

# COUNCIL MEETING

14 APRIL 2015

## PRESENT:

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

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

(**APOLOGIES FOR ABSENCE** were received from Councillors Mrs Arnold, Mosson, Powell, A. F. Smith, Taylor and Thomas).

## PRAYERS:

Prayers were said by the Very Reverend Archimandrite S. Piers who made particular reference to Mr. A. R. Richards, the husband of Councillor Mrs Richards, who was currently ill.

## 249 DECLARATIONS OF INTEREST:

The following declarations of interest were made:-

- 1) Councillor Mrs Evans – Pecuniary Interest in Agenda Item 12 (Confidential Report of the Leader of the Council) in respect of the employment of a family member.
- 2) Councillor Mrs Flowith – Pecuniary Interest in Agenda Item 7 (Lichfield District Local Plan: Update) as she was the partner of a company involved as an agent for some sites affected.
- 3) Councillor Leytham – Non-Pecuniary Interest in Agenda Item 12 (Tourist Information Centre – Alteration to the Partnership Agreement with the Guild of St. Mary's) in view of his involvement with that organisation.
- 4) Councillor Spruce – Pecuniary Interest in Agenda Item 12 (Tourist Information Centre – Alteration to the Partnership Agreement with the Guild of St. Mary's) in view of his involvement with that organisation.
- 5) Councillor White – Non-Pecuniary Interest in Agenda Item 8 (Health Issues) in view of his Staffordshire County Council Involvement.

## 250 MINUTES – 17 FEBRUARY 2015:

It was proposed and duly seconded “that the Minutes of the Meeting of the Council held on 17 February 2015 (Volume 42 Part 5 Minute Book) be approved as a correct record and signed by the Chairman.”

### **Arising on the Minutes:**

#### **Minute No 198 – 9 December 2014**

Councillor Mynott still did not think that the reference to Minute No 154 was accurate as he had not yet received the report referred to. Councillor Wilcox undertook to follow that up.

#### **Minute No 202 – Report of the Chairman of the Leisure, Parks and Waste Management (Overview and Scrutiny) Committee**

Councillor Drinkwater did not consider that the minute relating to the Joint Waste Service Business Plan was accurate as he had not received any further information from Councillor Mrs Tranter. Councillor Mrs Tranter undertook to follow that up.

It was then:

**RESOLVED:** That the Minutes of the Meeting of the Council held on 17 February 2015 (Volume 42 Part 5 Minute Book) be approved as a correct record and signed by the Chairman.

## 251 CHAIRMAN’S ANNOUNCEMENTS:

### **(a) Chairman’s Dinner**

The Chairman informed Members that over 150 people attended his Dinner and thanked them for raising over £2,000 for his charities which was now approaching a total of £5,000.

### **(b) Changes to the Heads of Various Organisations in the District**

The Chairman referred to future changes to the leadership of various organisations within the District of Lichfield which were due to happen shortly including the retirement of the Bishop of Lichfield, the departure of the Chief Executive of the Garrick Theatre, the retirement of the Chief Executive of the M6 Toll Company, the departure from the post of Town Clerk of the City of Lichfield and the Commander of DMS Whittington.

### **(c) 40th Anniversary of Lichfield District Council**

The Chairman reminded Members that 2014/15 marked the 40th Anniversary of the District Council and reflected on this history of the Authority during that time by making particular reference to former Members and Officers including previous Leaders and Chief Executives.

### **(d) Interruption to IT Services at District Council House Frog Lane Lichfield**

With the permission of the Chairman the Leader of the Council made a statement to Members about the interruption to the IT Service which had occurred on 10 April 2015 and the consequential impact and affect of that together with the action taken to remedy the position. Councillor Norman added that he was impressed by the actions of staff involved in remedying the problems.

### **(e) Members not standing for Re-Election**

With the permission of the Chairman the Leader referred to Councillors Mrs Arnold, Bacon, Derrick, Mrs Flowith, Mrs Hancocks, Heath, Pearce, Ms Perkins, Mrs Richards, Roberts, D. S. Smith, Taylor, Thomas and Wilson who were not standing for re-election at the forthcoming District Council Elections. Councillor Wilcox wished to put on record the thanks of the Council to those Members for their work during their time on the Council and those comments were supported by Councillor Norman. Councillor Wilcox also thanked the staff of the District Council for their work during the last term of the Council.

**252 REPORT OF THE LEADER OF THE COUNCIL ON CABINET DECISIONS FROM THE MEETINGS HELD ON 10 MARCH AND 7 APRIL 2015 AND CABINET MEMBER DECISIONS:**

The Leader of the Council submitted his report on Cabinet Decisions from the meetings held on 10 March and 7 April 2015 and on Cabinet Member decisions.

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

Councillor Mrs Tranter submitted his report on the items considered by the Leisure, Parks and Waste Management (Overview and Scrutiny) Committee held on 4 March 2015.

**Attendance at Meeting**

Councillor Mynott expressed the view that the attendance by Conservative Members was poor and asked Councillor Mrs Tranter why she thought that was. The Chairman of the Council ruled that this would be dealt with under Questions.

**1 – Grass Cutting on Bromford Housing Lane**

Councillor Mrs Woodward noted that the report said that there were links with Community, Housing and Health (Overview and Scrutiny) Committee on this item and asked what talks Councillor Mrs Tranter had undertaken with Councillor Marshall as the Chairman of that Committee. Councillor Isaacs expressed concern that representatives of Bromford Housing were not present at the meeting and asked Councillor Mrs Tranter what she was doing to ensure that they did attend future meetings.

Councillor Mrs Tranter responded by saying that she had spoken to Councillor Marshall and these issues would be followed up following the District Council Elections.

**2 – Activity and Performance Indicators 2015/16**

Councillor Drinkwater informed Members that the word “scheme” had been dropped from the Duke of Edinburgh Award some years ago and asked Councillor Mrs Tranter what her views were about the state of the Staffordshire County Council Youth Service and the affect on this item. Councillor Mrs Evans expressed the view that mental health issues were fairly significant and said that concessionary passes could assist.

Councillor Mrs Tranter confirmed that the Committee had discussed the issue of Youth Services and the Duke of Edinburgh Award and concluded that the District Council were not directly involved. Councillor Mrs Tranter provided Members with the eligibility criteria by which concessionary leisure passes could be obtained and those included blue badges holders, recipients of severe disablement allowance, disability living allowance or disability working allowance, inclusion on Social Services visual impairment register, BSA for disabled registration number, war disability pension holder and recipient of incapacity benefit.

**3 – Fit for the Future – Public Conveniences Update**

Councillor Mrs Woodward asked for further information about the Community Scheme referred to in the report and Councillor Mrs Tranter informed her that this was a method by which shops and retail outlets could allow the public to use their toilets.

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

Councillor Mynott asked Councillor Mrs Tranter if she agreed that in order to make scrutiny more effective better attendance at meetings was required and Councillor Mrs Tranter responded by saying that this would be followed up by the new Council following the District Council Elections.

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

Councillor Cox submitted his report on the items considered by the Economic Growth, Environment and Development (Overview and Scrutiny) Committee held on 12 March 2015.

**Attendance at Meeting** – Councillor Mrs Evans congratulated Councillor Cox in ensuring that nearly all Members of his Committee were present at the meeting.

#### **4 – Townscape Heritage (TH) Programme for Fazeley and Bonehill**

Councillor Mynott thanked the Officers involved in dealing with this scheme and expressed disappointment that the application had not been successful. Councillor Mynott expressed the view that if a resubmission stood a chance of being successful then that should be followed up.

In response Councillor Cox said that he had not yet received an update and he too was disappointed that the application had been declined. Councillor Cox added that once the reasons for refusal were better understood a resubmission could be made if appropriate.

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

Councillor White asked Councillor Cox to consider linking health and wellbeing issues into Supplementary Planning Documents in the future as healthy lifestyles needed to be encouraged as they reduced the burdens on society overall.

Councillor Mrs Stanhope considered that the work done on Supplementary Planning Documents was amongst the most productive that she had been involved in during her time on the District Council but added that all Members should monitor policies to ensure that they were not abused.

Councillor Cox in response confirmed that he would take into account the comments of Councillor White and put on record his thanks to Councillors Drinkwater, Mrs Eagland, Smedley and Mrs Stanhope for their contribution to the Task Group.

#### **255 REPORT OF THE CHAIRMAN OF COMMUNITY, HOUSING AND HEALTH (OVERVIEW AND SCRUTINY) COMMITTEE:**

Councillor Marshall submitted his report on the items considered by the Community, Housing and Health (Overview and Scrutiny) Committee held on 25 March 2015.

##### **1 – Health Issues**

Councillor Isaacs referred to the comment made by Dr. K. Deacon (NHS England) in the report that most surgeries are under occupied for the majority of the week and felt that this was not the case in Burntwood. Councillor Willis-Croft supported the view of Councillor Isaacs and gave details of personal experiences of the capacity of Health Centres. Councillor White thought that the reference may have been made to GP provision rather than Health Centres as Health

Centres were not well used particularly during the night.

Councillor Marshall welcomed the comments made and said that he had been surprised at the views expressed by Dr. Deacon. Councillor Marshall added that recruitment of family doctors was not a problem just for Burntwood but was a national one.

## **2 – Feedback Items**

Councillor Mrs Evans referred to the road safety issues mentioned in the report and felt that parking outside schools needed to be monitored to discourage bad parking. Councillor Drinkwater supported Councillor Mrs Evans and felt that whilst off street car parking was enforced on street car parking was not to the same extent.

Councillor Marshall agreed with the views expressed by Councillor Drinkwater and confirmed that the matter would be taken up with the Police and Crime Commissioner.

## **6 – Work Programme and Forward Plan**

Councillor Mrs Woodward, in referring to the comments made earlier by Councillor Mrs Tranter, asked why discussions with Bromford Housing had not been mentioned at a recent pre meeting for Community, Housing and Health (Overview and Scrutiny) Committee. Councillor Mynott referred to the note that there had been poor attendance at some meetings and asked what Councillor Marshall intended to do about that. Councillor Drinkwater noted that it was stated that it was “requested” that Burntwood Health Centre remain as a standing item on the Work Programme and asked if this would definitely be the case.

Councillor Marshall in response apologised if the Bromford Housing issue had been overlooked at the pre meeting and confirmed that Burntwood Health Centre would be a standing item on the Work Programme.

## **256 MINUTES OF COMMITTEES:**

### **(a) Planning Committee – 23 February 2015**

It was proposed by Councillor Mrs Fisher, duly seconded and

**RESOLVED:** The Minutes of the Meeting of the Planning Committee held on 23 February 2015 (Minutes Nod 215 – 221) be approved and adopted.

### **(b) Regulatory and Licensing Committee – 4 March 2015**

It was proposed by Councillor Derrick, duly seconded and

**RESOLVED:** That the Minutes of the Meeting of the Regulatory and Licensing Committee held on 4 March 2015 (Minutes Nod 222 – 223) be approved and adopted.

**(c) Planning Committee – 16 March 2015**

It was proposed by Councillor Mrs Fisher, duly seconded and

**RESOLVED:** That the Minutes of the Meeting of the Planning Committee held on 16 March 2015 (Minutes Nod 224 – 232) be approved and adopted.

**(d) Standards Committee – 24 March 2015**

It was proposed by Councillor Mrs Stanhope and duly seconded “that the Minutes of the Meeting of the Standards Committee held on 24 March 2015 (Minutes Nod 233 – 235) be approved and adopted.”

**Arising on the Minutes**

Councillor Norman noted that the meeting had taken 15 minutes and asked that, having regard to the significant reports considered by the Committee, questions had been asked and the reports properly considered.

Councillor Mrs Stanhope confirmed that the report had been properly considered and questions had been asked and she was pleased that Members of the District Council had not caused any problems but said that in the past problems had been caused by some Members of Parish Councils.

It was then:

**RESOLVED:** That the Minutes of the Meeting of the Standards Committee held on 24 March 2015 (Minutes Nod 233 – 235) be approved and adopted.

**(e) Employment Committee – 30 March 2015**

It was proposed by Councillor Leytham and duly seconded “that the Minutes of the Meeting of the Employment Committee held on 30 March 2015 (Minutes Nod 236 – 242) be approved and adopted.

**Arising on the Minutes**

Councillor Mrs Woodward said that the Terms of Reference for the Employment Committee needed to be looked at to ensure that the Committee dealt with the full range of items that it was meant to do. Councillor Leytham confirmed that he would discuss this matter with Councillor Powell as Chairman of the Committee.

It was then:

**RESOLVED:** That the Minutes of the Meeting of the Employment Committee held on 30 March 2015 (Minutes Nod 236 – 242) be approved and adopted.

(Councillors Mrs Hancocks and Salter left the meeting at 6.55 pm).

## 257 QUESTIONS:

### Question 1

Question from Councillor Walker to the Leader of the Council:

“Can the Leader of the Council advise me of what future plans the Council has as regards accessibility for disabled people especially for those who are wheelchair bound?”

Response from the Leader of the Council:

“The District Council will continue to ensure that buildings that it owns or manages are accessible to those with disabilities including those that are wheelchair users. We enforce building regulations and we also provide Disabled Facilities Grants. If Councillor Walker is aware of a specific problem and lets me know I will follow that up.”

Councillor Walker asked the following Supplementary Question:-

“I am concerned about access to the District Council House for those with disabilities particularly with regard to the width of doors and the capacity of the lift. Can Councillor Wilcox look into this for me?”

Councillor Wilcox responded:-

“I confirm that I will look into this for Councillor Walker.”

### Question 2

Question from Councillor Mrs Evans to the Leader of the Council:

“Over the Easter break, both Councillor Mrs Woodward and I had cause to contact an emergency number about the same environmental issue, only to be told that no Officer was available and the calls would be logged, to be dealt with when the Council Offices reopened on Tuesday 7 April. This was totally unsatisfactory, as the problem continued from Good Friday through to Easter Monday and may have been a health risk.

Can the Leader of Council please therefore explain why there is no Environmental Health Officer available during Bank Holidays?”

Response from the Leader of the Council:

“The Environmental Health Team does not provide a formal on call service outside of normal office hours and indeed has never done so. However, the majority of staff in the team (7 Officers) have volunteered to respond to calls out of hours when they are of an urgent nature or where a prior arrangement has been made (eg in circumstances where a regular noise issue needs to be witnessed). The voluntary nature of the out of hour arrangement means that it is not always possible for an Officer to be contacted or an immediate response to be made. However, only a relatively small number of calls are received which are considered and responded to in a timely fashion.

With reference to the specific incident which took place over the Easter weekend, our Officers followed up the matter first thing on Tuesday 7th April including visiting the local ward Member and the complainants. Photographic evidence has been provided by a local resident and our Officers are in the process of considering whether enforcement action can be taken.”

Councillor Evans asked the following Supplementary Question:-

“What action will be taken to ensure that someone will be available to contact any day of any holidays?”

Councillor Wilcox responded:-

“The District Council are currently reliant on the goodwill of Officers to answer any calls.”

Question 3

Question from Councillor Norman to the Leader of the Council:

“Can he tell me what the District Council’s grant to the Lichfield Garrick Trust was in 2014/15 and what grant is budgeted for in the following two years i.e. 2015/16, 2016/17?”

Response from the Leader of the Council:

“The grant paid to the Garrick in 2014/15 was £610,350.

The grant budgeted for in 2015/16 is £460,000 and in 2016/17 £310,000.”

Councillor Norman asked the following Supplementary Question:-

“Having regard to the views expressed in election material for the Stowe Ward by Councillor Greateorex can the Leader confirm that the figures quoted will now be reviewed?”

Councillor Wilcox responded:-

“The District Council should be very proud of the Garrick Theatre and its work particularly in the community.”

Question 4

Question from Councillor Norman to the Leader of the Council:

“I understand that the Leader of the Council was in the public gallery at the last meeting of the County Council held on the 19th March where a Cabinet Member was allowed to ignore Standing Orders when answering a written question from a member by giving a different answer from the one he had written in response.

Can he assure me that as long as he is Leader here at Lichfield District Council he will do his best to prevent that abuse of the democratic process as will I?”

Response from the Leader of the Council:

“I thank the Leader of the Opposition for this question following my attendance at a recent Council Meeting of the County Council, which I found both informative and extremely interesting to say the least.

As long as I am Leader of the Council, I will do all I can to ensure that the democratic procedures are adhered to working in conjunction with the Monitoring Officer/Chief Executive and Chairman of the Council at that particular time.”



## Question 5

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

“There have been several instances of residents reporting seeing rats around particular areas of Burntwood. Will the Member for Community, Housing and Environmental Health, explain the correct procedure for reporting sightings and receiving satisfactory action? Particularly on vacant land adjacent to their premises?”

Response from the Cabinet Member for Community, Housing and Environmental Health:

“We offer pest control services to householders in the District through the Council’s partnership agreement with pest control specialists – MITIE Pest Control. Householders should call 01242 696969 to obtain the service and advise MITIE that they are a Lichfield District Council resident. There is a charge of £36 per request (which covers up to a maximum of 4 visits being made to the affected property) but it is free for those claiming benefits. As regards to vacant land adjacent to premises, it would be down to the affected neighbouring household(s) to request the service but the Environmental Health Team would investigate the adjacent site and take any necessary and appropriate enforcement action against the landowner.

In terms of receiving satisfactory action, there is a one working day response time. We survey 20% of customers and although the response rate tends to be low, the level of customer satisfaction among those who do reply is high.”

Councillor Drinkwater asked the following Supplementary Question:-

“Does Councillor Greatorex consider that it is a sad day when the District Council are not involved in Pest Control but rather pass the problem onto their private contractor?”

Councillor Greatorex responded:-

“A number of other Local Authorities do charge for the service and a number of services provided by the District Council are outsourced. The service provided is well received having regard to feedback obtained.”

## Question 6

Question from Councillor Mynott to the Leader of the Council:

“The attendance record of Councillors from the Conservative Group at Full Council and Committee Meetings has been very poor. For example at the last meeting of the Community, Housing and Health (Overview and Scrutiny) Committee on 25 March six out of the ten failed to turn up (60%); at the last meeting of the Leisure Parks and Waste Management (Overview and Scrutiny) Committee on 4th March, five out of ten failed to turn up (50%); at the last meeting of the Employment Committee on 30th March, four out of nine (44%) failed to turn up and at the last meeting of full Council on 17th February eleven out of fifty-four (20%) failed to turn up.

In view of this poor attendance record would the Leader of the Council explain what plans he has put in place to improve the attendance of his Conservative Group colleagues at Full Council and committee meetings on the next Council?”

Response from the Leader of the Council:

“It concerns me greatly that attendance by Councillors is not where I expect it to be. There cannot be any excuses for not fulfilling our responsibilities as Councillors, and it seems that this last six months has seen deterioration in attendance particularly on Overview & Scrutiny Committees.

It is incumbent on all Group Leaders to ensure their members understand the importance around this and whoever is the Leader after the election, will need to address this at an early stage by ensuring that the training day on the 13th May outlines the responsibilities of all Councillors which means attendance at meetings including Full Council.

We all know that in order to represent our electorate we have to be fully engaged in all of those Committees and panels that we are fortunate to sit on, it is only through meaningful dialogue that we can help to shape and give direction for the Council for the next four years.”

Councillor Mynott asked the following Supplementary Question:-

“Can the Leader confirm that poor attendance damages the reputation of the District Council and that the only solution is for the Electorate to vote Labour in the forthcoming District Council Elections?”

Councillor Wilcox responded:-

“It is for individual Councillors to ensure that they attend all possible meetings and hopefully the new Members will attend the Training Day on 13 May 2015 which will assist that.”

## **258 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**

## **259 CONFIDENTIAL REPORT OF THE LEADER OF THE COUNCIL ON CABINET DECISIONS FROM THE MEETINGS HELD ON 10 MARCH AND 7 APRIL 2015:**

The Leader of the Council submitted his Confidential Report on the Cabinet Decisions from the meetings held on 10 March and 7 April 2015.

### **2 – Award of Insurance Contract – Preferred Bidder**

Councillor Norman asked if there were companies other than Zurich Municipal as his memory was that this company were always successful. Councillor Wilcox in response said that a full competitive procurement exercise had been undertaken and that the award of the contract to Zurich Municipal was only in respect of Lot 6.

(Councillor Mrs Woodward left the meeting at 7.15 pm).

### **1 – Tourist Information Centre – Alteration to the Partnership Agreement with the Guild of St. Mary’s**

Councillor Norman asked for clarification of the implications of the decision made and Councillor Pritchard informed him that there was a reduction in cost to the District Council as some of the management was now being undertaken by St. Mary’s.

(COUNCILLOR SPRUCE, HAVING REGARD TO HIS PREVIOUS DECLARATION OF INTEREST, LEFT THE ROOM DURING CONSIDERATION OF THIS ITEM).

### **2 – Future Enforcement and Front Line Maintenance Operations on Lichfield District Council Car Parks**

Councillor Mynott asked the Leader to explain the effect of the change in particular who will be the responsible authority. Councillor Wilcox in response said that Staffordshire County Council, as the Highway Authority, were still legally liable for the enforcement of on street car parking however the contract will be undertaken by Stoke on Trent City Council. Councillor Wilcox added that the District Council would continue to monitor the operation.

### **4 – Letting a Contract for Corporate Printers**

Councillor Mrs Evans explained that her previous declaration related to the employment of her son by Danwood.

## **260 CONFIDENTIAL REPORT OF THE CHAIRMAN OF ECONOMIC GROWTH, ENVIRONMENT AND DEVELOPMENT (OVERVIEW AND SCRUTINY) COMMITTEE:**

Councillor Cox submitted his Confidential Report on the matters considered by the Economic Growth, Environment and Development (Overview and Scrutiny) Committee held on 12 March 2015.

### **1 – Tourist Information Centre at St. Mary’s in the Market Square**

Councillor Mrs Evans expressed the view that the Tourist Office should be open seven days a week having regard to the clients, particularly tourists, of the service. Councillor Mrs Evans asked for further information about when the trial had taken place and whether Sunday opening had been considered.

Councillor Cox confirmed that Sunday opening had taken place and would respond to Councillor Mrs Evans with further details in due course.

(COUNCILLOR SPRUCE, HAVING REGARD TO HIS PREVIOUS DECLARATION, LEFT THE MEETING DURING CONSIDERATION OF THIS ITEM).

(The Meeting closed at 7.25 pm)

CHAIRMAN