking the decision and had no objection to it.

DECISION TAKEN UNDER DELEGATION TO THE CHIEF EXECUTIVE

Subject:

The Hooe Playing Field, Bicknacre

Date of Decision:

2 March 2021

Decision Number:

2/2021

Background:

The City Council own land off Main Road Bicknacre known as the Hooe Playing Field (see attached plan CPS 1079.4). The land is subject to a 99-year lease in favour of Bicknacre Parish Council.

The adjoining land (shown below in Figure 1) is subject to a planning application to provide 42 new homes, if permitted the development will require access over the Council's land hatched in blue on the plan; without this access only 24 homes would be developed. It has been established that the development site provides a natural habitat for Slow Worms and for the development to proceed an alternative habitat will be required.

The Council has negotiated an agreement with the developer that will allow use of the blue hatched area subject to a right of way in connection with the planning application ref.20/01507/FUL and an option to purchase. Rights will be reserved and maintained for access to the playing field at all times. Additionally, it has been agreed to provide a new habitat for the Slow Worms on the Council's land, this area is marked in green on the plan.

Separately the City Council has negotiated a surrender of the existing lease in favour of the Parish Council and a new lease on similar terms will be entered into that accommodates the sharing of the land to facilitate the development; the Parish Council has requested that at least eight of the affordable homes provided at the development are reserved for people with a local connection and the developer has agreed to this request.

Decision and Reasons for Urgency:

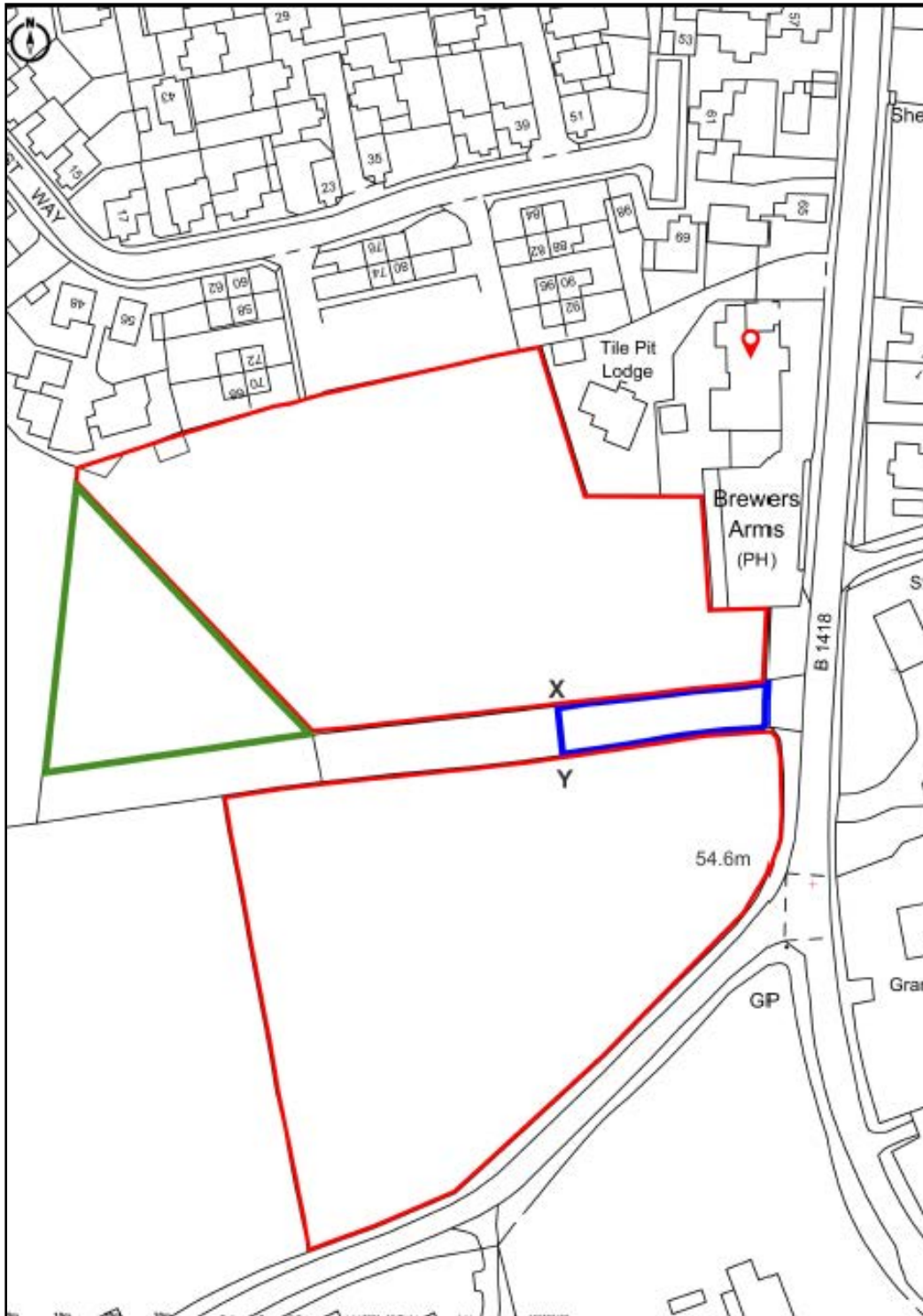
The developer is working under a time constraint as they hold an option over the land which will expire shortly. Timing would not permit this matter to be presented at the next Cabinet meeting. The agreement provides the Council with a capital sum and delivers an increased number of affordable homes that would not be delivered without these actions.

In view of the pressing need for an early decision, the Chief Executive agreed to exercise his authority under the scheme of Delegation to Offices, paragraph 3.4.2.7, to enter into a new lease with the Parish Council and an agreement with the developer Propiteer Homes Ltd or a wholly owned SPV approved by the Council.

Supporting Information:

The Leader of the Council was consulted before taking the decision and had no objection to it.

Figure 1



DECISION TAKEN UNDER DELEGATION TO THE CHIEF EXECUTIVE

Subject:

Additional Restrictions Grants Policy

Date of Decision:

15 March 2021

Decision Number:

3/2021

Background:

On 24 November 2020, the Chief Executive used his delegated decision making powers to take decision 10/2020. That decision approved the policies relating to two discretionary business support grant schemes, the Local Restrictions Support Grant (Open) Scheme (LRSGO) and The Additional Restrictions Grant Scheme (ARG). These schemes provided funding for businesses affected by Covid-19 restrictions and allowed grants to be made to certain businesses which were allowed to open, but subject to restrictions sufficient to severely affect their trade or forced to close entirely. As the Covid-19 restrictions have continued, the funding provided by the Government for LRSGO is now exhausted, while additional funding has been received in respect of the ARG.

Decision and Reasons for Urgency:

The Chief Executive exercised his delegated authority to take urgent decisions and authorised the amalgamation of the policies for the distribution of the Local Restrictions Support Grant (Open) – LRSG(Open) into an amended Additional Restrictions Grant (ARG) policy in order to provide ongoing support to a greater number of businesses. That policy is detailed in Appendix A and summarised in the attached background paper.

The need to provide financial support to businesses quickly would be frustrated by the timescales of the usual decision-making process.

Supporting Information:

The Cabinet Member for a Fairer Chelmsford was consulted before taking the decision and had no objection to it.

DECISION TAKEN UNDER DELEGATION TO THE CHIEF EXECUTIVE

Subject:

Discretionary Rate Relief Policy

Date of Decision:

18 March 2021

Decision Number:

4/2021

Background:

The Council is required to maintain a policy detailing its criteria for awarding discretionary rate relief under section 47 of the Local Government Finance Act 1988, as amended by s.69 of the Localism Act 2011. Section 69 of the Localism Act allows local authorities to create policies to grant discretionary business rate relief in any circumstances that it sees fit. The cost of any such relief is borne solely by the local authority and its taxpayers. In practice, s.69 is used by the Government as means of creating reliefs for policy reasons without the need to legislate for them and local authorities are reimbursed for the cost by means of grants under s.31 Local Government Act 2003. Despite this, Chelmsford City Council is required to ratify its discretionary rate relief policy and this is normally achieved via a Cabinet decision.

In the Budget on 3 March 2021, the Chancellor of the Exchequer announced a short- term extension to one of the existing reliefs. It is a requirement of discretionary reliefs that removal of a relief so as to increase a liability must be notified before the start of the financial year in which they apply. Thus the Council is required to inform businesses before 31 March 2021 that any particular relief will not last for the full

financial year

Decision and Reasons for Urgency:

As the timescale was so short, agreement of the amendment to the policy would be frustrated by going through the usual decision-making process. The Chief Executive

exercised his delegated authority to take urgent decisions and authorised the amendment of the Discretionary Rate Relief Policy That policy is detailed in Appendix C and summarised in the attached background paper.

Supporting Information:

The Cabinet Member for a Fairer Chelmsford was consulted before taking the decision and had no objection to it.



Chelmsford City Council Overview and Scrutiny Committee

26 July 2021

Work Programme

Report by:

Director of Connected Chelmsford

Officer Contact:

Daniel Bird, Daniel.bird@chelmsford.gov.uk (01245) 606523

Purpose

The purpose of this report is to invite Members' comments on the Committee's work programme which has been updated since the Committee last met on 1 February 2021.

Recommendations

Members are invited to comment on the Committee's work programme, attached as Appendix 1 to this report and make any necessary amendments to it.

1. Background

- 1.1. The Committee's work programme has been updated following the meeting held on 1 February 2021 and is attached at Appendix 1.
- 1.2. Any changes to the programme since the last meeting are indicated by an asterisk and bold text in Appendix 1.
- 1.3. Any suggested future items that need assigning to a meeting are highlighted at the end of Appendix 1.

2. Conclusion

- 2.1. Members' comments are invited on the work programme.

List of appendices:

Appendix 1 – Work Programme

Background papers:

Corporate Implications

Legal/Constitutional: None

Financial: None

Potential impact on climate change and the environment: None

Contribution toward achieving a net zero carbon position by 2030: None

Personnel: None

Risk Management: None

Equality and Diversity: None

Health and Safety: None

Digital: None

Other: None

Consultees:

Chair and Vice Chair of the Overview and Scrutiny Committee

Relevant Policies and Strategies:

Not applicable

OVERVIEW AND SCRUTINY COMMITTEE

Work Programme

** Any changes to the programme since the last meeting are indicated by an asterisk and bold text.*

<u>Subject</u>	<u>Author</u>
26 July 2021	
Performance Review Items	
Cabinet Portfolio Update	Leader of the Council
Annual Report from the Chelmsford Policy Board	Chair of the Chelmsford Policy Board
Final report from Riverside Project Task and Finish Group	Director of Public Places
Standing Items	
Report on Decisions Taken Under Delegation to the Chief Executive	Dan Bird Democratic Services Officer
Annual Report of the Committee	Dan Bird Democratic Services Officer
20 September 2021	
Performance Review Items	
Cabinet Portfolio Update	Deputy Leader and Cabinet Member for Connected Chelmsford
*Review of 'Our Chelmsford, Our Plan'	Chief Executive
22 November 2021	
Performance Review Items	
Cabinet Portfolio Update	Cabinet Member for Fairer Chelmsford
Mid-year budget review	Director of Finance
Cabinet Member for Sustainable Development's Annual Report on Housing Delivery	Jeremy Potter Spatial Planning Services Manager
Standing Items	

Report on Decisions Taken Under Delegation to the Chief Executive	Dan Bird Democratic Services Officer
7 February 2022	
Performance Review Items	
Cabinet Portfolio Updates	Cabinet Member for Greener and Safer Chelmsford
Annual Presentation by Essex Police	Essex Police
Annual Presentation by Safer Chelmsford Partnership	Spencer Clarke Public Protection Manager
25 April 2022	
Performance Review Items	
Cabinet Portfolio Update	Cabinet Member for Sustainable Development
*Parks and Open Spaces Strategy	Director of Public Places
Reports from representatives on outside bodies	Dan Bird Democratic Services Officer
Future Work to be scheduled	
<p>Performance Monitoring Topic suggestions:</p> <ul style="list-style-type: none"> - <i>Digital Developments</i> - <i>Business Transformation</i> - <i>Museum</i> 	