

LICHFIELD DISTRICT COUNCIL

DIANE TILLEY BSc., MRICS
Chief Executive
Tel : (01543) 308001

District Council House
Frog Lane
Lichfield
WS13 6YY

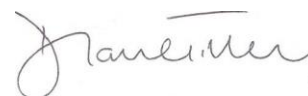
11 April 2016

To : Members of the Lichfield District Council

In accordance with Paragraph 4(2) of Part 1 of Schedule 12 to the Local Government Act 1972, you are hereby summoned to attend the meeting of the Lichfield District Council which will be held in the Council Chamber, District Council House, Frog Lane, Lichfield, on **TUESDAY 19 APRIL 2016 at 6.00 pm.**

Prayers will be said by Reverend L. Collins.

Access to the Council Chamber is either via the Members' Entrance or the main door to the vestibule.



Chief Executive

AGENDA

- 1 APOLOGIES FOR ABSENCE (if any).
- 2 DECLARATIONS OF INTEREST.
- 3 TO APPROVE AS A CORRECT RECORD THE MINUTES OF THE MEETING OF THE COUNCIL HELD ON 23 FEBRUARY 2016 (VOLUME 43 PART 5 MINUTE BOOK).
- 4 TO APPROVE AS A CORRECT RECORD THE MINUTES OF THE MEETING OF THE COUNCIL HELD ON 8 MARCH 2016 (VOLUME 43 PART 5 MINUTE BOOK).
- 5 CHAIRMAN'S ANNOUNCEMENTS.
- 6 REPORT OF THE LEADER OF THE COUNCIL ON CABINET DECISIONS FROM THE MEETINGS HELD ON 8 MARCH AND 5 APRIL 2016 AND CABINET MEMBER DECISIONS (GREY ENCLOSURE).
- 7 REPORT OF THE CHAIRMAN OF LEISURE, PARKS AND WASTE MANAGEMENT (OVERVIEW AND SCRUTINY) COMMITTEE (YELLOW ENCLOSURE).
- 8 REPORT OF THE CHAIRMAN OF ECONOMIC GROWTH, ENVIRONMENT AND DEVELOPMENT (OVERVIEW AND SCRUTINY) COMMITTEE (BUFF ENCLOSURE).
- 9 REPORT OF THE CHAIRMAN OF COMMUNITY, HOUSING AND HEALTH (OVERVIEW AND SCRUTINY) COMMITTEE (GREEN ENCLOSURE).

- 10 THE CHAIRMEN INDICATED BELOW TO MOVE THAT THE PROCEEDINGS OF THE FOLLOWING COMMITTEES (VOLUME 43 PART 5 MINUTE BOOK) BE RECEIVED AND, WHERE NECESSARY, APPROVED AND ADOPTED.

	Committee	2016	Pages	Chairman
(a)	Planning	22 February	94-96	D. Smedley
(b)	Planning	14 March	111	D. Smedley
(c)	Planning (to follow)	11 April		D. Smedley

11 **PROPOSALS FROM THE CABINET**

(a) To approve proposals for changes to the Civic Function (YELLOW ENCLOSURE).

12 **PAY POLICY STATEMENT**

To approve the Pay Policy Statement (BLUE ENCLOSURE).

13 **COMMUNITY INFRASTRUCTURE LEVY – ADOPTION OF CHARGING SCHEDULE**

To adopt the Community Infrastructure Levy Charging Schedule and supporting documentation (BUFF ENCLOSURE).

14 **DEPUTY ELECTORAL REGISTRATION OFFICER**

Diane Tilley is the Council's Electoral Registration Officer. It is best practise to have a deputy appointed in order that they can act in respect of determining applications, deal with objections and if necessary officiate at hearings if the need arises. As the timetable for such matters is very tight it is not sensible to assume that the ERO will be available. It is therefore recommended that Sarah Pearce, the Licensing and Electoral Services Manager, is appointed as the Deputy Electoral Registration Officer.

15 **APPOINTMENT OF VICE-CHAIRMAN OF EMPLOYMENT COMMITTEE**

To agree that Councillor Miss Hassell replaces Councillor Mrs Constable as the Vice-Chairman of Employment Committee.

16 **LITTLE ASTON & STONNALL NEIGHBOURHOOD PLANS – FINAL DECISION STATEMENTS**

To endorse the making of the Little Aston Neighbourhood Plan and the Stonnall Neighbourhood Plan (GREEN ENCLOSURE).

17 **QUESTIONS**

To answer any questions under Procedure Rule 10.2.

18 **EXCLUSION OF 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 item of business, which would involve the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972 as amended.

EXEMPT ITEMS NOT ISSUED TO PUBLIC AND PRESS

- 19 CONFIDENTIAL REPORT OF THE LEADER OF THE COUNCIL ON CABINET DECISIONS FROM THE MEETINGS HELD ON 8 MARCH AND 5 APRIL 2016 (PINK ENCLOSURE).
- 20 CONFIDENTIAL REPORT OF THE CHAIRMAN OF LEISURE, PARKS AND WASTE MANAGEMENT (OVERVIEW AND SCRUTINY) COMMITTEE (PINK ENCLOSURE).

COUNCIL MEETING

23 February 2016

PRESENT:

D. F. Salter (Vice Chairman in the Chair)

Allsopp, Mrs J. A.	Fisher, Mrs H. E.	Shepherd, Miss O. J.
Awty, R. J.	Greatorex, C.	Smedley, D.
Baker, Mrs D. F.	Hassall, Miss E. A.	Smith, A. F.
Bamborough, R. A. J.	Humphreys, K. P.	Spruce, C. J.
Banevicius, Mrs S. W.	Leytham, D. J.	Stanhope MBE, Mrs M.
Barnett, Mrs S. A.	Marshall, T.	Strachan, R. W.
Boyle, Mrs M. G.	Matthews, T. R.	Tittley, M. C.
Constable, Mrs B. L.	Mills, J.	Warfield, M. A.
Constable, D. H. J.	O'Hagan, J. P.	White, A. G.
Cox, R. E.	Powell, J. J. R.	Wilcox, M. J.
Drinkwater, E. N.	Pritchard, I. M. P.	Woodward, Mrs S. E.
Eadie, I. M.	Pullen, D. R.	Yeates, A.
Evans, Mrs C. D.	Ray, P. W. W.	Yeates, B. W.
Fisher, Miss B.	Rayner, B. L.	

(**APOLOGIES FOR ABSENCE** were received from Councillors Mrs Bacon (Chairman), Mrs Eagland, Mosson, Mrs Pullen and Mrs Tranter).

PRAYERS:

Prayers were said by Councillor Wilcox.

199 DECLARATIONS OF INTEREST:

The following Declarations of Interest were made:-

- 1) All Senior Managers present declared an interest in any discussion on the Management Restructure.

200 MINUTES – 8 DECEMBER 2015:

It was proposed and duly seconded “that the Minutes of the Meeting of the Council held on 8 December 2015 (Volume 43 Part 4 Minute Book) as printed and previously circulated be taken as read, approved as a correct record and signed by the Chairman.”

Arising on the Minutes

Minute No 147 – Review of Statement of Licensing Policy:

Councillor Greatorex informed Members that a letter had been received from the Home Office on the possibility of health and wellbeing being added to the four licensing objectives and the letter had indicated that, at this stage, it was considered that this would not be able to withstand a legal challenge however this would be considered further in due course.

201 CHAIRMAN'S ANNOUNCEMENTS:

(a) Mr B. F. Bacon

The Chairman of the meeting informed Members that Mr B. F. Bacon, the Chairman's Consort, was currently in hospital and therefore this was why the Chairman was not present. It was agreed that the best wishes of the Council be forwarded to Mr Bacon.

(b) Councillor P. W. W. Ray

The Chairman welcomed Councillor Ray to his first meeting of the Council following his election on 18 February 2016.

(c) Christmas Cards

The Chairman thanked all those who had donated monies to the Chairman's Charities instead of sending Christmas Cards and reported that £105 had been raised.

(d) Chairman's Civic Sunday Lunch

The Chairman thanked everyone who was supporting the Sunday Lunch on Sunday 13 March 2016 and advised that there were still tickets available.

(e) 2016 Lichfield Visitor and Whats On Guide

The Chairman reported that on 22 February 2016 he had been involved in the launch of the Lichfield Visitor and What's On Guide for 2016.

202 TO RECEIVE THE RETURNING OFFICERS CERTIFICATE OF ELECTION OF DISTRICT COUNCILLOR AND REPORT ON DECLARATION OF ACCEPTANCE OF OFFICE FOR WARD NO. 6 (CHADSMEAD):

It was reported that Paul William Wakelin Ray had been elected as a District Councillor for the Chadsmead Ward at an election on 18 February 2016 and that his Declaration of Acceptance of Office had been completed. Councillors Wilcox and Mrs Woodward welcomed Councillor Ray to the Council .

RESOLVED: That the Returning Officer's Certificate of Election for Councillor Ray for the Chadsmead Ward be received.

203 REPORT OF THE LEADER OF THE COUNCIL ON CABINET DECISIONS FROM THE MEETINGS HELD ON 12 AND 28 JANUARY AND 9 FEBRUARY 2016 AND CABINET MEMBER DECISIONS:

2 – Syrian Refugee Resettlement

Councillor Drinkwater was pleased that rumours linking Syrian Refugee Resettlement to Greenwood House had been refuted and asked for an update on the current position. Councillor Greatorex informed Members that it was intended to house four or five families as part of the Staffordshire Wide Agreement and that this was likely to take place in the autumn. The alternative options of dealing with the rehousing requirements were being considered.

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

1 – Supporting the Lichfield Garrick

Councillor Mrs Woodward was pleased that representatives of the Lichfield Garrick had attended the Committee Meeting and in referring to the misalignment of figures presented by the Lichfield Garrick and the District Council felt that in future figures needed to be clear so that there was transparency. Councillor Mrs Woodward added that she hoped Councillor Smith would deal with the Garrick Theatre issues in a fair way for the citizens of Lichfield District.

Councillor Smith informed Members that the misalignment of figures referred to was as a result of the Lichfield Garrick and the District Council having different financial years but in future month by month figures would be provided so that there was no confusion. Councillor Smith accepted that dealing with the Lichfield Garrick was a difficult balancing act as the Theatre had many benefits particularly for the economy of the District but finance available was limited and the grant to the Theatre was reducing. Councillor Awty added that he felt that the Outreach Programme organised by the Lichfield Garrick was very successful and provided good value for money.

2 – Mid Year Performance Report – One Year Action Plan 15/16 for Leisure and Parks Directorate and Joint Waste Service

Councillor Mrs Evans sought clarification about the proposed transfer of parks in Burntwood to Burntwood Town Council as it was her understanding that the Town Council had decided to delay the process for one year and added that to her it was strange that the District Council were looking to get rid of parks in Burntwood but were taking on open space in other areas.

Councillor Awty considered that the answer to the question should come from Burntwood Town Council as they had made the decision however the intention for the parks in Burntwood was that they would be managed differently rather than ceasing to exist and said that the transfer of open space to the District Council in other areas was as a result of existing legal agreements.

5 – Fit for the Future Leisure Review Sport and Physical Activity Strategy

Councillor Mrs Banevicius referred to paragraph 5.4 and asked what steps were being taken to remedy the problems highlighted and asked if Staffordshire County Council as a whole was being lobbied.

Councillor Smith said that the District Council would be working with all parties involved to improve the situation and gave as an example the Tennis For Free event which had taken place in Beacon Park Lichfield on 21 February 2016 when 300 people had taken part and many others had the opportunity of looking at the Davis Cup which was exhibited in the park. Councillor Mrs Woodward added that there was a Staffordshire Wide Strategy which could be accessed.

205 REPORT OF THE CHAIRMAN OF THE COMMUNITY, HOUSING AND HEALTH (OVERVIEW AND SCRUTINY) COMMITTEE:

Councillor Leytham submitted his report on the items considered by the Community, Housing and Health (Overview and Scrutiny) Committee held on 20 January 2016.

1 – Burntwood Health Centres

Councillor Mrs Evans said that discussions at the meeting had focused on the Greenwood House site in Burntwood and she reminded Members that two new health centres continued to be needed to provide sufficient Health Centre capacity to meet the requirements of the residents

of Burntwood. Councillor Drinkwater supported Councillor Mrs Evans and said that Burntwood had been promised new Health Centres for many years and felt that the Greenwood House proposal will be an upgrade of existing GP facilities rather than extra facilities and that this would not be sufficient for the needs of Burntwood residents.

Councillor White reminded Members that the Clinical Commissioning Groups in Staffordshire are facing a very difficult financial position and limited funding is likely to be available for capital developments. He advised that Greenwood House would be a brand new facility which would offer much improved provision from that which is currently available. Councillor White added that he had spoken to NHS England on a regular basis so that progress could be made. Councillor Greatorex added that attempts had been made to meet NHS England to try and move things forward at the Burntwood Leisure Centre.

(COUNCILLOR WHITE DECLARED A PERSONAL INTEREST IN THIS ITEM IN VIEW OF HIS INVOLVEMENT AS A STAFFORDSHIRE COUNTY COUNCILLOR).

2 – South East Staffordshire and Seisdon Peninsular Clinical Commissioning Group – Planning for 2016/17 and beyond

Councillor Mrs Evans asked that the word “It” be deleted from paragraph 2.4.

5 – Medium Performance Report – One Year Action Plan 15/16 for the Community Housing and Health Directorate

Councillor Mrs Woodward referred to the Commissioning the Community and Voluntary Sector Member Task Group and said that she, together with Councillor Mrs Bacon, had been on a previous Task Group dealing with this issue and felt that there was now a lack of transparency on how funding was allocated and hoped that all Members would be given details of decisions and the result of allocations made.

Councillor Mrs Evans referred to Paragraph 5.5 and said that a lot of residents had asked for Disabled Facilities Grants but had not yet received them and hoped that a special report could be submitted on this issue as there was a lot of concerns and problems particularly for the elderly. Councillor Leytham said that officers had met with the contractor (Revival) who had agreed to improve the delivery of the service and this would be monitored.

206 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 27 January 2016.

2 – Local Plan Update Report

Councillor Mrs Woodward referred to a report in the Lichfield Mercury about £9 million which had been allocated nationally to unlock development sites and asked how this was to be accessed. Councillor Pritchard informed Members that he was aware of the proposal and investigations were being made to obtain some of the money.

5 – Development Contributions SPD

Councillor Drinkwater whilst accepting that development funds were necessary felt that the balance in the planning process was now going too far towards the developer and that planning applications which might have been refused in the past could now be granted if a development contribution was available.

207 REPORT OF THE CHAIRMAN OF THE STRATEGIC (OVERVIEW AND SCRUTINY) COMMITTEE:

Councillor Strachan submitted his report on the items considered by the Strategic (Overview and Scrutiny) Committee held on 2 February 2016.

1 – Forward Plan and Work Programme

Councillor Mrs Woodward referred to the reference to the Civic Function and questioned why this needed to go to Council rather than Cabinet asking Councillor Strachan if he had taken legal advice on that. As the process had started in June 2015 Councillor Mrs Woodward added that she was disappointed that it was yet to reach a conclusion.

Councillor Strachan said that there were many issues surrounding the Civic Function and he would discuss with the Monitoring Officer if a decision could be made by Cabinet but hoped that in any event it would be dealt with shortly.

208 MINUTES OF COMMITTEES:

(a) Planning Committee – 14 December 2015

It was proposed by Councillor Smedley, duly seconded and

RESOLVED: That subject to the name of Councillor Awty being substituted for that of Councillor Drinkwater in Minute No 152 (Declarations of Interest) the Minutes of the Meeting of the Planning Committee held on 14 December 2015 (Minutes Nod 152 – 157) be approved and adopted.

(b) Planning Committee – 11 January 2016

It was proposed by Councillor Smedley, duly seconded and

RESOLVED: That the Minutes of the Meeting of the Planning Committee held on 11 January 2016 (Minutes Nod 158 – 163) be approved and adopted.

(c) Audit Committee – 26 January 2016

It was proposed by Councillor O'Hagan and duly seconded "that the Minutes of the Meeting of the Audit Committee held on 26 January 2016 (Minutes Nod 164 – 176) be approved and adopted."

Arising on the Minutes:

Councillor Mrs Woodward said that it had been agreed that Members of the Audit Committee would have a meeting with the Auditors before the Committee Meeting started but that Councillor O'Hagan had not attended the two meetings which had been arranged. Councillor Mrs Woodward asked Councillor O'Hagan if he would attend future pre meetings. Councillor O'Hagan confirmed that, subject to work commitments, he would attend future pre meetings.

Minute No 166 - Review of Contract Procedure Rules:

Councillor Mrs Banevicius referred to the reference to quotations being obtained for £500 and £500 to £5000 requirements and asked why it was not proposed to change that. Councillor Mrs Woodward added that she was disappointed that there were no proposals to change the rules

despite the lengthy debate at the Committee Meeting. Councillor Strachan said that this could be debated when the Contract Procedure Rules were submitted later in the meeting.

It was then:

RESOLVED: That Minutes of the Meeting of the Audit Committee held on 26 January 2016 (Minutes Nod 164-176) be approved and adopted.

(d) Regulatory and Licensing Committee – 10 February 2016

It was proposed by Councillor B. W. Yeates and duly seconded “that the Minutes of the Meeting of the Regulatory and Licensing Committee held on 10 February 2016 (Minutes Nod 177 – 186) be approved and adopted.”

Arising on the Minutes:

Minutes Nod 183 – Street Trading and 186 – Review of Licence and Other Fees and Charges by Environmental Health 2016/17

Councillor B. W. Yeates drew attention to the street trading fees for Special Events which was discussed at the meeting and said that the majority of the Committee were in favour of the street traders paying the fees themselves but that there was an option available for the District Council to subsidise those costs and that was referred to in the Medium Term Financial Strategy (Revenue and Capital) 2016-19 which was to be discussed later in the meeting.

It was then:

RESOLVED: That the Minutes of the Meeting of the Regulatory and Licensing Committee held on 10 February 2016 (Minutes Nod 177 – 186) be approved and adopted.

(e) Employment Committee – 11 February 2016

It was proposed by Councillor Powell, duly seconded and

RESOLVED: That the Minutes of the Meeting of the Employment Committee held on 11 February 2016 (Minutes Nod 187 – 193) be approved and adopted.

209 CALENDAR OF MEETINGS:

It was proposed by Councillor Wilcox, seconded by Councillor Pritchard and

RESOLVED: That the Calendar of Meetings as submitted be approved.

210 MEMBERSHIP OF COMMITTEES:

It was proposed by Councillor Wilcox, seconded by Councillor Pritchard and

RESOLVED: That Councillor Ray be appointed to serve on the Community, Housing and Health (Overview and Scrutiny) Committee.

211 PROPOSALS FROM THE CABINET:

(a) Strategic Plan 2016/20

It was proposed by Councillor Wilcox and seconded by Councillor Mrs Woodward “that the Strategic Plan 2016/20 as submitted be approved.”

In submitting the proposal Councillor Wilcox informed Members that the document circulated had been prepared following much discussion and collaboration with all those involved and confirmed that all comments had been considered which had resulted in a clear and precise document which would enable a Corporate Council to be created to face the challenges in the future. Councillor Wilcox referred to the vision set out on Page four of the Strategy and said that for it to work an Annual Action Plan would be used. Councillor Mrs Woodward said that the Manifestos of both the Conservative and Labour Groups were similar in their objectives whilst there may be differences in the detail and thanked Councillors Mrs Fisher and Pullen for the work that they had done in contributing towards the production of the Strategy. Councillor White added that he felt that the document was clear and comprehensive and not over ambitious.

It was then:

RESOLVED: That the Strategic Plan 2016/20 as submitted be approved.

(b) Annual Action Plan 2016/17

It was proposed by Councillor Wilcox and seconded by Councillor Mrs Woodward “that the Annual Action Plan 2016/17 as submitted be approved.”

In submitting the proposal Councillor Wilcox said that there needed to be a concise plan for the delivery of the Strategic Plan and that the Action Plan set out clear objectives with realistic time scales prioritising the Top 10 activities for the forthcoming year. Councillor Mrs Woodward while seconding the proposal drew attention to the risks set out in the Action Plan and to the potential insufficient financial or staffing capacity to deliver.

It was then:

RESOLVED: that the Annual Action Plan 2016/17 as submitted be approved.

(c) Medium Term Financial Strategy (Revenue and Capital) 2016-19 and the Council Tax Resolution 2016-17

It was proposed by Councillor Spruce and seconded by Councillor Greatorex “that the Medium Term Financial Strategy (Revenue and Capital) 2016-19 and the Council Tax Resolution 2016-17 as submitted be approved.”

In submitting the proposal Councillor Spruce said that this was a major document for the next four years which was based on the Conservative Manifesto and highlighted the funding gap and the need to either make savings or increase income through the Efficiency Plan detailed. Councillor Spruce added that the estimates provided were robust and the reserves were adequate and confirmed that the Consent Fee for Special Events had been included in the estimates.

Councillor Mrs Woodward said that her Group could not support the budget and that she was sorry for the Cabinet having to defend the Government who had changed their stance on localism and other issues. Councillor Mrs Woodward said that the Government had previously capped increases but had now changed that the spending power rules and that the permanent proposals for providing a housing supply were no longer applicable as they had been taken away by the Government and moved to Social Services. Councillor Mrs Woodward asked if the

Members for Parliament for the Lichfield District were supportive in challenging the situation and added that the move away from income tax to property tax would hit all residents in the area and she had noted that the majority of transitional relief had gone to Conservative Authorities rather than those which were Labour controlled.

Councillor Wilcox confirmed that concerns had been voiced to the Members of Parliament following the Autumn Statement and that this would continue to be the case so that the best outcome could be achieved for the residents of the District. Councillor Greatorex in response to the comments made by Councillor Mrs Woodward said that it was not accurate to say that Conservative controlled Authorities had been favoured as many Metropolitan Districts were funded in a different way.

In order to comply with Statutory Regulations a named vote was taken and recorded as follows:-

FOR (36)

Allsopp, Mrs J. A.
Awty, R. J.
Baker, Mrs D. F.
Bamborough, R. A. J.
Barnett, Mrs S. A.
Boyle, Mrs M. G.
Constable, Mrs. B. L.
Constable, D. H. J.
Cox, R. E.
Eadie, I. M.
Fisher, Miss B.
Fisher, Mrs H. E.
Greatorex, C.
Hassall, Miss E. A.
Humphreys, K. P.
Leytham, D. J.
Marshall, T.
Matthews, T. R.
O'Hagan, J. P.
Powell, J. J. R.
Pritchard, I. M. P.
Pullen, D. R.
Rayner, B. L.
Salter, D. F.
Shepherd, Miss O. J.
Smedley, D.
Smith, A. F.
Spruce, C. J.
Stanhope, Mrs M.
Strachan, R. W.
Tittley, M. C.
Warfield, M. A.
White, A. G.
Wilcox, M. J.
Yeates, A.
Yeates, B. W.

AGAINST (4)

Banevicius Mrs S. W.
Drinkwater, E. N.
Evans Mrs C. D.
Woodward, Mrs S. E.

ABSTAIN (2)

Mills, J.
Ray, P. W. W.

It was then:

RESOLVED: That the Medium Term Financial Strategy (Revenue and Capital) 2016-19 and the Council Tax Resolution 2016-17 as submitted be approved.

212 AMENDMENTS TO THE CONSTITUTION:

It was proposed by Councillor Spruce, seconded by Councillor Greatorex and

RESOLVED: That the changes to the Constitution as submitted be approved.

213 CONTRACT PROCEDURE RULES:

It was proposed by Councillor Spruce and seconded by Councillor Greatorex “that the Contract Procedure Rules as submitted be approved.”

Councillor Mrs Woodward referred to the lengthy discussion at Audit Committee on 26 January 2016 and expressed concern that no changes had been put forward to the Contract Procedure Rules in the light of that debate and therefore her Group would not support the proposal.

It was then:

RESOLVED: That the Contract Procedure Rules as submitted be approved.

214 MANAGEMENT RESTRUCTURE:

It was proposed by Councillor Wilcox and seconded by Councillor Pritchard “that the District Council determines that a process for consultation on the proposed new Senior Management Structure be undertaken.”

Councillor Wilcox explained that the intention was to start the process towards a proposed new Senior Management Structure which would be best able to support a One Council ethos which would be evidence based and have a proactive leadership and thus be able to adapt to a challenging future.

It was then:

RESOLVED: That the District Council determines that a process for consultation on the proposed new Senior Management Structure be undertaken.

215 QUESTIONS:

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

“The Leader is aware of the impending closure of Lichfield Foyer, a housing scheme supporting homeless young adults, because of the double whammy of cuts to the Supporting People Grant by SCC and cuts in housing benefit entitlement by Government, for under 21 year olds, from April. Can he tell me what LDC and the housing authority are doing to mitigate the impact of this devastating blow for the young tenants?”

Response from Councillor Wilcox:

“I was very concerned to learn about the proposed closure of Lichfield Foyer which has provided accommodation and support for vulnerable young people for many years. At the point the closure was announced, there were 17 youngsters living at the Foyer who originated

from across southern Staffordshire and beyond. Although the Foyer is a countywide facility, it is located in our patch and therefore I believe that the Council has a moral obligation to help these young people, and in some cases a legal obligation too.

Working with the landlord, Midland Heart (MH), our Housing Options Team have met with the young people individually to better understand their needs and preferences and to help support them through this difficult time. Some have decided to return to their original homes; Cannock Council has been working closely with us to facilitate this. As of today, there are just 6 youngsters that still need to find somewhere to live. They are all registered on Homes Direct (our housing register) and are all in band A, the top priority need level.

LDC has a statutory duty to provide temporary accommodation to 4 out of the 6. However, we do have the power to assist the other 2 and we have advised MH that we will provide temporary accommodation for them whilst a permanent solution is found. To avoid the use of Bed & Breakfast, the District Council has asked MH to consider keeping the Foyer open beyond 31st March whilst alternative accommodation (either temporary or permanent) is secured. MH have agreed to consider this and are identifying the financial implications of this course of action.

It is likely that at least 2 of the young people may have ongoing support needs (because they have a learning or physical disability). We have requested MH to help us to identify these needs because a potential landlord may ask for reassurance that these needs will be met before they make an offer of a home. As part of the consideration of the costs and requirements of keeping the Foyer open in the short term, MH have also been asked to consider what would be needed to sustain this support during the transition into permanent accommodation.

In summary, I believe that our officers are doing all they can to support the young people remaining at the Foyer and to help them move from the Foyer to alternative accommodation. Good progress has already been made and I am confident that suitable homes will soon be found for those who remain. I understand that the District Council may need to provide some stop gap funding to ease the transition and we await further information from Midland Heart about the best way of doing this.”

Councillor Mrs Evans asked the following supplementary question:

“Is the Leader fully aware of the knock on effect on college and job implications and will he continue to keep this matter under review?”

Councillor Wilcox responded:

“I confirm that the District Council will do all that it can to assist.”

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

“The headline in The Mercury (18 February 2016) says “Lichfield’s elderly could lose their homes if the Government’s rent cap is approved” and quotes Bromford’s Chief Executive as saying that the policy could “decimate sheltered and supported housing” and is “potentially catastrophic”. Has the Leader made any assessment of the impact in Lichfield District of the proposed rent cap and what action is he taking to mitigate it.”

Response from Councillor Wilcox:

“Its unfortunate that on occasions the headlines in the Press can cause alarm and distress without knowing the full impact that this may have on our District.

We shall together with the registered social landlords be assessing the impact on this National Government Policy which has been introduced to try and keep rents low and get the best from the public purse.

We also hope to be able to use the Discretionary Housing Payment to offset some of the impact once we know more.

Like Bromford, many RSL's and councils across the country have expressed their concerns about the impact of this proposals.

I shall also be talking to our local MP's to encourage them to seek the introduction of some form of dispensation for certain types of accommodation.

Our officers will be working alongside Bromford and other RSL's to assess the possible impact of the benefit cap across the District, and I have asked my Cabinet Member for Housing to keep me updated on this analysis."

Councillor Mrs Woodward asked the following supplementary question:

"Would the Leader agree that the Chairman of the Community, Health and Housing (Overview and Scrutiny) Committee should be kept fully informed and reports submitted to that Committee as necessary?"

Councillor Wilcox responded:

"I confirm that this will be done and that the Members of Parliament for the District will also be lobbied."

Question from Councillor Drinkwater to Councillor Spruce:

"At the Council meeting of 8 December 2015 I expressed concern that no recognition had been afforded to Councillor Darren Ennis of Burntwood Council for being the Architect of the Street names for the Development off Milestone Way Burntwood. Councillor Spruce said that he was not aware of the involvement of Councillor Ennis and would see what he could do to rectify this and see if his contribution could be recognised. Question is! Has anything been done to rectify this huge mistake particularly since it was stated that all families involved had been invited to a ceremony?"

Response from Councillor Spruce:

"The normal procedure of naming new roads is to ask for suggestions from the Parish Council involved. Burntwood Town Council, as normal, replied on 23 September 2015 with the request that the names should be of the fallen mens' surnames from Chasetown. It was the decision of the Council and no mention was made that it was Councillor Ennis who came up with the idea. That is normal and why I was unaware of the contribution made by Councillor Ennis in December 2015.

I have always said that this was a decision unanimously supported and suggested by Burntwood Town Council which I was delighted to support. I am happy to acknowledge the part played by Councillor Ennis particularly the work he has done subsequently in tracing relatives of the men concerned."

Councillor Drinkwater asked the following supplementary question:

"Can Councillor Spruce say whether or not the ceremony has taken place or been arranged and if Councillor Ennis will be at the forefront of the ceremony as it was his actions which resulted in the street names being put forward?"

Councillor Spruce responded:

“A formal ceremony will take place but it is awaiting the completion of the development which is likely to be in October 2016 and I confirm that Councillor Ennis will be at the forefront in view of the considerable amount of work that he, together with others, have undertaken.”

216 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

217 CONFIDENTIAL REPORT OF THE LEADER OF THE COUNCIL ON CABINET DECISIONS FROM THE MEETING HELD ON 12 AND 28 JANUARY 2016:

Councillor Wilcox submitted his Confidential Report on the matters considered by the Cabinet at the meetings held on 12 and 28 January 2016.

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

Councillor Awty submitted his Confidential Report on the matters considered by the Leisure, Parks and Waste Management (Overview and Scrutiny) Committee held on 14 January 2016.

(The Meeting closed at 7.30 pm)

CHAIRMAN

COUNCIL MEETING

8 March 2016

PRESENT:

D. F. Salter (Vice Chairman in the Chair)

Allsopp, Mrs J. A.	Evans, Mrs C. D.	Smedley, D.
Awty, R. J.	Fisher, Miss B.	Smith, A. F.
Baker, Mrs D. F.	Fisher, Mrs H. E.	Spruce, C. J.
Banevicius, Mrs S. W.	Greatorex, C.	Stanhope MBE, Mrs M.
Barnett, Mrs S. A.	Hassall, Miss E. A.	Tranter, Mrs E. H.
Boyle, Mrs M. G.	Leytham, D. J.	Warfield, M. A.
Constable, Mrs B. L.	Matthews, T. R.	White, A. G.
Constable, D. H. J.	Mosson, R. C.	Wilcox, M. J.
Cox, R. E.	O'Hagan, J. P.	Woodward, Mrs S. E.
Drinkwater, E. N.	Powell, J. J. R.	
Eagland, Mrs J.M.	Pritchard, I. M. P.	

(**APOLOGIES FOR ABSENCE** were received from Councillors Mrs Bacon (Chairman), Bamborough, Eadie, Mills, Pullen, Mrs Pullen, Ray, Rayner, Miss Shepherd, Tittley, A.Yeates and B.W. Yeates).

PRAYERS:

Prayers were said by Councillor Wilcox.

219 DECLARATIONS OF INTEREST:

There were no declarations of interest.

220 CHAIRMAN'S ANNOUNCEMENT:

The Chairman of the meeting informed Members that Mr B. F. Bacon, the Chairman's Consort, had recently left hospital and was awaiting an appointment with a specialist.

221 MANAGEMENT RESTRUCTURE:

Councillor Wilcox advised that a report on the proposed management restructure had been considered and approved by Council on 23 February 2016, however structure charts which formed the appendices had not been included with the report.

Councillor Wilcox stressed that given the important and strategic nature of the issue which affected the Council and many individual members of staff, it was vital that the processes in place were adhered to and Members were fully aware of the basis of the structure. He confirmed that the reconsideration of the matter would not delay the process.

Members noted that in order to be fit for the future, support the creation of a more corporate council and ensure that capacity is aligned with strategic priorities in the Strategic Plan 2016 – 2020 a thorough evidence based review involving staff and Members had been conducted by West Midlands Employers. This had resulted in the structure recommended for consultation.

Attention was drawn to paragraphs in the report which outlined the benefits of the new structure, the key findings of the review and the key features of the proposed structure. Members were reminded that they were considering a decision to consult not to implement and a thirty day consultation period closing on 8 April 2016 would enable those staff affected, and any other member of staff, to make representations and comment on the proposed structure which would then be considered by Cabinet, Employment Committee and Council.

It was proposed by Councillor Wilcox and seconded by Councillor Pritchard “that the District Council determines that a process for consultation on the proposed new senior management structure be undertaken.”

It was then:

RESOLVED: That the District Council determines that a process for consultation on the proposed new senior management structure be undertaken.

(The Meeting closed at 6.04 pm)

CHAIRMAN

REPORT OF THE LEADER OF THE COUNCIL

CABINET DECISIONS – 8 MARCH 2016

1. LETTING OF THE PEST CONTROL CONTRACT

- 1.1 The Cabinet approved the letting of the residential pest control contract to Company A as set out in the report.

2. EMPTY HOMES POLICY

The Cabinet:

- 2.1 Considered and approved the Empty Homes Policy.
- 2.2 Delegated authority to the Cabinet Member for Housing and Health in consultation with the Strategic Director - Community, Housing and Health, to agree any future changes to the policy deemed necessary resulting from significant changes to the number of empty homes, council tax regulations or the new homes bonus.

3. ASSET MANAGEMENT – ESTABLISHING A LIMITED LIABILITY PARTNERSHIP

The Cabinet agreed:

- 3.1 That approval be given to establish a Limited Liability Partnership between the Council and Public Sector Plc.
- 3.2 That authority be delegated to the Leader of the Council and Cabinet Member for Finance and Democracy in consultation with the Strategic Director – Democratic, Development and Legal Services and Director – Finance, Revenues and Benefits to agree the terms of the agreements necessary to establish the Limited Liability Partnership.
- 3.3 That authority be delegated to the Leader of the Council in consultation with the Strategic Director – Democratic, Development and Legal Services to agree the Council representation on the Limited Liability Partnership Board.

4. CUSTOMER PROMISE

- 4.1 The Cabinet approved and adopted the Customer Promise attached at Appendix A of the report.

CABINET DECISIONS – 5 APRIL 2016

5. COMMUNITY INFRASTRUCTURE LEVY: ADOPTION OF CHARGING SCHEDULE AND SUPPORTING DOCUMENTATION

The Cabinet:

- 5.1 Noted the Community Infrastructure Levy (CIL) Examination Report, accepted the modifications recommended by the Planning Inspectorate (PINS) as set out in Appendix C of the report and recommended that Full Council approve and adopt the CIL Charging Schedule (SC).
- 5.2 Recommended that Full Council approve the inclusion of definitions for dwellings and apartments within the CIL CS.
- 5.3 Agreed and recommended to Full Council that the 13th June 2016 will be the date for commencement of charging CIL in Lichfield District.
- 5.4 Recommended to Full Council approval and adoption of the proposed CIL Instalment Policy (Appendix D of the report) and CIL Guidance to Discretionary Relief, Social Housing Relief, Charitable Relief and Exemption (Appendix E of the report).
- 5.5 Recommended that Full Council approve and adopt the Regulation 123 list (Appendix F of the report).
- 5.6 Recommended that Full Council approve and adopt the proposed CIL Payment In Kind Policy (Appendix G of the report).
- 5.7 Recommended to Full Council a change to the constitution to delegate the implementation and administration of the CIL Charging Schedule to the Strategic Director – Democratic, Development and Legal Services, Development Executive (Spatial Policy and Delivery), Development Executive (Planning and Development), Planning Development Manager and Spatial Policy and Delivery Manager.

6. REVIEW OF THE CIVIC FUNCTION

The Cabinet:

- 6.1 Recommended that the role of the Chairman and Vice Chairman of the Council (the Civic Function) be revised from the start of the Civic year 2016/17 and focussed in future on supporting the work of the Council in meeting its strategic priorities. The impact of this is:
- 6.2 - that the number of engagements attended be reduced and that the scoring matrix as set out in Appendix A of the report be used by the Chairman and Vice Chairman to aid decisions on what invitations they should accept that add value for the Council.
- 6.3 - that the Civic Duties Allowance (CDA) paid to the Chairman be reduced to £3250 (currently £6,490) and the Vice Chairman's by the same proportion to £1,400 (currently £2810). This will be formally proposed as part of the response to the annual review by Independent Remuneration Panel (IRP) in May 2016.

- 6.4 Recommended that the Chairman charity events cease
- 6.5 Recommended that a competitive process be undertaken to secure a lease for a Mondeo car (Option 4 of Appendix B of the report) for the term of this Council (May 2019) under the appropriate procurement procedures.
- 6.6 Recommended that the Member Task Group be reconvened one year after implementation (i.e. May 2017) to evaluate the effectiveness of the new arrangements.

7. ACCEPTANCE OF FUNDING TO SUPPORT LOCALITY COMMISSIONING

- 7.1 The Cabinet accepted the following funding from partners to be used to support the implementation of locality commissioning in Lichfield District:
- 7.2 a confirmed sum of £20,000 from the County Commissioner for Older People and Market Development, Staffordshire County Council
- 7.3 a confirmed sum of £62,148 from Public Health, Staffordshire County Council
- 7.4 an indicative sum of £69,000 from South East Staffordshire and Seisdon Clinical Commissioning Group
- 7.5 an indicative sum of £71,885 from the Police and Crime Commissioner for Staffordshire

8. WIGGINTON, HOPWAS & COMBERFORD NEIGHBOURHOOD PLAN - REFERRAL TO REFERENDUM

- 8.1 The Cabinet accepted and agreed to the making of modifications as set out in the 'Decision Statement regarding Wigginton, Hopwas and Comberford Neighbourhood Plan proceeding to referendum' to the Wigginton, Hopwas and Comerford Neighbourhood Plan and allowed the Plan to be proceed to the referendum stage.

9. LITTLE ASTON & STONNALL NEIGHBOURHOOD PLANS FINAL DECISION STATEMENTS

- 9.1 The Cabinet agreed to the making of the Little Aston Neighbourhood Plan and the Stonnall Neighbourhood Plan.

10. RE-PROCUREMENT OF DESKTOP OPERATING SOFTWARE CONTRACT

The Cabinet agreed:

- 10.1 To award the contract for the server and desktop software applications to Microsoft.
- 10.2 An update to the Medium Term Financial Strategy 2016-20 (MTFS 2016-20) for the net additional costs of £8,400 for this procurement.

11. RE-PROCUREMENT OF GEOGRAPHIC INFORMATION SOFTWARE CONTRACT

- 11.1 The Cabinet approved the award of the contract for the software applications for GIS data to the incumbent supplier through the Staffordshire County Council Procurement Service framework.

DECISIONS MADE BY CABINET MEMBERS

12. PUBLIC HEALTH ACT – STREET NAMING – PARISH OF BURNTWOOD AND PARISH OF WIGGINTON & HOPWAS

- 12.1 The Cabinet Member for Finance and Democracy agreed to formalise the names of eleven roads serving a development on land north of Browns Lane, Tamworth and one road serving a development adjacent to 193 Cannock Road, Chase Terrace.

13. COLTON NEIGHBOURHOOD AREA DESIGNATION

- 13.1 The Cabinet Member for Economic Growth, Development and Environment agreed that the Parish of Colton be designated as a Neighbourhood Area for the purpose of preparing a Neighbourhood Plan under Section 61G of the Town and Country Planning Act 1990 (as amended).

**MICHAEL J WILCOX
LEADER OF THE COUNCIL**

FOR: COUNCIL MEETING
19 APRIL 2016
AGENDA ITEM 7
(YELLOW ENCLOSURE)

**REPORT OF CHAIRMAN OF, LEISURE, PARKS AND WASTE MANAGEMENT
(OVERVIEW & SCRUTINY) COMMITTEE**

PRESENT:

Councillors Awty (Chairman), Matthews (Vice-Chairman), Miss Fisher, Miss Hassall, Mrs Tranter, Mrs Woodward, A. Yeates and B W Yeates.

APOLOGIES FOR ABSENCE were received from Councillors Mrs Banevicius, Constable, Marshall, Mrs N Pullen.

(In accordance with Council Procedure No. 17 Councillors Eadie and A. Smith also attended the meeting).

At the meeting of the Leisure, Parks and Waste Management (Overview and Scrutiny) Committee held on 3rd March 2016 the following matters were considered:

1. WORK PROGRAMME AND FORWARD PLAN

- 1.1 Members considered the Work Programme and Forward Plan. It was noted that comments made at this meeting regarding the Leisure Review would be fed into the discussions at Cabinet when the item was considered on the 8th March 2016.
- 1.2 The Work Programme and Forward Plan was noted.

2. ACTIVITY AND PERFORMANCE INDICATORS 2016/17

- 2.1 Members received a report regarding the proposed activity and performance indicators for the Leisure & Parks directorate and for the Joint Waste Service that would be reported to the Committee on a biannual basis.
- 2.2 It was asked if there was a trend in types of accidents suffered and it was reported that it could be categorised in the Annual Report written by the Health & Safety Manager.
- 2.3 It was also asked that the number of schools that the council supports by its leisure centres/parks and sports development teams be monitored.
- 2.4 It was then asked why figures relating to waste included data from the Tamworth area. It was reported that the figures were collected from the Tamworth area due to the service being a joint one and that it had not created extra work to produce them.
- 2.5 The Committee felt that the current KPI's for waste were not challenging enough or tackling the potential forthcoming challenges. It was noted that those items would benefit from separate and specific reporting to the Committee.
- 2.6 When asked, it was noted that Household Waste Recycling Centres (HWRC) were still being considered by the County Council and it had been recognised that just closing

centres would not create the financial savings as first thought. It was reported that strategies of where to have HWRC's would be more appropriate.

- 2.7 The proposed Performance Indicators were noted along with that reports on performance will be considered at the June and January meetings of this Committee.

R J Awty
Chairman

Leisure, Parks and Waste Management (Overview & Scrutiny) Committee

FOR: COUNCIL MEETING

19th APRIL 2016

AGENDA ITEM 8

(BUFF ENCLOSURE)

**REPORT OF CHAIRMAN OF ECONOMIC GROWTH, ENVIRONMENT AND DEVELOPMENT
(OVERVIEW AND SCRUTINY) COMMITTEE**

PRESENT

Councillors Cox (Chairman), Mrs Baker (Vice-Chairman), Mrs Barnett, Mrs Boyle, Drinkwater, Mrs Eagland, Mrs Evans, Mills, Mosson, Rayner, Smedley and Mrs Stanhope MBE

APOLOGIES FOR ABSENCE: Were received from Councillor Smedley

(In accordance with Council Procedure Rule No.17 Councillors Pritchard and Wilcox attended the meeting).

DECLARATIONS OF INTEREST: Councillor Rayner declared a non-pecuniary interest as he works within the Planning sector.

At the meeting on the 16th March 2016 the following matters were considered:

1. WORK PROGRAMME AND FORWARD PLAN

- 1.1 After discussion, it was agreed to remove the Forward Plan as a standing item on the agenda. It was noted that by the time items were added to the Forward Plan, the Committee was already listed as a consultee and was also on the work programme. It was noted that the Forward Plan was emailed to all Members and that would still give the opportunity for anyone to request items be added to the work programme if required. It was reported that the work programme would be created from items arising from the triangulation meetings between the Cabinet Members and Committee Chairmen and Vice/Chairmen and One Year Action Plans.
- 1.2 It was noted that there would be another meeting on the 21st April 2016 that would consider items that would be too premature to consider at this meeting due to consultation deadline dates.
- 1.3 It was noted that a number of briefing papers had been sent to the Committee and it was wished to be recorded that with regard to the Local Plan and Community Infrastructure Levy, it was felt that infrastructure should be in place before or created at the same time as development and not after as this causes too many issues for residents.
- 1.4 It was resolved that the Work Programme and Forward Plan be noted.

2. SUPPLEMENTARY PLANNING DOCUMENT – BIODIVERSITY AND DEVELOPMENT

- 2.1 The Committee was firstly introduced to Mr Ashley Baldwin who had recently taken the position of Spatial Policy and Delivery Manager. The Committee also noted that Patrick Jervis had returned to the Authority in the role of Principal Spatial Policy and Delivery Officer.

- 2.2 The Committee received a report on the Biodiversity and Development Supplementary Planning Document (SPD) which was part of a suite of SPD's which supported the adopted Local Plan Strategy. It was reported that the SPD had been consulted on in accordance with the Council's adopted Statement of Community Involvement and the representations received were reported to the Committee along with proposed actions arising from them.
- 2.3 It was reported that there had been a Member Task Group, Chaired by Councillor Drinkwater, which had developed the SPD. Councillor Drinkwater reported that he had been happy with the work carried out and thanked Officers for their help and guidance. He also reported that he had raised a question himself during the consultation period regarding Biddulph Pool and it now being part of the larger Chasewater and Southern Staffordshire Coalfield Heaths SSSI. Councillor Drinkwater and a number of other Members agreed that not being listed as a separate SSSI would not give it the attention or priority as required. It was reported that the designation of SSSI were made by Natural England and therefore could not be changed, however it had been suggested to Councillor Drinkwater during the consultation that wording could be inserted into the SPD that would still highlight the Biddulph Pool area. The Committee agreed to insert this suggested wording.
- 2.4 The Committee then highlighted the representation received from Mrs Taylor and agreed that historic meadowland and woodland also needed protecting. It was resolved that this would be taken back to Officers to investigate further and if deemed feasible, would be included in the SPD. It was also agreed that a letter be sent from the Committee to Mrs Taylor to thank her for her input during the consultation.
- 2.5 It was asked what evidence there had been to justify the reduction of Biodiversity Net Gains Value from +25% to +20%. It was reported that the 25% figure had not been realistic to achieve and other Local Authorities offered 20% as it slowed for the best balance to protect Biodiversity and allow development to happen.
- 2.6 When discussing the Duty to Cooperate and cross boundary issues, the Committee were concerned that the Birmingham Development Plan would dictate the amount of houses Lichfield District would have to find for their benefit. There were concerns that in time, due to this and general rises in population, a review of the district's green belt would be required. The Cabinet Member for Economic Growth and Development reported that this may be the case but he would try and minimise the numbers and impact on the district.
- 2.7 Councillor Drinkwater, the rest of the Task Group and Officers were thanked for their work.
- 2.8 Cabinet be recommended to approve and adopt the Supplementary Planning Document on Biodiversity and Development subject to the inclusion of specific reference to the importance of Biddulph Pool and if after consideration and feasible, the views of Mrs Taylor regarding the need to protect meadowland and woodland.

3. SUPPLEMENTARY PLANNING DOCUMENT – TREES AND LANDSCAPE

- 3.1 The Committee received a report on the Trees and Landscape Supplementary Planning Document (SPD) which was part of a suite of SPD's which supported the adopted Local Plan Strategy. It was reported that the SPD had been consulted and the representations received were reported to the Committee along with proposed actions arising from them.

- 3.2 It was noted that this SPD had been created through a Member Task Group Chaired by Councillor Drinkwater and he reported that he had accepted the final version.
- 3.3 It was noted that regarding the removal of trees, the SPD would be for future development and would give more weight to the Planning Committee when considering applications. It was noted that current requests would have to be considered on each individual merits.
- 3.4 Members were disappointed to read the statistics via the Woodland Trust's representation that only 10% of the district's residents lived within walking distance of accessible woodland instead of the 17% average in the West Midlands.
- 3.5 It was asked if other means of advertising consultations could be considered as the Lichfield Mercury newspaper did not reach all rural areas. It was noted that consultation details were always given to Parish councils and this would be the best route to use to inform those rural areas.
- 3.6 Again Councillor Drinkwater as Chairman, the Task Group and Officers were thanked for their work.
- 3.7 Cabinet be recommended to approve and adopt the Supplementary Planning Document on Trees and Landscape subject to modifications being made in accordance with Appendix A and B to the report.

4. REVIEW OF THE EFFECTIVENESS OF THE PRE-APPLICATION CHARGING REGIME

- 4.1 The Committee received a report giving an update on the effectiveness of the pre-application charging regime which is part of the Development Management process. It was reported that charging for advice before formal applications were submitted had been in place since April 2014 and feedback had been positive. It was also reported that charging was discretionary but was common place amongst local Authorities as the service was resource heavy. It was noted that giving advice helped make the planning process more effective as issues were dealt with before the application stage.
- 4.2 It was reported that the current charges were inclusive of VAT and so not fully recouping the costs as it could. It was proposed that the amounts be exclusive of VAT which again brought the charging regime in line with other Local Authorities. When asked it was reported that this would mean an increase of £7 for householders proposals and that VAT registered developers would be able to claim the VAT back.
- 4.3 It was also proposed that an extra category be introduced for change of use of land/building to non-residential use which would be set at the basic rate of £150 plus VAT.
- 4.4 The Committee noted that it had been two years before this review had taken place instead of the originally agreed one year. It was reported that this had been due to now resolved resource issues but it was agreed that the extra years' worth of data had been an advantage.
- 4.5 The effectiveness of the pre-application charging regime since it was introduced in April 2014 be noted
- 4.6 The Committee recommend to Planning Committee that:

a) the current schedule of fees for pre-application charging be updated to include a further separate category (change of use of land/building for non-residential use), charged at a basic rate of £150 as set out in Appendix 1;

b) that all basic fee levels should remain as is, although that these fees should be subject to the addition of VAT payment, rather than be inclusive of VAT, as set out in Appendix 1;

c) that a further review of the basic schedule of fees be undertaken in 12 months' time.

5. ACTIVITY AND PERFORMANCE INDICATORS 2016/17

- 5.1 Members received a report regarding the proposed activity and performance indicators for the relevant directorates that would be reported to the Committee on a biannual basis.
- 5.2 It was reported that Performance Indicator 4 in Appendix A to the report was not a CLG statutory return but was an important internal indicator.
- 5.3 It was proposed Performance Indicators be noted; and
- 5.4 It was noted that reports on performance will be considered at the June and January meetings of this Committee.

6. OVERVIEW AND SCRUTINY REVIEW

- 6.1 The Committee received a report updating them on progress made in the review of the Overview & Scrutiny function. It was noted that the Member Task Group, comprising of all O&S Committee Chairmen and the Leader of the Principal Minority Group, had met and considered different approaches and methods of scrutiny that could be used. It was reported that a number of actions had already been implemented including triangulation meetings, fewer agenda items and briefer report presentations. It was reported that the Task Group would visit other Authorities where different O&S Committee models are used and consider if beneficial to Lichfield District Council.
- 6.2 Progress on the review of the Overview & Scrutiny function be noted.

R. E. Cox
Chairman

Economic Growth, Environment and Development (Overview and Scrutiny) Committee

FOR: COUNCIL MEETING

19 APRIL 2016

AGENDA ITEM 9

(GREEN ENCLOSURE)

REPORT OF CHAIRMAN OF COMMUNITY, HOUSING AND HEALTH (OVERVIEW & SCRUTINY) COMMITTEE

PRESENT:

Councillors Leytham (Chairman), Rayner (Vice Chairman), Mrs Allsopp, Mrs Baker, Bamborough, Mrs Banevicius, Mrs Boyle, Mrs Constable, Mrs Evans, O'Hagan, Salter and Warfield.

Apologies for absence were received from Councillor Ray.

(In accordance with Council Procedure No. 17 Councillors Greatorex and Pullen also attended the meeting.)

Peter Prokopa – Chief Operations Officer, North Staffs & Stoke Pharmacy Committee attended.

Inspector Rob Neeson, Local Policing Team Commander, Lichfield District and Marisha Place, Police Partnership Manager attended.

At the meeting of the Community, Housing and Health (Overview & Scrutiny) Committee held on 22 March 2016 the following matters were considered:

1. PRESENTATION BY LOCAL PHARMACEUTICAL COMMITTEE
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- 1.1 The Committee received a presentation by Mr Peter Prokopa, Chief Operations Officer for the North Staffs & Stoke Local Pharmaceutical Committee. He reported to the Committee that the Government had announced that funding for community pharmacies would be reduced by 6% and a consultation on these proposed changes had commenced.
- 1.2 Mr Prokopa highlighted the advantages of community pharmacies and what services they provided to local residents. It was noted that they helped ease the pressures on GP's by providing advice, symptom checks and monitoring of prescriptions. He also reported that through efficiencies, community pharmacies had already delivered 4% savings year on year. He reported that there was further scope to create savings with the increased use of technology to potentially access patient notes, centralise administration of repeat prescription and manage supply duration to reduce the amount of medicine waste.
- 1.3 The effects of the funding cuts specifically for Lichfield residents was then reported. It was noted that moderately dispensing pharmacies, which were ones that dispensed 2.5k prescriptions or more per month, would be affected the most and many pharmacies in Lichfield were this type. It was reported that if any were forced to close due to the funding cuts, it would impact on residents as fewer pharmacies would be within walking distance. It was reported that other free services including diabetes checks could also cease.

- 1.4 Members expressed concern about the substitution of prescribed, branded drugs with generic alternatives Mr Prokopa noted that substitution was not always appropriate but savings could be made by using other known brands for simple complaints.
- 1.5 Whilst acknowledging the importance of a thriving NHS, it was felt that a 6% cut should be achievable when community pharmacies already made annual efficiency savings of 4%. Disappointment was also expressed that community pharmacies felt that the living wage and pension auto enrolment could not be absorbed.
- 1.6 Other Members were very concerned at the changes in funding and the effects this would have on the community pharmacy service, jobs in that service and most of all the impact on local residents, especially the elderly. It was felt that there was no joined up thinking with the NHS. It was suggested that the community pharmacies enter discussions with local care providers as there could be scope to using them to help deliver prescriptions or pass on advice.
- 1.7 It was noted that the consultation period had been extended to 24th May and Members views could be submitted on an individual basis. It was requested and agreed that the open letter to the Pharmacy Service Negotiating Committee on this subject as submitted to the County Council Health Select Committee be forwarded to the Committee.
- 1.8 Mr Prokopa was thanked for his presentation and attendance at the meeting and the information received was noted.

2. LICHFIELD DISTRICT COMMUNITY SAFETY PLAN 2016 – 2019 & PREVENT

- 2.1 Members received a report on the new Delivery Plan which the Community Safety Partnership was required to produce under the Crime and Disorder Act. It was reported that the evidence base used to create the plan had been provided by the Staffordshire Observatory. It was also reported that the Plan had been approved by the Lichfield District Board and would be delivered by the District's Community Safety Partnership members. The Committee were pleased to see that this Partnership was so diverse and inclusive.
- 2.2 The national anti-terrorism initiative PREVENT was noted to be part of the Plan and it was reported that the County Council was the lead authority. Community Safety Manager is a member of the Staffordshire Prevent Board on behalf of the District Council. It was noted that delivery of PREVENT would have a coordinated approach between all partners working together at both County and local level.
- 2.3 It was noted that there had not been a significant change from the previous Delivery Plan. However, priorities could change following the Police and Crime Commissioner elections in May. Inspector Neeson reported that the nature of policing is changing with greater focus on identifying and supporting vulnerable people including victims (and potential victims) of cyber based crimes and child sexual exploitation. Staffordshire Police are preparing for the future by entering into a partnership with Boeing to make better use of non-warranted officers and improve their use of IT. It was noted that there would always be a need for a street presence but the Force was working with organisations to be prepared for the future.
- 2.4 Whilst acknowledging the role of Bromford Housing, Members asked about the contribution made by Midland Heart to the delivery of the Plan. They were advised that Midland Heart have considerably fewer properties than Bromford but that the incidence of anti social behaviour was monitored at annual performance meetings with Housing Officers. The Committee were concerned to see that there was a high

level of over 16 year olds without any qualifications and asked that this data be checked.

- 2.5 The SPACE project was discussed and it was considered to be positive initiative which helped the Police to engage with younger people and along with other projects helped prevent crime. The Committee felt it would be advantageous if it was not just a summer scheme but year round.
- 2.6 Overall, the Committee welcomed and endorsed the Community Safety Plan and felt it was clear and concise.
- 2.7 it was agreed that the Lichfield District Community Safety Plan 2016-2019 be noted along with the reference to PREVENT and that the Committee receive updates as appropriate.

3. BURNTWOOD HEALTH CENTRES

- 3.1 Helen Titterton, Strategic Director for Community, Housing and Health gave a verbal update on the health centres to the Committee. It was reported that the Greenwood House site was still the main focus and NHS England had submitted a funding bid to get the finances to proceed with the development. It was then reported that the Council was involved in the development of an NHS Estates Strategy for Staffordshire which was being produced by NHS England and the Clinical Commissioning Groups. It was noted that Helen and Planning Officers had attended meetings to provide information of the current and forthcoming pressures for practices due to increased housing and resident numbers.
- 3.2 The information received was noted.

4. STAFFORDSHIRE HEALTH SELECT COMMITTEE

- 4.1 The Chairman noted he had circulated minutes from the recent meetings of the Healthy Staffordshire Select Committee and gave a verbal update of the outcomes from a meeting earlier in the day. He had highlighted issues raised regarding young carers and this was to be added to the work programme of the Select Committee. It was then reported that Mental Health was coming under increased scrutiny including the RAID system used in Birmingham.
- 4.2 The information received was noted.

5. CCTV MEMBERS TASK GROUP

- 5.1 The Chairman of the Task Group, Councillor Rayner reported that the Group conducted a conference call meeting which worked very well. The Group had scrutinised the proposed CCTV Partnership Agreement with Railpen (who own the Three Spires Shopping Centre) and this is still under development. It was then reported that a CCTV specialist with expert knowledge of CCTV would be employed to assist the Council on CCTV development going forward.
- 5.2 The information received was noted.

6. ACTIVITY AND PERFORMANCE INDICATORS 2016/17

- 6.1 Members received a report regarding the proposed activity and performance indicators for the Community, Housing and Health directorate that would be reported to the Committee on a biannual basis.
- 6.2 It was asked that as well as ASB incidents, that violent crime against the person be included as an indicator as this appears to be increasing. It was agreed that as it was an important subject, a separate presentation by the Police could be useful.
- 6.3 It was then asked if the usage of the mobile app could be reported as well as the number of downloads and if the waiting time for DFGs could also be reported on.
- 6.4 The following was agreed
- (1) That the proposed Performance Indicators be noted; and
 - (2) That it be noted that reports on performance will be considered at the June and January meetings of this Committee.

7. OVERVIEW & SCRUTINY REVIEW

- 7.1 The Committee received a report updating them on progress made in the review of the Overview & Scrutiny function. It was noted that the Member Task Group, comprising of all O&S Committee Chairmen and the Leader of the Principal Minority Group, had met and considered different approaches and methods of scrutiny that could be used. It was reported that a number of actions had already been implemented including triangulation meetings, fewer agenda items and briefer report presentations.
- 7.2 The report was noted.

8. WORK PROGRAMME AND FORWARD PLAN

- 8.1 Members considered the Work Programme and Forward Plan and it was noted that not all items for the June meeting had yet been included as a new Programme would be required for the forthcoming Municipal Year.
- 8.2 The Chairman referred to the imminent closure of the Foyer and asked for the thanks of the Committee to be recorded and passed on to relevant staff for the work they had undertaken in finding alternative accommodation for the young people living at the Foyer.
- 8.3 The Work Programme and Forward Plan was noted.

9. VOTE OF THANKS

- 9.1 Sincere thanks of the Committee was recorded to the Chairmen, Vice-Chairmen and Officers for their work during the past year.

D. Leytham
Chairman

Community, Housing and Health (Overview & Scrutiny) Committee

PLANNING COMMITTEE

22 FEBRUARY 2016

PRESENT:

Councillors Smedley (Chairman), Marshall (Vice-Chairman), Mrs Allsopp, Awty, Mrs Baker, Mrs Barnett, Cox, Drinkwater, Mrs Eagland, Mrs Evans, Miss Hassall, Humphreys, Matthews, Pritchard, Powell, Miss Shepherd, Mrs Stanhope MBE, Strachan and A. Yeates.

(**APOLOGIES FOR ABSENCE** were received from Councillors Mrs Fisher, Mosson and Pullen).

192 MINUTES:

The Minutes of the Meeting held on 11 January 2016 and previously circulated were taken as read, approved as a correct record and signed by the Chairman.

193 DECISIONS ON PLANNING APPLICATIONS

Applications for permission for development were considered with the recommendations of the Strategic Director – Democratic, Development and Legal Services and any letters of representation and petitions together with a supplementary report of observations/representations received since the publication of the agenda in association with Applications numbered 15/00979/LBC; 15/01198/OUTM; and 15/01200/FUL.

194 15/00979/LBC – WORKS TO LISTED BUILDING TO ENABLE THE REPLACEMENT OF FRONT WALL (FOR STRUCTURAL PURPOSES), RAISING THE GROUND FLOOR LEVEL, INSTALLATION OF ROOF LIGHTS AND REVISED STAIRCASE ARRANGEMENT AND VARIOUS OTHER WORKS 115 MAIN STREET, ALREWAS FOR TREFOR MILNS

RESOLVED That the Planning Inspectorate be advised that the Council would have been minded to refuse the application for Listed Building Consent for the reasons contained in the report of the Strategic Director – Democratic Development and Legal Services in respect of the proposed development.

(PRIOR TO CONSIDERATION OF THE ABOVE APPLICATION REPRESENTATIONS WERE MADE BY MRS S. MILNS ON BEHALF OF THE APPLICANT AND MR. R HARRISON, A SUPPORTER OF THE APPLICANT)

195 15/00782/FULM – DEMOLITION OF FORMER ‘WHAT!’ RETAIL UNIT AND THE ERECTION OF 34 NO APARTMENTS AND 2 NO RETAIL UNITS (CLASS A1), CAR PARKING, SERVICING ASSOCIATED WORKS FORMER ‘WHAT!’, CROSS KEYS. LICHFIELD, STAFFORDSHIRE FOR FORTITUDE INVESTMENTS (COMMERCIAL) LIMITED

RESOLVED That, subject to the owners/applicant first entering into an Agreement under Section 106 Legal Agreement of the Town and Country Planning Act 1990, as amended to secure contributions/planning obligations towards:-

1. Open space, sport and recreation;
2. Participation in indoor sport and physical activity;

3. On-site affordable housing provision; and
4. Management Company for maintenance of all communal areas and SUDs system

planning permission be granted subject to the conditions set out in the report of the Strategic Director – Democratic, Development and Legal Services.

196 15/01198/OUTM – OUTLINE RESIDENTIAL DEVELOPMENT INCLUDING MEANS OF ACCESS FOR THE ERECTION OF UP TO 200 DWELLINGS, INCLUDING THE DEMOLITION OF 20 TUPPENHURST LANE, TOGETHER WITH THE CREATION OF ADDITIONAL SCHOOL CAR PARKING AND TURNING AREA, OPEN SPACE, PLAY AREAS AND ACCESS PROVISION AND MAINTENANCE COMPOUND FOR HS2 WORKS – LAND ADJACENT HAYES MEADOW PRIMARY SCHOOL, SPODE AVENUE, HANDSACRE FOR WALTON HOMES LIMITED

RESOLVED That, subject to the owners/applicant first entering into an Agreement under Section 106 Legal Agreement of the Town and Country Planning Act 1990, as amended to secure contributions/planning obligations towards:-

1. 25% Affordable Housing;
2. On-Site Public Open Space
3. On-site play area;
4. The formation of a maintenance management company to maintain the Open Space, sustainable drainage systems, school car park and drop off point and play areas in perpetuity;
5. On site habitat creation and subsequent maintenance for a minimum of 25 years;
6. Indoor sports contribution;
7. Primary education contribution;
8. Cannock Chase Special Area of Conservation;
9. Contributions towards off-site highways works (provision of a pedestrian crossing); and
- 10 Travel Plan Monitoring Fee

planning permission be granted subject to the conditions set out in the report of the Strategic Director – Democratic, Development and Legal Services with condition number 23 being amended to read as follows:-

‘23. There shall be no more than 200 dwellings provided on the site of which a minimum of 20 dwellings shall be of single storey construction.’

REASON

For the avoidance of doubt, in accordance with the applicants’ stated intentions, to ensure that the development allows adequate provision for green open space, and that it will be adequately served by infrastructure, in accordance with the requirements of Core Policy 1 and Policies BE1, IP1 and Arm4 of the Local Plan Strategy and Government Guidance contained within the National Planning Policy Framework age of the population.

(PRIOR TO CONSIDERATION OF THE ABOVE APPLICATION REPRESENTATIONS WERE MADE BY MRS J. HODSON ON BEHALF OF THE APPLICANT)

197 15/01200/FUL-DEMOLITION OF EXISTING BUNGALOW AND ERECTION OF 3 NO. 3 BEDROOM DETACHED DWELLING WITH ASSOCIATED WORKS 25 MAIN STREET, ALREWAS FOR MELODY DEVELOPMENTS

RESOLVED That planning permission be granted subject to the conditions contained in the report of the Strategic Director – Democratic, Development and Legal Services.

198 REPORT OF STRATEGIC DIRECTOR: DEVELOPMENT, DEMOCRATIC AND LEGAL SERVICES – TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED) - TOWN AND COUNTRY PLANNING (TREE PRESERVATION) (ENGLAND) REGULATIONS 2012 – LICHFIELD DISTRICT COUNCIL TREE PRESERVATION ORDER NO 102 – 1986 PROPOSAL TO PRUNE SIX TREES AT 5 WIGHTMAN CLOSE, LICHFIELD, STAFFS,WSI4 9RR

Members considered a report following an application to prune six trees protected by Tree Preservation Order No.102 – 1986.

RESOLVED That the application for consent to prune the six trees to a height of 10 feet be refused.

(The Meeting closed at 8:05pm)

CHAIRMAN

PLANNING COMMITTEE

14 MARCH 2016

PRESENT:

Councillors Smedley (Chairman), Marshall (Vice-Chairman), Mrs Allsopp, Awty, Mrs Baker, Mrs Barnett, Cox, Drinkwater, Mrs Eagland, Mrs Evans, Mrs. Fisher, Miss Hassall, Matthews, Mosson, Pritchard, Powell, Mrs Stanhope MBE, and A. Yeates.

(**APOLOGIES FOR ABSENCE** were received from Councillors Humphreys, Pullen and Miss Shepherd).

222 MINUTES:

The Minutes of the Meeting held on 22 February 2016 and previously circulated were taken as read, approved as a correct record and signed by the Chairman.

223 DECISIONS ON PLANNING APPLICATIONS

Applications for permission for development were considered with the recommendations of the Strategic Director – Democratic, Development and Legal Services and any letters of representation and petitions together with a supplementary report of observations/representations received since the publication of the agenda in association with Planning Application 15/01206/FUL.

224 15/0001206/FUL – ERECTION OF A THREE BEDROOM DETACHED DWELLING AND ASSOCIATED WORKS – SUNNY CORNER, 76 UPPER WAY, UPPER LONGDON, RUGELEY FOR ASD UNLIMITED.

RESOLVED That, subject to the applicant first completing a Unilateral Undertaking in accordance with Section 106 of the Town and Country Planning Act, as amended in respect of mitigation of the Cannock Special Area of Conservation, the application be approved subject to the conditions contained in the report and supplementary report of the Strategic Director – Democratic, Development and Legal Services.

(PRIOR TO CONSIDERATION OF THE ABOVE APPLICATION REPRESENTATIONS WERE MADE BY MR. M. BATLEY, THE AGENT FOR THE APPLICANT)

225 16/00020/FUL – ERECTION OF A TWO BEDROOM DETACHED DWELLING AT LAND ADJACENT TO 27 FRIDAY ACRE, LICHFIELD FOR MR C CHRISTOFI.

RESOLVED That, planning permission be granted subject to the conditions contained in the report of the Strategic Director – Democratic, Development and Legal Services.

(PRIOR TO CONSIDERATION OF THE ABOVE APPLICATION REPRESENTATIONS WERE MADE MR. CHRISTOFI, THE APPLICANT)

(The Meeting closed at 6:50 pm)

CHAIRMAN

Review of the Civic Function

Leader of the Council

Date:	5 th April 2016
Agenda Item:	11(a)
Contact Officer:	Diane Tilley
Tel Number:	01543 308001
Email:	Diane.tilley@lichfielddc.gov.uk
Key Decision?	NO
Local Ward Members	All councillors



COUNCIL

1. Executive Summary

1.1 The current lease for the Chairman's car expired in March 2015. The arrangements have been temporarily extended to enable further consideration of the Civic function. On consideration of the proposals at Strategic Overview and Scrutiny in June 2015 it was agreed a Task Group would be established to consider not only the car but also the wider civic function. The Task Group reported to the Committee on its findings in September 2015 and recommended changes to the Civic function to Cabinet. This report presents the recommendations of the Cabinet, following their consideration of the matter on 5th April 2016, and taking into account the views of the Overview and Scrutiny Task Group. It should be noted that these proposals, whilst taking into account the financial impact on the council, have been proposed in order to modernise and reinvigorate the civic function and align it with the strategic objectives of the council.

2. Recommendations

- 2.0 It is recommended by Cabinet to Council that the role of the Chairman and Vice Chairman of the Council (the Civic Function) be revised from the start of the Civic year 2016/17 and focussed in future on supporting the work of the Council in meeting its strategic priorities. The impact of this is :
- 2.1 That the number of engagements attended be reduced and that the scoring matrix as set out in Appendix A be used by the Chairman and Vice Chairman to aid decisions on what invitations they should accept that add value for the Council.
- 2.2 That the Civic Duties Allowance (CDA) paid to the Chairman be reduced to £3250 (currently £6,490) and the Vice Chairman's by the same proportion to £1,400 (currently £2810). This will be formally proposed as part of the response to the annual review by Independent Remuneration Panel (IRP) in May 2016.
- 2.3 That the Chairman charity events cease
- 2.4 That a competitive process be undertaken to secure a lease for a Mondeo car, or similar (Option 4 of Appendix B) for the term of this Council (May 2019) under the appropriate procurement procedures.
- 2.5 That the Member Task Group be reconvened one year after implementation (i.e. May 2017) to evaluate the effectiveness of the new arrangements.

3. Statement of Reasons

- 3.1 It should be noted that while there is a statutory role (Local Government Act 1972) for a Chairman to preside over Council meetings there is no legislation requiring a Civic function. However, to the best of our knowledge there is no Authority that does not have a Civic function. It is felt that there are advantages to having a 'first citizen' ; promoting the district, the council, aiding networking opportunities and helping to build relationships between the Council and other groups and organisations.
- 3.2 However it is also felt that there is value in reviewing, modernising and refreshing the Civic role to ensure it remains relevant and that there are strong links to the Council and its Strategic priorities as well as to the community it serves. A number of factors have been considered:

3.3 Number of Events

The number of events attended each year varies and this impacts on costs. The current process is for invitations to be accepted at the discretion of the Chairman themselves without a requirement to consider what added value it would give to the Council or how it would assist it in achieving its Strategic priorities.

To help reduce the number of events attended by Chairman (or Vice Chairman in his/her absence) and ensure they add value to the Council and District of a whole, a scoring matrix has been devised which aids decisions on what invitations should be accepted. This matrix has been based on best practice guidance from the National Association of Civic Officers (NACO) where it advises that *"a measure of the effectiveness of the Mayoralty (Chairmanship) in undertaking quality engagements is maintained."* The matrix can be found at Appendix A to this report.

It is suggested that there should be a presumption of attendance for any event in the District that involves Royalty, or at the invite of the Lord Lieutenant and any event at a significant venue for example the National Memorial Arboretum. The NACO guidance also states that *"Ideally, the Borough (District) has a target of 90% engagements within its boundary, on the basis that it is local people who are funding the Mayoralty (Chairmanship)"*. Taking this into account it is proposed that invitations inside the district should be prioritised but that the significance of partnership working and the relationship with neighbouring authorities should also be respected. There are Civic Heads in the district that could attend the events that had less strategic value to the Council. In these instances, it would be suggested to the host organisation issuing the invite that they approach another Civic Head i.e. City or Parish head.

As it is possible that the number of events may vary from year to year, for instance at the time of significant anniversaries, the proposal from the Task Group to establish a contingency fund has been considered. It is proposed that this is not set up at this point but that the position is reviewed following the first full year of operation of these new arrangements as the financial implications of the change proposed, and the level of visits undertaken can only be estimated at the current time.

It is recognised that the number of Civic invitations received during the current Civic year has considerably reduced from the 208 attended in 2012/13, and that given the economic climate affecting Authorities, this has now reduced to around 150. The Chairman and Vice Chairman should discuss and evaluate each invitation received in conjunction with the matrix as set out in Appendix A, to decide on what invitations are accepted that would add value to the strategic objectives of the council, and this should see further reduction to around 100 events.

3.4 Expenses

With the reduction in events attended, it is proposed that the expenses paid to the Chairman be reduced to £3250 (currently £6,490). It would be appropriate for the Vice Chairman's expense budget to be reduced by the same proportion to £1400 (currently £2810).

It is recommended that whilst expenses may be necessary, the Chairman and Vice-Chairman should always bear in mind the public perception of the use of the expenses for personal items including clothing.

It should be noted that the level of Civic Duties Allowance is recommended to Council by the Independent Remuneration Panel (IRP) annually and as such can only be changed by Council, following consideration of the IRP report in May 2016.

3.6 Chairman's Car

All options regarding transport arrangements for the Chairman and Consort have been considered. These are detailed at Appendix B. It is proposed that a lease car and chauffeur service is still required as to ensure a level of safety and security and in order not to discriminate against any Member who could not drive or preclude them from taking up the position. Option 4, to lease an alternative car (e.g. Ford Mondeo Diesel hatchback) is recommended by Cabinet.

Community Benefits

These proposals provide an opportunity to modernise the civic function and to ensure that it supports the strategic priorities of the council and promotes the districts whilst recognising the views of the community.

Views of Overview & Scrutiny

The Strategic Overview and Scrutiny Committee established a Task Group to consider the civic function, the report of which can be accessed at <https://www.lichfielddc.gov.uk/Council/Meetings-committees-and-papers/StrategicOverviewScrutinyCommittee/2015/09/09/StrategicOverviewScrutinyCommittee-9-Sep-2015.aspx>

Alternative options

The current arrangements could continue as they do at present.

The recommendations could be accepted in part, but the cost effectiveness of implementing some changes, without others, might not be cost effective or affordable.

The Civic function could cease although a Chairman of Council would still be required for the Council meetings and the Constitution. It is not known of any other council where this is done.

Consultation

In the public consultation exercise undertaken in May 2014, stopping the provision of a car for the Chairman was proposed as a suggested cut to the budget and was supported by 90% of people, opposed by 6% and 3% of people had no view.

Financial Implications	<p>The total budget for the civic function for 2015/16 is £59,080.</p> <p>Taking into account the proposals made it is anticipated that a permanent reduction of £ 7,385 per annum. This comprises £4,650 reduction in allowances and £2,735 reduction in lease costs on car.</p>
Plan for Lichfield District Implications	The new proposals are designed to ensure that the work of the Chairman and Vice Chairman supports the strategic objectives of the Council, and promotes the district.
Equality & Diversity Implications	<p>An Equality Impact Assessment of the range of options for the civic car has been undertaken. There is no impact on the community at large.</p> <p>However, the role of the Chairman and Vice Chairman must be open to all elected members. Thus if the Chairman/Vice Chairman falls into one of the protected characteristic groupings there would be an impact on the arrangements which would need to be considered.</p> <p>In summary, a decision to not have a car and driver at all could affect a person who has a physical disability which prevents them from driving making the role more challenging, however there is no impact if alternative transport arrangements are made as proposed here compared to provision of a leased car and employed chauffeur</p>
Crime & Safety Issues	None identified
Human Rights Issues	None identified

4. Risk Management

	Risk Description	Likelihood / Impact	Status	Countermeasure
A	The reputation of the District council is adversely affected	Medium/low		That the matrix be used to demonstrate justification for the civic function and the attendance of the major events
B				
C				
D				
E				

Background documents	Please list details
Relevant web links	Please list details

Civic Function Scoring Matrix

		FUNCTION DRIVERS				
		Press in Attendance	Supports LDC Initiatives / Strategic Plan	Within LDC Boundary	Social Event	Traditional Event
QUALITY OF ENGAGEMENTS	(1) PROMOTING Council Initiatives, Business Opportunities, tourism	1	2	3	4	5
	(2) COMMUNITY events Attending local events (LDC Area)	2	4	6	8	10
	(3) CIVIC HOSTING Offering hospitality to community groups	3	6	9	12	15
	(4) CHARITIES Charity appeal, fundraising events	4	8	12	16	20
	(5) CIVIC CIRCUIT (Chain Gang) Visiting other Civic Heads	5	10	15	20	25

Low Numbers (Green) are acceptable functions

Middle Numbers (Amber) Need approval Leader/CEO

High Numbers in the (Red) Non-acceptable functions

Caveats

- Royal Visits (esp NMA) - Presumption of Attendance
- Business Events (Drayton Manor) or other event for the Lichfield District Council Strategic Plan – Presumption of Attendance
- Queens (Kings) Award for Voluntary Service - Presumption of Attendance
- Significant Local Venue (not Buckingham Palace Garden Party) – Presumption of Attendance
- Most Appropriate Civic Head should attend function
- An attempt that visits should be evenly distributed across the District

Review of Civic Function: Chairman's Car

Summary of Options considered

	Option	Opportunities	Challenges	Cost per annum (approx)	Cost increase (saving) pa Based on actual budget for 15/16 of £16,830 (car & fuel: £8470 pay:£8360)
1	No car and no chauffeur	Reduces costs Demonstrates council has listened to Community consultation. Maximum reduction in budget achieved	Chairman would transport him/herself to functions. Costs of mileage claim /taxi fares (estimated at £3000). Impact on status of chairman and reputation of council. Safety of chain. Chauffeurs would no longer be required and redundancy liability would exist estimated to be a one off payment of up to £10,000	£3,000	(13,830)
2	Hire car and chauffeur for each event (est 100 events)	Demonstrates council has listened to Community consultation. Medium level of savings achieved	May increase need for support at our own events as no Chauffeur present. Chairman will be unaccompanied at events May be delays and cancellations due to less reliability and commitment though contractual arrangements	£13500	(£3330)

			<p>Could be costs incurred for last minute cancellations/changes</p> <p>Increased risk of failure of service</p> <p>Limited number of events can be attended according to budget</p>		
3	Purchase lease car and run for a further 4 years	<p>Community see older car being utilised whilst still projecting positive image of council</p> <p>No lease costs</p> <p>Little overall savings</p>	<p>Would cost approx. £13,975 to purchase. Apportioned over 4 years the cost is £3493</p> <p>Increased costs of service and MOT not previously incurred (estimated £800 pa)</p> <p>Increased risk of maintenance as car ages.</p> <p>Increased risk of breakdown and non availability of car</p>	£15433	(£1397)
4	Lease an alternative car (e.g. Ford Mondeo Diesel Hatchback)	<p>No additional risk</p> <p>No additional administrative burden</p> <p>All events can be attended</p>	<p>Not aligned with community view</p> <p>Lease car would cost £2955 pa as opposed to current cost of £5690</p>	£14,135	(£2735)
5	Extend lease of current car	Supplier unable to offer this option	n/a	n/a	n/a
6.	Lease the similar jaguar model of car	<p>No additional risk</p> <p>No additional administrative burden</p> <p>All events can be attended</p>	<p>Not aligned with community view</p> <p>Saving of £1756 pa</p>	£15,074	(£1756)

1. Introduction and purpose

Under section 112 of the Local Government Act 1972, the council has the 'power to appoint officers on such reasonable terms and conditions as authority thinks fit'.

This Pay Policy Statement (the 'statement') sets out the council's approach to its pay, terms and conditions and other related matters in accordance with the requirements of Section 38 of the Localism Act 2011 (the details of which are attached at Appendix A).

Once approved by the full Council, this Pay Policy Statement will come into immediate effect and will be subject to review on an annual basis, in accordance with the relevant legislation prevailing at that time.

At time of publication there are proposals in place to change the Leadership structure of Lichfield District Council which will take place during the financial year 2016/17. Any subsequent amendments to the Pay Policy Statement will be approved by Full Council, after which the amended version of the Pay Policy Statement will be re-published at www.lichfielddc.gov.uk/paypolicy

Context of Lichfield District Council

Lichfield District Council employs 390 staff (as at 31 January 2016), excluding casual workers, contractors, and agency workers) and provides a wide range of services managed through the Chief Executive's office and four directorates Plus Joint Waste Service:

The Chief Executive

Is the lead adviser to Elected Members and the Head of Paid Service. The Chief Executive leads the organisation by translating members' aspirations into practical solutions and delivery. The role leads and supports the council's governance arrangements. The Chief Executive is directly responsible for corporate communications, personnel services, and member services - civic and ceremonial.

The Council is currently undergoing a senior management review however, at time of publishing the directorates are as described below. This document will be updated when changes are made following appropriate consultation.

The Directorates

1. Democratic, Development and Legal Services:

Strategic lead on assets, premises and the council's property portfolio. Lead on legal services, including probity, contracts, enforcement. Lead on democratic services, governance, data protection & Freedom of Information. Lead on electoral services, management of elections and licensing services. Lead on sustainable development, planning policy, development plans and implementation,

development control and enforcement, urban design and conservation, building control and land charges, city and town centre regeneration and development. Lead on arboriculture services, countryside, biodiversity, rural strategy and planning. Lead on inward investment and developing the economy, business support and partnerships, and tourism, car parking strategy and management of off street parking enforcement.

2. Community, Housing & Health

Strategic lead on housing, including housing need and investment and affordable housing planning and development. Lead on housing partnerships, housing with support and travelling families. Lead on homelessness strategy and responsibilities, including private sector housing investment and regulation. Lead on enforcement and regulation, including contaminated land, pollution, nuisance, air quality. Lead on health and safety enforcement and regulation, including food safety, occupational health and safety, infectious disease. Lead on public health and protection, including taxi, liquor and miscellaneous licensing. Lead on community regeneration and development, including building social capital, community hubs and community transport. Lead on links with the voluntary sector; grant aid and commissioning grant funded services. Safer and Stronger communities including the Community Safety Partnership and closed circuit television.

Corporate lead on strategic planning for the council and the Lichfield District Strategic Partnership (LDSP) and District Board. Lead on older people, children and young people and safeguarding policy. Lead on performance management, including accountability to Members, quality assurance, customer complaints, ombudsman investigations, MP enquiries, community research, and equalities. Lead on provision of corporate customer services (Lichfield Connects), including development of supporting technology. Lead on emergency planning, with business continuity in conjunction with Staffordshire Civil Contingencies Unit.

3. Leisure and Parks

Lead on the district's emerging leisure strategy, including the management of three leisure centres, sports development and partnerships, reservoir management, outdoor sports and play provision and the management of parks and open spaces, including Beacon Park.

Lead on supporting strategic partnerships focusing on green matters including Cannock Chase AONB and managing the council's countryside assets.

Lead on the quality of the local environment and the delivery of in-house street scene services, including street cleansing and fly-tipping, abandoned vehicles, fleet management, grounds maintenance, public conveniences, and shop mobility, Corporate lead on health and safety, insurance and the council's Employee Liaison Group.

4. Finance, Revenues and Benefits

Lead on financial probity, strategic financial management, treasury and investment funds, and revenue and capital strategy. Management of accounts and reconciliation. Lead on external funding procedures. Lead on administration and collection of local taxation, including council tax and business rates (NDR), housing benefits and council tax reductions, arrears collection for council tax, business rates, benefits overpayments and sundry debts. Lead on policy development on debt recovery and its management.

Corporate lead on anti-fraud policy and awareness, internal audit ,risk management, procurement, development & maintenance of corporate information systems, including geographical information systems (GIS), the Property Gazetteer and street naming and numbering.

5. Joint Waste Service

The Joint Waste service now also includes the Director post, with Director of Assets and Environment at Tamworth Borough Council reporting to Chief Executive on waste collection and recycling, sustainable waste management, including partnership support, environmental education and awareness. Whilst this does not constitute a formal directorate of the council it remains a vital and important service areas for which we are responsible for delivering across Lichfield and Tamworth's administrative areas.

2. Legislative framework

In determining the pay and remuneration of all of its employees, the council will comply with all relevant employment legislation. This includes the Equality Act 2010, Part Time Employment (Prevention of Less Favourable Treatment) Regulations 2000, The Agency Workers Regulations 2010 and where relevant, the Transfer of Undertakings (Protection of Earnings) Regulations (TUPE).

With regard to the Equal Pay requirements contained within the Equality Act, the council ensures there is no pay discrimination within its pay structures and that all pay differentials can be objectively justified through the use of equality proofed job evaluation mechanisms, which directly relate salaries to the requirements, demands and responsibilities of the role.

3. Pay structure

The underpinning mechanism in delivering the council's pay structure is the council's job evaluation system. This ensures all employees are rewarded according to the demands and responsibilities of their job and that there are no discriminatory elements.

In 2002 this approach was adopted for the majority of employees using a National Joint Council for Local Government Services job evaluation scheme that was developed specifically for this purpose nationally, and which was supported by both the national trade unions and local authority employees.

All jobs (except Leadership Team) were graded using the Scheme and a new Single Status Agreement was put in place in 2003. The agreement also brought into place a number of local terms and conditions, including a commitment to flexible working.

Any changes to jobs or new jobs go through this job evaluation process to ensure that there is consistency and fairness in place. Based on the application of the job evaluation process, the council uses the nationally negotiated pay scale as the basis for its local grading structure. **Appendix C** shows the Lichfield District Council pay grades.

The Local Government Association (LGA) represents the council in national pay negotiations with trade unions and the government over pay and conditions.

In determining its grading structure and setting remuneration levels for all posts, the council also takes into account the need to ensure value for money in respect of the use of public funds, balanced against the need to recruit and retain employees who are able to meet the requirements

of their respective roles, and provide timely high quality services to the community, delivered effectively and efficiently.

New appointments will normally be made at the lowest level within the relevant grade, although this can be varied where necessary to ensure the best candidate is secured, and that if an internal candidate is appointed on promotion, that a pay rise ensues.

All potential recruitments are considered by Leadership team to ensure that at a time when staff reductions are likely to be required to meet budgetary pressures, appointments are made on the most appropriate basis and only when essential to ongoing service delivery.

From time to time it may be necessary to take account of the external pay market in order to attract and retain employees with particular experience, skills and capacity. Where necessary, the council will ensure the requirement for such is objectively justified by reference to clear and transparent evidence of relevant market comparators, using appropriate data sources available from within and outside the local government sector. This is known as market supplement.

All other pay related allowances are the subject to either nationally or locally negotiated rates, having been determined from time to time in accordance with collective bargaining machinery and/or as determined by council policy.

4. Definition of Chief Officer

Section 43 of the Act defines the meaning of a Chief Officer, cross referring to the Local Government and Housing Act 1989. In relation to Lichfield District Council's management structure the following is included in the definition of a Chief Officer:

- The Head of Paid Service – this is the Chief Executive
- Statutory and non-statutory chief officers – these are the council's four directors
- The council's monitoring officer – this is covered in the information on Deputy Chief Officers (below)
- Deputy chief officer – the council does not have any deputy/assistant directors
- Service managers - these report directly or are accountable to a director

5. Chief Officers remuneration

Chief Executive and Directors

The current levels of remuneration are:

Chief Executive

The current salary of the post is £98,845. The salary falls within a range of four incremental points between £93,196, rising to a maximum of £98,845, not inclusive of any payment for Returning Officer duties, with the exception of District and Parish elections, payment for which is included in the salary.

Strategic directors

The salaries of posts designated as Strategic Directors fall within a range of four incremental points between £74,416 rising to a maximum of £79,376

Directors

The salaries of posts designated as Directors fall within a range of four incremental points between £66,700 rising to a maximum of £71,659

Service Managers -are classed by Lichfield District Council as deputy chief officers

Managers reporting to Directors within Lichfield District Council have been classed as Deputy Chief Officers (for the purposes of the act). They are paid on the National Joint Council pay spine as described earlier, the detail of which is as follows:

Band	Pay scale £	Numbers
I - SCP 34-38	29,558-32,778	3
J - SCP 38-41	32,778- 35,662	3
K SCP 41-45	35,662-39,267	5
L SCP 45 - 49	39,267-42,957	9

*SCP – Spinal Column Point

6. Performance related pay for Chief Executive Officer and Directors only

When the current executive management structure was set up in 2002, it was agreed that an element of salary would be linked to performance, in order to reward an individual's contribution to the delivery of the corporate agenda. This was further updated in 2005 to reflect changes to the structure at that time.

The scheme allows for an assessment of performance on an annual basis and a payment to reflect performance achievements delivered by the posts of Chief Executive, Strategic Directors and Directors.

The performance measures and targets are agreed for the Chief Executive who is appraised by the Leader, Deputy Leader and Leader of the Opposition. The Chief Executive's targets are cascaded to Strategic Directors/Directors who are then appraised by the Chief Executive. The amount awarded is based on the following:

- The maximum payable is 2% of current salary for Directors and 10% for the Chief Executive.
- Targets substantially met – full payment.
- At least 50% of targets met, with justification all targets have not been substantially met – a payment of between 50% and 75%.
- Less than 50% of targets met – no payment.

7. Other pay additions

In addition to basic salary, set out below are details of other elements of 'additional pay' which are chargeable to UK Income Tax and do not solely constitute reimbursement of expenses incurred in the fulfilment of duties:

- Fees paid for Returning Officer duties where identified and paid separately. This applies solely to the Chief Executive and relates to fees, which are set by the Government for Parliamentary elections, European elections and referenda, and through agreement with Staffordshire County Council, for County Council elections, using pence per elector for the calculation. Fees for the district and parish local elections are included in the salary level.
- Essential user car allowance is £80.25 or £70.50 per month dependent on the size of vehicle. These rates are applicable to all employees who are essential car users.
- There are currently 80 employees receiving an essential car user's allowance.

Car allowance payments are paid as described for Chief Officers in Paragraph 5 above.

In addition to basic salary, details of other elements of ‘additional pay’ which are chargeable to UK Income Tax and do not solely constitute reimbursement of expenses incurred in the fulfilment of duties, are set out below:

Additional Payments	Numbers	Pay range FTE Per annum £
Shared Service Payment	2	3528- 4459
Market Supplement pay range	6	2500-5767
Monitoring Officer	1	6305

8. Payments on termination

All staff

The council’s approach to statutory and discretionary payments on termination of employment of chief officers, prior to reaching normal retirement age, is set out within its policy statement in accordance with Regulations 5 and 6 of the Local Government (Early Termination of Employment), (Discretionary Compensation) Regulations 2006 [and if adopted] Regulations 12 and 13 of the Local Government Pension Scheme (Benefits, Membership and Contribution) Regulations 2007.

The details of payments are set out in the Council’s Discretionary Payment Policy. These policies apply equally to all council employees.

9. Lowest paid employees

The lowest paid people employed under a contract of employment with the council would be employed on a full time [37 hours] equivalent salary, set at the minimum pay point currently in use within the council’s grading structure (see **Appendix C**). There are currently no employees on this level.

From time to time, the Council may employ Apprentices (or other such categories of workers) who are not included within the definition of ‘lowest paid employees’, as they are employed under schemes and are paid at rates determined by central government/scheme organisers. We currently have two apprentice.

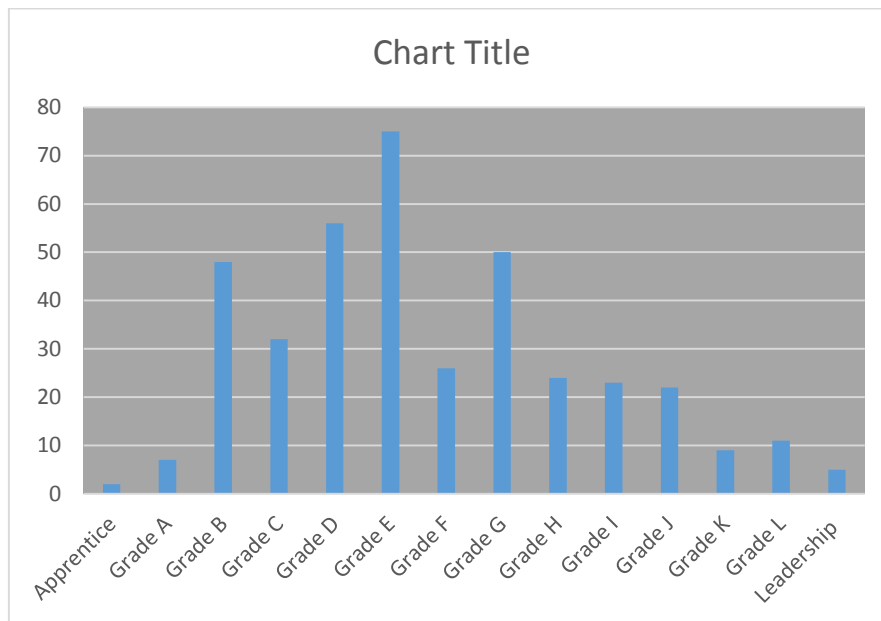
From April 2016 the National Living Wage (commencing at £7.20 per hour in 2016 rising to £9.00 per hour in 2020) will be introduced. This will impact on qualifying workers on Band B8 and below.

10. Pay relationship

The relationship between the rate of pay for the lowest paid and chief officers is determined by the processes used for determining pay and grading structures as set out earlier in this policy statement.

The statutory guidance under the Localism Act recommends the use of pay multiples as a means of measuring the relationship between pay rates across the workforce, and that of senior managers. This is detailed in the Hutton ‘Review of Fair Pay in the Public Sector’ (2010). The Hutton report was asked by Government to explore the case for a fixed limit on dispersion of pay through a requirement that no public sector manager can earn more than 20 times the lowest paid person in the organisation. The report concluded that the relationship to median earnings was a more relevant measure, and the Government’s Code of Recommended Practice on Data Transparency recommends the publication of the ratio between highest paid salary and the median average salary of the whole of the authority’s workforce.

The graph below shows the relationship numbers of staff on the different pay grades within the council:



The current pay levels within the council define the multiple between the lowest paid (full time equivalent) employee and the Chief Executive ratio is 1 to 7.5 and between the lowest paid employee and median average chief officer as 1 to 5.5 The multiple between the median average full time equivalent earnings and the Chief Executive is 1 to 4.88, and between the median average full time equivalent earnings and median average chief officer it is 1 to 3.73.

As part of its overall and ongoing monitoring of alignment with external pay markets, both within and outside the sector, the council uses available benchmark information as appropriate.

11. Publication

Upon approval by Full Council, this statement will be published on the Council's Website. In addition, for posts where the full time equivalent salary is at least £50,000, the council's Annual Statement of Accounts will include a note setting out the total amount of:

- salary, fees or allowances paid to, or receivable, by the person in the current and previous year
- any bonuses paid or receivable by the person in the current and previous year
- any sums payable by way of expenses allowance that are chargeable to UK income tax
- any compensation for loss of employment and any other payments connected with termination
- any benefits received that do not fall within the above

12. Accountability and decision making

In accordance with the constitution of the council, the Employment Committee is responsible to the council for functions relating to employment matters including establishing the overall framework for remuneration and terms and conditions of employment.

Community Infrastructure Levy: Adoption of Charging Schedule and supporting documentation



Councillor Ian Pritchard Cabinet Member for Economy

Date: 19TH April 2016
Agenda Item: 13
Contact Officer: Maxine Turley/Craig Jordan
Tel Number: 01543 308 206
Email: Maxine.Turley@Lichfielddc.gov.uk
Key Decision? YES
Local Ward Members

FULL COUNCIL

1. Executive Summary

- 1.1 Planning obligations secured through developer contributions enable the delivery of sustainable development within the District. These contributions support the delivery of the key infrastructure requirements as identified within the Local Plan Strategy and in the Council's Infrastructure Delivery Plan (IDP).
- 1.2 The Community Infrastructure Levy (CIL) is a planning charge, introduced by the Planning Act 2008 as a tool for local authorities in England and Wales to help deliver infrastructure to support the development of their area. It came into force on 6th April 2010 through the Community Infrastructure Levy Regulations 2010. The CIL Charging Schedule (CS) sets out the rate of levy the authority will charge those types of development that are eligible to contribute toward infrastructure provision. The District Council CIL submission was subject to examination in January 2016 with the Examiner's Report ([Appendix A](#)) received in February 2016.
- 1.3 Cabinet previously approved the submission of the Draft Charging Schedule (DCS) ([Appendix B](#)) to independent examination. Examination of the DCS duly took place on the 28th January 2016 with a Report ([Appendix A](#)) received from The Planning Inspectorate (PINS) on the 24th February 2016. The Report concludes that, subject to certain recommended modifications, the Draft CIL CS provides an appropriate basis for the collection of the levy in Lichfield District.
- 1.4 This report relates to the adoption of the CIL CS and the associated documentation which will enable the administration of the charge to take place.

2. Recommendations

- 2.1 That Full Council notes the CIL Examination Report, accepts the modifications recommended by PINS as set out in [Appendix C](#) and approves and adopts the CIL CS.
- 2.2 That Full Council approve the inclusion of definitions for dwellings and apartments within the CIL CS.
- 2.3 That Full Council approve the 13th June 2016 will be the date for commencement of charging CIL in Lichfield District.
- 2.4 Full Council approves and adopts of the proposed CIL Instalment Policy ([Appendix D](#)) and CIL Guidance to Discretionary Relief, Social Housing Relief, Charitable Relief and Exemption ([Appendix E](#)).

- 2.5 That Full Council approves and adopts the Regulation 123 list ([Appendix F](#)).
- 2.6 That Full Council approves and adopts the proposed CIL Payment In Kind Policy ([Appendix G](#)).
- 2.7 That Full Council approve change to the constitution to delegate the implementation and administration of the CIL Charging Schedule to the Strategic Director – Democratic, Development and Legal Services, Development Executive (Spatial Policy and Delivery), Development Executive (Planning and Development), Planning Development Manager and Spatial Policy and Delivery Manager.

3. Background

- 3.1 The District Council has previously expressed its commitment through a number of formal approvals to support the adoption and delivery of CIL. With this aim in mind the Draft Charging Schedule (DCS) was published for public consultation between 20th March 2015 and 1st May 2015. In setting the CIL DCS rates the District Council sought an appropriate balance between helping to fund necessary new infrastructure and the potential effect of the proposed CIL rates on the economic viability of development across its area.
- 3.2 Cabinet approval was secured in November 2015 to submit the DCS along with relevant documents for independent examination. The Examination hearing was held on the 28th January 2016, before Mr Philip Staddon an examiner appointed by the Planning Inspectorate (PINS). The subsequent Report on the Examination of the Draft CIL DCS was received on the 24th February 2016.
- 3.3 The Report concluded that, subject to 3 (three) recommended modifications, the DCS provided an appropriate basis for the collection of the CIL within Lichfield District. The recommended modifications are:
 - that the CIL rate applicable to all of the Strategic Development Allocations and the ‘North of Tamworth’ Broad Development Location as defined in the Local Plan Strategy be reduced from £55 per square metre to £14 per square metre;
 - that a clarification that residential apartments will not incur a CIL charge; and,
 - that there is an introduction of definitions for retail development types that will be subject to CIL.
- 3.4 Of the proposed modifications, the most important one and that which was the subject of debate at the examination relates to the charges to be applied to the major housing sites as identified in the Local Plan Strategy. The Examiner had to consider whether in the light of evidence before him there was a case for charging CIL in relation to Strategic Sites and if so what the level should be. Objectors to the Council’s proposals argued that applying a £55 per square metre rate would make larger sites unviable particularly taking into account other requirements such as S106. The examiner concluded that the Council was right to be seeking CIL contributions from such sites but that given the evidence a figure of £14 per sq. metre is appropriate and justified.
- 3.5 In addition to the recommended modifications the Examiner at the examination also suggested that the Council include definitions for dwellings and apartments within the CS for clarification.
- 3.7 The Draft Charging Schedule (DCS) can be viewed at [Appendix B](#) and the modified Charging Schedule (CS) can be viewed at [Appendix C](#).
- 3.8 Recommendation to adopt the modified CS will be sought from Full Council on the 19th April 2016. To enable the District Council to have in place appropriate administration procedures, and to ensure

planning applicants have been able to prepare for the implementation of a CIL it is proposed that an eight week period should be put in place between adoption and the date the District will commence charging CIL. It is therefore recommended that a CIL Commencement Date of the 13th June 2016 be approved.

- 3.9 Previous reports seeking approval to take forward the DCS have been accompanied by supporting documents. The CIL Instalment Policy, CIL Guidance to Discretionary Relief, Social Housing Relief, Charitable Relief and Exemption and the Regulation 123 list are three such documents having previously appeared in draft form. Approval is sought to adopt these three documents enabling them to support the administrative process of levying CIL. It should be noted that previously circulated editions of the documents have been subject to minor amendments. In terms of the Regulation 123 list amendments are in response to comments made by the Examiner, amendments relating to the other two documents have been made to ensure they are legally compliant with current regulations and support timely triggers in regard to income generation.
- 3.10 In order to enable flexibility in delivery and also ensure timely delivery of infrastructure during the Local Plan Strategy period this report recommends the inclusion of a CIL Payment in Kind Policy. This policy will enable applicants to suggest an alternative approach to the delivery of infrastructure. Applicants accessing the Policy could deliver a required infrastructure item as an alternative to providing a cash contribution. It should be noted that the Policy includes no commitment for the District Council to accept any proposed alternative delivery option over a CIL charge.
- 3.11 A change to the constitution is required to enable the implementation and administration of the CIL Charging Schedule. There may also be a need for further changes to the constitution in regard to determining CIL liable planning applications, so this is inclusive within the Development Management officers delegated powers.

Alternative Options	<ol style="list-style-type: none"> 1. The recommended modifications are not accepted. Without the modifications the DCS is unable to proceed to adoption. 2. Without an adopted CIL Charging Schedule the District Council would rely solely on the existing planning obligations system (S106) to provide for infrastructure investment. Whilst S106 can assist in delivering infrastructure and mitigating against the impacts of development, it relies on a process of negotiations with developers and therefore introduces an element of uncertainty to the process. This coupled with restrictions imposed on 'pooling' of S106 planning obligations as a consequence of the CIL regulations – restricting contributions to five separate planning obligations for a single item of infrastructure means for many Authorities CIL is necessary if infrastructure is to be delivered.
Consultation	<ol style="list-style-type: none"> 1. Consultation on the DCS along with supporting evidence took place over a 6 week period between 20th March and 1st May 2015. 2. The Examination of the DCS was held in public. Interested parties who had made representations during the DCS consultation had the right to be heard during the examination. 3. At the Economic Growth, Environment and Development (Overview and Scrutiny) Committee on the 16th March 2016 a Local Plan Strategy update report was presented. The report detailed the progress to date in terms of CIL and included a commitment to proceed to adoption subject to modifications of the DCS.
Financial Implications	<ol style="list-style-type: none"> 1. CIL revenue over the Local Plan Strategy period are estimated at £ 9.1m. 2. Not all infrastructure will be able to be funded via CIL. There will be a need

	<p>to lever other sources of funding and attract infrastructure investment by other delivery agents over the plan period. The District Council will put in place governance to oversee how to best utilise monies levied through CIL to deliver its infrastructure priorities.</p> <ol style="list-style-type: none"> Up to 5% of CIL funds generated can be directed to pay for the administration of CIL including previously incurred set up and development costs. The identification and acquisition of CIL management IT software is vitally important to enabling the compliant collection and administration of CIL and Section 106. It is also recognised that it would be preferable that an IT system to support CIL forms part of a system linked to Development Management and is also already supported by the Council. It is important that the package is in place for the CIL commencement date of the 13th June 2016. Detail in terms of the procurement of the IT software to support CIL is subject to a separate report to Cabinet. The CIL regulations require a meaningful proportion of CIL funds collected by the Local Authority to be paid directly to those Parish Councils that have development within their area. Meaningful proportions for those with 'Made' Neighbourhood Plans is set out as 25% and 15% for those without Neighbourhood Plan in place (capped at £100 per dwelling).
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Contribution to the Delivery of the Strategic Plan	<ol style="list-style-type: none"> The Local Plan Strategy including its associated infrastructure requirements and mechanisms for delivery are relevant to all of the Council's spatial ambitions identified in the Strategic Plan for Lichfield District.
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Equality, Diversity and Human Rights Implications	<ol style="list-style-type: none"> Overall it is considered that the proposed charging levels of CIL should benefit the position of the District by funding different infrastructure needs that support equality of access to services/facilities. There are no Human Rights Issues.
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Crime & Safety Issues	<ol style="list-style-type: none"> Crime and community safety issues have been considered as an integral part of the Local Plan Strategy and as such specific infrastructure requirements have been identified via the Infrastructure Delivery Plan, some of which may be appropriate for CIL funding.
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	Risk Description	How We Manage It	Severity of Risk (RYG)
A	Due to the 'pooling' restrictions on S106, not adopting CIL will lead to the risk of the District Council and other statutory providers being unable to deliver large infrastructure projects.	Proceeding with the Adoption of a CS to support CIL.	Red
B	That the recommended modifications are not accepted by Cabinet or Full Council and as such the District Council is unable to adopt the proposed CS to support CIL.	Transparent consultation compliant with CIL Regulations. Robust evidence supporting proposed rates. Examination process. Appropriate internal reporting requirements met.	Yellow
C	That a challenge is received during the legal challenge period, (six week period following adoption).	Transparent consultation compliant with CIL Regulations. Robust evidence supporting proposed rates. Examination process. Legal Advice secured if such challenge is received.	Red

D	The Government are currently conducting a review of CIL as to whether it is meeting its objectives of providing a faster, fairer, more certain and transparent means of funding infrastructure through developer contributions.	Irrespective of any Government recommendations, the CIL charge is based on the viability of development and therefore the rates would remain. The Council may have to review its administration of the charge based on the recommendations of the Government review.	Green
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Background documents

[Appendix A](#) – Report on the Examination of the Draft Lichfield District Council Community Infrastructure Levy Charging Schedule.

[Appendix B](#) - Draft Charging Schedule.

[Appendix C](#) - Charging Schedule (including recommended modifications).

[Appendix D](#) - Community Infrastructure Levy Instalment Policy.

[Appendix E](#) – Community Infrastructure Levy Guidance to Discretionary Relief, Social Housing relief, Charitable Relief and Exemption.

[Appendix F](#) – Regulation 123 list.

[Appendix G](#) – Payment In Kind Policy

Relevant web links

www.lichfielddc.gov.uk/localplan



Report to Lichfield District Council

by Mr Philip Staddon BSc, Dip, MBA, MRTPI

an Examiner appointed by the Council

24 February 2016

PLANNING ACT 2008 (AS AMENDED)

SECTION 212(2)

REPORT ON THE EXAMINATION OF THE DRAFT LICHFIELD DISTRICT COUNCIL COMMUNITY INFRASTRUCTURE LEVY CHARGING SCHEDULE

Charging Schedule submitted for examination on 26 November 2015

Examination hearings held on 28 January 2016

File Ref: PINS/K3415/429/6

Non-Technical Summary

This report concludes that, subject to some recommended modifications, the Lichfield District Council Draft Community Infrastructure Levy Charging Schedule provides an appropriate basis for the collection of the levy in the area.

There are three modifications required. First, the reduction of the residential development CIL to £14 per square metres in all of the Strategic Development Allocations and the 'North of Tamworth' Broad Development Location as defined in the Local Plan Strategy. Second, a clarification that residential apartments will not incur CIL. Third, the introduction of definitions for retail development types that will be subject to CIL.

Subject to these modifications, the Council is able to demonstrate that it has sufficient evidence to support the Schedule and can show that the levy rates would be set at levels that will not put the overall development of the area, as set out in its adopted Local Plan Strategy 2008 - 2029, at risk. The proposals will secure an important funding stream for infrastructure necessary to support planned growth in the district.

Introduction

1. This report contains my assessment of Lichfield District Council's draft Community Infrastructure Levy (CIL) Charging Schedule in terms of Section 212 of the Planning Act 2008 (as amended). It considers whether the schedule is compliant in legal terms and whether it is economically viable, as well as reasonable, realistic and consistent with national guidance set out in the National Planning Practice Guidance (PPG).
2. To comply with the relevant legislation and guidance the local charging authority has to submit a charging schedule that should set an appropriate balance between helping to fund necessary new infrastructure and the potential effect of the proposed CIL rates on the economic viability of development across its area.
3. The basis for the examination, on which Hearing sessions were held on 28 January 2016, is the Draft Charging Schedule, hereafter referred to as the 'DCS'. The DCS was published for public consultation between 20 March 2015 and 1 May 2015. The DCS proposes CIL charges for residential development and for certain types of retail development.
4. The DCS proposes two levels of CIL charge for new residential development based on geographic location. Most of the Lichfield district would fall under the 'High Value Area' charging zone where the CIL would be £55 per square metre (psm). The 'Low Value Area' charging zone comprises three limited

areas on the periphery of the district; these are broadly the areas around Fazeley (in the south of the district), Burntwood (to the west) and Armitage with Handsacre (to the north-west). The CIL would be £25 psm for residential developments in these locations.

5. The proposed retail CIL charges are not zoned and would apply across all parts of the district. The DCS proposes a £160 psm CIL charge for 'supermarket' developments; a £70 psm CIL charge for 'retail warehouse' developments and a £20 psm CIL for 'neighbourhood convenience retail.'
6. For completeness, the DCS sets out that CIL would be zero rated for 'all other development.'

Background evidence – Lichfield district, the development plan, infrastructure needs and economic viability evidence

Lichfield district

7. The district of Lichfield lies in south-east Staffordshire and has a population of just over 100,000. It is quite a diverse district with two main settlements, the historic cathedral City of Lichfield and the town of Burntwood, complemented by a network of smaller rural settlements and villages. The district has strong interdependencies and functional relationships with settlements beyond its administrative boundaries. These include the West Midlands conurbation (Birmingham and The Black Country) to its south-west, Tamworth to the south-east, Cannock and Stafford to the north-west and the East Midlands to the north-east. The south-western half of the district is washed over by the West Midlands Green Belt.

The Local Plan Strategy 2008 – 2029 (adopted February 2015)

8. Lichfield's 'Local Plan Strategy' (LPS) is a recently adopted and up to date development plan. It sets out the Council's vision and strategy for sustainable growth in the district in the period to 2029. The LPS seeks to direct growth to the most sustainable and accessible locations in line with the district's defined hierarchy of settlements. It also seeks to promote the most efficient use of land and prioritises the use of previously developed or 'brownfield' land.

New Homes

9. The LPS plans the delivery of at least 10,030 new homes over the plan period of 2008 – 2029 i.e. an average of about 478 new homes per annum. The capacity of existing urban areas and brownfield land is limited and the balance of the housing requirement is proposed to be met by a series of Strategic Development Allocations (SDAs) and a Broad Development Location (BDL), typically on greenfield urban extensions sites. The LPS defines seven SDAs and one BDL. It includes 'Concept Statements' for all of the SDAs, which set out details of the development rationale, objectives,

design principles and infrastructure requirements. There is no concept statement for the North of Tamworth BDL.

10. Following the principles of the defined settlement hierarchy, the highest proportion of new homes is proposed in the Lichfield itself, which is classed as a 'strategic centre'. Here, about 3,900 homes (38% of the requirement) are planned, split between sites within the existing urban area (46% of the Lichfield allocation) and SDAs (54% of the Lichfield allocation). There are four Lichfield SDAs; three to the south (1,350 homes combined) and one to the east (750 homes).
11. In addition to the LPS designated Lichfield SDAs, a further large scale development is being promoted to the north-east of the town (but is opposed by the Council). The promoters consider that, ultimately, an urban extension of between 2,000 – 4,000 new homes could be delivered in this location. A planning application for 750 homes and associated development, including a neighbourhood centre, has been the subject of a recent planning appeal. The Public Local Inquiry concluded on 22 January 2016 and the Secretary of State's decision is awaited.
12. The district's second tier settlement of Burntwood is classed as an 'other large centre' and is proposed to accommodate about 1,350 homes (13% of the Plan's new homes requirement). Most of these (70%) are expected to be delivered from within the Burntwood urban area, including through the redevelopment of poor quality employment sites. The balance of the new homes is planned through a SDA of approximately 375 homes (east of the Burntwood Bypass).
13. The next settlement tier identified in the Plan is that of 'neighbouring towns' where growth is planned to the urban areas of Tamworth and Rugeley through a BDL and a SDA which cross the administrative boundary. These are large strategic sites, being 'around 1,000 homes' for the North Tamworth BDL and 1,130 for the East of Rugeley SDA. These account for 10% and 11% of the planned housing requirement respectively.
14. A further SDA is proposed at Fradley, which is classified as a 'key rural settlement'. This SDA is focused on a former airfield and is expected to deliver 1,250 homes (about 12% of the district total). The balance of the housing requirement (16% of the total) is planned to be met by smaller allocations within Fradley and the other 'key rural settlements' of Fazeley, Shenstone, Armitage with Handsacre, Whittington and Alrewas.
15. The LPS seeks 'a target of up to 40%' of new dwellings to be provided as affordable homes. In Lichfield and Burntwood, the qualifying site size threshold is 0.5 hectares or 15 units. Outside these two main urban areas, the Council employs a lower site size threshold of 0.2 hectares or 5 units.

Employment

16. The LPS seeks to support employment growth, with a target of creating between 7,300 and 9,000 additional jobs in the Plan period. It also seeks to

improve the ratio of job numbers to economically active residents (which is notably lower than in surrounding areas). To assist in delivering this objective, the LPS proposes the allocation of 79.1 hectares of employment land, which includes a 12 hectare allocation in one of the south Lichfield SDA's (Cricket Lane SDA). The Council advised that about 10 hectares of employment land is expected to be defined by its Local Plan Allocations document, to ensure flexibility of provision.

Retail and town centres

17. The LPS approach to retail, leisure, office and cultural facilities follows the settlement hierarchy, with a strong focus on the two largest centres of Lichfield and Burntwood, complemented by the smaller centres in the lower tier settlements.
18. For Lichfield, the LPS identifies and supports a need for up to 36,000 square metres of new retail development, of which the majority (31,000 square metres) would be for comparison shopping. A major town centre scheme, 'Friarsgate', would deliver much of the planned new shopping. A planning application has been submitted which includes retail, a cinema, multi-storey parking, housing, a new bus station and public spaces. The LPS also proposes up to 5,000 square metres of 'bulky goods' retail warehousing outside of Lichfield town centre.
19. For Burntwood, up to 14,000 square metres of new retail space is proposed, with most (13,000 square metres) proposed for comparison retailing.

Infrastructure planning evidence

20. The LPS was supported by an Infrastructure Delivery Plan (IDP) and this has been refreshed in 2015 to support the CIL proposals. The IDP provides an up to date assessment of the district's infrastructure needs arising from the growth planned in the LPS. It assesses and analyses the needs in respect of 'physical', 'green' and 'social and community' infrastructure. The IDP also assesses projects by classifying them as either 'strategic' or 'local' infrastructure. Costs, funding sources, phasing and lead delivery organisations are included where known. The IDP is a thorough, up to date and clear analysis of the district's infrastructure needs.
21. Based on known costs or estimates, the Council's evidence assesses a total infrastructure bill for strategic infrastructure of circa £127.7 million, of which circa £119.5 million is currently unfunded. Almost half of this relates to major town centre improvements in Lichfield and Burntwood, with much of the remainder assigned to transport schemes and new schools, and a smaller allocation to strategic leisure and green infrastructure projects. Although some representors considered that the major costs (£50 million) associated with the Friarsgate scheme in Lichfield town centre should be excluded (or at least reduced), even doing so would still leave a very significant funding gap (of circa £70 million).
22. The Council estimates that, once existing commitments (schemes with

planning permission that will not attract CIL) are taken into account, its CIL proposals may generate a total revenue of £11.65 million in the remaining plan period. The majority of that sum (circa £10.84 million) is anticipated to derive from the residential development CIL charges.

23. Overall, the evidence indicates that the funding gap is substantial and that the imposition of a CIL regime is justified. CIL revenue would make a modest, but nonetheless important, contribution to reducing that gap and supporting the delivery of new infrastructure required to support growth.
24. The Council has produced a Draft Regulation 123 list that sets out the infrastructure that it intends to fund, partly or wholly, through CIL receipts. The list includes a range of strategic and integrated transport projects; school expansion schemes; sports, 'green' and environmental projects, along with health, social and community infrastructure schemes. The list includes a column that identifies where infrastructure would be dealt with by S.106 Planning agreements. For example, specified SDAs are expected to fund, through S.106 obligations, identified primary education, playing field, open space and community facilities that are directly associated with these planned major developments.
25. In my view, the Draft Regulation 123 list is relatively clear and comprehensive, although it is very much in 'draft' form, with a number of gaps and details to be added. Nonetheless, the list does provide the certainty and transparency on the destiny of CIL revenues.

Economic viability evidence – methodology and modelling assumptions

Methodology

26. The Council commissioned consultants to undertake a Viability Assessment to support its CIL proposals. There are three separate volumes of work. First, the 'Viability Study Final Report (January 2014)' which informed the preparation and publication of the Preliminary DCS proposals. Second, 'Draft Charging Schedule Viability Report (January 2015)'. Third, the 'Post Draft Charging Schedule Report (October 2015)' which deals with SDAs and small housing site viability. This iterative collection of Viability Assessment evidence is hereafter referred to as the 'VA'.
27. The VA uses a residual valuation approach. The modelling seeks to establish a Residual Land Value (RLV) by subtracting all development costs (including an allowance for developer profit) from the total value of the completed scheme - the Gross Development Value (GDV). The RLV is then compared to Benchmark Land Values (BLV), which are set at levels at which it is assumed a typical willing landowner would be prepared to sell the land. If the RLV exceeds the BLV then any surplus or 'overage' could be used to make CIL contributions. Where this overage occurs, the modelling expresses it as a financial value per square metre and this value can be seen as the maximum theoretical 'ceiling' for setting CIL.
28. Clearly, such modelling involves making a wide range of assumptions about

the component inputs of development costs and revenues, and these have been adjusted and updated through the modelling iterations. Some of the inputs, such as sales values, land costs, building costs and developer profit levels, can have a profound influence on the modelling outputs and, accordingly, assumptions need to be reasonable and robust.

Residential development modelling assumptions- the scheme 'typologies'

29. The initial residential modelling was undertaken for site typologies of 0.25 hectare, 1 hectare and 5 hectares. The housing mix, size and density was tailored for low, moderate and high value scenarios, with lower densities and larger homes assumed in the higher sales value areas. The Council considered that this would reflect the main range of sites that it expects to make up most of the supply of new homes (outside of the SDAs / BDL).
30. In terms of establishing local residential sales value assumptions, the Council's consultants undertook an analysis of Land Registry data of recent transactions and supplemented this with an analysis of new build asking prices (which were discounted to reflect assumed slightly lower actual sales values). Based on a triangulation of these findings, the Council proposed three value levels for new houses of £2,100 psm (lower), £2,275 psm (moderate) and £2,450 psm (higher) for testing purposes. For apartments, the respective figures used were £2,000 psm, £2,100 psm and £2,350 psm.
31. The Council has used available evidence to assess sales values and that data set is reasonably comprehensive and up to date. However, the methodology employed to establish assumed sales values is, inescapably, quite generalised. Whilst I do not consider the Council's approach to be inappropriate for CIL testing purposes, it is important to recognise that the spectrum of actual values in Lichfield district is much wider (a sales value range of £1,623 - £3,303 psm is cited in the VA). The variability either side of the averages is a matter that needs to be considered 'in the round' when interpreting the results and ensuring that CIL rates are set with appropriate viability headroom (or 'buffers').
32. To establish assumed land values the Council gathered quantitative and qualitative evidence from a number of sources. These included Valuation Office Agency (VOA) reports, considerations of existing use values with uplifts applied and soundings from local agents active in the market. To ensure comparability, the modelling assumes that all sites were readily developable i.e. greenfield sites were fully serviced 'parcels' and brownfield sites cleared and remediated. This process led to the establishment of three assumed BLVs of £650,000 per hectare (low value), £900,000 per hectare (moderate value) and £1,100,000 per hectare (high value) reflecting the assessed variation in land prices across the district. Although the absence of a substantial body of transactional evidence necessitates a degree of judgment in setting these BLVs, I consider the approach to be reasonable and note that the land values employed went largely unchallenged through the DCS consultation exercise.
33. 'Base' building costs for residential schemes were drawn from Building Cost

Information Service (BCIS) rates using the 'estate housing generally' category, with adjustments made for the assumed value areas (reflecting the higher buyer specifications in higher value locations). Additional allowances were made for external works (10% of base build costs) and contingencies (5% of base build costs, external works and professional fees). Although the BCIS base used was, by the time of the examination, a little dated (December 2014 figures were used), I am satisfied that any intervening build cost inflation can be factored in to the ultimate assessment of the 'headroom' above the proposed CIL rates. Overall, I consider the building cost assumptions to be reasonable and assumptions in respect of fees, contingencies and finance conformed to accepted industry norms.

34. Developer profit was assumed at levels of 20% of GDV on market housing and 6% of GDV on affordable housing, which I consider reasonable.
35. Affordable housing cost assumptions were modelled at the policy target level of 40% of new homes, with a 65/35 tenure split between social rented and 'intermediate' (shared ownership) housing. The modelling includes this content on all of the tested schemes (small, medium and large). The affordable housing assumptions attracted some comment, as it was suggested that the Council rarely sought or achieved this level of affordable housing. In practice, it uses a 'dynamic viability model' to inform appropriate levels of affordable housing on a site by site basis. Following the publication of the DCS, the Council undertook some additional sensitivity testing (the October 2015 report) on smaller sites to assess the effect of affordable housing costs on viability. This included an additional very small site typology (0.13 hectare).
36. The modelling assumed that residual S.106 planning agreement costs for site specific requirements would be limited to £500 per unit on all sites.

SDA modelling assumptions

37. The Council had not undertaken any viability testing of very large scale development, such as those proposed at the SDAs, in the preparation of its DCS. However, it did undertake testing of two SDAs after the publication of the DCS. The two tested SDAs are both to the south of Lichfield and each is substantially larger than the 5 hectare site typology used in the earlier VA reports (each has a gross area of circa 40 hectares). Deans Slade Park SDA is a 450 unit housing site with a small amount (0.44 hectares) of commercial development; about half of the site's gross area is proposed to be a countryside park. Land off Cricket Lane SDA is a mixed use scheme of 450 homes and 12 hectares of employment land.
38. The modelling assumptions employed for the SDAs were similar to those used in the main testing exercise, with some adjustments made and a longer development cycle employed. The main cost differences were the application of an additional £10,500 per dwelling education cost (S.106) to reflect new school provision and a reduced build costs to reflect the economies of scale on a large site. No particular additional allowances appear to have been made for the new site infrastructure and enabling

works that may be required on these large sites. The BLV adopted was £900,000 per hectare for residential development (the 'moderate' BLV) and £400,000 per hectare for commercial / employment development.

Commercial development modelling assumptions

39. The commercial development modelling used similar assumptions and methodology to assess the viability of different types of office, industrial and retail uses. The assumptions employed for assumed rents, yields, build costs, developer's margin and finance all appeared reasonable for high-level CIL testing purposes.

Conclusions on background evidence

40. The LPS provides a clear strategic planning framework to guide sustainable growth in the Lichfield district to 2029. The Plan's growth strategy has a strong focus on delivering growth at the larger settlements in the district through a combination of sites within existing settlements and a portfolio of larger planned urban extensions (the SDAs and BDL). The IDP identifies the infrastructure required to support this planned growth in population and jobs. The evidence demonstrates a sizeable infrastructure funding gap that justifies the introduction of a CIL regime. CIL receipts will help to reduce that gap, although a significant funding shortfall will remain.
41. Overall, the background economic viability evidence for both residential and commercial development has been drawn from available sources and is well grounded and appropriate. The application, interpretation and use of that evidence, in defining the proposed CIL rates and zones, are discussed more fully below.

Residential Development CIL – appraisal findings, zones and charges

42. In essence, new housing development in Lichfield in the Plan period will derive from two main sources. Firstly, from the portfolio of large SDAs / BDL and, secondly, from a wide range of other sites, typically in existing larger settlements and often on brownfield land, spread across the rest of the district. The Council's DCS proposals have been developed from a viability analysis of the latter (the 'typology' testing) with SDA testing only being carried out post publication of the DCS. There are some reasons for this, but it does create some complications and implications. For clarity, I have separated my assessment of the 'non SDA / BDL', 'SDA / BDL' and 'apartments' developments.

'Non SDA / BDL' residential development

43. The broad brush methodology employed for the main set of tested development typologies generates a relatively concise set of 'overage' results. These are expressed as maximum CIL rates psm. In total there are nine results, comprising overage calculations for the three site size typologies (0.25, 1.0 and 5.0 hectares) in each of the three assumed value

areas (low / moderate / high). All of the tested permutations generate positive results i.e. there is a modelled surplus, after all costs and profit have been deducted, that could be used to fund CIL payments.

44. In the 'low value' scenario, the modelling indicates maximum CIL rates of £59 psm, £38 psm and £60 psm for the 0.25, 1.0 and 5.0 hectare scenarios respectively. The 'moderate value' results were maximum CIL rates of £107 psm, £81 psm and £84 psm. With the 'high value' sales and land values applied, the modelling indicates results of £133 psm, £96 psm and £81 psm.
45. The October VS report undertook sensitivity testing of the small site scenario (0.25 hectares) plus a new, even smaller, site scenario (0.125 hectares). This explored the effect of removing affordable housing costs, given that there had been some uncertainty arising from the Government's policy position and legal challenges by other Councils¹. The testing showed that, with affordable housing costs removed, the viability of these schemes was substantially increased, with maximum CIL rates falling within a range of £250 - £346 psm.
46. The Council assesses that the main typology test findings support the principle of a two zone charging approach, given that the 'moderate' and 'higher' maximum CIL results all fall in relatively close proximity (the actual range is £81 psm up to £133 psm) whereas the 'low' results are markedly below those generated in the other value scenarios (the range being £38 psm up to £60 psm).
47. In terms of the geographic definition of the charging zones, the Council has used sales value 'heat mapping' (based on Land Registry data). This supports the view that, for most of the district, sales values are generally healthy and would be represented by the 'high' or 'moderate' value assumptions, but there are some localised areas where sales values are relatively weaker. The Low Value zone areas are those that have relatively lower sales values across all house types (detached, semi-detached, terraced and flats).
48. The approach to setting the proposed CIL charges is to take the lowest of the typology appraisal results in each of the zones and apply a viability 'buffer' from that theoretical maximum. Most of the district is represented by the combined results of the 'high' and 'moderate' value areas. As noted above, the range here is from £81 psm up to £133 psm. The Council's proposal to set the CIL at £55 psm across this 'high value area' zone builds in a comfortable 'buffer' from the lowest point in the range and a substantial buffer from the highest point.

¹ West Berkshire District Council and Reading Borough Council v Secretary of State for Communities and Local Government [2015] EWHC 2222 (Admin).

49. For the 'lower value area' zone, the proposed £25 psm CIL is similarly set below the test results of £60, £59 and £38 psm, building in a measure of viability headroom.
50. A case was made for the application of a single £55 psm CIL, which would improve the parish proportion in the Armitage with Handsacre area. However, based on the current evidence, this would jeopardise the viability of schemes in this area. There were also views expressed suggesting a greater number of zones and differing charges but the evidence before me does not present a compelling case for such an approach. I am also mindful that the Guidance encourages charging authorities in setting differential rates to avoid undue complexity².
51. Overall, the evidence supports the conclusion that the CIL charges will not pose a threat to scheme viability of 'non SDA' residential developments. All schemes are shown to be comfortably viable with CIL applied at the proposed CIL rates.
52. This conclusion is supported by the lack of any substantive challenge from the development sector in respect of non-SDA housing schemes. Indeed, most of the representations in respect of the Council's charging proposals (for non-SDA housing) express the view that CIL should be set at higher levels.
53. The evidence does support the view that, in theory, a higher CIL could be sustained on many sites, particularly if 'real world' affordable housing levels were employed in the modelling. However, the Council has correctly modelled the full policy target level and has chosen to opt for a cautious approach in setting its first CIL. My remit here is limited to testing any negative implications on scheme viability. In that respect, I conclude that the CIL proposals do not threaten the viability of non-SDL / BDL housing developments. The Council will no doubt wish to consider and revisit these matters when it undertakes its first CIL review.

SDA / BDL developments

54. Whilst the Council's approach to CIL on non-SDA / BDL developments is cautious and comfortable in terms of viability, I have some concerns about its approach to SDAs / BDL.
55. These large sites are fundamental to the delivery of the housing and employment growth set out in the LPS. Based on an update note produced at my request, the current seven SDAs and one BDL will account for 5,881 new dwellings in the plan period i.e. well over half of all new homes, as well as significant employment allocations.
56. With the exception of one site, they all appear to be at relatively early life cycle stages. The majority of the sites do have extant planning permissions, or are subject to 'minded to grant' resolutions that may be concluded before

² Planning Practice Guidance - Paragraph: 021 Reference ID: 25-021-20140612

the CIL regime is implemented. For these reasons, the Council appears to have regarded these schemes as 'banked' in planning terms.

57. However, the two SDAs that have been subjected to testing (post DCS publication) do not have planning permissions and, as currently proposed, would be subject to CIL. Furthermore, one of the largest sites is the North of Tamworth BDL and this only has permission for 165 out of a planned 1000 homes. The Council also cannot be certain that unforeseen circumstances on the other SDAs will not result in a need for fresh planning applications. There may also be future circumstances where new SDAs emerge and/or are required, perhaps when the LPS is reviewed. For all of these reasons, the viability impacts of the proposed CIL regime on these large sites needs to be assessed carefully, particularly given the emphasis of the Guidance to focus on *'strategic sites on which the relevant Plan relies.'*³
58. With regard to the two tested SDAs, the October appraisals revealed, unsurprisingly, that the additional S.106 education burden (£10,500 per dwelling) substantially reduces residential development viability (when compared to the notional 'typology' results). Deans Slade Park SDA returned a maximum CIL result of £33 psm when modelled at a density of 30 dwellings per hectare (dph). The viability was further challenged with a lower density applied (25 dph resulted in a £22 maximum CIL) and with higher densities (40 dph - £18 psm maximum CIL; 50 dph - £4 psm maximum CIL). The Cricket Lane SDA, where scheme density is more settled, generated a maximum residential CIL rate of £28 psm for all three phases. The testing of the commercial / employment development content at both SDAs found these elements to be currently unviable.
59. Concerns were expressed that, whilst school provision costs were included in the modelling, the Council had not made allowances for strategic infrastructure and utility costs that would normally be expected on large strategic sites. The 'Harman' guidance suggests that these costs may fall in the range of £17,000 - £23,000 per plot⁴. Applying these costs would clearly worsen the viability position. However, this concern is largely offset in my view by the assumed BLV, which, at £900,000 per hectare appears to be very high for strategic scale green field development land.
60. A more typical approach, employed in other CIL examinations, would be to adopt a lower BLV and to factor 'Harman' costs into the (SDA) appraisal. Research evidence on such greenfield land values is thin, but one study (now a little dated) commissioned by the Department for Communities and Local Government (DCLG) suggested a range of £250,000 - £374,000 per hectare⁵. Applying a 'mid Harman' strategic infrastructure cost and a modest assumed housing density to these suggested values would actually result in a similar value to the BLV adopted.

³ Planning Practice Guidance - Paragraph: 019 Reference ID: 25-019-20140612.

⁴ Viability Testing Local Plans – Local Housing Delivery Group (Chaired by Sir John Harman) June 2012.

⁵ Cumulative Impacts of Regulations on House Builders and Landowners - Research Paper. Published by DCLG in 2011 (although commissioned by the previous Government in 2008).

61. In any event, the modelling demonstrates that neither tested SDA can sustain the proposed £55 residential CIL charge proposed by the Council (they are both located in the higher value zone). At the Hearing sessions, the Council confirmed its position that, notwithstanding its own evidence, it did not wish to forego potential CIL revenue from these major sites and preferred an approach of requiring these developments to 'make a case' to prove that they could not support the CIL charge. It indicated that, if that case was successfully made, it would use its proposed policy for discretionary relief for exceptional circumstances under Regulation 55 to address the issue.
62. I cannot support this approach. Imposing a CIL charge on SDAs, that the Council's own evidence indicates they cannot sustain, would conflict with the Guidance, which expects the levy to have a 'positive economic effect'⁶. It would also conflict with the National Planning Policy Framework that clearly advises that obligations and burdens should not be set at levels that threaten viability⁷ and that CIL '*should support and incentivise new development*'⁸. This seems particularly pertinent on strategically significant sites such as Lichfield's portfolio of SDAs (and the BDL).
63. I do not consider that Regulation 55 (exceptional relief) mechanisms are appropriate to effectively 'means test' SDAs in the light of the Council's own evidence base. The SDAs, along with their associated development economics, cannot be seen as 'exceptional' but are, rather, a fundamental part of the development plan strategy.
64. Based on the evidence before me, there is a compelling case to differentiate the SDAs (and the BDL) and modify the DCS to align it with the evidence. I am presented with some challenges in terms of the most appropriate modifications to achieve that differentiation. The challenges are twofold. First, defining the sites with precision and, second, considering whether any CIL charge is appropriate.
65. With regard to defining the SDAs and BDL, the eight current sites are identified and set out in the LPS. The seven SDAs have clear plans identifying their boundaries (contained in the LPS 'concept statements') and the North of Tamworth BDL has a 'key diagram' with an indicative 'broad development location' boundary. Accordingly, it appears to be a straightforward matter to identify the geographic location on the charging schedule map and to include more detailed 'inset' maps to define their boundaries. Whilst this may be largely academic for the sites that are fully covered by extant permissions, it is appropriate to differentiate the sites in a consistent manner, as the Council has not given any indication that the development economics would be materially different on the six other sites (to the two tested schemes).
66. I have given consideration to views expressed that a wider differentiation,

⁶ PPG - Paragraph: 009 Reference ID: 25-009-20140612

⁷ NPPF – Paragraph 173

⁸ NPPF - Paragraph 175

perhaps based on a strategic dwelling number threshold, should be employed as this would allow potential future SDAs to be addressed. However, I have no clear evidence to define such a threshold and my remit is focused on currently planned LPS development. Given that the LPS is a relatively recently adopted Plan, I consider that the CIL approach to future strategic scale developments is more properly addressed through the periodic CIL review process (which may coincide with any LPS review).

67. Turning to the issue of whether any CIL should be applied to the strategic sites, I share the Council's consultants' conclusions. These were that whilst the £55 psm CIL charge could not be sustained by the two tested SDAs, a more modest charge could be supported. Applying a similar approach to the typology evidence, a rate of £14 psm was recommended which would build in a reasonable viability buffer. Although this appears to be a relatively low rate, the two tested sites would still generate a combined CIL revenue of £872,578 which would, given the infrastructure funding gap, provide important funding worthy of collection. I conclude that the suggested £14 psm CIL for SDAs (and the BDL) is appropriate and justified.

Apartment developments

68. The testing of an apartment scheme on a small site (0.25 hectares) indicated that such developments were not viable under any value scenario with CIL psm results being all negative (ranging from -£55 psm to -£370 psm). The Council does not intend to impose CIL charges on apartment schemes. However, the DCS could be improved by making this more explicit. I have included a recommended modification to this effect.

Non-residential development – viability appraisal evidence and proposed CIL charges

69. The non-residential assessments tested a range of different types of commercial development including town centre office, business park office, industrial / warehousing and different types of retail development. With the exception of certain types of retail development, the commercial appraisals demonstrated that these could not currently support CIL charges.
70. The VA tested different types of retail development, in varying sizes, formats and covenant strengths. For high level CIL testing purposes, the assumptions on rents and yields were soundly drawn from published sources and complemented by local market intelligence.
71. 'High Street comparison retail' development, using reasonable yields, rents and other cost assumptions, was found to be not viable. Although only one scheme type of 6,000 square metres gross (a proxy for the Friarsgate development) was tested, the substantially negative CIL 'value' of -£492 psm suggests that other floorspace formats are unlikely to generate positive results.
72. The Council's testing of 'neighbourhood convenience' stores had caused

some confusion through the consultation stages. In the January 2014 VS report, this development type was defined in relation to 'top up' shopping activities and a format involving a trading area of 'less than 500 square metres'. However, it actually tested some notional developments somewhat above this threshold, leading some to question how this could be used to justify the differentiated charge. However, the most recent October 2015 VS testing did include a smaller unit with a gross floorspace of 450 square metres and a trading area of 405 square metres. The results here suggest a maximum CIL of £39 psm.

73. Although the evidence does not establish that the adopted 500 square metre floorspace threshold represents a critical viability watershed, it is a reasonable proxy for distinguishing smaller format convenience stores (with associated weaker rents and yields) from the larger formats, particularly in terms of the actual anticipated developments in the district (including small 'basket shop' stores in new SDAs). Based on the evidence, the £20 psm is readily affordable and the headroom allows for some scheme specific variation.
74. The testing of a large format 'retail warehouse' generated a maximum CIL rate of £125 psm. In my view, the assumptions employed appeared reasonable and the proposed CIL charge of £70 psm would allow a reasonable viability buffer.
75. The testing of a 4,000 square metre 'supermarket' development type generated a maximum modelled CIL rate of £236 psm. I consider the Council's proposal to set CIL at £160 psm to be acceptable as the evidence indicates that viability would not be compromised.
76. At the Hearing sessions, the Council agreed that it would be beneficial to modify the DCS by including definitions of the retail development types, consistent with those used in the VA.

Overall Conclusions

77. The LPS and the IDP provide a clear framework for planned growth and necessary infrastructure in Lichfield District. The planned growth will include development of a portfolio of urban extensions (SDAs and a BDL) and growth from within urban areas, particularly the larger settlements. There is a substantial infrastructure funding gap which justifies the imposition of a CIL.
78. The Council's residential development CIL proposals have been developed with a primary focus on the more general, 'non SDA / BDL', schemes anticipated in the Plan period. In this respect, the evidence demonstrates that the CIL will not pose a threat to these developments. Indeed, the evidence suggests that the CIL would be set at a level where there will be a comfortable viability buffer in most cases.

79. However, the Council’s treatment of SDA / BDL developments needs to be modified. Whilst many of the strategic sites have planning permission and may be implemented unaffected by the CIL regime, others do not. The evidence produced after the DCS publication demonstrates that these large sites cannot support the CIL proposed and imposing such a charge would threaten the viability of these strategically important developments. This matter needs to be addressed by modifying the DCS to reduce CIL charges on these sites to a level that the evidence indicates can be sustained. A modification is also required to clarify that apartment developments will not incur CIL.
80. The evidence indicates that the proposed CIL charges for specified types of retail developments will not threaten the viability of anticipated schemes. However, the DCS needs to be modified by the inclusion of development type definitions for clarity.
81. The evidence demonstrates that, subject to my recommended modifications, the overall planned development of Lichfield district, as set out in the LPS, will not be put at risk if the proposed CIL charges are applied. I conclude that, in setting the CIL charges, the Council has used an appropriate and available evidence base that has informed assumptions about land and development values and likely costs. The CIL proposals are anticipated to achieve an important income stream that will help to address a well evidenced infrastructure funding gap.
82. Overall, I conclude that, subject to my recommended modifications, the Lichfield District Council Draft Community Infrastructure Levy Charging Schedule will satisfy the requirements of Section 212 of the 2008 Act and will meet the criteria for viability in the 2010 Regulations (as amended). I therefore recommend that, subject to the modifications set out in Appendix A to this report, the Charging Schedule be approved.

LEGAL REQUIREMENTS	
National Policy / Guidance	Subject to recommended modifications, the Charging Schedule complies with national policy / guidance.
2008 Planning Act and 2010 Regulations (as amended)	Subject to recommended modifications, the Charging Schedule complies with the Act and the Regulations, including in respect of the statutory processes and public consultation, and consistency with the Local Plan Strategy for Lichfield District and is supported by an adequate financial appraisal.

P.J. Staddon

Examiner

Attached: APPENDIX A – recommended modifications

APPENDIX A

Modifications that the Examiner specifies so that the Lichfield District Council Draft Charging Schedule (October 2015) may be approved.

Reference	Clarification / Modification
EM1	<p><u>Strategic Development Allocations</u></p> <p>Table 1 – add new row:</p> <p>Under 'Use' insert: <i>Market houses within Strategic Development Allocations (SDAs) and Broad Development Location (BDL) defined in the Local Plan Strategy 2008 – 2029 adopted 17 February 2015 (refer to Figure 1 and inset maps).</i></p> <p>Under 'CIL Charge (per sq. m)' insert: <i>£14</i></p> <p>Figure 1 – add SDA and BDL locations to map and identify in the legend</p> <p>Figures 2 – 9 – insert new inset plans to define the site boundaries of each SDA and the BDL for clarity.</p>
EM2	<p><u>Clarification - apartments</u></p> <p>Table 1</p> <p>After 'All other development' - add '<i>including residential apartments.</i>'</p>
EM3	<p><u>Clarification – retail definitions</u></p> <p>Page 3 – Table 1</p> <p>Add the following definitions either within the table or as footnotes:</p> <p><u><i>Supermarkets</i></u> <i>Supermarkets are large convenience-led stores where the majority of custom is from people doing their main weekly food shop. As such, they provide a very wide range of convenience goods, often along with some element of comparison goods. In addition to this, the key characteristics of the way a supermarket is used include:</i></p> <ul style="list-style-type: none"> - <i>The area used for the sale of goods will generally be above 500 sq. m;</i> - <i>The majority of customers will use a trolley to gather a large number of products;</i>

- *The majority of customers will access the store by car, using the large adjacent car parks provided; and*
- *Servicing is generally undertaken via a dedicated service area, rather than from the street.*

Retail warehouse

Retail warehouses are usually large stores specialising in the sale of household goods (such as carpets, furniture and electrical goods), DIY items and other ranges of goods. They can be stand-alone units, but are also often developed as part of retail parks. In either case, they are usually located outside of existing town centres and cater mainly for car-borne customers. As such, they usually have large adjacent, dedicated surface parking.

Neighbourhood convenience retail

Neighbourhood convenience stores are used primarily by customers undertaking 'top-up' shopping. They sell a limited range of convenience goods and usually do not sell comparison goods. The key characteristics of their use include:

- *Trading areas of less than 500 sq. m;*
- *The majority of customers will buy only a small number of items that can be carried around the store by hand or in a small basket;*
- *The majority of customers will access the store on foot and as such there is usually little or no dedicated parking; and*
- *Servicing is often undertaken from the street, rather than dedicated service areas.*



Lichfield District Council
Community Infrastructure Levy
Draft Charging Schedule

October 2015

1. The Charging Authority

The Charging Authority is Lichfield District Council

2. Date of Approval

To insert at the appropriate time

3. Date of Effect

To insert at the appropriate time

4. Schedule of Rates

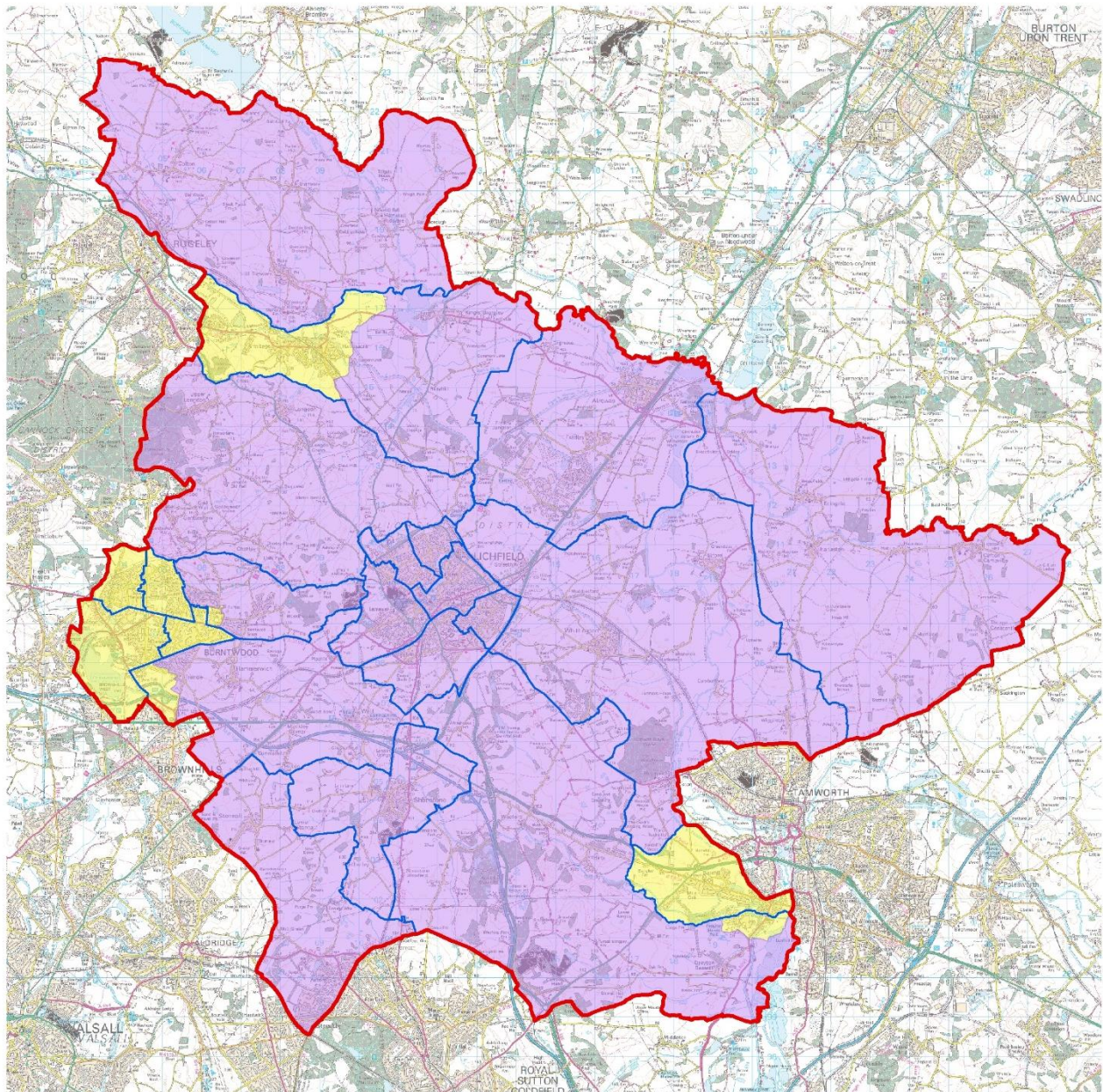
Table 1 – Schedule of Rates

Use	CIL Charge (per sq. m)
Market houses in lower value zone (refer to Figure 1)	£25
Market houses in higher value zone (refer to Figure 1)	£55
Supermarket	£160
Retail Warehouse	£70
Neighbourhood Convenience Retail	£20
All other development	£0

5. Calculation of Chargeable Amount

The Community Infrastructure Levy is payable on the types of development set out in Table 1 above. The calculation of the chargeable amount will be in accordance with Regulation 40 of the Community Infrastructure Regulations 2010 (as amended).

Figure 1 – Charging Zones in Lichfield District



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Lichfield
district council
www.lichfielddc.gov.uk

Legend

-  Lichfield District Boundary
-  Ward Boundaries 2015
-  High Value Area
-  Low Value Area



Lichfield District Council
Community Infrastructure Levy
Charging Schedule

March 2016

1. The Charging Authority

The Charging Authority is Lichfield District Council

2. Date of Approval

The Charging Schedule was approved at Full Council on 19th April 2016

3. Date of Effect

This Charging Schedule takes effect on 13th June 2016

4. Schedule of Rates

Table 1 – Schedule of Rates

Use	CIL Charge (per sq. m)
Market houses within Strategic Development Allocations (SDAs) and the Broad Development Location (BDL) defined in the Local Plan Strategy 2008-2029 adopted 17 February 2015 (refer to Figure 1 and inset maps Figures 2 - 9)	£14
Market houses in lower value zone (refer to Figure 1)	£25
Market houses in higher value zone (refer to Figure 1)	£55
Supermarket	£160
Retail Warehouse	£70
Neighbourhood Convenience Retail	£20
All other development including residential apartments	£0

4.1 Definitions

Private Market Housing

Houses that are developed for sale or for private rent on the open market at full value. As such 'affordable housing' of any type is excluded from this definition.

Apartments

Separate and self contained dwellings within the same building. They generally have shared access from the street and communal areas from which individual dwellings are accessed. Apartment buildings have dwellings on more than one floor and are subdivided horizontally by floor.

Supermarkets

Supermarkets are large convenience-led stores where the majority of custom is from people doing their main weekly food shop. As such they provide a very wide range of convenience goods, often along with some element of comparison goods. In addition to this the key characteristics of the way a supermarket is used include:

- The area used for the sale of goods will generally be above 500 sq. m;
- The majority of customers will use a trolley to gather a large number of products
- The majority of customers will access the store by car, using the large adjacent car parks provided; and
- Servicing is generally undertaken via a dedicated service area, rather than from the street.

Retail warehouse

Retail warehouses are usually large stores specialising in the sale of household goods (such as carpets, furniture and electrical goods), DIY items and other ranges of goods. They can be stand-alone units but are also often developed as part of retail parks. In either case, they are usually located outside of existing town centres and cater mainly for car-borne customers. As such, they usually have large adjacent, dedicated surface parking.

Neighbourhood convenience retail

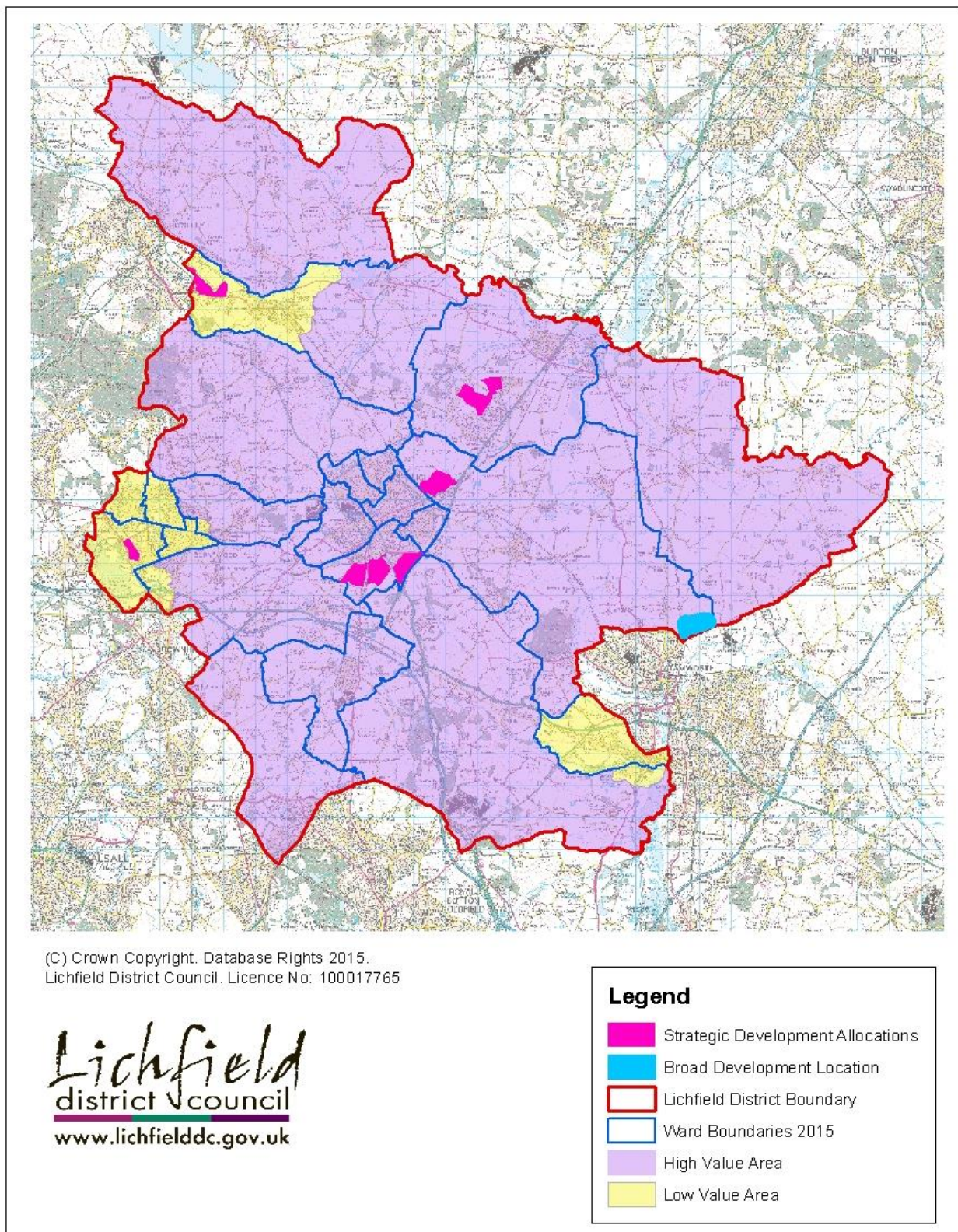
Neighbourhood convenience stores are used primarily by customers undertaking 'top-up' shopping. They sell a limited range of convenience goods and usually do not sell comparison goods. The key characteristics of their use include:

- Trading areas of less than 500 sq. m;
- The majority of customers will buy only as small number of items that can be carried around the store by hand or in a small basket;
- The majority of customers will access the store on foot and as such there is usually little or no dedicated parking; and
- Servicing is often undertaken from the street, rather than dedicated service areas.

5. Calculation of Chargeable Amount

The Community Infrastructure Levy is payable on the types of development set out in Table 1 above. The calculation of the chargeable amount will be in accordance with Regulation 40 of the Community Infrastructure Regulations 2010 (as amended).

Figure 1 – Charging Zones in Lichfield District



For further information on the SDAs and BDL please see following Figures 2 to 9.

Figure 2 – North of Tamworth Broad Development Location

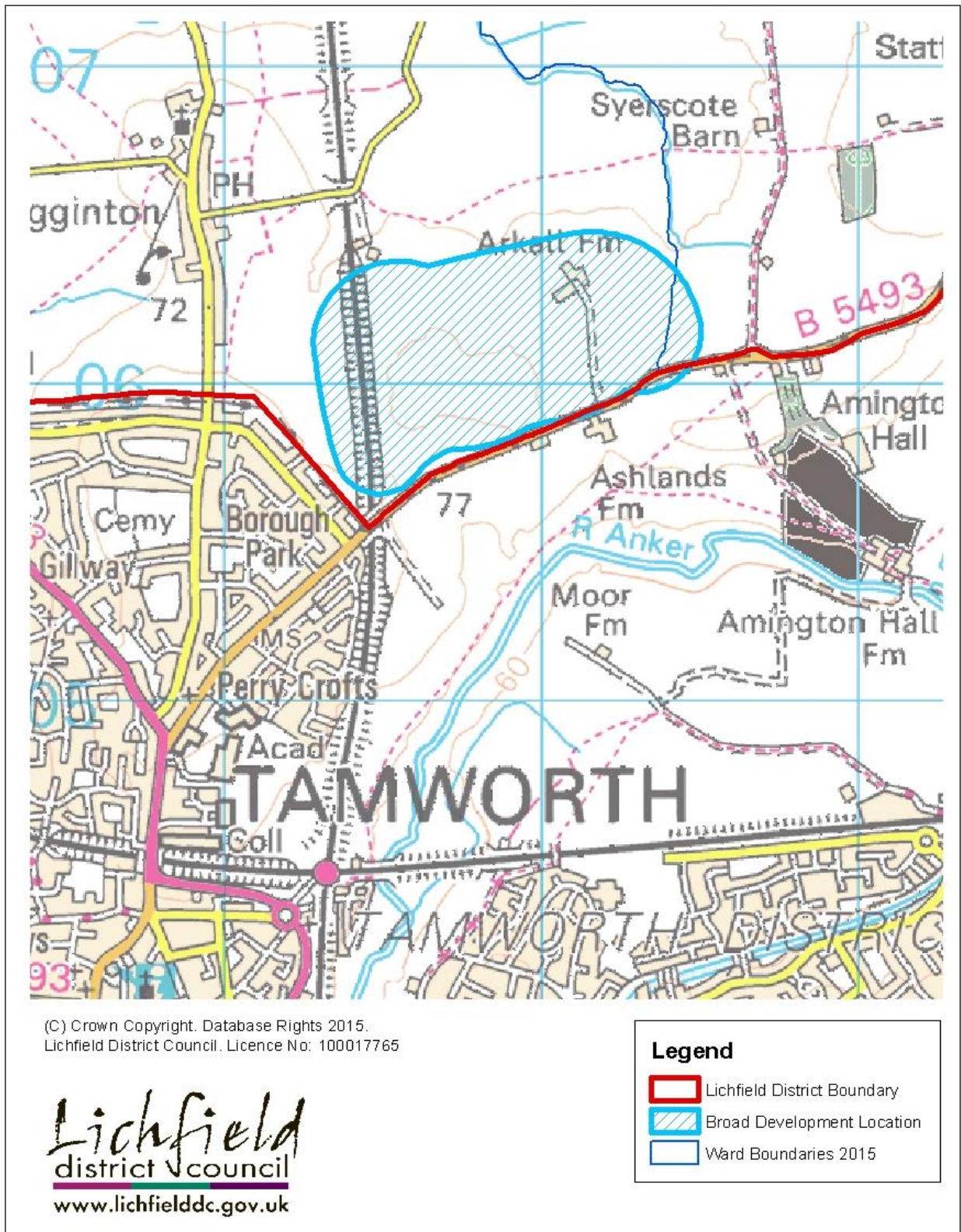
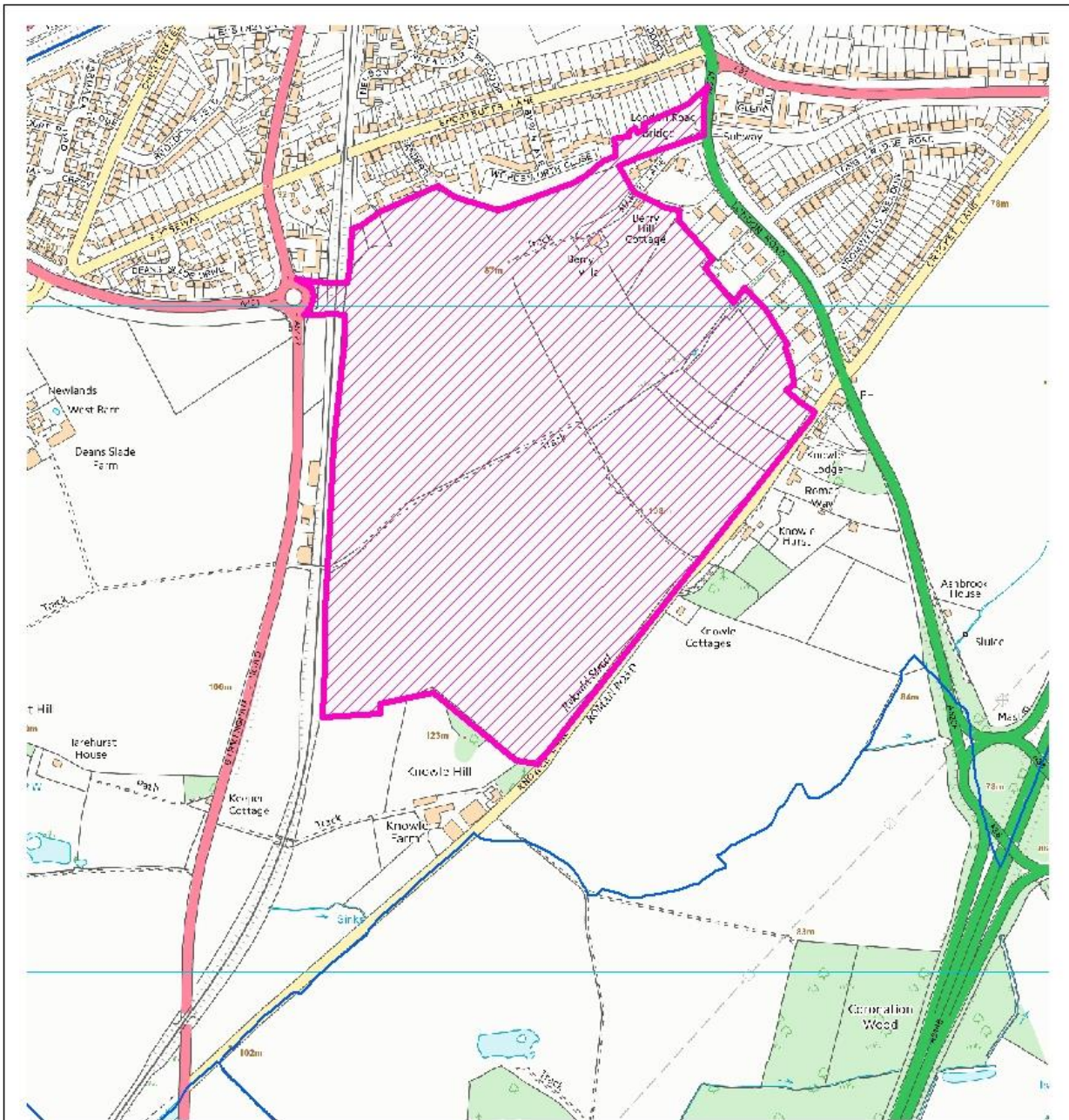


Figure 3 – South of Lichfield Strategic Development Allocation



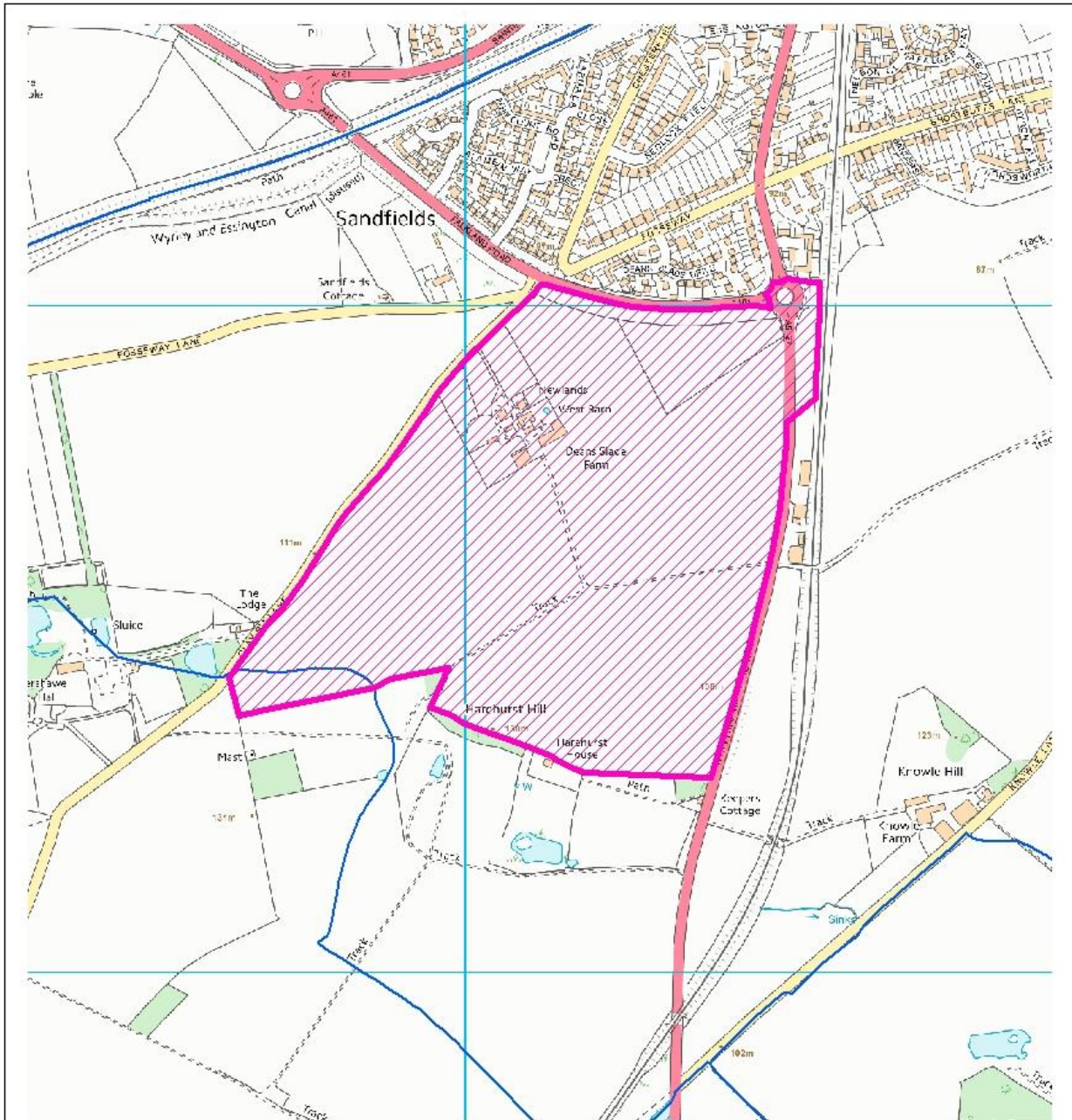
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Legend

-  South of Lichfield SDA
-  Ward Boundaries 2015

Figure 4 – Deans Slade Strategic Development Allocation



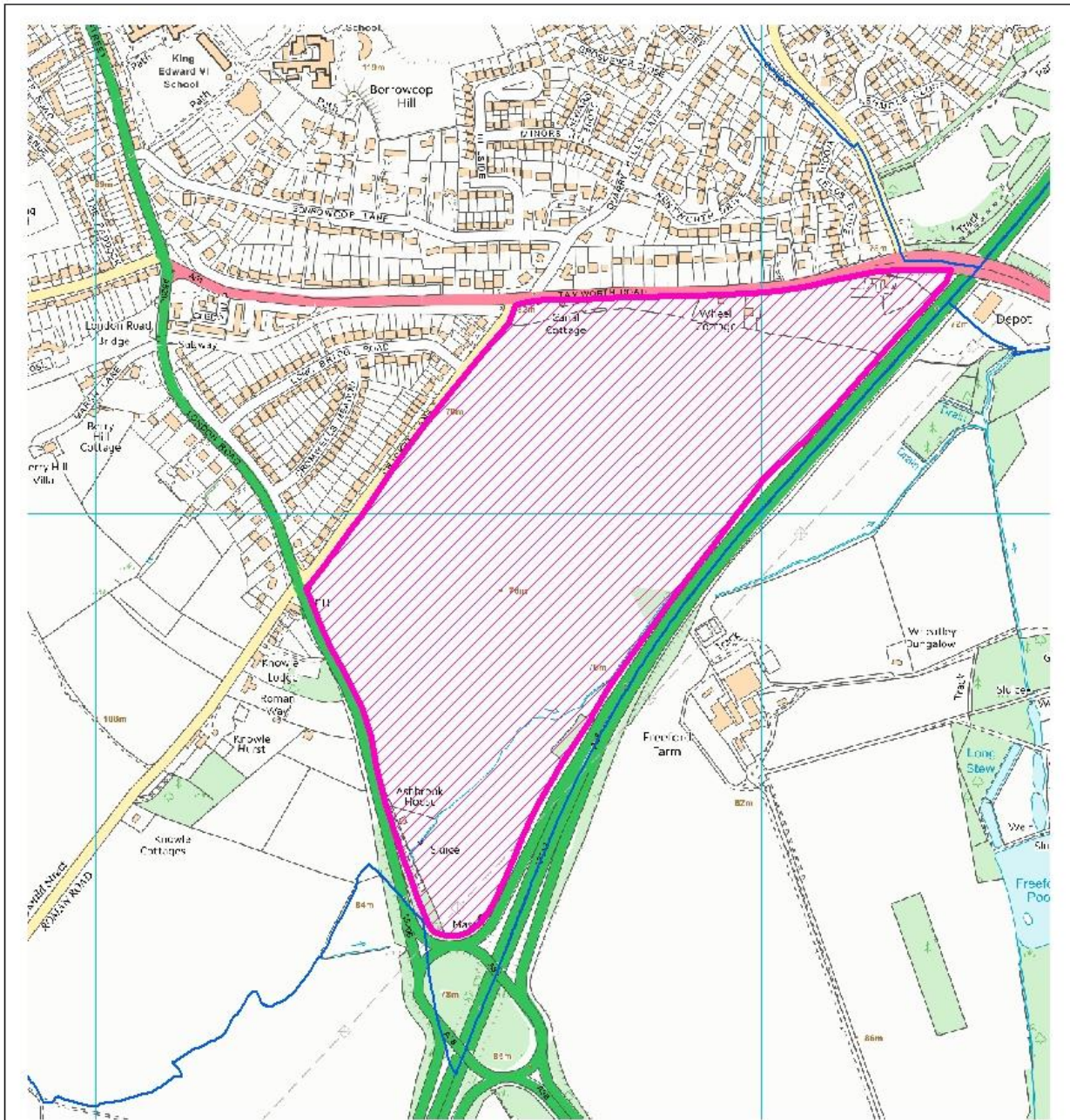
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Legend

-  Deans Slade SDA
-  Ward Boundaries 2015

Figure 5 – Cricket Lane Strategic Development Allocation



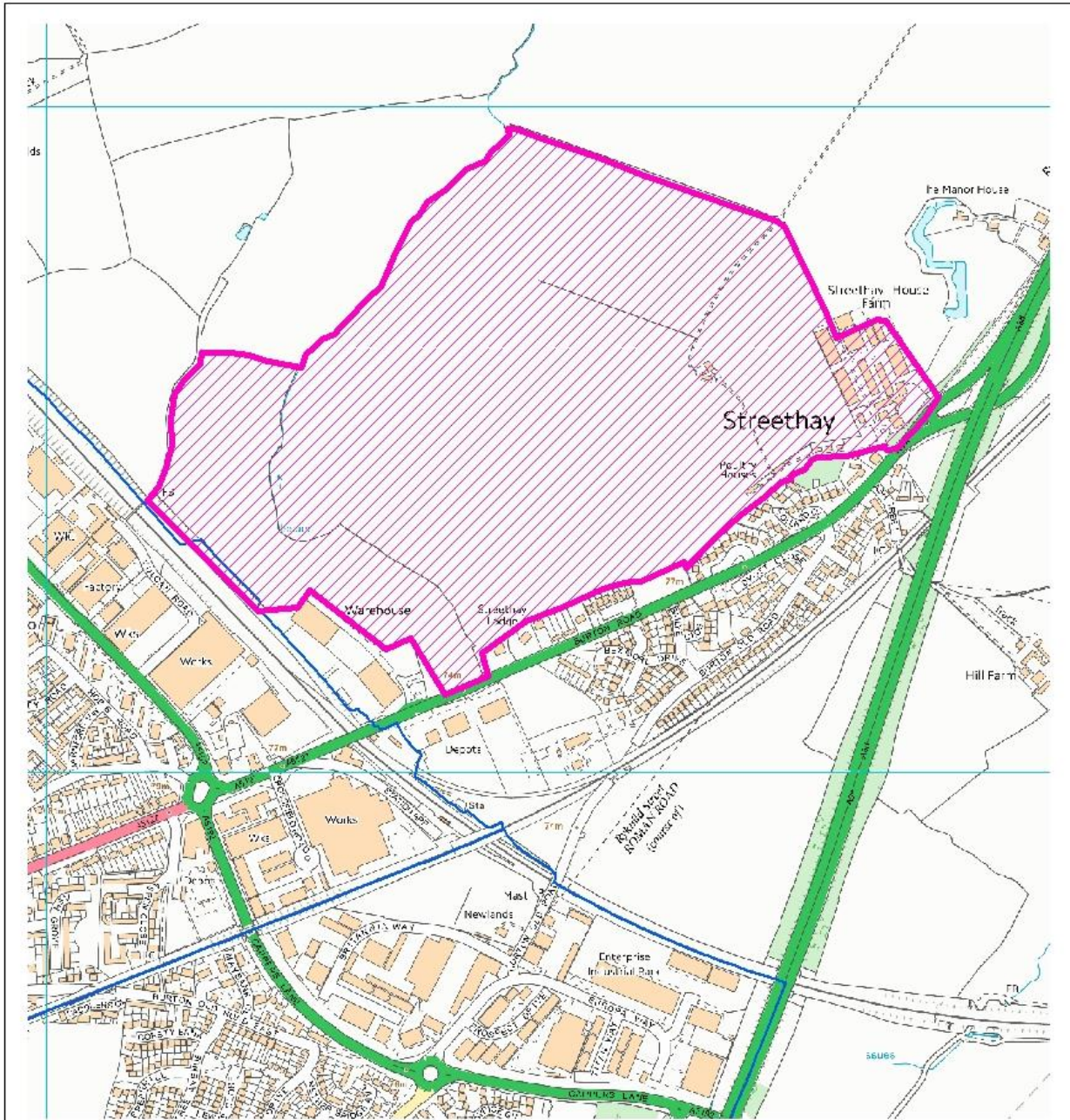
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Legend

-  Cricket Lane SDA
-  Ward Boundaries 2015

Figure 6 – East of Lichfield (Streethay) Strategic Development Allocation



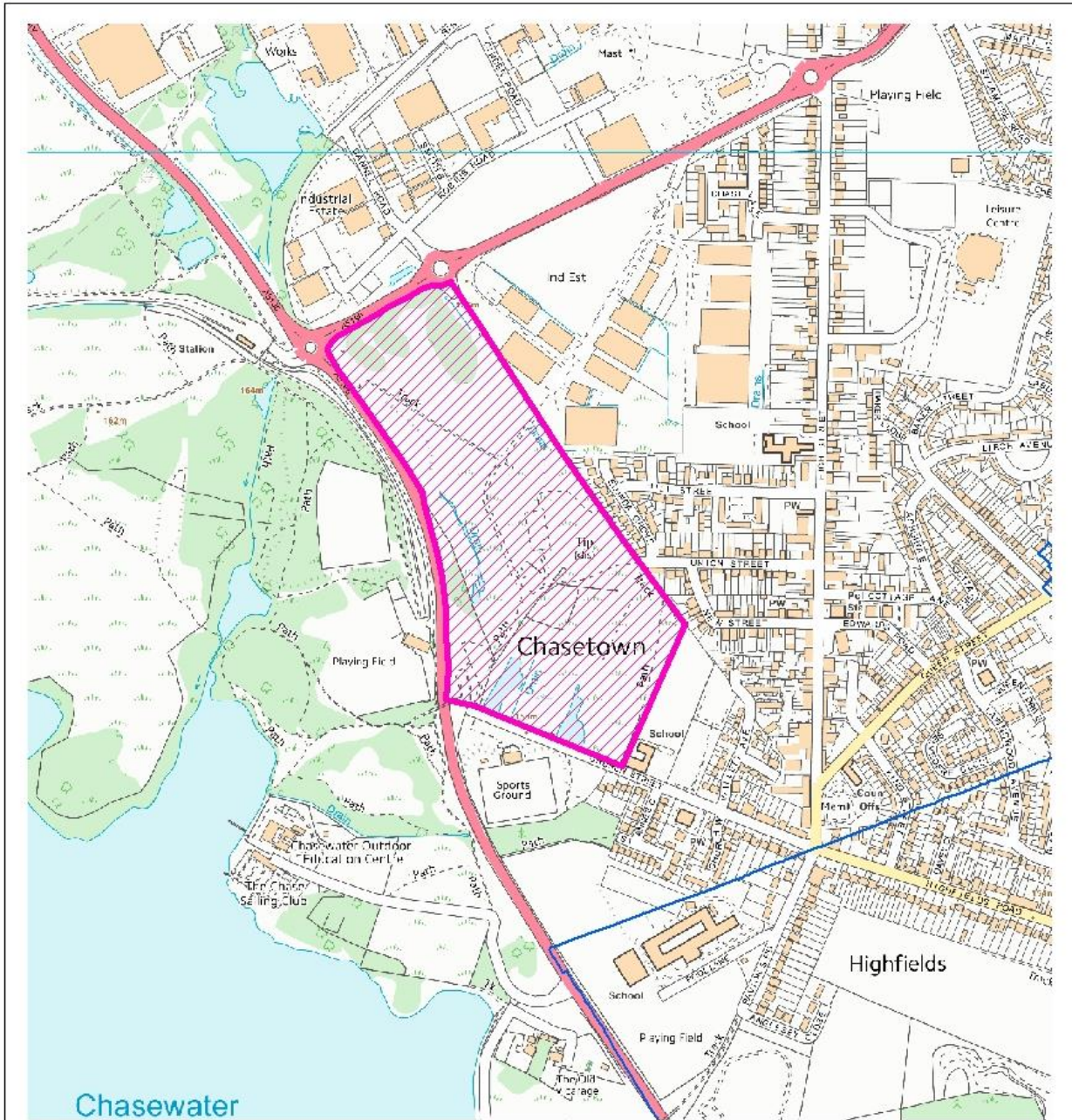
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Legend

-  East of Lichfield (Streethay) SDA
-  Ward Boundaries 2015

Figure 7 – East of Burntwood Bypass Strategic Development Allocation



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Legend



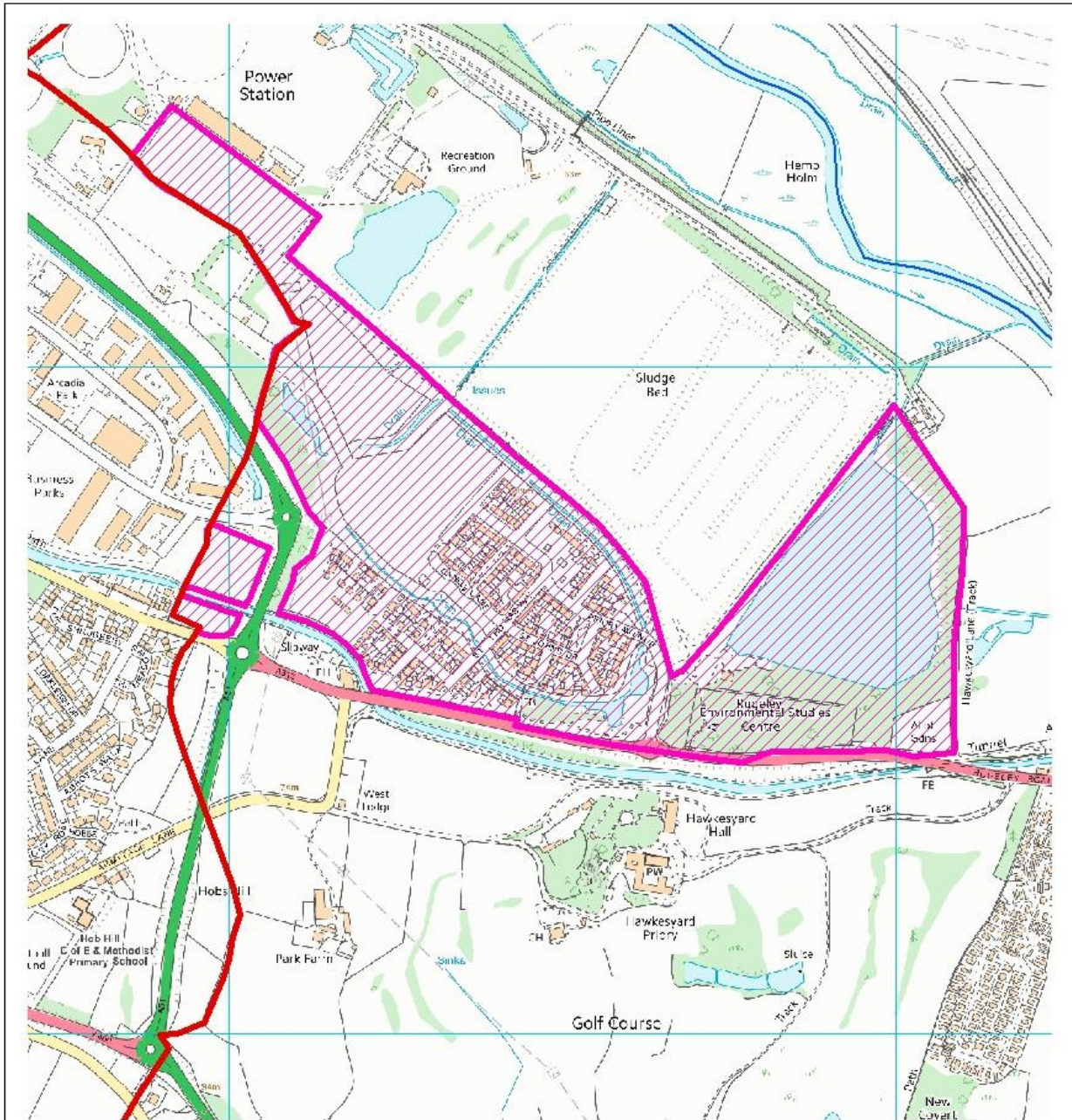
-  East of Burntwood Bypass SDA
-  Ward Boundaries 2015

Figure 8 – East of Rugeley (Hawksyard) Strategic Development Allocation



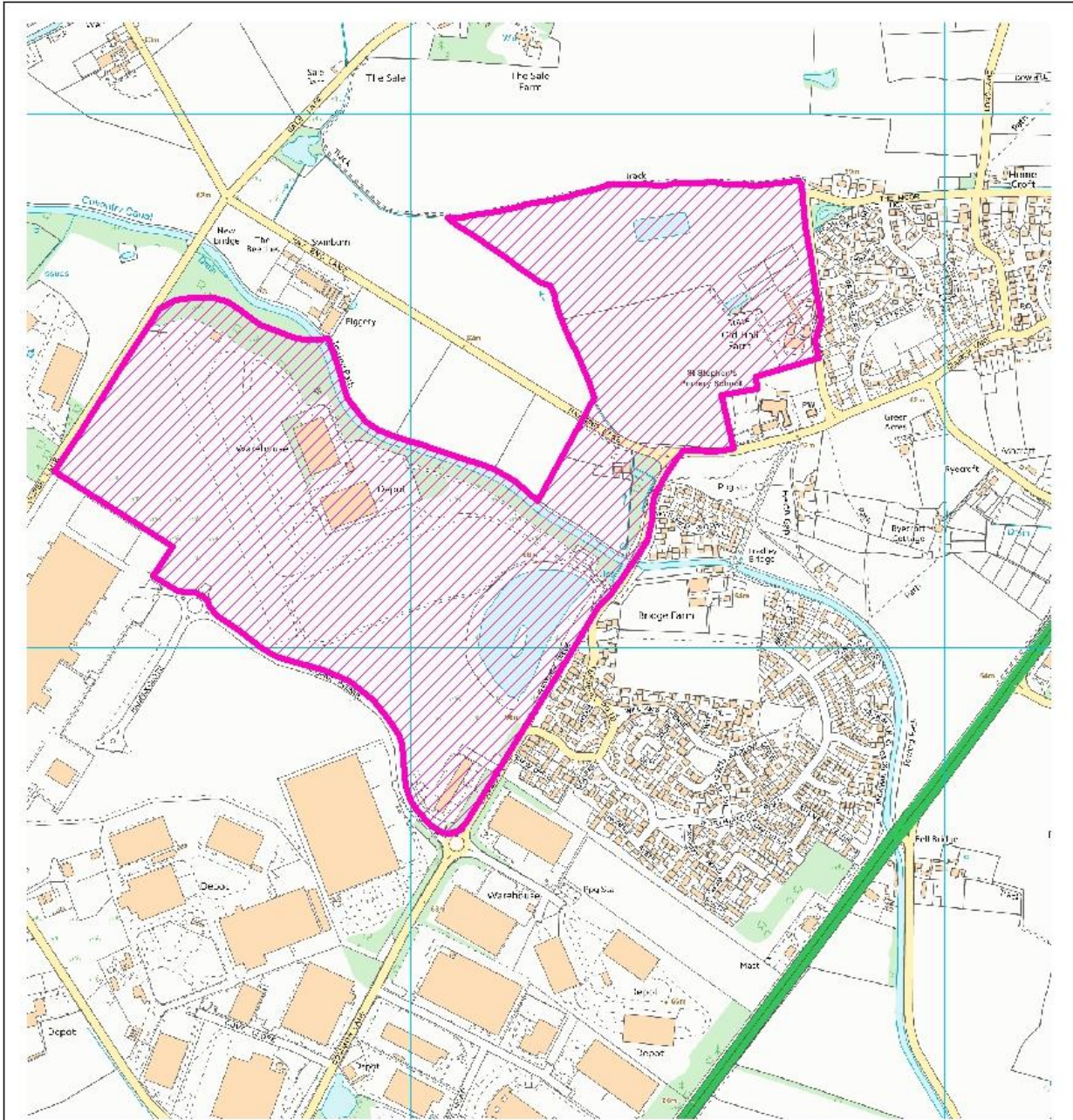
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Legend

-  Lichfield District Boundary
-  East Of Rugeley SDA
-  Ward Boundaries 2015

Figure 9 – Fradley Strategic Development Allocation



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Legend

-  Fradley SDA
-  Ward Boundaries 2015



**Lichfield District Council
Community Infrastructure Levy
Instalment Policy**

Effective from 13 June 2016

What is the Community Infrastructure Levy?

The Community Infrastructure Levy (CIL) is a charge on development, calculated on a £ per square metre (sq.m) basis of development. CIL is intended to be used to help fund infrastructure to support the development of an area rather than making an individual planning application acceptable in planning terms, which is the purpose of Section 106 Agreements. CIL does not fully replace Section 106 Agreements. For more information you can also:

- Visit the Council's CIL web pages: www.lichfielddc.gov.uk/CIL
- Read the CIL Planning Policy Guidance (PPG): <http://planningguidance.communities.gov.uk/blog/guidance/community-infrastructure-levy/>
- Email: CIL@lichfielddc.gov.uk
- Call Lichfield's Planning enquiry line: 01543 308174
- Lichfield District Council Developer Contributions Supplementary Planning Document
- Visit the [Planning Portal](#).

What is this document?

To support developers bringing forward new schemes, Lichfield District Council as the CIL charging authority for its area will permit the payment of CIL through instalments in accordance with the CIL Regulations and the Instalment Policy as set out in the following page.

When planning permission is granted for a CIL liable development the Council will issue a Liability Notice, which will set out how much CIL is to be paid and when it will become due. CIL does not need to be paid at this point, payment only becomes due once the development is commenced.

Prior to commencing development, the developer must send a completed Commencement Notice (CIL Form 6) to the charging authority (Lichfield District Council) stating the date when construction work will begin. The Council will then acknowledge this formally and send out a CIL Demand Notice setting out precise details of payment arrangements.

In addition to paying through instalments, the CIL Regulations allow for phased developments. Where an outline planning permission is granted that allows a phased development, each phase is treated as a separate chargeable development. For these developments, CIL is calculated on the date the pre-commencement condition associated with the relevant phase is approved. Each phase would then be able to benefit from payment through instalments.

The Council has a 'payments in kind' policy which details alternatives to cash payments through the provision of land or infrastructure, and a policy for relief from CIL in exceptional circumstances; both policies are available from www.lichfielddc.gov.uk/CIL .

INSTALMENT POLICY

The Community Infrastructure Levy will be payable by instalments as follows:-

CIL liability	Number of Instalments	Payment periods and amounts
Under £25,000	1	100% within 180 days of commencement of development
From £25,000 up to £75,000	2	50% within 180 days of commencement of development 50% within 360 days of commencement of development
From £75,000 up to £250,000	3	25% within 180 days of commencement of development 25% within 360 days of commencement of development 50% within 540 days of commencement of development
£250,000 or more	4	25% within 180 days of commencement of development 25% within 360 days of commencement of development 25% within 540 days of commencement of development 25% within 720 days of commencement of development

Where-

- a person has assumed liability to pay CIL in respect of a chargeable development;
- the collecting authority has received a commencement notice in respect of a chargeable development; and
- the collecting authority has not determined a deemed commencement date for a chargeable development.

The amount of CIL payable to the charging authority in respect of a chargeable development is payable in accordance with that instalment policy.

Where an instalment payment is not received in full on or before the day on which it is due, the unpaid balance of the CIL liability becomes payable in full immediately¹.

¹ See Regulation 70(8)(a)



Lichfield District Council
Community Infrastructure Levy
Exemptions, Relief and Exceptional
Circumstances Policy

Effective from 13 June 2016

What is the Community Infrastructure Levy?

The Community Infrastructure Levy (CIL) is a charge on development, calculated on a £ per square metre (sq.m) basis of development. CIL is intended to be used to help fund infrastructure to support the development of an area rather than making an individual planning application acceptable in planning terms, which is the purpose of Section 106 Agreements. CIL does not fully replace Section 106 Agreements. For more information you can also:

- Visit the Council's CIL web pages: www.lichfielddc.gov.uk/CIL
- Read the CIL Planning Policy Guidance (PPG): <http://planningguidance.communities.gov.uk/blog/guidance/community-infrastructure-levy/>
- Email: CIL@lichfielddc.gov.uk
- Call Lichfield's Planning enquiry line: 01543 308174
- Visit the [Planning Portal](#).
- Lichfield District Council Planning Obligations Supplementary Planning Document

What is this document?

The amount of CIL calculated for a given development is non-negotiable, however the Community Infrastructure Levy Regulations 2010 (as amended) contains provisions that allow for certain types of exemptions or relief from paying the full CIL amount. Depending on the nature of the development, the following forms of relief or exemption may be available:

- minor development exemption
- mandatory charitable relief
- discretionary charitable relief
- mandatory social housing relief
- discretionary social housing relief
- self build exemption (for a dwelling)
- self build exemption (for a residential annexe or a residential extension)
- exceptional circumstances relief

Please see the Planning Practice Guidance on CIL for more information on each of these types of relief or exemption:

<http://planningguidance.communities.gov.uk/blog/guidance/community-infrastructure-levy/relief/>

Social Housing Relief

Relief from the Levy is available for those dwellings and communal areas that are either let in specified tenancies by a private registered provider of social housing, or a registered social landlord, or a local housing authority, or are occupied under specified shared ownership arrangements. The details of qualifying dwellings are specified in Regulation 49 of the Community Infrastructure Regulations 2010 (as amended). Anyone wishing to claim relief must follow the procedures set down in the CIL Regulations 2010 (as amended), and

the claim must be made using the standard CIL 'Form 2: Claiming Exemption of Relief' which is available on the Planning Portal website:

<http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil>

Charitable Relief

Under Regulation 43 of the Community Infrastructure Levy Regulations 2010 (as amended) a charitable institution which owns a material interest in the land (a charity landowner) will get full relief from their share of the liability where the chargeable development will be used 'wholly, or mainly, for charitable purposes' and they meet the requirements of Regulation 43

The CIL regulations also allow discretionary charitable relief to a charity landowner where the greater part of the chargeable development will be held as an investment, from which the profits will be applied for charitable purposes. The CIL regulations¹ indicate that these activities should be the sale of donated goods, where the proceeds of sale of the goods (after any deduction of expenses) are applied to the charitable purposes. A claim can be made using the standard CIL 'Form 2: Claiming Exemption of Relief' which is available on the Planning Portal website:

<http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil>

DISCRETIONARY CHARITABLE RELIEF POLICY

Discretionary relief for investment activities by charities may be made in accordance with Regulations 44, 45 and 46 of the CIL Regulations 2010 (as amended). Lichfield District Council allows such discretionary relief where the chargeable development delivers facilities, services or infrastructure that have been identified as a requirement in the Local Plan.

The amount of relief granted will be in proportion to the proposed development's benefit to the community, as assessed by Lichfield District Council in consultation with the Parish or Town Council.

This policy is effective from the day the Lichfield CIL Charging Schedule comes into effect on 13 June 2016.

Anyone wishing to claim relief must follow the procedures set down in the CIL Regulations 2010 (as amended).

¹ See Regulation 44 for more details

Exceptional circumstances relief

Regulation 55 of the Community Infrastructure Levy Regulations 2010 (as amended) allows a charging authority to grant relief where: a section 106 agreement exists on the planning permission permitting the chargeable development; and where the charging authority considers that payment of the full Levy would have an unacceptable impact on the economic viability of the development. The granting of this relief must not constitute a notifiable state aid. A claim can be made using the standard CIL 'Form 2: Claiming Exemption of Relief' which is available on the Planning Portal website:

<http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil>

EXCEPTIONAL CIRCUMSTANCES RELIEF POLICY

In accordance with Regulations 55, 56 and 57 of the Community Infrastructure Levy Regulations 2010 (as amended), Lichfield District Council as the charging authority for the area, gives notice that relief for exceptional circumstances is available within the district.

This policy is effective from the day the Lichfield CIL Charging Schedule comes into effect on 13 June 2016.

Anyone wishing to claim relief for exceptional circumstances must follow the procedures set down in the CIL Regulations 2010 (as amended).



Lichfield District Council
Community Infrastructure Levy
Regulation 123 List

Effective from 13 June 2016

What is the Community Infrastructure Levy?

The Community Infrastructure Levy (CIL) is a charge on development, calculated on a £ per square metre (sq.m) basis of development. CIL is intended to be used to help fund infrastructure to support the development of an area rather than making an individual planning application acceptable in planning terms, which is the purpose of Section 106 Agreements. CIL does not fully replace Section 106 Agreements. For more information you can also:

- Visit the Council's CIL web pages: www.lichfielddc.gov.uk/CIL
- Read the CIL Planning Policy Guidance (PPG): <http://planningguidance.communities.gov.uk/blog/guidance/community-infrastructure-levy/>
- Email: CIL@lichfielddc.gov.uk
- Call Lichfield's Planning enquiry line: 01543 308174
- Visit the [Planning Portal](#).
- Lichfield District Council's Planning Obligations Supplementary Planning Document

What is this document?

CIL income from new development can be spent on anything that constitutes "infrastructure" as defined by Regulation 216 of the 2008 Planning Act and the CIL Regulations 2010 (as amended). This includes but is not limited to: roads and other transport facilities, flood defences, schools and other educational facilities, medical facilities, sporting and recreational facilities, and open spaces. Regulation 123 of the CIL Regulations 2010 (as amended) sets out the need for local authorities to produce a list of "relevant infrastructure" which will be funded in whole or part by the CIL.

The Community Infrastructure Regulations 2010 (as amended) restricts the use of planning obligations secured through S106 agreements for infrastructure that will be funded in whole or in part by the Community Infrastructure Levy. This is to ensure there is no duplication between CIL and planning obligations in funding the same infrastructure projects. In addition, a development should not have to contribute twice towards the same piece of highways infrastructure through works carried out under Section 278 of the Highways Act 1980, and monies or land provided through CIL. The CIL Regulations 2010 (as amended) prescribe that a condition must not be imposed on the grant of planning permission to require a highway agreement for the funding or provision of infrastructure that is included on the Regulation 123 list, nor must a planning condition be used that prevents or restricts the carrying out of development (sometimes referred to as a 'Grampian condition') until a highway agreement has been entered into which is also included on the Regulation 123 list of infrastructure.

The relationship between CIL and planning obligations is explained in the Planning Practice Guidance¹ where it notes that it is possible that site specific mitigation may still be necessary subject to certain limits, namely:

¹ Paragraphs 93 to 107; Reference ID:25-093-20140612 to Reference ID: 25-107-20140612

- The application of the statutory test with respect to planning obligations (Regulation 122);
- Ensuring no overlap between CIL and planning obligations as noted above; and
- Imposing a limit on pooled contributions from planning obligations towards infrastructure that may be funded by the levy.

The list below sets out those infrastructure projects that Lichfield District Council currently intends may be wholly or partly funded by CIL, together with clarification notes and S106 requirements. The order in the table does not imply any order of preference for spend, it just signifies projects that will be considered by the council in its decision as to what might receive CIL funding. This list will be updated on a regular basis, taking into account the Council's Infrastructure Delivery Plan (IDP) and any changes to the CIL regulations.

Transport	
Infrastructure to be funded in whole or in part by CIL	Notes
<p>Completion of the Lichfield Southern Bypass via provision of new underbridge section.</p>	<ul style="list-style-type: none"> • Section from east of new bridge structure to London Road to be delivered by developer as part of site access road layout. • New underbridge section will be funded by existing s106 and possible Local Growth Fund. • Section to west of new bridge delivered by gift of land from developers.
<p>Improvements to the Strategic Highway Network as identified by the Highways Agency at:</p> <ul style="list-style-type: none"> • Muckley Corner • Swinfen • Further junction improvements and safer access to A38 (Hillards Cross and Fradley South) 	<p>CIL funds may be used to form part of package for Local Enterprise Partnership (LEP) bids.</p>
<p>Transport improvement scheme from the integrated Transport Strategy for Lichfield:</p> <p>Lichfield City Centre Transport Package including:</p> <ul style="list-style-type: none"> • Bus network improvements • Cycle and walking routes within the City • Electric Charging Points • Delivery of local traffic routing scheme • Designated Coach Parking area • Real Time Passenger Information, including signage to car parks <p>East Lichfield Local Transport Package (including Fradley) including:</p>	

- HGV routing and parking arrangements in Fradley

Burntwood Transport Package including:

- Cannock Road – public realm enhancements and access modifications
- Improved walking and cycling links from southern to northern Burntwood
- Bus access and service improvements linking to Cannock and Lichfield
- Burntwood Bus interchange

District wide measures including

- A5 (T) and A38 (T)
- Route signage Lichfield to Tamworth

Education	
Infrastructure to be funded in whole or in part by CIL	Notes
<p>Primary Education</p> <p>Primary School provision to deliver the Local Plan Strategy will be generated through S106 agreements apart from the following projects that may benefit from CIL funds:</p> <ul style="list-style-type: none"> • Expansion of Hob Hill Primary School, Rugeley • Expansion of All Saint's Alrewas Primary School 	<p>S106 agreements will be required to secure the provision of primary education facilities to mitigate the need generated by site specific developments, and growth within the Strategic Development Allocations (SDAs) identified in the Lichfield District Local Plan as:</p> <ul style="list-style-type: none"> • South of Lichfield • Deans Slade Farm • Cricket Lane • East of Lichfield (Streethay) • Fradley • East of Burntwood Bypass • East of Rugeley • North of Tamworth (BDL)
<p>Secondary Education</p> <p>Delivery of Five Forms of Entry of additional secondary education facilities through:</p> <ul style="list-style-type: none"> • Expansion to Nether Stowe School • Expansion to The Friary School • Expansion to King Edward VI School 	

Open Spaces, Sporting and Recreational Facilities

Infrastructure to be funded in whole or in part by CIL

Notes

Open Space

Improvements to open space provision, including play provision for key sites, in line with the Open Space Assessment.

S106 agreements will be required to secure the on-site provision and maintenance of recreation and open space needs generated by growth within the Strategic Development Allocations (SDAs) and the North of Tamworth Broad Development Location identified in the Lichfield District Local Plan as:

- South of Lichfield
- Deans Slade Farm
- Cricket Lane
- East of Lichfield (Streethay)
- Fradley
- East of Burntwood Bypass
- East of Rugeley
- North of Tamworth Broad Development Location

Indoor Sports

CIL funds may be spent on improving indoor sports provision to serve Lichfield City and its hinterland as set out in the Swimming Pool and Sports Hall Feasibility Study 2013.

No specific elements for indoor sports provision have been identified for new S106 funding.

Playing Pitches

CIL funds may be spent on improving playing pitch provision in line with the deficiencies identified in the Playing Pitch, Tennis and Bowls Strategy.

S106 agreements will be required to secure the on-site provision and maintenance of playing pitch provision for the following SDA and the North of Tamworth Broad Development Location identified in the Lichfield District Local Plan as:

- South of Lichfield
- Deans Slade Farm
- Cricket Lane
- East of Lichfield (Streethay)
- Fradley
- East of Burntwood Bypass
- East of Rugeley
- North of Tamworth Broad Development Location

Environment and Biodiversity	
Infrastructure to be funded in whole or in part by CIL	Notes
<p>Environment and Biodiversity</p> <p>CIL funds may be spent on improving the public realm, landscapes and habitats; and improving access to green space, to include:</p> <ul style="list-style-type: none"> • Chasewater Country Park improvements. • Central Rivers Initiative projects. • Heathland management programme. • Improvements to the canal network to improve Green Infrastructure Links. • Local Nature Reserves. • Woodland and hedgerow projects. <p>Infrastructure works relating to the restoration of the Lichfield and Hatherton Canal will potentially benefit from CIL funds, <i>apart from works required in relation to any on-site provision by the developers connected to the three SDAs in the vicinity of the canal: South of Lichfield, Deans Slade Farm, Cricket Lane.</i></p>	<p>Section 106 agreements will be required to secure infrastructure works relating to the restoration of the Lichfield and Hatherton Canal for the three SDAs in the vicinity of the canal: South of Lichfield, Deans Slade Farm, Cricket Lane.</p>
<p>Cannock Chase Special Area of Conservation</p> <p>CIL funds may be spent on measures for preventing harm to the Cannock Chase Special Area of Conservation (CCSAC) agreed by the Cannock Chase SAC partnership.</p>	<p>S106 agreements will be required for the Strategic Development Allocations (SDAs) to secure the provision of mitigation measures in relation to the Cannock Chase Special Area of Conservation.</p>

<p>River Mease Special Area of Conservation</p> <p>CIL funds may be spent on measures for mitigating the impact of development upon the River Mease Special Area of Conservation (RMSAC) measures.</p>	
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Other Infrastructure	
Infrastructure to be funded in whole or in part by CIL	Notes
<p>Flood Mitigation</p> <p>General measures may benefit from CIL funds.</p>	<p>Site specific SUDS will be secured through planning conditions or S106 agreements.</p>
<p>Health facilities</p> <p>CIL funds may be used where evidence is provided that there is no local capacity and expansion of services is required to support growth across the district.</p>	<p>S106 agreements will be required for the Strategic Development Allocations (SDAs) to secure the provision of health care as identified in the Local Plan Strategy concept statements.</p>
<p>Social and community facilities will benefit from the local slice of CIL funds (15-25%) raised within their area. These funds can be distributed by Parish Councils and any neighbourhood planning forums that emerge, in line with evidence of local need.</p>	<p>S106 agreements will be required for the Strategic Development Allocations (SDAs) to secure the provision of community centres/hubs as identified in the Local Plan concept statements.</p>
<p>Low Carbon Initiatives / Carbon Investment Fund</p> <p>CIL funds may be used to support the delivery of Local Plan policy SC1 which states: The District Council is developing a Carbon Community Fund (CCF) which will support the achievement of carbon targets through financial contributions.</p>	



Lichfield District Council
Community Infrastructure Levy
Payment in Kind: Land and Infrastructure
Payment Policy

Effective from 13 June 2016

What is the Community Infrastructure Levy?

The Community Infrastructure Levy (CIL) is a charge on development, calculated on a £ per square metre (sq.m) basis of development. CIL is intended to be used to help fund infrastructure to support the development of an area rather than making an individual planning application acceptable in planning terms, which is the purpose of Section 106 Agreements. CIL does not fully replace Section 106 Agreements. For more information you can also:

- Visit the Council's CIL web pages: www.lichfielddc.gov.uk/CIL
- Read the CIL Planning Policy Guidance (PPG): <http://planningguidance.communities.gov.uk/blog/guidance/community-infrastructure-levy/>
- Email: CIL@lichfielddc.gov.uk
- Call Lichfield's Planning enquiry line: 01543 308174
- Visit the [Planning Portal](#).
- Lichfield District Council Planning Obligations Supplementary Planning Document

What is this document?

In the majority of cases, CIL will be paid to the Council in the form of money. The CIL Regulations 2010 (as amended) allow the Council as the CIL charging authority to introduce a policy which details alternatives to cash payments through the provision of land or infrastructure.

The Council may accept full or part payment of a CIL liability by way of the transfer of land or to receive infrastructure as payment. The infrastructure to be provided must be related to the provision of those projects listed in the Council's Regulation 123 list, and land should be used to provide or facilitate (in any way) the provision of identified infrastructure to support the development of the charging authority's area.

Any agreement relating to such a payment must be made before the chargeable development commences.

The value of any land or infrastructure offered by way of payment has to be determined by a suitably qualified independent person to be instructed by the Council, yet paid for by the developer/applicant.

The Council is not obliged to accept any offer of payment in kind by way of land or infrastructure.

Please see the Community Infrastructure Levy Regulations 2010 (as amended), for the full details relating to payment in kind.

PAYMENT IN KIND: LAND AND INFRASTRUCTURE PAYMENT POLICY

In accordance with Regulations 73, 73A, 73B and 74 of the Community Infrastructure Levy Regulations 2010 (as amended), Lichfield District Council as the charging authority for the area will allow the payment of CIL by land payments or infrastructure payments.

The infrastructure to be provided must be related to the provision of those projects listed in the Council's Regulation 123 list, and land should be used to provide or facilitate (in any way) the provision of identified infrastructure to support the development of the charging authority's area.

This policy is effective from the day the Lichfield's CIL Charging Schedule comes into effect on 13 June 2016.

Little Aston & Stonnall Neighbourhood Plans

Final Decision Statements

Councillor Ian Pritchard, Cabinet Member for Economy

Date: 19th April
Agenda Item: 16
Contact Officer: Craig Jordan
Tel Number: 01543 308202
Email: craig.jordan@lichfielddc.gov.uk
Key Decision? YES
Local Ward Members: Shenstone Ward- Councillor David Salter



FULL COUNCIL

1. Executive Summary

- 1.1 This report relates to the preparation of Neighbourhood Plans covering Little Aston and Stonnall, which have recently been subject to referendums. Both Neighbourhood Plans received a majority Yes vote in their corresponding referendums. The District Council now has to formally 'make' the Little Aston Neighbourhood Plan and the Stonnall Neighbourhood Plan, following which they will both form a part of the Lichfield District Development Plan.

2. Recommendations

- 2.1 That the Full Council agrees to the making of the Little Aston Neighbourhood Plan and the Stonnall Neighbourhood Plan.

3. Background

- 3.1 Neighbourhood planning is one of the provisions of the 2011 Localism Act allowing local communities to bring forward detailed policies and plans which can form part of the statutory planning process for an area and its residents; [Appendix A \(https://www.lichfielddc.gov.uk/Council/Meetings-committees-and-papers/Cabinet/2016/04/05/Reports/Appendix-A-background-to-neighbourhood-planning.pdf\)](https://www.lichfielddc.gov.uk/Council/Meetings-committees-and-papers/Cabinet/2016/04/05/Reports/Appendix-A-background-to-neighbourhood-planning.pdf) provides a background to neighbourhood planning and the formal process each plan must follow in their preparation.
- 3.2 The Neighbourhood Planning (General) Regulations 2012 require that Neighbourhood Plans are subject to a referendum. The referendums were in accordance with the Neighbourhood Planning (Referendum) Regulations 2012. All those eligible to vote in their respective Neighbourhood Area voted Yes or No to the following question, "Do you want Lichfield District Council to use the Neighbourhood Plan for ----- to help it decide planning applications in the Neighbourhood Area?" If the majority (50% +1) of the turnout vote in favour the Local Planning Authority (Lichfield District Council) must make the Neighbourhood Plan.
- 3.3 Both referendums were held on 25th February 2016. The Little Aston Neighbourhood Plan referendum received a turnout of 21.5%, with 481 (89%) votes in favour and 59 (11%) votes against the making of the Neighbourhood Plan. The Stonnall Neighbourhood Plan referendum received a turnout of 29.68%, with 350 (92%) votes in favour, 24 (8%) votes against the making of the Neighbourhood Plan, 4 ballot papers were rejected.
- 3.4 The 2012 Regulations require that upon the completion of the referendum the Local Planning Authority is required to publish a 'Decision Statement' on their website. This Decision Statement will state that the Neighbourhood Plan has been successful at referendum and will now be 'made', and will

form a part of the Development Plan for Lichfield District. A proposed Decision Statement in respect of the Little Aston Neighbourhood Plan is shown at [Appendix B](https://www.lichfielddc.gov.uk/Council/Meetings-committees-and-papers/Cabinet/2016/04/05/Reports/Appendix-B-LA-Decision-Statement.pdf), (<https://www.lichfielddc.gov.uk/Council/Meetings-committees-and-papers/Cabinet/2016/04/05/Reports/Appendix-B-LA-Decision-Statement.pdf>) and Stonnall Neighbourhood Plan at [Appendix C](https://www.lichfielddc.gov.uk/Council/Meetings-committees-and-papers/Cabinet/2016/04/05/Reports/Appendix-C-Stonnall-Decision-Statement.pdf) (<https://www.lichfielddc.gov.uk/Council/Meetings-committees-and-papers/Cabinet/2016/04/05/Reports/Appendix-C-Stonnall-Decision-Statement.pdf>)

- 3.5 Full Council is asked to note the referendum results and the Decision Statements and agree to the making of the Little Aston Neighbourhood Plan and the Stonnall Neighbourhood Plan.
- 3.5 Next Steps – following a decision to make the Neighbourhood Plans, the District Council will need to publish the Decision Statements online, and provide the Decision Statements to the Qualifying Body and any other stakeholder who has requested to be notified of the decision. The Neighbourhood Plans will form a part of the Development Plan for Lichfield District and will be used in determining planning applications. The made Neighbourhood Plans will be published online and the prescribed persons will be notified.

Alternative Options	<ol style="list-style-type: none"> 1. The Lichfield District Council refuses to make the Neighbourhood Plans. The Council can only do this if it considers this would breach, or be incompatible with any EU Obligation or any of the Convention Rights. 2. Following the making of the Neighbourhood Plans, Lichfield District Council can decide to modify or revoke the Neighbourhood Plans, in line with the Regulations.
Consultation	<ol style="list-style-type: none"> 1. In line with the Regulations the Neighbourhood Plans have been through numerous consultation periods. Consultation Statements detailing the consultation undertaken throughout the Neighbourhood Plan process were provided by the Qualifying Body (Shenstone Parish Council) as part of the Neighbourhood Plan Submission Documents. 2. The Neighbourhood Plan Referendums were publicised according to the Neighbourhood Planning (Referendum) Regulations 2012.
Financial Implications	<ol style="list-style-type: none"> 1. The Government has made grant aid available to District Councils in recognition of the level of resourcing required in the administration of Neighbourhood Plans. Lichfield District Council has received full £30,000 grants from DCLG for both the Little Aston Neighbourhood Plan and the Stonnall Neighbourhood Plan. 2. Communities with Neighbourhood Plans in place will be entitled to 25% of the Community Infrastructure Levy (CIL) receipts generated by eligible development in their area. Communities with no Neighbourhood Plan will be entitled to 15%.
Contribution to the Delivery of the Strategic Plan	<ol style="list-style-type: none"> 1. The Neighbourhood Plans demonstrate that it is in broad conformity with the Local Plan Strategy which conforms with the Strategic Plan.

<p>Equality, Diversity and Human Rights Implications</p>	<ol style="list-style-type: none"> 1. The extensive consultation procedures provided for by the Planning and Compulsory Purchase Act 2004 ensure that consultation is undertaken with the wider community and covers human rights matters. 2. The Neighbourhood Planning (Referendum) Regulations 2012 ensure that all those eligible were entitled to vote in the referendums. 3. Equality Impact Assessments have been completed for both Neighbourhood Plans, please see Appendix D (https://www.lichfielddc.gov.uk/Council/Meetings-committees-and-papers/Cabinet/2016/04/05/Reports/Appendix-D-EqIA-LA-NP.pdf) and Appendix E (https://www.lichfielddc.gov.uk/Council/Meetings-committees-and-papers/Cabinet/2016/04/05/Reports/Appendix-E-EqIA-Stonnall-NP.pdf).
<p>Crime & Safety Issues</p>	<ol style="list-style-type: none"> 1. Crime and community safety issues may be considered as part of the Neighbourhood Plans.

	Risk Description	How We Manage It	Severity of Risk (RYG)
A	Qualifying Body propose the replacement of the Neighbourhood Plan.	Ensure the Qualifying Body produce the replacement Neighbourhood Plan in accordance to the Neighbourhood Planning (General) Regulations 2012.	Green
B	Lichfield District Council decide to modify the made Neighbourhood Plan.	Lichfield District Council in line with the Regulations will seek the permission of Qualifying Body before modifying the Neighbourhood Plan, and will carrying out the process in accordance with the Regulations.	Green
C	Lichfield District Council decide to revoke the made Neighbourhood Plan.	Lichfield District Council will gain permission from the Secretary of State before revoking the Neighbourhood Plan, the revocation will be in accordance with the Regulations.	Green
D	Secretary of State revokes the made Neighbourhood Plan.	This would be outside the control of the District Council.	Green

<p>Background documents</p> <ol style="list-style-type: none"> 1. Neighbourhood Planning (General) Regulations 2012 2. Neighbourhood Planning (Referendum) Regulations 2012 3. Little Aston Neighbourhood Plan 4. Stonnall Neighbourhood Plan
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<p>Relevant web links</p> <ol style="list-style-type: none"> 1. Copies of the submitted neighbourhood plans can be found via: www.lichfielddc.gov.uk/neighbourhoodplans
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