

# **COUNCIL MEETING**

## **30 SEPTEMBER 2014**

### **PRESENT:**

D. S. Smith (Chairman)  
K. P. Humphreys (Vice-Chairman)

Allsopp, Mrs J. A.	Isaacs, D.	Stanhope MBE, Mrs M.
Awty, R. J.	Leytham, D. J.	Strachan, R. W.
Bacon, B. F.	Marshall, T.	Taylor, S. D.
Bacon, Mrs N.	Mosson, R. C.	Thomas, T. J.
Barnett, Mrs S. A.	Mynott, G.	Tittley, M. C.
Constable, Mrs B. L.	Norman, S. G.	Tranter, Mrs H.
Constable, D. H. J.	Pearce, A. G.	Walker MBE, J.T.
Derrick, B. W.	Powell, J. J. R.	Warfield, M. A.
Drinkwater, E. N.	Pritchard, I. M. P.	White, A. G.
Eadie, I. M.	Pullen, D. R.	Wilcox, M. J.
Eagland, Mrs J. M.	Richards, Mrs V.	Willis-Croft, K. A.
Flowith, Mrs L. E.	Roberts, N. J.	Woodward, Mrs S. E.
Greatorex, C.	Salter, D. F.	Yeates, B. W.
Hancocks, Mrs R.	Smedley, D.	
Heath, H. R.	Spruce, C.J.	

**(APOLOGIES FOR ABSENCE** were received from Councillors Mrs Arnold, Mrs Bland, Mrs Boyle, Cox, Mrs Evans, Mrs Fisher, Hogan and A. F. Smith).

The Chairman welcomed Councillor Mrs Richards to the Council Chamber following her recent illness and asked that the best wishes of the Council be forwarded to Councillor Hogan who was not well.

### **PRAYERS:**

Prayers were said by the Very Reverend Archimandrite S. Piers who made particular reference to Councillor Wilks who had recently died.

### **88 DECLARATIONS OF INTEREST:**

The following declarations of interest were made:-

- 1) Councillor Drinkwater – Personal Interest in Item 18 (Asset Strategy Review) as a customer of one of the businesses on the Ring Road Industrial Units, Burntwood.
- 2) Councillor Mrs Flowith – Prejudicial Interest in Items 15 and 18 (Asset Strategy Review) as she was a partner of a company involved in the potential acquisition of the industrial units at Greenhough Road, Lichfield.
- 3) Councillor Norman - Personal Interest in Item 18 (Asset Strategy Review) as a customer of one of the businesses on the Ring Road Industrial Units Burntwood.
- 4) Councillor White – Non Pecuniary Interest in Item 5 (Funding the Community and Voluntary Sector and Locality Commissioning) under Agenda Item 5 (Report of the Leader of the Council) in view of his Staffordshire County Council involvement.

**89 MINUTES – 8 JULY 2014:**

It was proposed, duly seconded and

**RESOLVED:** That the Minutes of the Meeting held on 8 July 2014 (Volume 42 Part 2 Minute Book) be approved as a correct record and signed by the Chairman.

**90 CHAIRMAN'S ANNOUNCEMENTS:**

**(a) Councillor J. N. Wilks**

The Chairman reminded Members that Councillor Wilks had died on 14 September 2014 and he, together with Councillors Marshall, Norman, Powell, Spruce and Wilcox paid tribute to the Local Government and Community Work that Councillor Wilks had undertaken. Members stood for a minutes silence in memory of Councillor Wilks.

**(b) Civic Service Cathedral Evensong**

The Chairman informed Members that the Evensong Service held on 20 July 2014 was attended by Civic Representatives from throughout the District as well as invited guests and the congregation and he thanked all those Members who had attended.

**(c) Federation of Small Businesses Award**

The Chairman informed Members that the District Council had been presented with a special award at the Federation of Small Businesses Staffordshire and West Midlands Regional Local Authority Awards 2014 which recognised the collaborative working from the Staffordshire Authorities in the Greater Birmingham and Solihull Local Enterprise Partnership.

**(d) Lichfield Sinfonia Concert**

The Chairman informed Members that a concert was to be held by the Lichfield Sinfonia on 30 November 2014 at Netherstowe School in Lichfield with the profits from the event being donated to the Chairman's Charity.

**(e) Book entitled "Lily"**

The Chairman informed Members that he had recently received his first royalties cheque following the publication of his book entitled "Lily" and that he would not be cashing the cheque but framing it.

**91 STATEMENT OF ACCOUNTS 2013/2014:**

Councillor Spruce presented the Statement of Accounts for 2013/2014 and reminded Members that it was a requirement for the Council to formally approve the accounts by the 30 September 2014. The Auditors had officially signed off and confirmed that the Council's accounts present a true and fair view and Councillor Spruce reported that the accounts had been prepared in accordance with the relevant Codes of Practice and would be available for the public. Councillor Spruce highlighted that revenue spending was £493,000 below budget which had resulted in only £144,000 being required from reserves. Councillor Spruce then proposed and Councillor Wilcox seconded "that the Statement of Accounts 2013/2014 be approved."

Councillor Tittley congratulated those Officers involved in doing a superb job in difficult

circumstances having regard the reduction of resources available.

Councillor Mynott referred to the Work Clubs mentioned in the documents and sought clarification of the type of work that had been obtained, whether the jobs were permanent or part time and if a living wage was paid.

Councillor Drinkwater referred to the Burntwood Traders Forum and hoped that this would be supported by the District Council particularly having regard to the number of events which appeared to take place in the City of Lichfield in comparison to Burntwood. Councillor Walker added that he felt that more publicity should be given to the events which took place in the Burntwood area.

Councillor Mrs Woodward sought clarification about the success of the Homeless Prevention Activity as she considered that the figures only provided part of the required information.

Councillor Norman stated that he thought that more training involving scrutiny should be arranged during the four years following the next District Council Elections so that the scrutiny process would be improved.

Councillor Greatorex, in response to Councillor Mynott, said that it was difficult to obtain comprehensive information about the types of work people have entered into once they have left the Work Clubs but he had established that the majority were in permanent employment and in a variety of different full and part time jobs. Councillor Greatorex undertook to obtain further information for Councillor Mrs Woodward about Homeless Prevention figures, agreed that more training in Scrutiny was needed and hoped that Members would fill in questionnaires on training needs when they were circulated.

Councillor Pritchard informed Members that Burntwood was never neglected by the District Council as much work was undertaken with the Burntwood Business Crew and informed Members that a Business Event had taken place at Burntwood Leisure Centre recently which had been successful. Councillor Mrs England added that the response to the Stephen Sutton Teenage Cancer Research Fundraising had raised the profile of Burntwood considerably however Councillors Drinkwater and Mrs Woodward felt that this was not an appropriate comment having regard to the matters under consideration.

In summary Councillor Wilcox informed Members that the District Council's finances remained sound against a background of reductions and stated that more efficiencies would follow in due course.

It was then:

**RESOLVED:** That the Statement of Accounts 2013/2014 be approved.

(There was a short recess to allow the accounts to be formally signed by the Auditor).

## **92 REPORT OF THE LEADER ON CABINET DECISIONS FROM THE MEETINGS HELD ON 15 JULY AND 9 SEPTEMBER 2014 AND CABINET MEMBER DECISIONS:**

The Leader of the Council submitted his report on Cabinet Decisions from the meetings held on 15 July and 9 September 2014 and on Cabinet Member decisions.

## **2 – Fazeley and Bonehill Townscape Heritage Application**

Councillor Mynott welcomed the application and thanked Officers for their work. Councillor Mynott commented that the residents of Fazeley sometimes felt neglected and hoped that the scheme would be of benefit. Councillor Pritchard assured Members that Fazeley was not forgotten and that it had a significant number of heritage buildings and he hoped that the scheme would cherish the past and shape the future.

## **5 – Funding the Community and the Voluntary Sector and Locality Commissioning**

Councillor Norman referred to the report submitted to the Cabinet and the survey results which had recently been received and which had been considered by the Lichfield District Board and hoped that the Cabinet would take note of the views expressed.

Councillor Mrs Woodward was grateful for the support given by the Funding the Community and Voluntary Sector Member Task Group and whilst understanding the benefits for various organisations working together considered that democratic accountability needed to be retained and smaller services to residents should not be omitted.

Councillor Greatorex welcomed the positive comments about the Voluntary Sector and reminded Members that the minutes of the Lichfield District Board were submitted to Cabinet and therefore were available for inspection.

## **6 – Business Rates Retail Discretionary Relief**

Councillor Drinkwater commented that he considered that this item showed that staff in the District Council were being over burdened with more work than they could deal with as the opportunity for discretionary relief would have been missed if he had not identified the availability of it.

## **93 REPORT OF THE CHAIRMAN OF THE LEISURE PARKS AND WASTE MANAGEMENT (OVERVIEW AND SCRUTINY) COMMITTEE:**

Councillor Mrs Tranter submitted her report on the matters considered by the Leisure Parks and Waste Management (Overview and Scrutiny) Committee held on 8 September 2014.

### **2 – Fit for the Future: Parks Grounds Maintenance and Countryside Review – Hospital Road Playing Fields**

Councillor Isaacs considered that the report did not record the discussion that was had about Burntwood Town Council being allowed the opportunity to be considered as an organisation that could manage the Fields although it had been agreed at the meeting. Councillor Mrs Richards informed Members that Hammerwich Parish Council were talking to Burntwood Clubs about the availability of the site.

Councillor Mrs Tranter confirmed that Councillor Isaacs was correct in his recollection of the discussion.

### **3 – Fit for the Future: Parks Grounds Maintenance and Countryside Review – Land on the Line of the Lichfield Canal**

Councillor Mrs Eagland expressed concern that she, as a local Member for part of the area affected, had not been informed that the report was to be considered and asked that if, in future, Local Members could be informed when issues affecting their wards were to be discussed at any Cabinet or Committee meeting. Councillors Norman and Mrs Woodward supported that view and it was agreed that the Chief Executive should consider how Members could be notified of issues affecting their Ward which were to be considered by the Cabinet or Committees.

#### **4 - Work Programme and Forward Plan**

Councillor Drinkwater was pleased to see that the Committee were to receive a Briefing Paper to update them on the progress of the outcome from the Dog Control Orders item and made reference to the survey which had recently been received which showed that 86% considered that monitoring of dog fouling should continue. Councillor Mrs Tranter informed Members that a report was due to be received by the Committee in January 2015.

#### **94 REPORT OF THE VICE-CHAIRMAN OF THE STRATEGIC (OVERVIEW AND SCRUTINY) COMMITTEE:**

Councillor Pullen submitted his report on the matters considered by the Strategic (Overview and Scrutiny) Committee held on 23 September 2014.

#### **95 REPORT OF THE VICE-CHAIRMAN OF THE ECONOMIC GROWTH, ENVIRONMENT AND DEVELOPMENT (OVERVIEW AND SCRUTINY) COMMITTEE:**

Councillor Mrs Eagland submitted her report on the matters considered by the Economic Growth, Environment and Development (Overview and Scrutiny) Committee held on 24 September 2014.

#### **4 – Progress on Supplementary Planning Documents (SPD)**

Councillor Mrs Stanhope informed Members that she had attended the meeting of the Rural Development SPD Task Group as a member of that Group and had felt that the meeting was very useful.

#### **6 – Complaints and Compliments**

Councillor Mrs Stanhope indicated that the report showed that there was only one elected person on the Environment Agency Board however she understood that there were none and asked that this be clarified.

#### **96 MINUTES OF COMMITTEES:**

##### **(a) Planning Committee – 30 June 2014**

It was proposed by Councillor Smedley and duly seconded “that the Minutes of the Meeting of the Planning Committee held on 30 June 2014 (Minutes Nod 31-38) be approved and adopted.”

Councillor Drinkwater expressed concern about the number of delegated decisions being made by Officers of the District Council and the fact that this was done in order to reach targets. Councillor Drinkwater added that in view of the uncertainty over the National Planning Framework and Local Plan he hoped that the Planning Department would not be target led as this was not of benefit to the residents of the District. Councillor Mrs Stanhope understood that the target had been set by Government and reminded Members that they had the opportunity to call in applications if they had sound grounds for doing so and added that she considered that some of the problems lay with some Parish Councils who were not familiar with planning rules.

Councillors Drinkwater, Salter and Mrs Woodward commented on the call in process which they felt could be improved and Councillor Pritchard undertook to speak to Planning Officers about that

It was then:

**RESOLVED:** That the Minutes of the Meeting of the Planning Committee held on 30 June 2014 (Minutes Nod 31 – 38) be approved and adopted.

**(b) Audit Committee – 1 July 2014**

It was proposed by Councillor Mosson, duly seconded and

**RESOLVED:** That the Minutes of the Meeting of the Audit Committee held on 1 July 2014 (Minutes Nod 39 – 41) be approved and adopted.

**(c) Planning Committee – 21 July 2014**

It was proposed by Councillor Smedley, duly seconded and

**RESOLVED:** That the Minutes of the Meeting of the Planning Committee held on 21 July 2014 (Minutes Nod 56 – 66) be approved and adopted.

**(d) Employment Committee – 24 July 2014**

It was proposed by Councillor Powell and duly seconded “that the Minutes of the Meeting of the Employment Committee held on 24 July 2014 (Minutes Nod 67 – 70) be approved and adopted.”

**Arising on the Minutes:**

**Minute No 70 – Fit for the Future – Phase One Decisions on Voluntary Redundancy**

Councillor Mrs Woodward asked if all applications for Voluntary Redundancy had been accepted as she was concerned that if this was the case there could be an imbalance in some areas of the District Council and she sought an assurance that an overview is given to applications.

Councillor Powell confirmed that applications were considered taking into account all material facts and that he would arrange for a written response to be sent to Councillor Mrs Woodward.

It was then:

**RESOLVED:** That the Minutes of the Meeting of the Employment Committee held on 24 July 2014 (Minutes Nod 67 – 70) be approved and adopted.

**(e) Planning Committee – 11 August 2014**

It was proposed by Councillor Smedley, duly seconded and

**RESOLVED:** That subject to the name of Councillor Drinkwater being added to the apologies for absence submitted the Minutes of the Meeting of the Planning Committee held on 11 August 2014 (Minutes Nod 71 – 77) be approved and adopted.

**(f) Planning Committee – 1 September 2014**

It was proposed by Councillor Smedley, duly seconded and

**RESOLVED:** That the Minutes of the Meeting of the Planning Committee held on 1 September 2014 (Minutes Nod 78 – 87) be approved and adopted.

**97 REPRESENTATIVES ON OUTSIDE BODIES:**

It was proposed by Councillor Wilcox and seconded by Councillor Pritchard "that Councillor Leytham be appointed as the substitute Member on the Staffordshire Police and Crime Panel in the event that Councillor Greatorex cannot attend a meeting."

Councillor Mrs Woodward hoped that the activities of the Police and Crime Commissioner would be properly scrutinised by the Panel as she felt that this was not done in other areas of the Country particularly where there was not political balance on the Panels. Councillor Mrs Woodward added that she was not convinced that the People Power Grants made by the Police and Crime Commissioner related to crime problems across the District in all cases and hoped that these would be properly scrutinised.

Councillor Greatorex explained that the purpose of the appointment was so that in the unlikely event that he was not able to attend a meeting the District Council would be represented and added that he considered that there was political balance on the Staffordshire and Stoke Panel with Labour and Independent representation as well as Conservative. Councillor Greatorex commented that the distribution of People Power Grant had been discussed at the Community Safety Working and Performance Group and again at the District Board with various voluntary organisations involved.

It was then:

**RESOLVED:** That Councillor Leytham be appointed as the substitute Member on the Staffordshire Police and Crime Panel in the event that Councillor Greatorex cannot attend a meeting.

**98 QUESTIONS:**

Question 1

Question from Councillor Mosson to the Cabinet Member for Community, Housing & Environmental Health

"Does Lichfield District Council have an official policy relating to the delivery of the under occupation surcharge?"

Response from Councillor Greatorex:

"No, Lichfield District Council is responsible for implementing legislation locally which has been agreed at Westminster. It has no power to change the legislation."

Councillor Mosson asked the following Supplementary Question:-

"Does Lichfield District Council have a position relating to the delivery of the under occupation surcharge?"

Councillor Greatorex responded:

"No, Lichfield District Council is responsible for implementing legislation locally which has been agreed at Westminster. It has no power to change the legislation."

Question 2

Question from Councillor Mrs Woodward to the Leader of the Council

“In view of the Council's three key strategic aims to support local people, shape local places and to boost local businesses and its commitment to support people into work, does the Leader share my concerns about the unforeseen closure of the Lichfield and Burntwood Vocational Centre, a £2.5m facility opened in 2010 to increase vocational education and skills development across the District, and will he use his influence to ensure the early re-opening and long-term viability of this important facility?”

Response from Councillor Wilcox:

“Councillor Mrs Woodward is correct when she states our strategic objectives, and I share her concerns whenever any facility that is used to support our communities and in this case one that delivers vocational education and life skills across our district is undergoing options for its delivery.

She is also aware as a County Councillor that this area comes under the control of the County and as such has had regular updates from the Staffordshire County Council Cabinet Member for Learning and Skills.

I have personally spoken to the Cabinet Member yesterday (Monday) and voiced our concerns as to the future of this service and he has assured me that over the next two weeks following discussions with various parties a number of sustainable options for the site will be evaluated and a decision on the next phase of provision at the centre will be made.”

Councillor Woodward asked the following Supplementary Question:-

“Will the Leader continue alongside others to press for the Skill Centre to be used once reopened.”

Councillor Wilcox responded:

“I have learnt from Staffordshire County Council that Councillor Mrs Woodward has an open invitation to attend briefings about the future of the Centre but she has not taken up the opportunity.”

(Councillor Mrs Woodward, as a point of personal explanation, advised that she had attended one meeting but she had submitted apologies for not attending others due to prior commitments).

### Question 3

Question from Councillor Willis-Croft to the Cabinet Member for Finance, Democratic and Legal Services

- a Why was the lift at the District Council House out of operation for so long?
- b Is there a back up plan in case this problem happens in the future?”
- c If not why not?”



Response from Councillor Spruce:

“Unfortunately the lift at the District Council House, Frog Lane, Lichfield has recently been out of action. The lift is covered by a maintenance contract and the contractors employed by the District Council to maintain the lift identified that the cause was the failure of the motor. They then took some time to identify a replacement as the motor was obsolete. I am pleased to say that the lift is now fully operational and if any problems occur in the future then the contractors will be called to assist.”

Councillor Willis-Croft asked the following Supplementary Question:-

“How long was the lift out of order and what procedures are in place to stop it happening again?”

Councillor Spruce responded:

“The lift ceased working on 15 August 2014 and the contracted company took until 16 September 2014 to replace the obsolete motor. A guarantee cannot be given that the lift would not break down in future but it is properly maintained.”

Question 4

Question from Councillor Pullen to the Cabinet Member for Economic Growth, Tourism and Development:

“Officers from Lichfield District Council have worked exceptionally hard to prepare an application to the Heritage Lottery Fund for a Townscape Heritage Grant to revitalise the many significant buildings in Fazeley. This application was approved by the Conservative Council Cabinet this summer. Can the Cabinet Member for Economic Growth and Development inform this Council of the potential impacts, including social and economic impacts that a successful application will have on the Fazeley Ward and more widely within the Lichfield District?”

Response from Councillor Pritchard:

“The information requested is set out below:

The Townscape Heritage Project if successful offers the opportunity to deliver a range of activities which will benefit the Fazeley and Bonehill Conservation Area and the people who live in the parish.

Physically the project will provide grants to property owners to undertake improvements to their buildings, and aims to:

- Fund improvements to 38 buildings and 6 areas of public realm including the war memorial.
- Remove 5 Grade II listed buildings and 2 locally listed buildings from being considered ‘at risk’ and also remove the Fazeley Conservation Area from English Heritage’s At Risk Register.

Economically the project will:

- Support the development of a business/traders forum
- Safeguard if not improve the retail offer
- Encourage through traffic to stop and spend
- Bring vacant floor space back into use
- Work with the Canal and River Trust who want to provide additional moorings to encourage boaters, who spend more than the average visitor, to stop and enable business to take advantage of this sector. Key priority buildings identified for TH funding are located along the canal.
- Provide additional employment opportunities through the improved economic vitality of Fazeley and Bonehill.
- The project may help to bring forward previously stalled housing projects through the provision of this pump primer money along with improvements to the economy.
- Help to increase the number of businesses within Fazeley and therefore increase the business rates collected.

Socially the community will also benefit from the delivery of the project through the delivery of a training and community events programme. The project will provide:

- Training opportunities - working with Bromford it is proposed to provide a variety of construction training opportunities for 75 people.
- Volunteering opportunities - connect 'out of work' Bromford clients to the Canal and River Trusts' training and volunteer programme. It is intended that up to 124 volunteers are generated as part of the project.
- A community archaeological dig is proposed for Mill Lane providing opportunities for the public and local school children to experience hands on history.
- A self guided photo trail with on site interpretation.
- An oral history project through the 'Silver Surfers' club based in Fazeley.
- A dedicated website for the project and which will act as a repository for the historic information collected during the projects delivery.
- Host two community events: a launch event during the development stage and a "celebration" at the end to engage with the community."

Councillor Pullen asked the following Supplementary Question:-

"Does Councillor Pritchard consider that the scheme will cherish the past and shape the future of Fazeley?"

Councillor Pritchard responded:

"I concur with the view of Councillor Pullen."

Question 5

Question from Councillor Drinkwater to the Cabinet Member for Community, Housing and Environmental Health:

"Does the Cabinet Member for Communities think that the closure of Youth Centres and the dismissal of Qualified/Skilled Youth Workers will have a detrimental effect on Anti Social Behaviour in our district and indeed across Staffordshire?"

Response from Councillor Greatorex:

“There is no evidence which would lead me to conclude that the changes to the youth service provision by the County Council will result in an increase in ASB. Indeed, the police, the Police and Crime Commissioner and the Fire and Rescue Service advise they do not foresee increased ASB from any of these closures.

I am informed that in excess of 1000 young people use the Staffordshire County Council youth services but many thousands more benefit from the numerous positive activities provided by the voluntary and private sectors across the district. We have the recent example in this district where the voluntary sector has picked up the mantle where our own resources have been reduced in the community hubs. I am advised by the County Council that the Staffordshire Voluntary Council of Youth Services will be working in youth clubs and communities during October to support young people in finding alternative activities in their local area, and to support the setting up of new volunteer-led positive activities where communities want or need them. There is some one-off funding which the County Council is to make available in each District. At the same time, important activities such as Positive Futures, funded by the Police and Crime Commissioner and delivered by the District Council, continue to be available to young people.

It is regrettable that the County Council can no longer financially support youth clubs but this does not inevitably mean that the young people who attended them will turn to ASB. In addition, the premises being vacated by the youth service may be able to offer important space to other youth and community groups, some of whom I am assisting to find venues to base from to help them to become more sustainable into the future.

We will, of course, keep the situation under review and continue to monitor the incidence of anti social behaviour through our community safety team.”

Councillor Drinkwater asked the following Supplementary Question:-

“Does Councillor Greatorex consider that there are enough volunteers to fill the large void left by the closure of facilities?”

Councillor Greatorex responded:

“It is the activities rather than the centres that are important and volunteers can keep the facilities as has been shown by the successful transfer of the management of the Jigsaw Project at Dimbles Lane Lichfield.”

Question 6

Question from Councillor Norman to the Cabinet Member for IT & Waste Management:

“Whilst I appreciate the need to make the changes the Council has made to the waste collection process, and I have not opposed those changes, there are teething problems and consequences.

Can he tell me what instructions are given to our collection operatives with regard to judging whether waste in the brown (composting) bin is kitchen or garden waste?

Can he also tell me what the Council's current target is for recycling and how the black bin waste, now technically recycled as energy, contributes to that figure?”

Response from Councillor Eadie:

“Following the suggestions of members at the Leisure, Parks and Waste Management Overview & Scrutiny committee meeting held on 5 March 2014, the joint waste service opted to inform residents of the change to food waste collections earlier than the 13 October 2014 date by which our current principal contract for the disposal of food waste comes to an end.

As such our collection operatives are not yet making any judgements on whether waste in the brown bin is kitchen or garden waste, as to instruct them to do so would have been premature.

As part of the joint waste service’s medium-term communication strategy, provision has been made for residents to be helped where food waste is still being co-mingled. This will be in the form of officers supporting residents in knowing which bins to put what items into going forward. Residents should have all received a leaflet to their home and a sticker on their brown bin as visual aids and reminders.

Going forward our operatives will follow the same procedures as now if they identify, on opening a resident’s bin, that the waste is inappropriate for the relevant bin. The procedure states that the operative will record the appropriate waste via the Bartec system in the refuse vehicle and the bin will not be emptied. The Recycling Officers will then endeavour to make contact with the resident to advise them why their bin was not emptied.

Lichfield District Council, based on the latest 2013/14 data shared by the Staffordshire Joint Municipal Waste Board at its July 2014 meeting, has the highest level of recycling in terms of dry-recyclables and organic waste of the Staffordshire authorities at 58.34%, whilst having the lowest amount of residual household waste, sent previously to land fill, now for incineration, at 404.07 kg per household.

The council does not have any specific target for recycling dry-recyclable items or organic waste following the adoption by this council of the refreshed Joint Municipal Waste Management Strategy (JMWMS) this year. The previous JMWMS had a target of 55% for recycling, which Lichfield District Council exceeds.

In relation to land fill, the target in the previous JMWMS envisaged zero residual waste to landfill by 2020. As Lichfield District Council is a collection authority, it is Staffordshire County Council’s responsibility as the disposal authority to dispose of the residual waste we collect. As such the disposal of our black bin residual waste does not contribute to Lichfield District Council’s recycling rates for dry-recyclable material or organic waste.

In terms of any target for energy from the incineration of residual waste, again that is a matter for Staffordshire County Council as the disposal authority and not this council. We must dispose of our residual waste in whatever way we are directed by the disposal authority.

In response to the matter of teething problems and consequences, I can report to council that at this time we have fulfilled our annual obligation of organic waste to the disposal site at Etwall. This has allowed the council to begin early disposal of some trial loads at our new disposal site in Wall. I am not aware of any reports that the organic waste going to the new disposal site contains food waste, that would have the potential for the loads to be rejected. I would therefore take this opportunity to thank the residents of Lichfield district for their support in the changes to food waste disposal.

The gate fee for disposal at the Wall site is less than half of the gate fee that has to be paid at the Etwall site. As a consequence the changes to the disposal of food waste are already providing the council with substantial savings on gate fees as well as on vehicle and fuel costs. Neither myself nor officers are aware at this time of any teething problems or consequences. I am also able to report that no employee of the joint waste service has lost their job or been made redundant as a result of these changes, despite the savings that are now being achieved.”

Councillor Norman asked the following Supplementary Question:-

“How will operatives ensure that kitchen or garden waste is placed in the correct bin and will he look at whether or not recycling is reduced as a result of the new scheme?”

Councillor Eadie responded:

“Operatives are asked to carry on with the existing policy and if they feel that inappropriate items had been placed in the bin they would not empty it but notify the base so that it could be followed up. The dry recycling rates will be considered as part of the long term strategy to improve.”

Question 7

Question from Councillor Norman to the Leader of the Council:

“On the 27th of June this year the Member of Parliament for Lichfield, Michael Fabricant, held a fundraising event for the Conservative Association at the Lichfield Garrick Theatre. He will also be aware that Council taxpayers in Burntwood contribute many thousands of pounds in subsidy to the theatre every year.

Is he able to give me a categorical assurance that this subsidy which Conservative Lichfield District Council gives to the Garrick did not subsidise this no doubt exciting event either directly or indirectly?”

Response from Councillor Wilcox:

“The council subsidises the Lichfield Garrick Trust and expects that it will offer a balanced programme of shows, events and performances that appeals to a wide range of audiences from across the district and beyond. It is a matter for the Trust how it compiles its programme, but like all theatres some shows will be more popular and profitable than others.

The studio of the Lichfield Garrick was hired by the Conservative Association on terms negotiated between it and the Trust. Like all the agreements between producers and the Trust, the contract is commercially confidential.

The event was booked on a day that the main auditorium was hosting a show but the studio was otherwise dark. In consequence, the Trust did not incur any additional costs in providing the venue and any surplus generated by the Trust from the hire fee and secondary sales from this event helped towards their overheads which thereby helps them to become more financially sustainable.

The Trust has indicated that the Conservative Association was not granted preferential treatment and that such opportunities are available to any other group or organisation that wishes to use the Garrick.”

Councillor Norman asked the following Supplementary Question:-

“In view of the difference between the response of Councillor Wilcox and the information received as a result of the Freedom of Information Request that I submitted which indicated that the Garrick Theatre was a separate business how can Councillor Wilcox state that no subsidy was being used?”

Councillor Wilcox responded:

“I have spoken to the Garrick Theatre and received an assurance that no special treatment was given in this case.”

## 99 NOTICE OF MOTION:

Before dealing with the notice the Chairman sought clarification about what was to be debated as, in his view, it was not possible to do so as the District Council did not have a position on the spare room subsidy. Councillor Mrs Woodward commented that, as this subject had been raised and discussed in the past, the District Council must have a position on it.

Councillor Norman explained the reasoning behind the Notice in that it was a means by which the District Council could agree to lobby Government to show support for the Private Members Bill which was currently proceeding through Parliament. Councillor Norman then proposed an amendment to the final paragraph of the Notice so that it read "this Council wishes to lobby Parliament to support the provisions of the Private Members Bill so that tenants in Lichfield District will no longer have to suffer the worse impacts of this iniquitous legislation." Councillor Mynott seconded the amendment.

Councillors Drinkwater, Isaacs and Mrs Woodward expressed concern about the way that the Chairman was dealing with the item and it was agreed that the meeting should adjourn to enable legal advice to be obtained.

Following the adjournment the Chairman referred to the answer given to Question One and informed Members that the amendment would be put to the Meeting. Councillor Isaacs requested a named vote.

Councillor Norman explained the intention was to enable the District Council to lobby Parliament so that those affected in the District of Lichfield could be supported and prevent those persons having to move out of their properties if alternative accommodation was not available for them. Councillor Mrs Woodward explained that amendments to the existing legislation had already been made to deal with Armed Forces personnel and those with disabilities with carers and considered that further changes could be made to support the disadvantaged.

Councillor White expressed concern that the District Council was being asked to lobby on proposed legislation that it did not have the full details of and that there could be an unknown cost to the District Council.

Councillor Leytham proposed and Councillor Mrs Stanhope seconded "that the Notice of Motion be referred to Cabinet or an appropriate Committee for consideration with it being returned to the next Council Meeting." The Chairman asked Councillor Norman if he was prepared to accept the proposal of Councillor Leytham but Councillor Norman declined to do so and therefore a named vote on the amended Notice of Motion submitted by Councillors Mynott and Norman was taken.

The vote was recorded as follows:

**FOR (12)**

Awty, R. J.  
Bacon, Mrs N.  
Drinkwater, E. N.  
Greatorex, C.  
Heath, H. R.  
Isaacs, D.  
Mynott, G.  
Norman, S. G.  
Taylor, S. D.  
Walker, J. T.  
Willis-Croft, K. A.  
Woodward, Mrs S. E.

**AGAINST (25)**

Barnett, Mrs S. A.  
Constable, Mrs B. L.  
Eadie, I. M.  
Eagland, Mrs J. M.  
Flowith, Mrs L. E.  
Hancocks, Mrs R.  
Leytham, D. J.  
Marshall, T.  
Mosson, R. C.  
Pearce, A. G.  
Pritchard, I. M. P.  
Pullen, D. R.  
Richards, Mrs V.  
Roberts, N. J.  
Salter, D. F.  
Spruce, C. J.  
Stanhope, Mrs M.  
Strachan, R. W.  
Thomas, T. J.  
Tittley, M. C.  
Tranter Mrs H.  
Warfield, M. A.  
White, A. G.  
Wilcox, M. J.  
Yeates, B. W.

**ABSTAIN (5)**

Bacon, B. F.  
Constable, D. H. J.  
Derrick, B. W.  
Humphreys, K. P.  
Smith, D. S.

(Councillors Mrs Allsopp, Powell and Smedley had left the meeting before the vote was taken).

The motion was declared **LOST**.

It was then:

**RESOLVED:** That the Notice of Motion be referred to Cabinet for consideration.

(Note: Subsequent to the Council Meeting it was established that the Constitution did not allow the Notice of Motion to be referred to Cabinet and therefore that has not been actioned)

**100 EXCLUSION OF THE PUBLIC AND PRESS:**

**RESOLVED:** That as publicity would be prejudicial to the public interest by reason of the confidential nature of the business to be transacted, the public and press be excluded from the meeting for the following items of business which would involve the likely disclosure of exempt information as defined in Paragraphs 3, 4 and 7 of Part 1 of Schedule 12A of the Local Government Act 1972.

**IN PRIVATE**

**101 CONFIDENTIAL REPORT OF THE LEADER OF THE COUNCIL ON CABINET DECISIONS FROM THE MEETING HELD ON 9 SEPTEMBER 2014:**

The Leader of the Council submitted his Confidential Report on Cabinet Decisions from the meeting held on 9 September 2014.

**102 CONFIDENTIAL REPORT OF THE CHAIRMAN OF THE LEISURE PARKS AND WASTE MANAGEMENT (OVERVIEW AND SCRUTINY) COMMITTEE HELD ON 8 SEPTEMBER 2014:**

Councillor Mrs Tranter submitted her Confidential Report on the matters considered by the Leisure, Parks and Waste Management (Overview and Scrutiny) Committee held on 8 September 2014.

**1 – Annual Review of Prices for Core Leisure Activities**

Councillor Mrs Tranter informed Members that the item had been deferred and that it would be discussed at a meeting of the Committee due to be held on 6 October 2014.

**103 CONFIDENTIAL REPORT OF THE VICE CHAIRMAN OF STRATEGIC (OVERVIEW AND SCRUTINY) COMMITTEE:**

Councillor Pullen submitted his Confidential Report on the matters considered by the Strategic (Overview and Scrutiny) Committee held on 23 September 2014.

**104 ASSET STRATEGY REVIEW:**

It was proposed by Councillor Spruce, duly seconded and

**RESOLVED:** (1) That 36-44 (even numbers inclusive) Bore Street Lichfield, the Industrial Units at Ring Road Burntwood (including the Café) and the Industrial Units at Greenhough Road Lichfield be sold.

(2) That a covenant be included in the sale of the Industrial Units to restrict the use of both sites to that of industrial purposes.

(3) That the possible individual sales of the Bore Street Lichfield Shops be considered if that proves to be a better option than selling as a whole.

(4) That an exception to Contract Standing Orders be granted to allow Kingston Commercial Property Consultants to be appointed to market the properties.

(Councillor Mrs Flowith having previously declared a prejudicial interest had left the meeting before consideration of this item).

The Meeting closed at 8.35 pm)

CHAIRMAN