LICHFIELD DISTRICT COUNCIL

DIANE TILLEY BSc. MRICS Chief Executive

Tel: (01543) 308001

District Council House Frog Lane Lichfield WS13 6YY

12 February 2018

To: Members of 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 20 FEBRUARY 2018** 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.

Prior to the meeting (from 5.00 p.m.) representatives from the Local Government Association will be present to provide information about the range of political leadership development programmes they offer. They will also have details of the improvement and innovation work that the Association undertakes.

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 19 DECEMBER 2017 (VOLUME 45 PART 4 MINUTE BOOK).
- 4 CHAIRMAN'S ANNOUNCEMENTS.
- 5 REPORT OF THE LEADER OF THE COUNCIL ON CABINET DECISIONS FROM THE MEETINGS HELD ON 10 JANUARY AND 13 FEBRUARY (to follow) 2018 AND CABINET MEMBER DECISIONS (GREY ENCLOSURE).
- 6 REPORT OF THE CHAIRMAN OF COMMUNITY, HOUSING AND HEALTH (OVERVIEW AND SCRUTINY) COMMITTEE (GREEN ENCLOSURE).
- 7 REPORT OF THE CHAIRMAN OF ECONOMIC GROWTH, ENVIRONMENT AND DEVELOPMENT (OVERVIEW AND SCRUTINY) COMMITTEE (BUFF ENCLOSURE).
- 8 REPORT OF THE CHAIRMAN OF STRATEGIC (OVERVIEW AND SCRUTINY) COMMITTEE

(BLUE ENCLOSURE).

9 THE CHAIRMEN INDICATED BELOW TO MOVE THAT THE PROCEEDINGS OF THE FOLLOWING COMMITTEES (VOLUME 45 PART 4 MINUTE BOOK) BE RECEIVED AND, WHERE NECESSARY, APPROVED AND ADOPTED.

	Committee	2017/18	Pages	Chairman
(a)	Planning	18 December	61 - 62	T. Marshall
(b)	Audit & Member Standards	22 January	71 - 75	M. Tittley
(c)	Employment	1 February	76 - 78	Mrs D. F. Baker
(d)	Regulatory & Licensing	6 February	79 - 82	B. Yeates
(e)	Planning (to follow)	12 February	83 -	T. Marshall

10 PROPOSALS FROM THE CABINET

(a) Supplementary Planning Document - Rugeley Power Station Development Brief

To approve for adoption the Rugeley Power Station Development Brief Supplementary Planning Document as set out at Appendix C of the report submitted to Cabinet on 10 January 2018. (https://www.lichfielddc.gov.uk/Council/Meetings-committees-and-papers/FullCouncil/2018/02/20/Reports/Item-8a-Appendix-C-Rugley-Power-Station-SPD-RPS-Development-Brief-SPD.pdf).

(b) Medium Term Financial Strategy

To agree the Medium Term Financial Strategy (Revenue and Capital) 2016-21 and the Council Tax Resolution 2018 -19 (BLUE ENCLOSURE to follow).

11 CHAIRMAN AND VICE-CHAIRMAN OF PLANNING COMMITTEE

The Leader of the Council to move that Councillor Marshall be elected as Chairman of Planning Committee and Councillor Powell be appointed as Vice-Chairman of Planning Committee.

12 CALENDAR OF MEETINGS

To approve the Calendar of Meetings as submitted (GREEN ENCLOSURE).

13 **QUESTIONS**

To answer any questions under Procedure Rule 10.2.

14 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

15	CONFIDENTIAL REPORT OF THE LEADER OF THE COUNCIL ON CABINET DECISIONS
	FROM THE MEETINGS HELD ON 10 JANUARY AND 13 FEBRUARY (to follow) 2018 (PINK
	ENCLOSURE).

Lichfield District Council

MINUTES AND REPORTS

for the

Meeting of the Council

to be held on

Tuesday 20th February 2018

COUNCIL MEETING 19 DECEMBER 2017

PRESENT:

M. A Warfield (Chairman) R. J. Awty (Vice-Chairman)

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

Salter, D.F.

(**APOLOGIES FOR ABSENCE** were received from Councillors Mrs Bacon, Constable, Mrs Eagland, Humphreys, Mrs Pullen, Ray, Miss Shepherd and Smedley).

PRAYERS

Fisher, Mrs H. E.

Prayers were said by Reverend L Collins.

165 DECLARATIONS OF INTEREST:

There were no declarations of interest.

166 MINUTES - 17 OCTOBER 2017:

It was proposed and duly seconded "that the Minutes of the Meeting of the Council held on 17 October 2017 (Volume 45 Part 3 Minute Book) as printed and previously circulated be taken as read, approved as a correct record and signed by the Chairman."

167 CHAIRMAN'S ANNOUNCEMENTS:

(a) Public Engagements

The Chairman reported that he had attended remembrance services at the National Memorial Arboretum where he had the honour of meeting His Royal Highness, the Duke of Gloucester.

(b) Carol Services

The Chairman reported that he had attended a number of carol services at Lichfield Cathedral and had been delighted to host Members and staff at the recent carol service at St John's without the Barrs.

(c) Chairman's Charity

The Chairman invited Members to donate money to his chosen charity, Lichfield and District Talking Newspaper, in lieu of sending Christmas cards.

168 REPORT OF THE LEADER OF THE COUNCIL ON CABINET DECISIONS FROM THE MEETINGS HELD ON 7 NOVEMBER AND 5 DECEMBER 2017 AND CABINET MEMBER DECISIONS:

Councillor Wilcox advised that a briefing paper providing details of the Government's four year settlement would be circulated in January.

It was reported that the bid to pilot 100% retention of business rates submitted by Staffordshire Councils had not been successful. Councillor Mrs Woodward said she shared Councillor Wilcox's disappointment noting that financial pressure on the County Council would have an impact on District Councils. She said the loss of the revenue support grant in two years' time would make planning budgets extremely difficult and it was apparent that local government was not being listened to by central government.

1 - Future Delivery of Disabled Facilities Grants

Councillor Mrs Evans underlined the importance of Disabled Facilities Grants in encouraging and enabling people to remain in their own homes. She said she hoped the service would be properly monitored. Councillor Wilcox advised that all allocated funds would be used and extra money was available during the current financial year.

5 - Business Rates Rateable Value Review - Spend in Excess of £50,000

Councillor Mrs Woodward said the number of instances of spend in excess of £50,000 was an area of concern that she had raised with the Leader of the Council. Although some items may be included in the Medium Term Financial Strategy she said they were not necessarily transparent to Members.

Councillor Mrs Woodward noted that the Council appeared to be employing more external contractors due to lack of capacity while at the same time incurring the cost of redundancies.

Councillor Smith advised that the extra spend in connection with business rates occurred because more money was being recovered than expected and therefore it could be classed as positive spend. Councillor Pritchard explained that recruiting suitably skilled people was an issue in planning and agencies were only used when there was no alternative.

8 - Local Plan Allocations Publication Document

Councillor Mrs Woodward said the consultation had generated a great deal of interest however there had been minimal debate at Cabinet and no other Burntwood Councillors were present. She noted that Councillor Pritchard had highlighted the risk in reducing housing allocations to offset the additional housing at Curborough and wished the Cabinet luck with this approach.

Councillor Drinkwater referred to the work undertaken by the Labour Group and the Burntwood Action Group in connection with the consultation and expressed disappointment that few Members of the majority group had responded to the consultation, which he said related to one of the biggest issues faced by the Authority.

Councillor Pritchard reported that over 6000 responses had been analysed before going back out to consultation. He said his decision on housing allocations was taken in the light of what residents wanted. Councillor Wilcox paid tribute to Councillor Pritchard's work on what had been a difficult

task and said that the Group was 100 percent behind him.

9 - High Speed Rail (West Midlands - Crewe) Bill Petitioning

Councillor Pritchard advised, in response to a question from Councillor Mrs Evans, on the budget set aside for Petitioning.

Councillor Marshall spoke of the massive disruption that would be caused and said that petitioning was a vital expense in order to secure the mitigation that would be necessary.

12 - Lichfield City Neighbourhood Plan - Referral To Referendum

Councillor Mrs Banevicius congratulated the City Council on reaching the referendum stage with its neighbourhood plan and said progress on Burntwood's plan had been disappointingly slow.

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

Councillor Strachan submitted his report on the items considered by the Strategic (Overview and Scrutiny) Committee held on 15 November 2017

1- Work Programme

Members noted that a presentation on Friarsgate had been arranged for 23 January 2018.

Councillor Mrs Woodward thanked Councillor Strachan for the opportunity that had been given for an informal debate based on one of the briefing papers. She said this had proved a useful way to bring forward ideas.

170 MINUTES OF COMMITTEES:

(a) Planning Committee – 16 October 2017

It was proposed by Councillor Marshall "that the Minutes of the Meeting of the Planning Committee held on 16 October 2017 be approved and adopted."

RESOLVED: That the Minutes of the Meeting of the Planning Committee held on 16 October 2017 be approved and adopted.

(b) Planning Committee – 13 November 2017

It was proposed by Councillor Marshall "that the Minutes of the Meeting of the Planning Committee held on 13 November 2017 be approved and adopted". Councillor Drinkwater noted that he had not attended the meeting and his name should be deleted from the list of those present.

RESOLVED: That the Minutes of the Meeting of the Planning Committee held on 13 November 2017 be approved and adopted subject to Councillor Drinkwater being deleted from the list of those present.

(b) Employment Committee – 20 November 2017

It was proposed by Councillor Mrs Baker "that the Minutes of the Meeting of the Employment Committee held on 20 November 2017 be approved and adopted."

Councillor Mrs Woodward referred to Council Minute 134(b) and asked if the training needs survey had been discussed with the Leader of the Council. The Chairman confirmed that a meeting had taken place and she would be sending an email to all Members in the future.

RESOLVED: That the Minutes of the Meeting of the Employment Committee held on 20 November 2017 be approved and adopted.

171 PROPOSAL FROM THE CABINET:

The recommendations of the Cabinet as printed and previously circulated were proposed by Councillor Pritchard and seconded by Councillor Wilcox:

(a) High Speed Rail (West Midlands - Crewe) Bill - Petitioning

It was reported that on 17 July 2017 the Government laid before Parliament a Hybrid Bill seeking consent to build and operate a high speed rail line between the West Midlands and Crewe. The Bill covered Phase 2a of a wider scheme intended to provide a high speed rail network linking London with the north-west of England and Yorkshire.

On 5 December 2017 Cabinet had considered a report on the opportunity to formally petition the Bill and seek, via Parliament, changes to the Government's proposals to provide for appropriate mitigation.

To allow it to lodge a petition in Parliament against the Bill, the District Council was required by legislation to pass a resolution to this effect supported by more than 50% of the elected Council membership.

Councillor Cox spoke in support of the recommendation advising that petitioning was vital in order to deal with issues of concern.

Councillor White noted that Whittington would be profoundly affected and that the District had borne more than its fair share of national infrastructure projects, including the West Coast Mainline, M6 Toll, housing from neighbouring authorities and now HS2. He said this was not 'NIMBYism' but an attempt to get something back for the local community.

Councillor Woodward encouraged lobbying and said it was important to ensure that local MPs were fully engaged.

Councillor Strachan stressed that this was essential expenditure. He highlighted the environmental destruction and damage to heritage assets that would occur and urged that petitioning be used to seek some form of redress

Councillor Mrs Evans said she had requested details of the costs involved but this should not be misinterpreted since she supported petitioning.

Councillor Mrs Stanhope said that in addition to the infrastructure projects outlined by Councillor White, extensive gravel extraction was taking place near Alrewas on the east side of the A38 and this was planned to extend westwards towards Kings Bromley and Fradley. She said this would have a devastating effect on the countryside both directly and indirectly through the traffic it generated.

Councillor Mrs Barnett said her Ward would almost cease to exist due to HS2 and referred to the heart ache and upset experienced by residents. She said getting answers from HS2 had proved virtually impossible and she fully supported petitioning, advising that the local community needed as much support and representation as possible.

It was duly

RESOLVED: (1) That in the judgment of the Lichfield District Council it is expedient for the Council to oppose the High Speed Rail (London – West Midlands) Bill introduced in the Session of Parliament 2017-19.

(2) That the Cabinet Member for Economic Growth, Environment and Development in consultation with the Director of Transformation and Resources and Head of Economic Growth take all necessary steps to carry the foregoing Resolution into effect, that the Common Seal be affixed to any necessary documents and that confirmation be given that Sharpe Pritchard (Parliamentary Agents) be authorised to sign the Petition of the Council against the Bill.

(b) Lichfield District Council Part 1 Brownfield Land Register

In supporting the proposal, Councillor Cox noted that the Brownfield Land Register would be a 'living document'.

It was duly

RESOLVED: That the Council approves the Lichfield District Council Brownfield Land Register (Part 1) as set out at Appendix A and B of the report submitted to Cabinet on 7 November 2017.

(c) Local Development Scheme

RESOLVED: That the Council approves the revised Local Development Scheme as set out at Appendix A of the report submitted to Cabinet on 5 December 2017 and agrees to its publication.

(d) Local Plan Allocations Publication Document (Regulation 19 Consultation)

RESOLVED: That the Council approves the Local Plan Allocations Publication document, accompanying Policies Map and supporting documents as set out in the report submitted to Cabinet on 5 December 2017 for the purposes of undertaking a Regulation 19 public consultation.

(e) Governance Procedures Associated with Secured and Future Section 106 monies to Support Infrastructure Delivery

RESOLVED: (1) That the Council approves the allocation of historic Section 106 monies secured before the adoption of the Community Infrastructure Levy (CIL) and any future S106 monies which are available to spend in support of non-site specific infrastructure utilising the adopted CIL Governance Structure and Administrative Arrangements.

- (2) That the Council approves the use of the adopted CIL governance structure and administrative arrangements for the allocation of Section 106 monies where there is discretion in a S106 planning obligation for the Council to do this.
- (3) That of the Section 106 monies received in line with (1) and (2) authority be delegated to the Cabinet Member for Economic Growth, Environment and Development Services to agree spend below

(f) Leisure Facilities Outsource

RESOLVED: That the Council approves the recommendation (detailed in the Leisure Facilities Outsource report and addendum submitted to Cabinet on 5 December 2017) that the Medium Term Financial Strategy be updated:

- To include £1,395,600 of capital expenditure in the Capital Programme related to building and energy improvement works at Burntwood Leisure Centre funded by external borrowing.
- To include £751,700 of capital expenditure in the Capital Programme related to capital expenditure and equipment at both leisure centres funded through the contract payments to Freedom.
- To update the Prudential Indicators to reflect the capital expenditure and related financing obligations.

172 QUESTIONS:

Q1. Question from Councillor Mrs Woodward to the Cabinet Member for Operational Services, Leisure & Waste:

'With reference to Minute 133 of the Council Meeting held on 17 October 2017, can the Cabinet Member advise me what formal and/or informal discussions have taken place with Lichfield City Council regarding possible contributions towards the funding of Lichfield Garrick?'

Response from Councillor Eadie:

'Since the Lichfield Garrick Theatre Trust became responsible for the operation of the Garrick Theatre in 2013, it has been and remains the responsibility of the Trustees and their nominated employees to seek out financial sponsorship and grant funding to support the Theatre.

Prior to transfer to a Trust in 2013, Lichfield District Council did not ask any Parish Council to meet the Council's obligations.'

Councillor Mrs Woodward then asked the following supplementary question:

'The issue of Lichfield City Council being lobbied to support the Garrick has been raised on a number of occasions and the Economic Survey shows the benefits of the Garrick to Lichfield City. There is also a new City Art Fund established from the sale of the Swinfen Broun statue to help city projects.

Isn't it time that the City Council was pressed by the District Council, which is under financial pressure, to help fund some of the facilities, including the Garrick, that benefit Lichfield City. It would be helpful to know the answer to the question, have formal or informal discussions taken place with the City Council?'

Councillor Eadie responded:

'The report referred to, which highlights the economic benefits to Lichfield District not just the City, was funded by the Garrick. With regard to money from the sale of the art work, the Council is administering the fund, it has not been gifted to the Council.

The Garrick has new software that will enable it to better understand the patrons of the theatre, however they already know that it is not just residents of the City that use the venue but residents of the wider District and people from outside the District.

While recognising the point made by Cllr Mrs Woodward about the Garrick approaching the City Council, I would urge them to approach all Parish Councils. However it is not for the District Council to direct the Garrick's fundraising activities.'

173 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 Paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

IN PRIVATE

174 CONFIDENTIAL REPORT OF THE LEADER OF THE COUNCIL ON CABINET DECISIONS FROM THE MEETINGS HELD ON 7 NOVEMBER AND 5 DECEMBER 2017 AND CABINET MEMBER DECISIONS:

1 – Garrick Theatre – Concession Services Agreement

Councillor Mrs Woodward highlighted the grant being provided to the Garrick for 2017/18 and 2018/19 by District Council tax payers. She said the benefits of the Garrick as shown by the Economic Survey were mainly for the City although there were deemed to be some additional benefits for the District. She said she would ask those Members who were also Members of the City Council to consider the value the City Council placed on the facility.

Councillor Drinkwater said the level of funding that the Council provided should entitle it to have a say in who the Garrick lobbied for funding.

Councillor Eadie replied that the Garrick was an independent trust and the Council could not direct it what to do. He explained that the funding from the District Council was necessary in order for the Garrick to access other sources of funding and ensure that the facility was financially sustainable. Councillor Eadie said that when noting the spend, the continued reduction in the funding going to the Garrick should also be noted.

(COUNCILLOR DRINKWATER DECLARED A PERSONAL INTEREST HAVING ACCEPTED AN INVITATION TO ATTEND A PERFORMANCE AT THE GARRICK)

2 - Planning Appeal - Expenditure in Excess of £50,000

Councillor White said he appreciated that there were legitimate reasons for reports being confidential but it was important to ensure that the Council communicated with people on matters that were of concern to them.

Councillor Mrs Woodward stressed the importance of ensuring that decisions on expenditure in excess of £50,000 were transparent to Members.

Councillor Wilcox advised that the Council followed strict guidelines in relation to confidential reports and they were only confidential when they had to be.

4 - Friarsgate

Councillor Mrs Woodward asked about the financial implications of the changes to milestone dates in the Friarsgate agreement.

Councillor Wilcox noted that issues were encountered from time to time that needed to be addressed and timescales were adjusted accordingly.

175 MINUTES OF COMMITTEES:

(a) Planning Committee – 16 October 2017

It was proposed by Councillor Marshall "that the confidential Minutes of the Meeting of the Planning Committee held on 16 October 2017 be approved and adopted."

Councillor Drinkwater expressed concern at the difficulty in getting enforcement action taken and asked about the current situation in terms of staffing. Councillor Pritchard replied that the enforcement section was now fully staffed.

RESOLVED: That the confidential Minutes of the Meeting of the Planning Committee held on 16 October 2017 be approved and adopted.

(The Meeting closed at 7.03 p.m.)

CHAIRMAN

REPORT OF THE LEADER OF THE COUNCIL CABINET DECISIONS – 10 JANUARY 2018

1. PERFORMANCE PROGRESS REORT 2017/18

1.1 The Cabinet noted the Performance Progress report and key performance indicators.

2. SUPPLEMENTARY PLANNING DOCUMENT – RUGELEY POWER STATION DEVELOPMENT BRIEF

The Cabinet:

- 2.1 Noted the responses to the consultation and officer comments and approved the Consultation Statement and Adoption Statement for publication in line with the adopted Statement of Community Involvement.
- 2.2 Delegated authority to the Cabinet Member for Economic Growth, Environment and Development Services in consultation with the Head of Economic Growth to update the base mapping to reflect the section of roundabout at Lea Hall Way (A51).
- 2.3 Approved the Rugeley Power Station Development Brief SPD for adoption.

3. REVOCATION OF AMENDMENTS TO CONSERVATION AREA BOUNDARIES

3.1 The Cabinet approved the revocation of the boundary changes to the Conservation Areas in Colton, Elford, Fradley Junction, Hamstall Ridware, Harlaston, Haunton, Hints, Hopwas and Mavesyn Ridware.

4. WHITTINGTON & FISHERWICK NEIGHBOURHOOD PLAN – REFERRAL TO REFERENDUM

The Cabinet:

- 4.1 Accepted and agreed to the making of modifications as set out in the 'Decision Statement regarding Whittington & Fisherwick Neighbourhood Plan proceeding to referendum' hereby referred to as the Decision Statement to the Whittington & Fisherwick Neighbourhood Plan and allowed the Plan to proceed to the referendum stage.
- 4.2 Approved the publication of the Decision Statement.

5. AWARD OF WATER SUPPLY CONTRACT

5.1 The Cabinet agreed to award the water supply contract to Castle Water for two years with the option to extend for a further year.

MICHAEL J WILCOX LEADER OF THE COUNCIL

FOR: COUNCIL MEETING
20 FEBRUARY 2018
AGENDA ITEM 6
(GREEN ENCLOSURE)

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

PRESENT:

Councillors Leytham (Chairman), Mrs Evans (Vice-Chairman), Miss Shepherd (Vice-Chairman), Mrs Banevicius, Bamborough, Mrs Boyle, Mrs Constable, Hoult, Mosson, O'Hagan and Ray.

Apologies for absence were received from Councillor Humphreys

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

Also Present: Gavin Boyle – Chief Executive of Derby NHS Foundation Trust Duncan Bedford – Chief Operations Officer of Burton NHS Foundation Trust

At the meeting of the Community, Housing and Health (Overview & Scrutiny) Committee held on 11 January 2018 the following matters were considered:

1. AFFORDABLE HOUSING DELIVERY – APPROVAL OF REGISTERED PROVIDERS AND USE OF \$106 MONIES

- 1.1 The Committee received a report on how the council had worked with housing associations (Registered Providers (RP)) through a Development Partnership Agreement to deliver new affordable homes since stock transfer. It was reported that the agreement had now lapsed and it was proposed to replace it with a policy that included criteria to approved RPs for future s106 opportunities. It was reported how the council intended to invite bids from approved RPs for existing s106 monies and future commuted sums to deliver new affordable homes.
- 1.2 It was reported that there was originally four PRs in the Development Partnership which reduced to three when two merged and its purpose was to work together to deliver new affordable housing whether through grants or communed s106 monies. It was then reported that following a review, it was proposed to open up this partnership to allow other organisations to become a PR.
- 1.3 Commuted sums of S106 monies was then discussed and it was reported that there were (was) £400k in reserves and it was proposed to allow providers to bid for that fund to provide new affordable housing.
- 1.4 When asked, it was noted that although the new PRs were for profit organisations, there would be strict criteria and any surplus would have to be reinvested into the community.
- 1.5 Overall, the Committee were content with the proposals as it was felt there was a great need for affordable housing in the district.
- 1.6 It was resolved that Cabinet be recommended to approve the proposed criteria for the approval of Registered Providers and use of s106 monies.

2. MERGER OF BURTON HOSPITALS NHS FOUNDATION TRUST AND DERBY TEACHING HOSPITALS NHS FOUNDATION TRUST

- 2.1 The Committee welcomed Mr Gavin Boyle and Mr Duncan Bedford to the Committee. Mr Boyle gave a presentation to the Committee on the reasons for the desire to merge the two NHS Foundation Trusts along with the challenges and progress. He reported that, for legal reasons, it was technically an acquisition of Burton NHS Foundation Trust however in spirit it was a merger of the two trusts with support and desire coming from both sides. He then reported on the positives of the merger and that as Burton was smaller it was difficult for them to sustain services and being with Derby, they could overcome this. Also, access to a larger population would aid Derby to continue providing specialist services.
- 2.2 Mr Boyle then reported the progress made in merging the two Foundation Trusts and it was noted that governance arrangements were in place and a business case had been drafted for approval by both Trust Boards before submission to the NHS regulator. It was also reported that clearance to proceed with the merger was required from the Competition & Markets Authority. It was hoped that all steps would be completed by 1st April 2018.
- 2.3 The role of the community hospitals at both Samuel Johnson and Sir Robert Peel, which are in the district, was discussed in depth and Mr Bedford reported that it was seen that their role was vital in supporting the Sustainability & Transformation Plans (STPs). It was noted that it was planned to introduce services for longer term conditions including diabetes and provide more day case surgeries. It was then discussed that a Frailty clinic could be introduced to help patients stay out of the major hospitals ad closer to their homes. Minor Injury Units were then discussed and that it was the preference of the Trusts to keep both and focus on urgent treatment and be better aligned with local GPs. When asked, it was confirmed that the Community Hospitals would continue to work with other Trusts that used that facility but it was hoped that being linked with Derby, greater specialist outpatient services could be provided.
- 2.4 Finally it was presented to Members that the merger process would not create any compulsory redundancies and it was believed that it would actually help retain staff through greater offerings and better progression prospects. There was concern that there was anxiety amongst staff and greater communications with them was required.
- 2.5 Members then asked questions regarding the financial position of the Trusts, especially the Private Finance Initiative (PFI) for Derby and the risk that had on the continuation of the community hospitals. It was reported that the PFI would not affect the merger plans and the commitment to maintain the community hospitals would be hardwired into any plans. It was also reported that there would be a £23m saving over five years achieved by the merger of the trusts. When asked, it was reported that the cost of the merger was in the region of £1.8m. It was asked if there would be a formal review of the merger and it was noted that there would be a postmerger plan to measure against. It was agreed that the Trust would return to the Committee and share that plan.
- 2.6 Members had concerns that similar could happen as what did with the Heart of England Foundation Trust when it took over the then failing Good Hope. It was reported by Mr Boyle that there was equal membership on the new Board and neither current Trust was failing and so was a much lower risk.
- 2.7 The Committee asked how the new Trust intended on recruiting local GPs to use the community hospitals especially in the urgent care units as there was a shortage. It was reported that training in specialist areas would be available and had already

- begun at Robert Peel and that also discussions were taking place regarding locating GP practices in the hospital as it was felt it would enhance services to patients.
- 2.8 Bed blocking and domiciliary care was discussed and it was reported by members that care providers in Staffordshire had reduced from 80 to 60. It was felt that more joined up thinking was required as this domiciliary care was vital in preventing bed blocking.
- 2.9 Mr Boyle and Mr Bedford were thanked for their attendance and the information received was noted.

3. STANDING ITEMS

LICHFIELD DISTRICT HEALTH PROVISION

3.1 It was highlighted to the Committee that although it had been previously reported that there was a lack of GPs wanting to come to Burntwood, experience had shown that at least one locum had a desire to be permanently placed there but was turned down. It was agreed that the Chairman would investigate this further and get clarification as to the situation.

STAFFORDSHIRE HEALTH SELECT COMMITTEE

3.4 The Chairman of the Committee reported that at the last meeting, it was announced that there would be an agreement between the County Council and South Staffordshire and Shropshire Healthcare NHS Foundation Trust to provide adult social care mental health services.

D. Leytham
Chairman
Community, Housing and Health (Overview & Scrutiny) Committee

FOR: COUNCIL MEETING
20 FEBRUARY 2018
AGENDA ITEM 7
(BUFF ENCLOSURE)

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

PRESENT

Councillors Cox (Chairman), Drinkwater (Vice-Chair), Miss Hassall (Vice-Chair), Awty, Mrs Baker, Mrs Eagland, Mrs Evans, Marshall and Mrs Stanhope MBE.

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

AN APOLOGY FOR ABSENCE was received from Councillor Mrs Fisher.

At the meeting held on 23rd January 2018 the following matters were considered:

1. WORK PROGRAMME

- 1.1 Consideration was given to the Committee's Work Programme.
- 1.2 Consideration was given to the work programme and it was reported that another meeting of the Car Park Strategy Member Task Group would be required and it was requested that this be arranged.
- 1.3 An update was also given by Councillor Mrs Baker in regard to the Public Realm Member Task Group and it was reported that a meeting with Officers had been scheduled and matters were progressing
- 1.4 Details were requested on the item regarding Heritage Assets and it was confirmed that it did not include landscape but more the listed buildings on the "at risk" register. It was noted that this report would be considered at the March meeting.
- 1.5 Also at the March meeting, it was confirmed that there would be an item on Events in the District.

2. LOCAL PLAN UPDATE

- 2.1 The Committee received a report giving an update on the consultation on the Draft Local Plan Allocations document which would be closing on the 19th February 2018. It was noted that after Officers had considered responses, a report would be submitted to Cabinet. The intention would then be to submit the Plan for Independent examination following the consultation process.
- 2.2 The report also updated Members on the Local Plan Review and the Strategic Environmental Assessment Scoping Report that had been prepared to inform it. Other section of the report covered the implementation of the Community Infrastructure Levy (CIL) Governance Structure and Administration arrangements and the progress of Neighbourhood Plans.

- 2.3 Discussions focused around Neighbourhood Plans and concern was expressed that progress of the Burntwood plan had stalled and it was requested whether Lichfield District Council Officers could offer any assistance. It was reported that Officers were available to give Parishes advice and indeed it was in the District Council's interests to ensure neighbourhood plans were prepared in accordance with the Local Plan. An update on the Armitage with Handsacre Neighbourhood Plan and it was reported that the consultation responses were currently being considered.
- 2.4 It was noted that a decision was awaited for the Crown site and if approved would be considered as a windfall site. It was noted that the Curborough site would not be considered as a windfall site as is proposed to be included within the Local Plan Allocations document and as such the site would contribute to the housing requirements of the current Local Plan.
- 2.5 The Committee agreed the following
 - (a) That the progress associated with the Local Plan Allocations be noted;
 - (b) That the Strategic Environmental Assessment Scoping Report be noted;
 - (c) That the timetable proposed for initial consultation on the Local Plan Review be noted;
 - (d) That Cabinet be recommended to approve the Local Plan Review Scoping document in line with the identified scope; and
 - (e) That the recent progress in relation to neighbourhood plans within Lichfield District be noted.

3. NOTES OF THE LOCAL PLAN SUB GROUP

3.1 The Committee received the notes of the Local Plan Sub Group for the meetings held on the 5th October and 20th December 2017.

4. IMPLEMENTING THE ECONOMIC DEVELOPMENT STRATEGY

- 4.1 The Committee received a report giving an update on progress with implementing the Council's Economic Development Strategy along with information on the current performance of the Strategic Plan's priority objective of delivering a Vibrant and Prosperous Economy.
- 4.2 It was reported that to deliver the strategy, activities could not be delivered by just the Council and so collaborative working with partners were being undertaken and the Committee discussed each of these partnership arrangements and activities separately.
- 4.3 The Tamworth and Lichfield shared business support service was confirmed to be still working well with daily communications between the sites and shared event hosting.
- 4.4 Local Business Groups was then discussed and it was noted that Officers gave support to both the Lichfield BID and Burntwood Business Community. It was asked if there were too many business groups in the area including the Chamber of Commerce and Federation of Businesses. It was reported that the groups focused on different areas including small business or manufacturing and it was the Officer's role to help bring them together. It was requested if more collaborative working across these bodies could be encouraged.

- 4.5 It was reported that there were two European Funded Programmes and when asked, it was noted that they were due to end in March 2019 but an extension could be applied for.
- 4.6 The next section was Local Enterprise Partnerships (LEPs) and Growth Hubs and it was noted that the Council was a member of both the GBSLEP and SSLEP who offered different support. It was asked if there could be more signposting for businesses to know what each LEP could offer and it was reported that when referrals were received, both Growth Hubs were recommended. The Leader of the Council confirmed that the identity of the LEP's were an issue especially outside of the large cities and the GBSLEP had made a commitment to ensure this changed. There was concern that the level of investment in neighbouring authorities could have a knock on effect for the district however the Officers felt it was a positive effect.
- 4.7 Place was discussed and Members were pleased to note that the Olaf Johnson site in Burntwood had moved forward and felt residents would be happy to see progress. There was some concern that the number of affordable housing was small with 137 over five years. The level of premises within the district receiving Broadband was considered at length and Members felt the 5% still not able to access it was high and in turn having an impact on especially rural business opportunities materialising. It was reported that work was underway on alternative methods including community fibre partnerships to tackle this.
- 4.8 Under the section of Business, Members were pleased to note that there would be another survey undertaken and it was requested that details on focus, objectives and methodology be shared with the Committee when appropriate. Members were also pleased that a CRM system had been developed to capture information.
- 4.9 Regarding KPIs, it was requested whether information on lost and displaced jobs could also be recorded along with jobs created along with apprenticeships.
- 4.10 it was agreed that the current work being undertaken to deliver the priorities within the Economic Development Strategy for Lichfield District, performance having regard to the Council's priority objective of a Vibrant and Prosperous Economy, KPI's and economic development activities helping to deliver these KPI's be noted.

5. REVIEW OF THE PLANNING COMMITTEE

- 5.1 The Committee received a report seeking views on the size and operation of the Planning Committee. It was reported that the Development Management Service was subject to an independent review by the Planning Officers Society in December 2016 and as part of it, one of the recommendations was to look at the size of the Committee as it was larger than neighbouring authorities. It was reported that following this recommendation, a Member/Officer task group was set up to investigate this further. It was reported that best practice advice encouraged smaller committees as they were focused and offered greater consistency in decision making.
- 5.2 Performance regarding major planning appeals was considered and it was noted that although it had got better, the threshold had been changed meaning the council was in the lower quartile giving the risk of designation.
- 5.3 It was reported that after its investigations, the task group was in agreement that the Planning Committee should reduce to 15 Members with 3 further Councillors fully trained to act as replacements if circumstances arose. It was also suggested that the Committee Room host the meetings as the visual and audio facilities were enhanced in that room. However the Chamber would still be used when large public galleries were anticipated.

- 5.4 The Committee were supportive of the views of the task group and also welcomed the opportunity to review the new Committee operation after one year. It was requested that, as much as possible, a good geographical spread in the Membership be achieved. It was also asked if types of training could be considered exampling day courses at Warwick University and the use of case studies.
- 5.5 The Committee agreed the following
 - (1) That the report be noted and Planning Committee be recommended to approve:
 - the reduction in the size of the Planning Committee to 15 Members;
 - the training of 3 additional Members to act as permanent replacements as circumstances arise;
 - the hosting of Planning Committee meetings in the Committee Room on the provision that the Council Chamber will still host when larger public galleries are anticipated; and
 - (2) That the performance and operation of the new Planning Committee be subject to review by the Economic Growth, Environment and Development (Overview and Scrutiny) Committee after one year of its operation.

Councillor Richard Cox
Chairman

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

FOR: COUNCIL MEETING
20 FEBRUARY 2018
AGENDA ITEM 8
(BLUE ENCLOSURE)

REPORT OF CHAIRMAN OF STRATEGIC (OVERVIEW AND SCRUTINY) COMMITTEE PRESENT:

Councillors Strachan (Chairman), A Yeates (Vice-Chair), Mrs Woodward (Vice-Chair), Mrs Barnett, Drinkwater, Powell and Tittley.

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

Apologies for absence were received from Councillors Constable, Greatorex and White.

At the meeting of the Strategic (Overview and Scrutiny) Committee held on 31 January the following matters were considered:

1 WORK PROGRAMME

- 1.1 Members considered the Work Programme. It was noted that although there was an item on today's agenda about consultation principles this would be different to a consultation strategy which was the work programme title. It was agreed to consider this if necessary following the discussion later in the meeting.
- 1.2 It was requested that an item be added regarding Communications including newsletters like Parklife. Members wished to consider cost and resources used to produce them compared to their effectiveness. It was also requested that a comparison with other Local Authorities be carried out. It was agreed to make some initial enquires and discuss further at the Overview & Scrutiny Coordinating group.

2 REVIEW OF THE COUNCIL'S CONSTITUTION

- 2.1 Members received a verbal report on the update of the Council's Constitution. It was reported that South Staffordshire District Council had been commissioned to complete the work.
- 2.2 Members requested the opportunity to consider the draft document before its approval at Annual Council. The Chairman reported that he would like a Member Task Group to do this and report back to a special Committee meeting in March 2018. It was agreed that the Members of this Task Group would be Councillors Tittley, acting at Chairman, Mrs Woodward and Powell.
- 2.3 The Committee agreed that a Member Task Group be created to consider the draft revised Constitution and report to a special Strategic (Overview & Scrutiny) Committee in March 2018.

3 MEDIUM TERM FINANCIAL STRATEGY (REVENUE AND CAPITAL) 2017-22

3.1 The Committee received a report on the Medium Term Financial Strategy (MTFS) for the period 2017-22. It was reported that there was a statutory duty to set a balanced budget and to calculate the level of Council Tax for the district. It was also reported that

the Chief Finance Officer (Head of Finance & Procurement) had a duty to ensure all figures provided for estimating and financial planning were robust and stand up to Audit scrutiny.

- 3.2 The Committee received a presentation from the Head of Finance & Procurement and he began by reporting to Members that there had been a change to the report following discussions with the Leader and a sum of £250k had been included in 2018/19 to enable the facilitation and development of commercialisation and transformation. When asked where this money was from, it was reported it was from general reserves and therefore these would be £250k lower than projected in the report.
- 3.3 A number of areas were discussed by the Committee, the first being retained Business Rates and it was reported that there was an assumption built into the MTFS that the growth would have to be redistributed to the higher tier Authorities. When asked what evidence had created this assumption, it was reported that as responsibilities like Social Care and Children's services are delivered at County level and that this was where there was known to be shortfall of funding it is most likely this is where it would be allocated. It was agreed that it was correct to show this as a funding gap now and develop plans to meet this shortfall rather than build in higher estimates of income which would create the need for a a kneejerk reaction at a later date.
- 3.4 New Homes Bonus (NHB) was then discussed and it was noted that the Government had taken £800m to help fund Social Care and when asked if more could be taken, it was confirmed as a possibility although more likely to be taken from Business Rates. Planning performance was discussed in relation to possibility that NHB would not apply to homes built after losing a Planning Appeal. It was confirmed that this had not been implemented as yet but the Government would reconsider it in 2019/20. Members noted that due to the high risk of New Home Bonus, less reliance had been built into the MTFS and indeed many other local authorities had done the same.
- 3.5 Negative Revenue Support was considered and the Committee asked why Lichfield had the highest. It was reported that there were a number of factors but the information used to create the figures was out of date and this was being challenged by the District Council. It was noted that there was a consultation on Fair Funding and the tariffs applied along with a meeting with the Lichfield area MP in which this was on the agenda for discussion.
- 3.6 The Property Investment Strategy was discussed and there was concern that it was a high amount of borrowing and greater detail on safeguarding was requested. It was reported that it was written into the budget to allow flexibility and quick decisions however there would be a scheme of delegation and governance structure in place before any property was purchased.
- 3.7 The Budget Consultation was discussed by the Committee and it was felt that the time frame was short and too close to the Christmas period resulting in a low response rate. It was also felt that it had not informed the budget process however it was confirmed that the MTFS was a living document and comments would be considered during Money Matter reports throughout 2018/19.
- 3.8 Overall it was agreed that this was a very cautious budget due to the high level of uncertainty and the unknown direction of travel regarding funding. The Committee concurred with the Officer's prudent approach regarding the MTFS. Members also agreed that more should be done to make the public aware of the funding situation and that although Council Tax was increasing, it was due to the need to fund services locally.
- 3.9 The Committee agreed that Cabinet be advised of the comments made by the Strategic (Overview & Scrutiny) Committee especially in relation to the following

- a) The 2018/19 Revenue Budget, including the Amount to be met from Government Grants and Local taxpayers of £10,305,900 and proposed level of Council Tax (the District element) for 2018/19 of £169.99 (an increase of £5 or 3.03%) for Band D equivalent property
- b) The MTFS 2017-22 Revenue Budgets
- c) The MTFS 2017-22 Capital Strategy and Capital Programme
- d) The requirements and duties that the Local Government Act 2003 places on the Authority on how it sets and monitors its Budgets, including the Chief Finance Officer's report on the robustness of the Budget and adequacy of Reserves.

4 PERFORMANCE MANAGEMENT FRAMEWORK AND CONSULTATION PRINCIPLES

- 4.1 Members received a presentation on the proposed changes to performance management. The Head of Corporate Services reported on what made effective performance management and how the Strategic Plan could be captured at an individual level through a Delivery Plan, Service Plans and Staff Performance Development Reviews.
- 4.2 Members asked if there was flexibility within the proposals especially as the Local Government climate was currently unpredictable. It was reported that this should be written into the Service Plans and an open and constant dialogue between all Officers would allow for quick changes.
- 4.3 It was then reported how consultations could link in with management performance and the Committee were introduced to an emerging plan. It was discussed that consultation should be a two-way process and it was reported that it was envisioned that there would a residents panel who would inform the Delivery Plan. It was noted that resources would be required to facilitate a panel and a structure in place to ensure membership remained focused and unbiased.
- 4.4 Members felt there should be a mechanism to capture the feedback Councillors receive from residents and it was agreed to consider this further. The use of public meetings, exhibitions and social media was also deemed as effective ways to engage with residents. Members then discussed the use of print media and it was noted that not all rural areas received newspapers and so consulting with those areas had not been as successful. It was requested that more innovative ways be explored for those areas.
- 4.5 It was felt that consultation and communications went hand in hand and so it was requested that a full strategy be considered.
- 4.6 It was agreed that the comments received be fed into the development of performance management and consultation principles.

R Strachan Chairman Strategic (Overview and Scrutiny) Committee

PLANNING COMMITTEE 18 DECEMBER 2017

PRESENT:

Councillors Smedley (Chairman), Marshall (Vice-Chairman), Awty, Mrs Bacon, Mrs Baker, Mrs Barnett, Cox, Drinkwater, Mrs Evans, Matthews, Pritchard and A. Yeates

156. (**APOLOGIES FOR ABSENCE** were received from Mrs Allsopp, Bamborough, Miss Hassall, Humphreys, Powell, Miss Shepherd, Strachan and Mrs Stanhope MBE).

157. DECLARATIONS OF INTEREST:

All Members in attendance declared a personal interest in item 17/01346/FUL as the applicant was a fellow Member of the Council.

158. MINUTES:

The Minutes of the Meeting held on 13 November 2017 previously circulated were taken as read, approved as a correct record and signed by the Chairman.

159. DECISIONS ON PLANNING APPLICATIONS:

Applications for permission for development were considered with the recommendations of the Director of Place and Community 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 16/00865/FULM.

160. 16/00865/FULM - DEMOLITION OF EXISTING BUILDING AND ERECTION OF BUILDING CONTAINING 31 APARTMENTS, 10 CAR PARKING SPACES AND 1 COMMERCIAL UNIT WITHIN USE CLASSES A1 (SHOPS), A2 (FINANCIAL AND PROFESSIONAL SERVICES), A3 (FOOD AND DRINK), A4 (DRINKING ESTABLISHMENT), A5 (HOT FOOD TAKEAWAYS) AND B1(A)(OFFICES) BEACONSFIELD HOUSE, 10 SANDFORD STREET, LICHFIELD FOR DAVIES & DAVIES

RESOLVED: That planning permission be approved subject to conditions contained in the report of the Director of Place and Community and the applicant first entering into a S106 Agreement, to secure a commuted sum for off-site affordable housing provision.

161. 17/01487/FUL – REPLACEMENT BUILDING FOR DOG GROOMING SALON AND CHANGES TO WORKING HOURS (AMENDMENT TO APPLICATION 14/00553/COU)
6 SPENCER DRIVE, BURNTWOOD FOR MRS J SIMMONDS

RESOLVED: That planning permission be approved subject to the

conditions contained in the report of the Director of Place and Community.

(PRIOR TO CONSIDERATION OF THE APPLICATION, REPRESENTATION WAS MADE BY MRS JACKIE SIMMONS (APPLICANT))

162. 17/01439/FUL - DEMOLITION OF DETACHED GARAGE AND ERECTION OF 2NO DETACHED DWELLINGS (1NO 3 BEDROOM AND 1NO 2 BEDROOM) AND SINGLE DETACHED GARAGE
64 MICKLEHOME DRIVE, ALREWAS
FOR MR & MRS M LAHERT

RESOLVED: That planning permission be approved subject to the conditions contained in the report of the Director of Place and Community.

163. 17/01465/FUL – SINGLE AND TWO STOREY SIDE EXTENSION TO FORM GARAGE, STORE, BEDROOM WITH EN-SUITE
50 HOLLY GROVE LANE, BURNTWOOD
FOR MR & MRS M BROTHERHOOD

RESOLVED: That planning permission be approved subject to the conditions contained in the report of the Director of Place and Community.

164. 17/01346/FUL – SINGLE STOREY SIDE EXTENSION WITH LOFT ROOM TO REPLACE EXISTING DETACHED GARAGE
177 WALSALL ROAD, LICHFIELD
FOR COUNCILLOR I EADIE

RESOLVED: That planning permission be approved subject to the conditions contained in the report of the Director of Place and Community.

(The meeting closed at 7.08pm)

CHAIRMAN

AUDIT AND MEMBER STANDARDS COMMITTEE 22 January 2018

PRESENT

Councillors Tittley (Chairman), Awty (Vice-Chairman), Mrs Boyle, Marshall, Mosson, Rayner, Strachan, Mrs Tranter and Mrs Woodward

Observers – Councillor Mrs Baker and Councillor Spruce (Cabinet Member for Finance and Democracy)

Officers in attendance: Ms B Nahal, Mrs A Struthers, Mr A Thomas, Mr G Davies, Ms C Tims, Ms D Tilley, Mr N Turner and Ms W Johnson

Also Present: Mr J Gregory and Ms L Griffiths from Grant Thornton (External Auditors)

176. APOLOGIES FOR ABSENCE

There were no apologies for absence.

177. DECLARATIONS OF INTEREST

There were no declarations of interest.

178. MINUTES

The Minutes of the Meeting held on 26 September 2017, as printed and previously circulated, were taken as read and approved as a correct record.

179. LOCAL AUDIT UPDATE

Members considered the Local Audit Update from Mr Thomas (Head of Finance & Procurement). Mr Thomas advised that following the PSAA decision to appoint Grant Thornton as Lichfield District Council's External Auditors, the audit procurement had now indicated the scale of fees for 2018/19 which were 23% lower to the 2017/18 fees. However, Lichfield District Council needed to make arrangements for the housing benefit subsidy certification work which had not been included in the audit legislation. Discussions were currently taking place and members were asked to note the extra Audit and Member Standards Committee meeting on Wednesday 9 May at 6pm where Grant Thornton would be delivering a Presentation for this additional piece of work. The appointment was favoured by the committee as there was already a good working relationship with Grant Thornton.

RESOLVED: That the Committee note the appointment of Grant Thornton as the Council's External Auditors for the next 5 years from 2018/19 and note the scale of fees for 2018/19.

180. MID-YEAR TREASURY MANAGEMENT REPORT

Members considered the Mid-Year Treasury Management Report as at 30 September 2017 from Mr Thomas and he explained the report in more detail verbally. (Mr Thomas explained that the report excluded changes related to the Leisure Facilities Outsource project recommended

for approval to Full Council on 19 December 2017 and the Property Investment Strategy). Discussions took place around the main elements of the report including affordable housing projects and the capital receipts relating to Friarsgate. The liquidity of our investments were explained and the yield. Mr Thomas confirmed that Lichfield District Council had recently reappointed Arlingclose as its Treasury Management advisors after a tender process and advised that this contract was due to run from June 2017 – June 2020 with an option of two further one year extensions. Mr Thomas said there were a number of regulatory changes coming in to force and explained them in more detail. He confirmed that it was the Council's intention to be classed as a "professional" client under MiFID II (the differences were illustrated in the report).

RESOLVED: The Committee:

- (1) Note the report and issues within;
- (2) Note the reappointment of Arlingclose as the Council's Treasury Management Advisors and the forthcoming Regulatory changes:
- (3) Note the projected 2017/18 Prudential Indicators in the report.

181. TREASURY MANAGEMENT STRATEGY

Members considered the Treasury Management Strategy Statement from Mr Thomas and members were asked to highlight any changes for recommendations to Cabinet. Mr Thomas said the bold text on page 1 of the report highlighted some changes which may mean a revised TMSS will need to be adopted during 2018/19 to take into account of the new guidance and revised codes. Discussions took place around the implications of fluidity/Friarsgate/Brexit/Capital Programme and Property Investments. Mr Thomas stated that to deliver the Property Investment Strategy we will need to engage External Advisors to undertake more robust financial modelling.

RESOLVED: The Committee:

- (1) Noted the Capital Strategy and Capital Programme outlined in Appendices A & B:
- (2) Noted the Balance Sheet Projections and Borrowing Requirement and Strategy 2017-22, contained within Appendix C;
- (3) Noted the Minimum Revenue Provision Statement 2018/19, contained within Appendix D, which sets out the Council's policy of using the asset life method as the basis for making prudent provision for debt redemption;
- (4) Noted the Treasury Management Policy Statement and The Annual Investment Strategy 2018/19 and the detailed criteria Appendix E;
- (5) Noted the use of Specified and Non-Specified Investments Appendix F;
- (6) Noted the Prudential Indicators and limits for 2017-22 contained within Appendix G of the report;
- (7) Noted the Authorised Limit Prudential Indicator shown within Appendix G.

182. INTERNAL AUDIT PROGRESS REPORT – AUGUST – NOVEMBER 2017

Members considered the Internal Audit Progress Report August 2017 - November 2017 from Mrs Struthers (Audit Manager). Mrs Struthers advised that a total of 41 recommendations were made with 39 of the recommendations being accepted by management. Only 2 recommendations that were not accepted relating to Building Control and the limited assurance levels were discussed. Gareth Davies, Head of Regulatory Services, Housing & Wellbeing attended to explain why the Health & Safety Enforcement service had received limited assurance and gave some background. He explained that the Health and Safety rules are complicated as some Inspections are carried out by the HSE yet some are to be carried out by the Council. Mr Davies said one of the main issues was the lack of a computer database in Regulatory Services; the service has relied entirely to date upon its own spreadsheets/database

records which is not satisfactory. Mr Davies therefore said he intended to procure a Regulatory Services database and a paper was going to the next Cabinet meeting for approval. This, however, would take 18 months to implement. Mr Davies stated that all other high priorities on their Internal Audit Report had now been met. Members were concerned especially as public safety was at stake and wondered how long it was going to take to rectify this situation. It was questioned if the Committee should write to the MP. The Chairman agreed in the first instance to write to the Portfolio Holder on Cabinet and express concern and see if enough resources were available to address this issue. This was agreed.

Ms Tims, Head of Corporate Services attended to explain to the committee what was being done about the Customer Promise/Complaints Process which had also been reported as only having limited assurance. She explained that the majority of the recommendations had now been addressed and implemented however, she was still looking at our performance management systems - as to how we can embed the learning from the complaints received and translate it into service improvement. The two stage complaints process is being launched and work is progressing on developing a mechanism to undertake lessons learned reporting, which is the final recommendation relevant to complaints. There are still some issues to be resolved in relation to Customer Promise and Ms Tims is working with Mrs Leybourne to identify how these can be measured corporately. An update to our telephony system is due to be completed by the end of January and this, in conjunction with the roll-out of our customer forms package, will enable us to assess the delivery of our customer promises. Ms Tims is also responsible for the mobile computing item which also had limited assurance in the report. She was able to confirm that there is a facility to block memory sticks and other removable media, however, these are having to be addressed on a case by case basis in a roll out programme that will take until April 2018. She assured members that we had improved our level of awareness and protection for mobile computing with the majority of actions completed and only 2 issues remaining outstanding, which were linked to our plans for GDPR and will be resolved by May 2018 at the latest.

The Chairman thanked both Officers for their attendance and explanations.

RESOLVED: The Committee considered the Internal Audit Progress Report August 2017 to November 2017 and the Chairman agreed to write to the Cabinet Member for Regulatory Services, Housing & Wellbeing with regard to Health & Safety Enforcement.

183. RISK MANAGEMENT UPDATE

Members considered the Risk Management Update from Mrs Struthers (Audit Manager). The corporate risk register and the significant risk on the project risk register were presented to the members of the Committee. The updated Risk Management Policy was presented to the Committee, which detailed the required changes – which were minor changes.

RESOLVED: That Members:

- (1) Note the work being undertaken to ensure the Risk Management Policy is adhered to and the actions taking place to manage the Council's most significant risks;
- (2) Consider the updated corporate risk register and project risk register.
- (3) Approve the updated Risk Management Policy.

184. MEMBERS CODE OF CONDUCT/EQUALITIES TRAINING FEED BACK - VERBAL REPORT

Ms Nahal (Head of Legal, Property & Democratic Services) advised the Committee that 4 sessions of Member Code of Conduct/Equalities Training had been hosted at Lichfield District Council offices on different days to capture all and there had been a positive member attendance rate – 80%. She confirmed that the Members who had not attended had either done Equalities training elsewhere or at Staffordshire County Council or they had had other

health and/or caring responsibilities which meant they could not attend. Only 3 members had not had valid reasons for non-attendance. Discussions took place around member training generally and if penalties for non-attendance should be a way forward.

RESOLVED:

Ms Nahal is to meet with the Leader, the Leader of the Minority Group and the Chairman of Employment Committee about Member attendance at Members Code of Conduct/Equalities Training and Training generally.

185. THE ANNUAL AUDIT LETTER FOR LICHFIELD DISTRICT COUNCIL

Members were asked to consider the Annual Audit Letter for Lichfield District Council year ended 31 March 2017 which had to be provided by the External Auditors, Grant Thornton, following the Audit Opinion being issued. The findings had already been reported to September's meeting in the Audit Findings Report so the letter was just for sign-off.

RESOLVED: That the report be noted.

186. CERTIFICATION WORK FOR LICHFIELD DISTRICT COUNCIL FOR YEAR ENDED 31 MARCH 2017

Members were asked to consider the Certification work for Lichfield District Council for year ended 31 March 2017 which reports the outcome of the External Auditor's work for this year. It was noted that the fees charged included an additional fee for additional work delivered as a higher error rate than expected was received.

RESOLVED: That the report be noted.

187. INFORMING THE AUDIT RISK ASSESSMENT, LICHFIELD DISTRICT COUNCIL

Members considered the Informing the Audit Risk Assessment Lichfield District Council 2017/18 Report from the External Auditors - Grant Thornton which was a report sharing questions and the responses received from management. The Committee were asked to consider the responses and comment. Page 12 quoted a question about whether there was sufficient staff in post and this was queried by the members as the Planning Department seemed to be under increasing pressure. Mr Thomas highlighted that the Government had recently confirmed that Councils will be able to increase planning fees by 20% as long as the additional income is reinvested in the Planning Service. The results of the Internal Audit Report also showed, there were problems with Customer Promise/Complaints Process/Mobile Computing and H&S Enforcement. Discussions took place as to whether the Committee should feedback to IRP in relation to Members non-attendance at mandatory training sessions and the importance of the Chair and Vice-Chair roles of the Committee. Ms Nahal advised that she had done a report to IRP last year which would cover the next 4 years but had a meeting booked with the Leader of the Council and a couple of members to look at what we would want the IRP to look at.

RESOLVED: That the report be noted.

188. AUDIT PLAN FOR LICHFIELD DISTRICT COUNCIL 2017/18

Members were asked to consider the External Audit Plan year ending 31 March 2018 prepared by our External Auditors - Grant Thornton.

RESOLVED: That the report be noted.

189. WORK PROGRAMME

Members considered the Work Programme and it was noted that there had been an additional meeting for the External Auditors Presentation on 9 May 2018 and a change of meeting date from 4 April to 22 May 2018.

(The Meeting closed at 7.53 pm)

CHAIRMAN

EMPLOYMENT COMMITTEE

1 FEBRUARY 2018

PRESENT:

Councillors Mrs Baker (Chairman), Mrs Boyle (Vice-Chair), Mrs Banevicius, Cox, Mrs Eagland, Greatorex, Miss Hassall, Rayner, Salter and B Yeates

190 APOLOGIES FOR ABSENCE

There were no apologies for absence

191 DECLARATIONS OF INTEREST

There were no declarations of interests

192 MINUTES OF THE PREVIOUS MEETING

The Minutes of the meeting held on the 20th November 2017, as printed and circulated were taken as read, approved and signed by the Chairman.

193 OFFICER CODE OF CONDUCT UPDATE

The Committee received a verbal report requesting an amendment to the Officer Code of Conduct. It was reported that a small change had been required to ensure it reflected details in the Disciplinary Procedure correctly regarding the disclosure of criminal convictions. It was noted that the code would be relaunched to all Officers were aware of the revised version. When asked, it was confirmed that the unions had been consulted with.

Other areas of the Code was then discussed by the Committee and it was asked why a Politically Restricted Post were still allowed to stand as a Parish Councillor as these positions could still be political. After seeking guidance with the Head of Legal, Property and Democratic Services, it has been confirmed that standing for a Town or Parish Council is excluded as it is not considered political in terms of the legislation LGHA 89/ SI 1990. No reason has been given why and usually Town/ PC's are seen as more local democracy rather than Political.

It was also asked if drug guidance had been adopted and it was reported that there were only facilities to check for alcohol use.

It was asked if social media use could be mentioned in various sections and it was noted that there were other policies that could cover social media use including IT policies. It was agreed that it could however be highlighted to Officers within the Code of Conduct. It was asked if GDPR should be included and it was reported that the code was not required to be specific.

It was felt that as social media use had changed since the approval of the code 12 months ago so it might be right to review the Code of Conduct at a later date.

RESOLVED: That the amendment to the Officer Code of Conduct be

approved.

194 MEMBER DEVELOPMENT STRATEGY

The Chairman led a discussion on Member Development Strategy and she asked for the Committee's thoughts and ideas for carrying out training and development. It was noted that the Head of Legal, Property and Democratic Services would be meeting with the Leader of the Council and Leader of the Opposition to discuss further. It was reported that there would not be a questionnaire circulated

A diagram of a proposed strategy was circulated to Members and it was reported that training would become Member led with a development plan which would inform the training programme along with a sub committee that would monitor attendance and further training needs. It was then reported that Members would meet with their party leader and discuss and record their individual development needs.

The Committee asked what the current budget was for Member Training and it was confirmed to be £5k. There was some concern that this was not enough to deliver effective training but it was reported that the use of e-learning and Officer to deliver sessions helped keep costs to a minimum. It was suggested that collaborative sessions with other authorities could also help reduce costs.

Views were then sought from the Committee on what could aid training to be valuable and the following was expressed:

- All training to be available for all Members to ensure continuity.
- The use different formats to deliver training.
- The use of different venues
- On block intensive training as part of Induction.
- Consider external training for Planning and not be all in house
- Sessions to stay on topic
- Length of sessions especially on an evening. Keep them short and sharp with objectives
- Information to be presented in an understandable way to Members
- Receive a synopsis of what training will be delivered.

Members then discussed specific training topics and items included IT as it was important to all Members. It was also suggested that sessions on Community liaison could be useful especially for new Members as it would help them understand the work of other agencies including health providers, highways and registered social landlords. Other topics discussed were speed reading, assertiveness training and Governance especially regarding commercialisation.

There was some concern that it was difficult to attend all training sessions due to other commitments and it was suggested that numerous dates could be offered or different formats offered for the same format.

RESOLVED: That the comments will be fed back to Head of Legal, Property and Democratic Services would be meeting with the Leader of the Council and Leader of the Opposition.

195 POLICY REVIEW 2018 SCHEDULE

The Committee noted that Policy Review 2018 Schedule and an update was given. It was noted that all reviews were on schedule and Members were keen for the deadlines to be maintained.

RESOLVED: That the Policy Review 2018 Schedule be noted.

(The Meeting closed at 7.16 pm)

CHAIRMAN

REGULATORY AND LICENSING COMMITTEE

6 FEBRUARY 2018

PRESENT:

Councillors B Yeates (Chairman), O'Hagan (Vice-Chair), Mrs Bacon, Mrs Constable, Drinkwater, Mrs Evans, Miss Fisher, Leytham, Salter, Miss Shepherd and A Yeates

196 APOLOGIES FOR ABSENCE

Apologies were received from Councillors Humphreys and Mrs Stanhope MBE.

197 DECLARATIONS OF INTEREST

There were no declarations of interests.

198 MINUTES OF THE PREVIOUS MEETING

The minutes of the meeting held on the 2nd October 2017, as printed and circulated, were taken as read, approved and signed by the Chairman.

199 STREET TRADING POLICY

The Committee received a report a proposed revised Street Trading Policy. It was reported that the aim of the policy was to create a street trading environment which was sensitive to the needs of the public, consumer and ensured safety and contributed to the character and ambience of the local area. It was noted that the Member Task Group that was created to look at the Policy had agreed the amendments.

The changes from the original Policy were highlighted to the Committee including that locations would be considered on a case by case basis. It was reported that the use of generators had been included as there had been issues in the past regarding them.

The main area of amendments was reported to be around Special Events and it was reported that organisers would be required to meet a number of criteria before gaining consent. It was noted that their past experience would be taken into account along with economic benefit to the district, accounts and event budget and waste disposal proposals along with other aspects. It was also reported that organisers would be required to attend the Safety Advisory Group and notify local residents and businesses.

The Committee requested an update to the investigations regarding the Lichfield City Charter and it was reported that the historic markets Charter had been found and that it stated that there could be a market on Tuesdays and Fridays. It was then reported that it had been discovered subsequently that the District Council through the Food and Drugs Act, had created a Saturday market and the management of this had been transferred to the City Council in 2003. The City Council have stated that they have created other markets using the same powers and it was noted that evidence of this had been requested and was awaited. The Chairman informed the Committee that he would be meeting the Leader of the City Council and the Town Clerk with the Leader of the District Council to discuss this further.

The Committee were uneasy that facepainting could be carried out at events without a street trading consent and the associated requirement of a DBS check. This is because they were providing a service and not selling an article and as such they did not require street trading

consent. Members had grave concern regarding the implications of this however accepted that Officers had consulted with Solicitors on this matter and these regulations did not cover this activity.

Fees were then discussed and it was noted that it was proposed to charge additional fees for late and/or incomplete applications as it required greater resources to carry out the necessary work. It was reported that a deposit would be required to cover any costs associated with damages to the street, waste disposal but refundable if the event was successful.

The Committee were pleased with the amendments and agreeable to Policy being submitted for consultation.

RESOLVED: (1) That the new Street Trading Policy be approved for consultation; and

(2) That authority be delegated to the Head of Regulatory Services, Housing and Wellbeing in consultation with the members Task Group, to include any agreed comments into the Policy from the consultation process.

200 MINOR AMENDMENT TO PRIVATE HIRE VEHICLE LICENCE CONDITIONS RELATING TO SEATING

The Committee received a report proposing an amendment to a Private Hire Vehicle licence condition to allow the use of tilted seats to access other rows of seating. It was reported that the use of such seating should be permitted as vehicle safety technology had moved on considerably from when the condition was originally brought into force. The Committee noted that the driver would be required to notify passengers that the vehicle had tilted seats to allow them the opportunity to choose whether to use them.

RESOLVED: That a change to the Private Hire vehicle Condition 10.2 to permit the use of tilting seats to gain access to another row of seats be approved to read as

"10.2 The seating arrangement in "People Carrier" type vehicles will be fixed and approved by the Council. The seating will not be moved once approval has been granted. Customers hiring any vehicle in which any seat must be tilted, moved or in any way adjusted to gain access to another row of seats shall be advised of this at the time of booking."

201 FOOD SERVICE DELIVERY PLAN

The Committee received a report on the Food Delivery Plan for 2018-20 which covered the aims ad key priorities of the service.

RESOLVED: That the Food Safety Service Delivery Plan 2018-20 be approved.

202 HEALTH AND SAFETY LAW ENFORCEMENT PLAN

The Committee received a report on the Health and Safety Law Enforcement Plan 2018/20 which set out the aims and key priorities of the services provided.

RESOLVED: That the Health and Safety Law Enforcement Plan 2018-20 be approved.

203 REVIEW OF LICENCE AND OTHER FEES AND CHARGES IN REGULATORY SERVICES, HOUSING AND WELLBEING 2018/19

The Committee received a report on the proposed fees and charges for services or enforcement actions within the Regulatory Services, Housing and Wellbeing area. It was reported that there were a number of new fees proposed relating to fixed penalty notices that had recently been introduced under new legislation along with a charge for undertaking a food hygiene inspection re-visit.

It was reported that Littering from a Vehicle could now result in a fixed penalty if witnessed. It was asked what evidence would be required and it was reported that a witness statement, CCTV or Officer surveillances could be used. Members reported that some residents would be reluctant to provide a witness statement in fear of retaliation however it was noted that they could notify the Council and in areas where regular problems occur, Officers can be sent to the area to patrol and observe the offence directly. *

Charges for dog fouling was discussed and Members felt it was Anti-Social Behaviour and so the penalty should be at that level. It was confirmed that dog fouling was defined in statute and the charge could only be within the set limits. It was noted that the discount for both dog fouling and littering had been adjusted to the same amount to prevent errors when offenders paid. *

Fly tipping was discussed and the Committee were in agreement with Officers to set the penalty at the maximum of £400 to act as a deterrent.

It was reported that the fee for taxi and private hire vehicle tests had been out for quotes with garages at the time that the report was written. Quote had now been received and the change was an increase of £1 to £17.50.*

The fees for the Gambling Act was discussed and it was noted that further work was required to ensure that the charges relected the cost of these services. It was suggested that any amendments could be approved by the Chairman, Vice-Chairman and Head of Regulatory Services as per the report recommendations.

Members asked if there was enough resource to enforce offences and it was reported that there was 0.3FTE for enforcement but the Environmental Crime Member Task Group may want to investigate whether this was adequate.

- **RESOLVED:** (1) That the fees and charges for the forthcoming year 2018/19 for the functions as listed in Appendix A to the report be approved for statutory consultation:
 - (2) That the fees and charges for the forthcoming year 2018/19 for the functions as listed in Appendix B to the report be approved;
 - (3) That delegated authority to the Head of Regulatory Services, Housing and Wellbeing in consultation with the Chairman and Vice-Chairman of the Committee be approved to set or amend any fees which are detailed in Appendix A to the report in consideration of any consultation responses received; and
 - (4) That delegated authority be approved to the Head of Regulatory Services, Housing and Wellbeing in consultation with the Chairman and

Vice-Chairman of the Committee to set on an interim basis, any new fees and charges which may arise during the year.

204 WORK PROGRAMME

The work programme was considered. The Committee expressed their gratitude to the Officers for their work over the past Municipal Year.

RESOLVED: That the Work Programme be agreed.

(The Meeting closed at 6.50 pm)

CHAIRMAN

CALENDAR OF MEETINGS

May 2018 – June 2019 (Meetings will commence at 6pm except Asset Strategy Group which commences at 4pm)

Date	Meeting
Tuesday 1 st May 2018	Cabinet
Monday 7 th May 2018	BANK HOLIDAY
Tuesday 8 th May 2018	Planning Committee
Wednesday 9 th May 2018	Audit & Member Standards Committee
Tuesday 15 th May 2018	ANNUAL COUNCIL
Monday 28 th May 2018	BANK HOLIDAY
Thursday 31 st May 2018	Community Housing & Health (Overview & Scrutiny)
	Committee
Monday 4 th June 2018	Planning Committee
Thursday 7 th June 2018	Member Training
Tuesday 12 th June 2018	Cabinet
Wednesday 13th June 2018	Strategic (Overview & Scrutiny) Committee
Tuesday 19 th June 2018	Planning Training
Wednesday 20 th June 2018	Economic Growth, Environment & Development (Overview & Scrutiny) Committee
Thursday 21 st June 2018	District Board
Monday 25 th June 2018	Asset Strategy
Wednesday 27 th June 2018	Leisure, Parks & Waste Management (Overview & Scrutiny)
	Committee
Monday 2 nd July 2018	Planning Committee
Tuesday 3 rd July 2018	Employment Committee
Thursday 5 th July 2018	Regulatory & Licensing Committee
Monday 9 th July 2018	Cabinet
Tuesday 17 th July 2018	COUNCIL
Wednesday 25 th July 2018	Audit & Member Standards Committee (to approve the Statement of Accounts)
Monday 30 th July 2018	Planning Committee
Monday 27 th August 2018	BANK HOLIDAY
Monday 3 rd September 2018	Planning Committee
Tuesday 4 th September 2018	Cabinet
Wednesday 5 th September 2018	Strategic (Overview & Scrutiny) Committee
Tuesday 11 th September 2018	Asset Strategy
Wednesday 12 th September 2018	Community, Housing & Health (Overview & Scrutiny) Committee
Tuesday 18 th September 2018	Planning Training
Wednesday 19 th September 2018	Economic Growth, Environment & Development (Overview & Scrutiny) Committee
Monday 24 th September 2018	Employment Committee
Wednesday 26 th September 2018	Member Training
Monday 1st October 2018	Planning Committee
Tuesday 2 nd October 2018	Leisure, Parks & Waste Management (Overview & Scrutiny)
	Committee
Thursday 4 th October 2018	Regulatory & Licensing Committee
Tuesday 9 th October 2018	Cabinet
Tuesday 16 th October 2018	COUNCIL
Monday 22 nd October 2018	Parish Forum
Wednesday 24th October 2018	Provisional Date
Monday 29 th October 2018	Planning Committee
Tuesday 6 th November 2018	Cabinet

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Wednesday 14 th November 2018	Audit & Member Standards Committee
Thursday 22 nd November 2018	Strategic (Overview & Scrutiny) Committee
Monday 26 th November 2018	Planning Committee
Tuesday 4 th December 2018	Cabinet
Monday 10 th December 2018	Asset Strategy
Tuesday 11 th December 2018	Planning Training
Wednesday 12 th December 2018	Provisional Date
Monday 17 th December 2018	Planning Committee
Tuesday 18 th December 2018	COUNCIL
Tuesday 25 th December 2018	CHRISTMAS DAY
Wednesday 26 th December 2018	BOXING DAY
Tuesday 1st January 2019	BANK HOLIDAY
Thursday 10 th January 2019	Community, Housing & Health (Overview & Scrutiny) Committee
Monday 14 th January 2019	Planning Committee
Tuesday 15 th January 2019	Cabinet
Wednesday 16 th January 2019	Leisure, Parks & Waste Management (Overview & Scrutiny)
,	Committee
Monday 21st January 2019	Member Training
Tuesday 22 nd January 2019	Economic Growth, Environment & Development (Overview & Scrutiny) Committee
Tuesday 29 th January 2019	Strategic (Overview & Scrutiny) Committee
Tuesday 5 th February 2019	Regulatory & Licensing Committee
Wednesday 6 th February 2019	Audit & Member Standards Committee
Thursday 7 th February 2019	Employment Committee
Monday 11 th February 2019	Planning Committee
Tuesday 12 th February 2019	Cabinet
Tuesday 19 th February 2019	COUNCIL
Tuesday 26 th February 2019	Provisional Date
Monday 4 th March 2019	Asset Strategy
Tuesday 5 th March 2019	
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