

Public Document Pack

LICHFIELD DISTRICT COUNCIL

Simon Fletcher
Chief Executive
Tel (01543) 308001

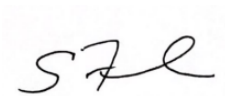
District Council House
Frog Lane
Lichfield
WS13 6YY

12 October 2022

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 **THURSDAY, 20 OCTOBER 2022 at 6.00 pm.**

Access to the Council Chamber is via the Members' Entrance.



Chief Executive

A G E N D A

1. Apologies for Absence (If Any)
2. Declarations of Interest
3. To Approve As A Correct Record The Minutes of the Previous Meeting 3 - 12
4. Chairman's Announcements
5. Report of the Leader of the Council on Cabinet Decisions from the Meetings Held On 6 September 2022 and 11 October 2022 and Cabinet Member Decisions 13 - 16
6. Minutes of the Overview & Scrutiny Committee 17 - 28
7. **Minutes of the Planning Committee**

The Chair of the Planning Committee to move that the proceedings of the meetings held on 4 July, 1 August, 5 September and 3 October 2022 be received and where necessary approved and adopted.

29 - 36

8. **Minutes of the Employment Committee**

The Chair of the Employment Committee to move that the proceedings of the meeting held on 13 July 2022 be received and where necessary approved and adopted.

37 - 38

9. **Minutes of the Audit & Member Standards Committee**

The Chair of the Audit & Member Standards Committee to move that the proceedings of the meetings held on 21 July and 29 September 2022 be received and where necessary approved and adopted.

39 - 46

10. **Minutes of the Regulatory and Licensing Committee**

The Chair of the Regulatory and Licensing Committee to move that the proceedings of the meeting held on 28 September 2022 be received and where necessary approved and adopted.

47 - 48

11. **Medium Term Financial Strategy (MTFS) and Governance Updates**

To approve updates to the MTFS along with the repurpose of earmarked reserves. To also approve the creation of a joint venture to develop a new cinema with associated food and beverage units.

49 - 58

12. **Community Governance Review**

To approve the final Community Governance Review recommendations and the creation of a Reorganisation Order.

59 - 72

13. **Questions**

To answer any questions submitted under procedure rule 11.2

COUNCIL

12 JULY 2022

PRESENT:

Councillors Greatorex (Chair), Warburton (Vice-Chair), Anketell, Baker, Ball, Banevicius, Checkland, Cox, R Cross, Eagland, D Ennis, L Ennis, Evans, Grange, Ho, Lax, Leytham, A Little, E Little, Marshall, Matthews, Norman, Parton-Hughes, Powell, Pullen, Ray, Robertson, Salter, Silvester-Hall, Smith, Spruce, Tranter, Strachan, Tapper, Warfield, White, A Yeates and B Yeates

1 APOLOGIES FOR ABSENCE

Apologies were received from Councillors Barnett, Birch, D Cross, Eadie, Gwilt, Humphreys, Westwood, M Wilcox and S Wilcox.

2 DECLARATIONS OF INTEREST

There were no declarations of interest made at this point in the meeting.

3 TO APPROVE AS A CORRECT RECORD THE MINUTES OF THE PREVIOUS MEETING

The Minutes of the meeting held on 17 May 2022 were approved as a correct record.

4 CHAIRMAN'S ANNOUNCEMENTS

The Queen's Platinum Jubilee

The Chair commented that he was pleased to see a number of street parties had taken place to celebrate the Queen's Platinum Jubilee.

Civic Service

The Chair thanked Wade Street Church and Reverend Ian Hayter for hosting the annual civic service held on 26 June 2022 which had been well received by attendees.

Easy IT

The Chair informed members of developments with his charity for the year, Easy IT.

5 REPORT OF THE LEADER OF THE COUNCIL ON CABINET DECISIONS FROM THE MEETINGS HELD ON 17 MAY, 7 JUNE AND 11 JULY 2022 AND CABINET MEMBER DECISIONS

Councillor Pullen submitted his report on Cabinet Decisions from the meeting held on 17 May, 7 June and 11 July and Cabinet Member Decisions.

6 MINUTES OF THE OVERVIEW AND SCRUTINY COMMITTEE

Councillor Norman submitted the Minutes of the Overview and Scrutiny Committee held on 1 June and 15 June 2022.

Councillor Evans said she was glad to see the maternity unit at Samuel Johnson Community Hospital get a temporary reprieve and hoped to see its permanent reopening. She was also

pleased that the George Bryan Centre would be looked at especially considering the rising rates of mental health issues.

Councillor Ray agreed with Councillor Evan's comments adding that the lack of Child and Adult Mental Health Services (CAMHS) was a serious issue to which he urged the council to continue to put pressure on health authorities to improve CAMHS provisions in the district. He asked whether the meeting that was originally scheduled for 30 May 2022 had been rescheduled as this is vital in maintaining pressure.

Councillor White declared an interest in the item as he was now Co-Chair of the Integrated Care Partnership across Staffordshire and Stoke-On-Trent. He informed members that the clinical commissioning groups ceased to exist on 30 June 2022 and the Integrated Care Partnership and Integrated Care Board took over. He stated that the earlier points raised are duly noted, in particular CAMHS provision. He commented that across the district access to primary care and secondary care is not what it should be and the Council needed to continue to lobby hard to change that because provision is needed that is accessible to all.

Councillor Norman informed members that the maternity ward should be open at the end of December and there would be a review. He commented that he had attended the Staffordshire County Council Health and Care Overview & Scrutiny Committee in Councillor Wilcox's place and would submit a report to members from that meeting.

Councillor Cox commented that the George Bryan Centre would be on the Committee's work programme.

Councillor Robertson raised a matter of accuracy on the Councillor Community Fund, noting it had been questioned whether groups of wards could be added to the website for organisations that apply.

Councillor Ray commented on the economic prosperity item and asked what was being done to persuade the government that Lichfield is well suited for government work. Councillor Pullen noted that Lichfield is a place that the government wishes to level up and this is why Lichfield is in tier 3 of the levelling up fund.

Councillor Robertson suggested the minutes be amended in relation to this item to show that a discussion had taken place at the meeting on how the reporting would be done and whether the reporting mechanism was accurate and helpful.

7 MINUTES OF THE EMPLOYMENT COMMITTEE

It was proposed by Councillor Matthews, seconded by Councillor Robertson and

RESOLVED: That the Minutes of the special meeting held on 1 June 2022 be approved and adopted.

8 MINUTES OF THE PLANNING COMMITTEE

It was proposed by Councillor Marshall, seconded by Councillor Powell and

RESOLVED: That the Minutes of the Meetings of the Planning Committee held on 9 May and 6 June 2022 be approved and adopted.

9 MINUTES OF THE REGULATORY AND LICENSING COMMITTEE

It was proposed by Councillor B Yeates, seconded by Councillor Salter and

RESOLVED: That the Minutes of the Meetings of the Regulatory and Licensing Committee held on 16 June and 20 June 2022 be approved and adopted.

10 MEDIUM TERM FINANCIAL STRATEGY

Councillor Strachan proposed that an amendment be made to the recommendation set out at 2.1. in the report so that the recommendation would read

'that Council approves an update to the Medium Term Financial Strategy to include the additional net investment needs of £1,263,000 identified at paras 3.22 and 3.23 of the report and any other capital investment such as digital support and further apprenticeships that will enable the delivery of Council priorities.'

Councillor Strachan explained that this was the initial stage of the MTFs in its progress to hopeful approval in February. He informed members that the main change was the fully costed proposed severance scheme as part of Being a Better Council. The remainder related to further expansion of LDC's digital infrastructure and apprenticeships.

Councillor White questioned whether the proposed amendment was capped to which Councillor Strachan responded that it was.

Councillor Robertson noted that the projected base rate across the following few years had been revised upwards and asked about the impact on the revenue budget. Councillor Strachan answered that he would provide the figure.

Councillor Ball commented that the approved funding gap is increasing year on year and the projected general reserves were reducing year on year. He also noted that at appendix B of the report there was a relatively small figure for developing prosperity. He concluded that more needed to be done to develop prosperity and generate income.

Councillor Strachan advised that capital investment returns were not added until they could be accurately costed and the size of the developing prosperity budget was determined by the number projects that were ready to go.

The recommendation as amended was duly seconded and it was

RESOLVED: That Council approves an update to the Medium Term Financial Strategy to include the additional net investment needs of £1,263,000 identified at paras 3.22 and 3.23 of the report and any other capital investment such as digital support and further apprenticeships that will enable the delivery of Council priorities.

11 APPOINTMENT TO THE STAFFORDSHIRE SUSTAINABILITY BOARD

It was proposed by Councillor Pullen, seconded by Councillor Marshall and

RESOLVED: That Councillor Lax be appointed to the Staffordshire Sustainability Board as recommended by Cabinet on the 11th June 2022.

12 REPORT OF THE INDEPENDENT REMUNERATION PANEL

Councillor Pullen introduced the report produced by the Independent Remuneration Panel (IRP), which reviewed Members' allowances. The IRP found that Lichfield District Councillors receive a lower allowance when compared to other comparable councils. The report showed

disparities in how those with extra responsibilities are remunerated and also that councillors have chosen to freeze their allowances since 2019.

Councillor Pullen stated that he could not accept the recommendations set out by the IRP to increase members' allowances due to the current economic challenges facing residents. He moved that Council does not accept the IRP recommendations at this time.

This was seconded by Councillor Norman.

Councillor A Yeates welcomed the report and referred to the increase in costs incurred by Councillors. He also proposed that the paragraph on the amalgamation of the civic allowances be removed.

Councillor Grange supported the motion reasoning that due to the current cost of living crisis and rising foodbank usage it would be wrong to raise members' allowances at the current time.

Councillor Marshall stated that if members were concerned on about how the electorate would perceive the decision to accept the recommendations then they were being unnecessarily fearful. He acknowledged the comments made on the cost of living crisis but concluded that there is rarely a right time and not accepting the recommendations would imply that members were not worthy of an increased allowance.

Councillor Tapper questioned whether members needed this raise in allowance and supported Councillor Grange's comments. He stated that accepting the recommendations would send a negative message to residents.

Councillor Ray agreed and stated that it would be inappropriate and would show that the council was out of touch with its residents.

Councillor Salter was inclined to accept the recommendations of the IRP due to the already mentioned reasons. He stated regardless of the outcome of the vote it is important that the council reiterate the IRP's findings to the community.

Councillor White thanked the IRP for their work. He advised that the Council had made the decision to freeze allowances from time to time over the years to reflect economic circumstances. This had led to an accumulation of freezes and he was able to say from experience that a revaluation never takes place. Therefore if the proposal was accepted there was no certainty that the Council would be in a position in the future to accept an increase significant enough to catch up. Councillor White noted that under part 6 of the constitution members can choose not to take part of their allowance if they so wish.

Councillor Spruce agreed with Councillors White and Marshall. He stated it seemed senseless to reject recommendations from an independent report that was funded by the Council. He stated that there would never be a right time to raise allowances noting LDC allowances were in the bottom 10%.

Councillor Ball said that he was surprised to see support of accepting the recommendations and called for a named vote. He reasoned that if LDC cannot afford to pay all of its staff the living wage as assessed by the Living Wage Foundation, it would be inappropriate. He concluded that he would happily sacrifice his own increase in allowance.

Councillor Strachan said although he agreed with the majority of the report, he had two main difficulties – scale and timing. In terms of scale, he stated that if members' allowances were to increase by 10%, he would be forced to amend the Medium Term Financial Strategy which would have to go before Council. He stated that this would not bode well. He instead reasoned that a staged approach would be better. Increasing members' allowances at a pace that would allow it to be measured against the economic factors present. On the issue of timing, he

reiterated previous comments on the ongoing cost of living crisis and high use of foodbanks. He concluded that although there is never a good time to raise allowances this would be a bad time.

Councillor Cox supported Councillor Strachan's reasons and stated that this was an issue of his own conscious – he could not accept the report when there are residents struggling.

Councillor Leytham noted that the issue was not whether members agree with the IRP's recommendations but when they would accept them. He asked members when would be the right time and concluded by stating that the suggested increase is still below the benchmark of other Councils.

Councillor Robertson agreed with Councillor Strachan. He thanked the IRP but stated that he was not fully confident in their conclusions and the report had left him with questions. He reiterated Councillor Ball's view, that he could not justify accepting an increase in allowance when not all employees of the Council were being paid a Living Wage.

Councillor A Little thanked the IRP and wanted it on record that if the recommendations passed he would not be accepting the increase in allowance. He also was in favour of a named vote.

Councillor Silvester-Hall said it was a pity that a staged and incremental proposal had not been made to correct the current discrepancy with other comparable Councils. With respect to current economic difficulties she said it was important that residents were aware of the local and national support schemes that were available.

Councillor D Ennis supported the Leader's proposal and agreed with Councillor Strachan's comments. He stated that he was in favour of a named vote.

Councillor Norman agreed that the main issue was timing, and this was the worst year to suggest an increase. He thanked the IRP noting that the report was well researched.

On a show of hands the Council did not support the call for a named vote.

Following a vote it was then:

RESOLVED: That the Independent Remuneration Panel report be not accepted.

13 COMMUNITY GOVERNANCE REVIEW

It was reported that a community governance review (CGR) is a legal process that provided an opportunity for principal councils to review and make changes to community governance within their areas.

On 14 December 2021 the District Council resolved to undertake a review of the whole District.

Accordingly the Terms of Reference were published on 1 February 2022 and a consultation exercise took place between 1 February - 25 April 2022.

A total of 98 submissions and a 67 signature petition were received. The majority of responses focused on two parishes – (i) Shenstone and (ii) Fradley and Streethay.

On 20 June 2022 draft recommendations were considered by the Regulatory and Licensing Committee and were now submitted to Council for consideration.

Councillor Robertson proposed the following amendment to further address the variation in the ratio of electors to councillors in Lichfield City:

the representation of Curborough ward be increased to 4 councillors, the representation of St Johns ward would be decreased to 5 councillors and the representation of Leomansley ward be increased to 6 councillors. This would mean electors per councillor in Lichfield City will range from 825 to 985.

The amendment was seconded by Councillor Anketell.

Councillor Lax stated that she was not opposing Councillor Robertson's amendments but proposed that the amendment should be added as an additional option in the consultation that would go out to residents and parish councils.

The Chair declared a personal interest as a member of the City council. He opened the room to further declarations from dual District/Parish members.

Councillor Pullen stated that if this motion was defeated, he would propose an alternative motion that would offer Councillor Robertson's amendment as an option as suggested by Councillor Lax.

Councillor Ball agreed with Councillor Robertson's amendment commenting that it would help achieve a better balance of councillors across the city.

Councillor Norman said the main issue was fairness, ensuring that the electors have fair and equal representation.

Councillor Strachan commented that he could see the merit of Councillor Robertson's proposal however the primary report had been through proper scrutiny and the Regulatory and Licensing committee and is a fully formed proposal. He concluded that due to this he could not support the proposal being the only submission of this authority however he would support it being added as an alternative.

Councillor Anketell seconded the proposed amendment. He commented that it was proportionate and fair and if it was not accepted residents may view it as unfair.

Members then voted on the amendment and the amendment was defeated.

Councillor Pullen proposed that the recommendations of the report should include an additional option that reflected Councillor Robertson's earlier proposed amendment.

Councillor Ho seconded the amendment.

Councillor Robertson commented that a difficult decision had just been made to not improve a flaw in the report that would then go out for consultation. He stated that he looked forward to seeing the Leader's plans to reach out to residents and ensure that a significant consultation response is received.

Councillor Lax stated that at this stage in the process they were doing what they should be, especially for an exercise that must be carried out in accordance with strict rules. She further stated that it was not Council's place to dictate to residents at this point in the process.

Members then voted on the amendment and the amendment was carried. It was then proposed by Councillor B Yeates, seconded by Councillor Spruce and

RESOLVED: That the draft recommendations of the Regulatory and Licensing Committee as set out at Appendix A of the Council report and summarised in section 3.13 of the report be approved for consultation and that views be sought on expanding the recommendations to further address the variation in the ratio of electors to councillors. To achieve this, the representation of Curborough ward would be increased to 4 councillors, the representation of St Johns ward would be decreased to 5 councillors and the representation of Leomansley ward would be increased to 6 councillors.

14 QUESTIONS

Questions under Procedure Rule 11.2 for Council

Q1. Question from Councillor Evans to the Deputy Leader and Cabinet Member for Economic Growth and Development

“The members of the Regulatory and Licensing Committee have received an Internal Briefing Paper from an officer regarding the Food Service Delivery Plan, where a number of actions and risks were recorded, and concerns were raised in the report. This included the fact that the departure of Gareth Davies has led to missing key direction and support, plus the Food Safety Health and Safety Manager is also leaving at the end of July, so there will be no Lead Food Officer. This is a requirement of the Food Standards Agency and could lead to worsening hygiene standards and a lowering of compliance levels.

Can Councillor Eadie please comment on this report and explain when and how the problems will be overcome, as food hygiene is obviously crucial and all users have a right to be sure that all food premises are compliant and inspected and re-inspected if necessary?”

Response from the Deputy Leader and Cabinet Member for Economic Growth and Development

“The imminent departure of the senior officers for the service should not impact on the day to day delivery of inspections thanks to the diligence of the outgoing Food Safety Manager ensuring appropriate plans are in place.

As part of the Target Operating Model proposals currently being consulted there is a Regulatory and Enforcement Manager post vacancy identified for this area along with a Food Safety managerial post vacancy.

It is hoped that by the end of August, when the new Assistant Director for this area will be in post, these proposals will have been considered and relevant recommendations confirmed so that suitable recruitments can be made.

In the meantime Leadership Team are commissioning interim support for this key area of work to complement the existing action plans.”

Supplementary Question from Councillor Evans to the Deputy Leader and Cabinet Member for Economic Growth and Development

“I understand what has been said but in view of the fact that this council is encouraging as many people as possible to visit Lichfield can we therefore be assured that the guarantees of safety will be met because it is vitally important that people who want to visit the restaurants in Lichfield and around the area can be sure that we have the right measures in place to ensure that happens. Can I be assured that is going to be served?”

Response from the Leader of the Council in Deputy Leader and Cabinet Member for Economic Growth and Development’s Absence

“Yes, you can be assured of that. Thank you for highlighting the broad range of eating and dining establishments throughout Lichfield district that have done so well and winning awards recently - one of them taking up a tenancy within this district council house. I have faith in our officers that they will continue to do sterling work in ensuring that these establishments are fit and proper.”

Q2. Question from Councillor Norman to the Cabinet Member for Climate Change & Recycling

“Whilst I am able to manage with one small blue bag for recycling paper, card and cardboard, even though it is only a 57 litre one, I am aware that families with children even those who were lucky enough to receive a correct size 80 litre bag, this may still not be adequate so can she tell me how many residents have requested extra blue bags to date?”

Response from the Cabinet Member for Climate Change & Recycling

“As of Friday 8 July we had received a total of 3,228 additional bag request which is 7% of Lichfield households and we have delivered 2,386 in Lichfield which represents delivery of 74% of the bags requested.

We are continuing to accept requests for additional bags and delivering these as quickly as we are able. They are also now available to collect at the newly re-opened reception area at the District Council Offices on Frog Lane.”

Supplementary Question from Councillor Norman to the Cabinet Member for Climate Change & Recycling

“Will the Cabinet Member agree with me that the availability of extra bags is in the leaflets that people have had through their doors, is on the website and in the news releases? Therefore, nobody should have an excuse not to ask for an extra bag, whether they are a councillor or a member of the public, if they need one.”

Response from the Cabinet Member for Climate Change & Recycling

“Yes, it is on the website and we will be doing various engagements over the weeks.”

15 EXCLUSION OF PRESS AND PUBLIC

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

16 CONFIDENTIAL REPORT OF THE LEADER OF THE COUNCIL ON CABINET MEMBER DECISION

Councillor Pullen submitted his confidential report on Cabinet Member Decisions and answered members' questions.

(The Meeting closed at 7.18)

CHAIRMAN

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REPORT OF THE LEADER OF THE COUNCIL

CABINET DECISIONS – 6 September 2022

1 Money Matters: 2022/23 Review of Financial Performance against the Financial Strategy

The Cabinet:

- 1.1 Noted the report and issues raised within and that Leadership Team with Cabinet Members will continue to closely monitor and manage the Medium Term Financial Strategy.
- 1.2 Recommended to Council to approve the creation of a Capital Programme project for Changing Places funded by external grant of £94,285, which is to deliver Changing Places public conveniences at Swan Island and the National Memorial Arboretum.
- 1.3 Recommended to Council to update the Medium Term Financial Strategy to reflect the budgets shown at para 3.34 that will be funded by the three year UKSPF allocation of £3,285,310.
- 1.4 Delegated to the Leader the ability to make any necessary amendments to the Investment Plan within the three year UKSPF allocation.

2 Money Matters Review of Reserves

The Cabinet Recommended that Council:

- 2.1 Repurpose earmarked reserves and agree changes to the Capital Programme detailed at para 3.29 to release reserves that will result in the strategic priorities reserve balance of (£5,169,000).
- 2.2 Dispose of Venture House and include a budgeted capital receipt of (£650,000) in the Medium Term Financial Strategy to fund strategic priorities (a receipt greater than this level will increase the level of the strategic priorities reserve).
- 2.3 Approve the inclusion of a project with a budget of £2,000,000 in the Capital Programme (initially equally spread between 2022/23 and 2023/24) for BRS enabling works funded from this capital receipt and the strategic priorities reserve.

The Cabinet:

- 2.4 Noted that following these changes, there will be (£3,819,000) available in the strategic priorities earmarked reserve to fund other strategic priorities.

3 Lichfield District Youth Council – Policy Proposal

The Cabinet:

- 3.1 Approved the creation of a District Youth Council for Lichfield District, providing young people with representation and encouraging active citizenship.
- 3.2 Recommended to Council to approve a £60,000 increase in the Medium-Term Financial Strategy over the next three financial years to provide a budget for the District Youth Council, as set out in the financial implications section of this Cabinet report.
- 3.3 Recommended to Youth Council that some of their budget is used to fund transport for those children that want to be involved but may not otherwise be able to access the opportunity due to personal/home circumstances.

CABINET DECISIONS – 11 October 2022

4 Medium Term Financial Strategy (Revenue and Capital) 2023-27

The Cabinet:

- 4.1 Noted the current position on the development of the Medium-Term Financial Strategy and the next steps.
- 4.2 Noted the feedback from the Overview and Scrutiny Committee meeting on 4 October 2022.

5 Delivery of Disabled Facilities Grant

The Cabinet:

- 5.1 Approved that Lichfield District Council award a contract to LWMTS to deliver DFGs and associated works/services from 1st April 2023 without undertaking a competitive tender process in reliance of the 'Teckal' exemption.
- 5.2 Delegated authority to the Cabinet Member for Housing, Ecology and Climate Change in consultation with the Chief Executive and Monitoring Officer to agree the final arrangements/service structure and governance with LWMTS.
- 5.3 Agreed to carry out a formal review of the service once launched after 6 months, 12 months and then annually thereafter with a performance report being considered by Overview & Scrutiny Committee and Cabinet.

6 Staffordshire Leaders Board – Update to the Terms of Reference

The Cabinet:

- 6.1 Endorsed the revised Terms of Reference for the Staffordshire Leaders' Board (as attached at Appendix A of the Cabinet report).

7 Joint Venture – A New Cinema for Lichfield

The Cabinet agreed and recommended to Council that:

- 7.1 Lichfield District Council enter a joint venture Limited Liability Partnership (LLP) with Evolve Estates (subject to any issues identified in relation to financial standing and independent valuation of the Debenham's building being satisfactorily addressed) for the purposes of developing a new cinema and associated food and beverage units in the former Debenhams store on the Three Spires retail site.
- 7.2 Delegated authority be granted to the Leader and Chief Executive Officer to finalise the details of the LLP in consultation with the Monitoring Officer and S151 Officer subject to financial implications remaining within the budget framework recommended for approval below.
- 7.3 The Leader and Chief Executive be approved as the Council's representatives on the LLP board.
- 7.4 The Medium-Term Financial Strategy is updated to include:
 - A budget in the Capital Programme for the Joint Venture loan advance totalling **£5,349,000** (including £400,000 being funded by the UKSPF).
 - To fund the capital investment through UKSPF funding of **(£400,000)**, the capital receipt from the sale of Venture House of **(£850,000)** (an increase from the Review of Reserves Report recommendation of (£650,000) and the strategic priorities earmarked reserve of **(£4,099,000)**).
 - A BRS enabling works budget of **£1,070,000** (a reduction from the Review of Reserves Report recommendation of £2,000,000) funded by the strategic priorities earmarked reserve of **(£1,070,000)**.
 - At this stage, the Revenue Budget will be based on a budget neutral (no surplus or deficit is included) position until the projections included in this report have been reviewed. Any future changes following independent review will be reported in line with the Council's budget monitoring and any budget approvals will be in line with the budget framework.

CABINET MEMBER DECISIONS

8 Temporary Agency Staffing

The Cabinet Member for Waste and Recycling approved to award the contract to The Best Connection Group Ltd for 24 months with 2 optional extensions of 12 months. This will see us change from using two agencies to provide our temporary staff to one. Benefits of this can include ease of Contract Management, better visibility of spend and reducing overall temp spend.

9 **Appointment of LATCo Board Member**

The Cabinet Member for Leisure and Parks approved the appointment of Lizzie Barton as Director of LWM Traded Services Ltd which took effect from Monday 26 September 2022.

Clr Doug Pullen
Leader of the Council

OVERVIEW & SCRUTINY COMMITTEE

19 JULY 2022

PRESENT:

Councillors M Wilcox (Chair), Norman (Vice-Chair), Cross, Evans, Grange, Leytham, Robertson and Silvester-Hall

1 APOLOGIES FOR ABSENCE

Apologies were received from Councillors Eagland, Gwilt, Ho, A. Little, Tranter, A. Yeates.

2 DECLARATIONS OF INTERESTS

There were no declarations of interests.

3 MINUTES OF THE PREVIOUS MEETING

Subject to amendments made as agreed at Council on the 12 July 2022, the minutes were agreed as a correct record.

4 HEALTH MATTERS

The Chair reported that as he had been on leave for the Staffordshire County Council's (SCC) Health and Care Overview and Scrutiny Committee meeting on the 11 July 2022, the Vice Chair attended in his place. Councillor Norman, Vice-Chair then gave his report of proceedings of that meeting to the Committee.

The areas discussed at the SCC meeting included

- Integrated Care Systems
- Primary Care Update
- Update on Maternity Services

The Committee was pleased to note that the facility at Samuel Johnson Hospital would reopen although noted that it would be reviewed. Councillor Silvester-Hall stated that as a fellow serving member on the SCC Committee, she had requested that any changes to the service be reported back.

- Health Watch Staffordshire

It was noted that that the Vice-Chair's suggestion of training to aid effective questioning had been welcomed and would be actioned by SCC.

- District Council's Reports

It was reported that why the Robert Peel and Samuel Johnson items could be considered by the County Health Scrutiny Committee and not the replacement of the so-called temporary Burntwood Health and Wellbeing Centre. Each of these facilities catered for more than one local authority area. When this was raised previously, we were told that "it was a locality issue that should be dealt with via the Joint Code of Conduct at local level". It was noted that the Chair of the SCC Committee would get back to Councillor Norman after receiving more detail.

The work programme for the Staffordshire County Council's Health and Care Overview and Scrutiny Committee was then presented and it was requested that a date to consider Mental Health Matters including CAMHS be pushed for as it needed to be discussed sooner rather than later and preferably before the new School Year. It was noted that there would be discussions in at a SCC meeting in August and outcomes shared at the September O&S meeting.

RESOLVED: That the information received be noted.

5 BURNTWOOD TOWN DEAL UPDATE

The Committee received a verbal report from the Deputy Leader and Cabinet Member for Economic Growth and Development on progress of the Burntwood Town Deal. It was reported that it was a partnership between Staffordshire County Council, Lichfield District Council and Burntwood Town Council and it was noted that membership was made up of Councillors and Officers from all tiers. The purpose of the Deal was to provide guidance and coordination to a number of strategic projects to the District's second settlement including retail and health provision. It was reported that the partnership did not have a set meeting calendar but did meet regularly and included site visits to the area. It was also reported that the partnership engage with external agencies, land owners and developers to ensure suitable development is relevant and identified in the District's Local Plan as well as the Burntwood Neighbourhood Plan. It was noted that the partnership also investigated funding opportunities and mention was given to Councillor D Ennis and his work with LDC Officers to look at creating a Burntwood BID. It was also reported that the County and District Councils were looking into a joint venture.

The following views were given

- That O&S should keep an oversight and receive updates on the Town Deal
- That the Action Plan seems vague and all show medium to long timeframes.
- There has been a history of bad planning in Burntwood which has led to difficulties now especially with trying to create a town centre.
- Current input of funding seems low for the higher tier authorities and on a par to what the Town Council is providing.
- That the Leader and Deputy Leader put pressure on SCC to move projects forward.

The following questions were asked

- Had the MP been contacted regarding a possible second application of the Levelling up Fund? It was noted that he would be asked to support a second bid. It was also stated that consideration would be given on how the UK Shared Prosperity Fund would be spent as this was a known source of funding as long as deemed acceptable.
- Would other routes of funding not be considered until the UK Shared Prosperity Fund had been dealt with? It was reported that the Council would not at this time as there would be £3.2m coming so would look at using that money.
- When will there be firm proposals for development of Sankey's Corner as it had been promised to residents for a long time and seems to have stagnated? It was reported that the Highway's scheme was being dealt with by SCC as the relevant authority. It was recognised that there was frustration at the lack of progress but there was still commitment by the District Council and partnership. It was also reported that it had been recognised that the Town Council had not been kept in the loop with some developments as well as they could have been and lessons had been learnt.
- It was asked how negotiations on the vacant public house at Sankey's Corner and how much of a barrier that had been on development. It was reported that the Town Council had led on these discussions. It was noted that there was a need for a community space in the area and with funding, this building could be viable although it was noted that it was not in the District Council's ownership.

RESOLVED: That further updates be given to the Committee when appropriate.

6 PROPOSAL FOR A YOUTH COUNCIL

The Committee received a draft report on proposals to establish a Lichfield District Youth Council. It was reported that the proposal was part of the approved Community Power Strategy to develop reciprocal relationships and combine institutional and community expertise' with a traditionally 'hard to reach' part of our community. The proposals and draft constitution of a potential Youth Council were presented to the Committee by the Cabinet Member for Community Engagement. The Chair of the Committee reported that during a recent visit to the Council House, he met with a student undertaking work experience with the Governance team and that this student gave their opinion and thoughts on the proposals.

The following views were given

- That largely, the Committee were supportive of the proposal of a District Youth Council
- That there needed to be clear definitions of the role of the Youth Council
- That updates be reported to the Committee during the pilot scheme.
- That some pupils leave school at year 11 to attend college and so needs to be considered.
- That other authorities be looked to for best practice ideas to help.
- That local youth debating groups also be considered as possible members although it needs to ensure that all types of young people and not just those higher performing academics are included.
- That also the age range of 11-18 would be inclusive, there would be risk of the younger children being fearful of speaking up in front of their older peers.
- That using SCC's School planning areas may help to define what schools to consider as some Lichfield resident pupils may attend Tamworth or Rugeley schools.
- Ensure Key Stage 3 and 4 pupils are elected.
- Ensure there is enough support from Officers including outreach work.
- That inclusion of special educational needs schools be considered.

The following questions were asked

- Was there a risk of missing the views of young people that are home schooled? It was agreed to look at this further as it was a good point.
- How safeguarding issues would be dealt with? There was no mention of DBS checks or similar. It was reported that as it was proposed to be dealt with via schools, safeguarding would be dealt with via those organisations
- Which schools would be the founding ones as mentioned in the report? It was reported that it would be an initial pilot scheme of two schools with the hope of rolling out quickly. It was envisioned that it would one school from Lichfield and one from Burntwood and it was noted that there was an interested school from Burntwood already.
- Was 6 pupils from each school correct and representative?
- What controls would be in place for the proposed allocated budget to protect the young people from allegations of inappropriate use of funds as it is public money and cannot afford to expose them to those risks. It was reported that Officers would keep a close eye on the budget and finances. It was noted that the budget would start at £10k and increase if required. One key need from that budget would be to provide transport for those who would not be able to attend otherwise to ensure no one was disenfranchised. It was confirmed that this would be contracted out.
- How will they get involved in the first instance? Will the school do elections
- How will success of the pilot be measured? It was reported that it would be developed over time and would be reported back to O&S. It was noted that Staffordshire Council of Voluntary Youth Services had and would provide support and training would be imperative. It was noted that expectations would have to be managed as not all wishes and views of the Youth Council would be deliverable.

- Why has a youth council been considered first as part of the Community Power Strategy? It was reported that the youth was a largely under representative section of the community who could not be elected as Councillors to give views.
- What services is it envisioned would be improved by the introduction of a Youth Council? It was reported that all services of the Council affected young people if not now but in the future.

RESOLVED: That the views of the Committee be considered by Cabinet the item return to the Committee for review when required.

7 COMMUNITY POWER STRATEGY PROPOSAL FOR AREA PANELS

The Leader of the Council gave a presentation introducing the idea of Area Panels. It was reported that there were no firm proposals as yet but it asked if consideration should be given to allocate some budget to allow Ward Councillors to make decisions with their communities that directly affect them. It was reported that these panels would include Ward Councillors supported by Officers would work within a well-defined framework with local community organisations and stakeholders.

The Committee gave the following views

- Any work of the panels would have to be fair and transparent.

The Committee asked the following questions

- How would it be different and compliment the work of Parish Councils? It was reported that communities could be smaller than the serving Parish Council especially in the Burntwood and Lichfield areas. It was also reported that it would be giving existing District Council budgets to those areas to meet its commitments, not creating something new.
- Is there an idea of what budget would be available and what would be Revenue and what Capital as both would be important? It was reported that this had not be finalised as yet but would be Revenue with a view of drawing from Capital fund avenues if required.

RESOLVED: That a Task Group be established to consider a forthcoming Framework.

8 WORK PROGRAMME

The work programme was considered. It was noted that there would be a special meeting in December to consider budget proposals. When asked, it was noted that Task Group meetings were arranged at request of those Task Group Chairs.

RESOLVED: That the work programme be noted.

(The Meeting closed at 7.45 pm)

CHAIRMAN

OVERVIEW & SCRUTINY COMMITTEE

4 OCTOBER 2022

PRESENT:

Councillors M Wilcox (Chair), Cross, Eagland, Evans, Grange, Leytham, Ho, Robertson and Mrs Tranter

(In accordance with Council Procedure Rule No.17 Councillors Eadie, Lax, Pullen, Smith and Strachan attended the meeting).

1 APOLOGIES FOR ABSENCE

Apologies were received from Councillors Norman, A Little, Silvester-Hall and A Yeates.

2 DECLARATIONS OF INTERESTS

There were no declarations of interests.

3 MINUTES OF THE PREVIOUS MEETING

The minutes of the previous meeting held on 19 July 2022 were agreed as a correct record.

4 WORK PROGRAMME

The Committee noted the Work Programme and the Chair confirmed that the next meeting was scheduled to take place on 17 November 2022 and the Dual Waste Recycling item, MTFs and update from Task Groups were to be discussed. The Chair requested any additions/alterations to the Work Programme to be forwarded to him. If anything else is added members will be advised at the pre-O&S Teams meeting.

5 PLANNING COMMITTEE PROTOCOLS

The Committee received the amended planning committee protocols and guidance note from the Monitoring Officer as a number of concerns had been raised. Councillor Marshall, the current Chair of Planning Committee, attended virtually to explain that the protocols had been amended on the operation of the Member Call-on procedures only. It now stated that non-committee Ward Members would be given 5 minutes to speak rather than the previous 10 minutes as a number of meetings had been lengthy and protracted. Councillor Marshall explained that a test of 3 minutes for objectors/agents had also been trialled but this had not worked and so, after a discussion with the then members of the planning committee after a planning committee meeting, an informal consensus had been reached that 5 minutes should be offered to every party with a special dispensation for any non-committee Ward Member to ask the Chair for the 10 minutes if they felt 5 minutes was not long enough. Members were unhappy with the change as Ward Members represented (very often) a lot of residents and it would be the final opportunity they have to speak in objection and decisions made at Planning Committee can affect peoples' lives. It was felt 10 minutes was normally required if not more. The Chair's discretionary decision making could also be challenged and a lot of discussion took place. Members also felt the proposed changes should have come to an O&S meeting so the planning process could be revisited. Members suggested the Planning Officers should cut down their presentations rather than the speaker times. The call-in procedure was also

queried as Members were not consulted on any amendments made during an application. Would it not be possible to align the member's call-in procedure to the neighbour consultation period? Councillor Marshall noted this and had highlighted it to the planning team. Councillor Marshall stated he had a comparison chart with data from other neighbouring authorities about their allowed speaker times and it was evident that none of these authorities were as lenient as Lichfield allowing the Ward members 10 minutes.

RESOLVED:-

- (1) It was agreed that an evidence based decision was needed and Councillor Marshall was asked to collate 6 months of data from the Planning Committee meetings and return to March O&S Committee meeting; and
- (2) Cllr Marshall was asked to look at the call-in procedures with the planning team again.

6 UPDATE FROM TASK GROUPS

Councillor Baker, Chair of the New Leisure Centre Task Group attended virtually and gave an update on the task groups work to date:-

- Terms of Reference include a focus on the NEW Leisure Centre from concept through to final design and build (2024);
- Timeline developed with Lead Officers and Cabinet Members and despite additional issues to be assessed and resolved and a re-assessment of funding opportunities the project is running close to these with a slippage of approx. 3 months;
- Members have been fully engaged, motivated and spirited in their desire to deliver the best we can to match the needs of and for the benefits of all residents current and future but also aware of the financial and physical constraints;
- The need to be sustainable and have long term viability understood;
- Officers have provided hard work, support and engagement and are an integral part of the process;
- The task group have examined, discussed and suggested recommendations/next steps on a breadth of relevant topics e.g.
 - Site selection and reasoning
 - ANOG
 - Potential designs – incorporating flexibility and long term sustainability economically and adaptability as needs change
 - Funding and related facility provisions
 - Section 122 consultation and analysis of responses
 - Comms Plans, stakeholders and consultees – ongoing
 - Likely mitigations to ensure smooth passage of project now and long term
 - Co-location/partnerships
 - Appropriation and go ahead
 - Outline/reserved matters planning – next steps
- The task group is currently seeking a date for the next meeting and regular briefing meetings are held between the Chair and Officers with input from the portfolio holder as appropriate.

The following questions were asked:-

- Have we worked out the running costs?
- Have we worked out the operational costs?
- Is it a viable option long-term?
- Why has this site been chosen?

- We need an urgent comms plan sent out to residents to explain why this site has been chosen.

RESOLVED:- That the views of the Committee be considered by the Task Group and Cabinet Members.

7 HEALTH MATTERS

Councillor Wilcox reported that he had attended yesterday's Staffordshire County Council's Health & Care Overview and Scrutiny Committee on behalf of Lichfield District Council and gave his report of the meeting to the Committee:-

- George Bryan Centre - concerns still being assessed and Tamworth's Councillor Claymore and Christopher Pincher, MP, are now also involved and fighting for this facility in Tamworth. Update expected in the spring next year.
- There seems to be a change regarding the reopening of the Samuel Johnson's Maternity Services as there are not enough midwives. However, another paper was due to come back from the Integrated Care Board at November's meeting.
- Consideration for Mental Health matters including CAMHS was also discussed and this item is also due to come back to November's meeting.

Councillor Wilcox explained that the priorities seem to be GP led at the moment but he assured members that he was continuing to pressure and lobby on behalf of the district and so was Cllr Silvester-Hall who was a fellow member serving on the committee and Cllr Cox was the Vice-Chair. Members highlighted the word "transformation" used again and were concerned as mental health facilities in the community do not work and stated there were no facilities similar to the George Bryan Centre. The Stafford facility had no more room. Similarly, the Samuel Johnson Maternity Service was all set up and this hospital was meant to be a replacement for the Victoria Hospital for all the residents in the district. The Committee noted the previously circulated briefing papers provided by the Councillor Wilcox on the outcome of the County Council meetings.

RESOLVED:- The information received was noted and Councillor Wilcox assured members he would continue to lobby on behalf of the district.

8 MEDIUM TERM FINANCIAL STRATEGY

The Cabinet Member for Finance & Commissioning, Councillor Strachan, introduced this item and said, as everyone was aware, the finances in government had been moving very quickly recently so apologised that elements in the report had already been superseded.

The Assistant Director - Finance & Commissioning, Mr Thomas, gave a position statement presentation covering a selection of things that had changed very recently:-

- Spending Review 2021 and Core Spending Power
- The Medium Term Fiscal Plan – government announced very recently and changed yesterday
- The Medium Term Fiscal Plan and Local Government Funding
- The Energy Bill Relief Scheme for Businesses and other Non-Domestic Customers
- Usable Reserve Trends
- Business Rate Pooling for 2023/24

He asked members to note:-

- Core Spending Power - Percentage increases – last year this looked like a good settlement from the Spending Review for grant funding with an increase of 7.9% for

- 2022/23 – however for 2023/24 and 2024/25 there is no allowance for inflationary increases which is a bigger issue in the current economic environment.
- There is an assumption in government core spending figures that councils will raise their council tax by maximum allowable level and there is Tax base growth and the assumption is that more money will be raised locally.
 - Council tax funding is increasing and therefore a bigger proportion is being funded locally through council tax payments.
 - Funding that comes from business rates and revenues support grants reducing.
 - New homes bonus has dropped significantly in last 3 years because there has been one-off payments, at the moment there is money in the funding settlement for it but will it survive?
 - Medium term fiscal plan – This was updated yesterday so it will be published later this month now. It will set out further details of fiscal rules/how debt will be reduced.
 - Government wants to stick to spending settlements for this spending review settlement period which implies it is unlikely there will be any additional funding for local governments within that period.
 - Budget will be published in the spring with a further OBR forecast.
 - Local Government Funding - Chancellor suggested spending review levels are being adhered to so it is likely to mean public spending cuts as inflation is significantly higher than projected. Local government not immune from those cuts.
 - Although an extra £2.7 billion has been given to councils, this was based on inflation projections last year and a large portion of that is from council tax income but not the extra money; it is permission from the government to raise council tax payments locally to fund the services.
 - In our projections we have increased the cost of utility/energy costs as the government have introduced an Energy Bill Relief Scheme but only for a 6 month period to partly mitigate this impact. It does not specify local authorities are eligible but it is assumed we will fall in to its scope. However, it is not quite as generous as the headlines say, as there is not actually a cap – there is a cap to a point but then it is left to individuals to fund the difference. Finance are trying to work through the numbers and identify what level of support this gives the council as there is still an element of exposure to those costs.
 - Usable Reserve trends – level of reserves increased and District Councils have had the biggest increase because they have been exposed to the most risks with the changes through local government funding on business rates and new homes bonus schemes.
 - Business Rates Pooling – we have opted to remain in Staffordshire & Stoke on Trent business rates pool. If it is successful we as a District Council will retain approximately £400,000 which would otherwise have gone to the government. Staffordshire County Council will receive extra funding, likewise the Police and Fire Service. An outcome of whether this pool stays in place is expected in December.

A number of questions were raised by Members and answered focusing on key risk areas, budgetary pressures, inflation pressures and why another £2m had been allocated to the Birmingham Road site.

Cllr Strachan presented an overview of the MTFs Report and said this is the truly consultative phase in the budget process and comments may form part of the emerging budget plan. He appealed for comments and observations which could be assessed as part of the budget process and possibly built in. He recognised that there was a special Budget O&S Committee meeting scheduled for December.

Councillor Strachan said a number of assumptions were in the report and no longer applied as Mr Thomas had mentioned in his presentation. He told members that the funding gap of slightly over £1m was built in for the first year and confirmed this would be funded from general reserves. He reassured the committee that it was not all bad news as there was money coming from the UK shared prosperity fund – proposed investment plan presentation

later in the agenda and Mr Percival had advised him that a further £400,000 was also available from the Rural England prosperity fund which we needed to prepare an investment plan for – deadline 30 November so optimistically there were funds due to come to us as an authority.

Councillor Strachan advised that Council tax was a key area for consultation and asked members for comments on how better Lichfield could deploy the Local Council Tax Support Schemes to support the residents in our area, (there has been 1,500 consultation responses and positive support from Staffordshire County Council already)
And comment on the rates of council tax. He advised that no decision had yet been made on this and advised that he had concerns about any projection to rise council tax year by year and said it needed a careful balancing exercise.

The following questions were asked:-

- In relation to negative RSG – are we at risk of this with any of the changes?
- Re: What we can set aside on the windfalls revenue side – we have a significant employment gap between people with disabilities most deserving of support and able bodied people in district – approx. 20% - can we help?
- Inflationary pressures – gas and electricity – February is a strange time to end a support scheme, can we ask central government what is going to happen after February before January? We will need to make a decision in January at Council so any decision on the future will be difficult without knowing their future plans.
- Potential for future council tax rises – what would a freeze this year look like if we went to 1.5% the following years? Or a potential freeze this year and 2% for the following three years?
- Could Central Government move the cap on council tax increase?
- Capital Investment – additional £3.8m will not fund Leisure Centre so if dependant on other monies should it be spent elsewhere?
- Similarly re: Birmingham Road investment – we know there is a significant need for investments elsewhere, is this a good allocation of the monies?
- Re: New Depot – Is this not churlish when we have pressing needs now in city centre? Should be addressed if and when the national waste strategy is implemented.

The following observations were given:-

- Birds Street regeneration – city centre works needed more.
- Climate Change – Solar PV/insulating is very important to meet response to the climate emergency. This impact on revenue position could potentially be well received to take on.
- Greenway – liked idea – adequate linkage from greenway to public active travel routes and tourism hotspots i.e. Lichfield Cathedral to Chasewater.
- CCTV – Any discussions on CCTV should seek an investment from the Police & Crime Commissioner.
- Appendix D quotes £100,000 from the new Property Company – sceptical that this will be achieved.
- The identified potential investments are important and hope that Burntwood Town Centre does go ahead as waited such a long time for it and been promised on a number of occasions previously.
- If government are suggesting that councils will raise their council tax by maximum allowable levels and they will have to raise more money locally it does give the feeling that they are not looking at any other way of offering support.

RESOLVED:- That the views of the committee be considered by Cabinet and members give some thought to the budget in readiness for November and December's O&S meetings.

9 BRIEFING NOTE: LICHFIELD DISTRICT COUNCIL'S INVESTMENT PLAN FOR THE COUNCIL'S UK SHARED PROSPERITY FUND (UKSPF) CONDITIONAL ALLOCATION

The Deputy Leader of Cabinet and Cabinet Member for Economic Development, Councillor Eadie, gave a verbal report on Lichfield District Council's Investment Plan for the Council's UK Shared Prosperity Fund conditional allocation as a briefing note had been circulated to all in advance of the meeting.

Councillor Eadie said this funding was coming from Central Government to put in to communities – place, skills and in terms of supporting active lives. He said the projects to be invested were listed at Appendix 1, the measure of outcomes which had been identified were at Appendix 2 and Appendix 3 were things which had been considered but not requested this time. Councillor Eadie said the wording used by officers did give a little wriggle room and some small variances may be achieved but the proposals had been written as open and transparent as possible to be able to achieve the funding. He highlighted that the first thing in terms of the proposals to be delivered was a Community Hub in Burntwood as it was recognised that an investment in Burntwood was a pressing need within the district. He assured members that the project was not “Lichfield centric” and the proposals were across the whole of the district with only some financial support for the cinema development in the Lichfield area. Councillor Eadie said money was proposed to support active lives for Us Girls and Play Streets and it was evident we had also listened to businesses and there was a proposal for transport assistance to enable workforces to travel to businesses outside the local transport times on offer at the moment.

The following questions were asked:

- What is the degree of risk – is the funding ring-fenced? When is it to come and is it in jeopardy because of the current turmoil?
- Incubator space – As we do not own premises in Burntwood (other than the depot), what is plan delivering incubator space there?
- Localities work – having cash set aside is positive, but the current budget per project is £5,000 – what do we do if there is an overspend or underspend – has this got to go back to Central Government or can it be used for another project?
- How have the projects been identified?
- How are we going to involve members in the communities?
- As there are 45 projects across 22 wards and we have 47 members, how will this work?
- It was noted that £45k was due to be spent in this financial year – is this not optimistic – can we roll over or has it got to go back to Central Government?
- Can we offer Play Streets project long-term?
- Is there an opportunity to marketing in the district to talk about the manufacturing sector given the obvious strengths in the district?
- Transport assistance – Can we include the industrial estates in Fazeley as well as Fradley and Burntwood? This would serve our residents in the south and east of Lichfield.
- Workforce development – positive to upskill but can this lead to improved employment, improved economic activity and improved wages?
- Some of the projects that did not go in to the proposal – why were these decisions made not to explore and what was the criteria?

The following views were given:-

- Pleased to hear Burntwood Community Hub is a project as it has been promised for years.
- Incubator spaces – could we talk to Staffordshire County Council and partners about their premises elsewhere i.e. Chasewater Innovation Centre was used in the past.

- Pleased not Lichfield Centric as transport problems for workforce accessing industrial estates in Burntwood also.
- Project of Us Girls is fully supported.
- Delighted there had been discussion with landowners as not been able to do things we want to because of land banking, mainly in the Chasetown Ward.

RESOLVED:- That the views of the committee be considered by Cabinet.

10 DELIVERY OF DISABLED FACILITIES GRANTS

The Cabinet Member for Housing, Ecology & Climate Change, Councillor Lax, introduced the briefing paper on Delivery of Disabled Facilities Grants and said there was also a Cabinet Report now available with all the financial details as all legal issues had now been resolved and this item was no longer in private and confidential.

Councillor Lax advised that this was no longer going to be a shared service with Tamworth Borough Council and it would mean we have control of the service and can monitor as we go along and provide a holistic approach. She reassured members that the money to be used was ring-fenced and thanked Anthony Thomas, Lucy Robinson and Simon Fletcher for all the work to date.

Councillor Lax said the current contract with Millbrook expires on 31 March 2023 and we will take over the contract with support from Cherry Whites, the outside consultants we currently use, who will stay on board as we transition over and offer their expertise and support. She advised that Lucy Robinson had secured the computer system for exclusive use at Lichfield and the service would run like an in-house service and would mean we will be able to apply our own housing assistance policy and make decisions relating to the mandatory grants as well as discretionary grants if suitable. Councillor Lax said we will be using an Independence Community Interest Company (Plymouth) Dynamic Purchasing System whereby any contractor locally can apply to be registered and “cleared” by the company at no expense to them and they will provide us with the due diligence for the contractor providing warranties for the work they do and providing insurance etc. etc. It was envisaged that once on that system we can grow our own pool of contractors and have a more dynamic team who can respond more speedily than that which we have experienced with the current provider. It will also mean we can use staff from within our own property company (Latco) who have the skillsets for the work to be carried out i.e. surveyors. It was known that some staff will be TUPE’d over to us from Milbrook which is a legal requirement but the details were yet to be received.

The following questions were asked:-

- We know there is circa 200 people on a backlog list – what will we do to tackle this?
- Will we see regular data to see how we are performing as an organisation in delivery going forward? (Briefing papers perhaps every 3 months after April 2023 suggested).
- What pressure will we put on the people who are providing the adaptations?
- Have we set a target on how many adaptations we want to see happen?
- Will staff TUPE’d over receive additional training to perform appropriately and not bring any bad habits with them?

The following views were given:-

- Great to see this service as there have been issues for a long, long time and we have to get it right. Happy to see stated a “seamless customer journey” as this is vitally important for people who need disability grants. We need a much more robust service.
- Need to ensure backlog of cases dealt with.
- Greater chance of being successful if running it on our own.
- The biggest factor on this was the delivery of Milbrook to do the job when they said they would.

- Very pleased with new service but we have previously offered this service with our own in-house staff and it went outside to the professionals to deliver, do hope we have the staff in place to take on this big responsibility, a lot of homework, a lot of visiting, a lot to take on as it is a vast job.
- Scheme welcomed.

RESOLVED:- That the views of the committee be considered by Cabinet.

11 DUAL STREAM RECYCLING IMPLEMENTATION

This item was deferred to the next meeting to be held on 17 November as the Cabinet member was unable to attend today's meeting.

12 EXCLUSION OF PRESS AND PUBLIC

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

13 JOINT VENTURE

The Chief Executive, Mr Simon Fletcher, reported that there was now a Cabinet report available relating to the joint venture between the District Council and Evolve Estates (owners of the Three Spires Shopping Centre) to deliver a cinema and associated food and beverage units. It was noted that the MTFS would be updated to include this project in the Capital Programme.

It was asked if full consultation had taken place with all the shops in the precinct as flag ship stores at the proposed site had previously been successful for drawing a daytime economy and a cinema may be aimed more at a night time economy causing concern of reduced footfall for those other retail shops. It was reported that Evolve Estates were undertaking this consultation and they would be asked to supply the responses as soon as possible.

RESOLVED: That the item be noted.

(The Meeting closed at 8.30 pm)

CHAIR

PLANNING COMMITTEE

4 JULY 2022

PRESENT:

Councillors Marshall (Chair), Baker (Vice-Chair), Anketell, Barnett, Birch, Checkland, Evans, Matthews, Powell, Salter and Tapper

5 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Ray, Councillor Cross and Councillor S Wilcox.

6 DECLARATIONS OF INTEREST

There were no declarations of interests.

7 MINUTES OF PREVIOUS MEETING

The Minutes of the meeting held on 6 June 2022 previously circulated were taken as read, approved as a correct record and signed by the Chair.

8 PLANNING APPLICATIONS

Applications for permission for development were considered with the recommendations of the Chief Executive and any letters of representation and petitions of observations/representations received together with the supplementary report of observations/representations received since the publication of the agenda in association with Planning Application 21/00016/FULM

21/00016/FULM – Erection of 3 storey, 78 bed care home with community hub room and associated car parking/access arrangements

Former site of Bridge Cross Garage, Cannock Road, Chase Terrace, Burntwood

FOR: Mr N Sellman

RESOLVED:- That this planning application be REFUSED for the following reasons:-

Reason 1: The proposed development which comprises of a 3 No. storey building due to its scale, form and design would fail to respect the character and appearance of the surrounding area. The proposals are therefore contrary to Lichfield District Local Plan (2015) Policies CP1 (Spatial Strategy), CP3 (Delivering Sustainable Development), CP14 (Our Built & Historic Environment) and BE1 (High Quality Development), the Sustainable Design Supplementary Planning Document (2015), Policies B1 (Burntwood Town Centre), B5 (Enhancing the Identity and Distinctiveness of Local Neighbourhoods) and B6 (Promoting Good Quality Design in New Housing Development) of the Burntwood Neighbourhood Plan (2021) and the National Planning Policy Framework.

Reason 2: The proposed development of a care home with limited mixed use would be contrary to Core Policy 8 (Our Centres), Policy Burntwood 1 (Burntwood Environment) of the Lichfield District Local Plan Strategy (2015), Policy Burntwood 3 (Burntwood Economy) of the Lichfield District Local Plan Allocations (2019) and Policies B1 (Burntwood Town Centre) and

B2 (Improving the Environment of Burntwood Centre) within the Burntwood Neighbourhood Plan (2021) and the National Planning Policy Framework.

Reason 3: The proposed use of the development which comprises of a care home, housing vulnerable and elderly residents would conflict with surrounding uses within the town centre of Burntwood. The proposals are therefore contrary to Lichfield District Local Plan (2015) Policies CP1 (Spatial Strategy), CP3 (Delivering Sustainable Development), and BE1 (High Quality Development), Policy Burntwood 3 (Burntwood Economy) of the Lichfield District Local Plan Allocations (2019), the Sustainable Design SPD, Policies B5 (Enhancing the Identity and Distinctiveness of Local Neighbourhoods) and B6 (Promoting Good Quality Design in New Housing Development) of the Burntwood Neighbourhood Plan (2021) and the National Planning Policy Framework.

Reason 4: The proposal would lead to traffic congestion, resulting in an unacceptable highways impact, in conflict with Core Policies 1 (The Spatial Strategy), 3 (Delivering Sustainable Development), and 5 (Sustainable Transport), and Policy ST1 (Sustainable Travel) of the Lichfield District Local Plan Strategy (2015); and the National Planning Policy Framework.

(Prior to consideration of the application, representations were made by Councillor Darren Ennis (Ward Councillor) and Mr Paul Shuker (Applicant's Agent)).

(The Meeting closed at 7.05 pm)

CHAIR

PLANNING COMMITTEE

1 AUGUST 2022

PRESENT:

Councillors Marshall (Chair), Baker (Vice-Chair), Anketell, Barnett, Checkland, Cross, Evans, Matthews, Powell, Tapper and S Wilcox

9 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Birch, Humphreys, Ray and Salter.

10 DECLARATIONS OF INTEREST

Councillor Cross declared a personal interest on Agenda Item no. 4 – application 22/00627/FUL as the applicant is known to him and he is a ward member for Alrewas.

Councillor S Wilcox declared a personal interest on Agenda Item no. 4 – application 22/00627/FUL as the applicant is known to her and she is a ward member for Alrewas.

11 MINUTES OF PREVIOUS MEETING

The Minutes of the meeting held on 4 July 2022 previously circulated were taken as read, approved as a correct record and signed by the Chair.

12 PLANNING APPLICATIONS

Applications for permission for development were considered with the recommendations of the Chief Executive and any letters of representation and petitions of observations/representations received together with the supplementary report of observations/representations received since the publication of the agenda in association with Planning Application 22/00558/FUH and 22/00627/FUL

22/00558/FUH – Erection of two storey front side and rear extensions
96 Gaia Lane, Lichfield, Staffordshire, WS13 7LS
FOR: Mr & Mrs K Bhopal

THIS APPLICATION WAS FORMALLY WITHDRAWN BY THE APPLICANT PRIOR TO THE MEETING

22/00627/FUL–Erection of a 4 bedroom detached dwelling and detached double garage and associated works
Land Rear 156 Main Street, Alrewas, Burton upon Trent, Staffordshire
FOR: Dr Iain MacGregor

RESOLVED: That this planning application be approved subject to the owners/applicants submitting a Unilateral Undertaking relating to the payment for recreational mitigation for the Cannock Chase SAC and to the conditions contained in the report and supplementary papers of the Chief Executive, with amended wording to condition 4, to read:-

4. Before the development hereby approved is commenced, a detailed planting scheme (incorporating the retention of any existing trees, hedges and additional planting to the boundaries of the site where necessary) shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of safeguarding residential amenity and enhancing biodiversity in line with Policies CP3, CP13, NR3 and BE1 of the Lichfield Local Plan Strategy, the Biodiversity & Development SPD, and the National Planning Policy Framework.

(Prior to consideration of the application, representations were made by Councillor Mike Wilcox (non-committee Ward Councillor)).

Note: Prior to the resolution, a motion to refuse the application on the grounds that it was not in accordance with the Alrewas Neighbourhood Plan, in that it did not provide affordable housing and was development in an infill site; and that for highway safety reasons a construction management plan should be submitted and approved prior to the grant of planning permission was moved and seconded. However, it was put to the vote and the motion was lost.

(The Meeting closed at 6.50 pm)

CHAIR

PLANNING COMMITTEE

5 SEPTEMBER 2022

PRESENT:

Councillors Marshall (Chair), Baker (Vice-Chair), Anketell, Birch, Checkland, Cross, Evans, Humphreys, Matthews, Salter and S Wilcox

13 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Barnett, Powell and Ray.

14 DECLARATIONS OF INTEREST

There were no declarations of interests.

15 MINUTES OF PREVIOUS MEETING

The Minutes of the meeting held on 1 August 2022 previously circulated were taken as read, approved as a correct record and signed by the Chair.

16 PLANNING APPLICATIONS

Applications for permission for development were considered with the recommendations of the Chief Executive and any letters of representation and petitions of observations/representations received together with the supplementary report of observations/representations received since the publication of the agenda in association with Planning Applications 21/0166/FUL & 22/00932/FUH

21/01661/FUL – Demolition of 1 no. disused office building and erection of 1 no. detached dwelling
Index Fund Advisors Ltd, 35 Little Aston Hall, Aldridge Road, Little Aston
For: R Lallie

RESOLVED: That this planning application be approved subject to the conditions contained in the report of the Chief Executive.

Location Plan number to be clarified on list of approved plans as Rev B.

(Prior to consideration of the application, representations were made by Mr John Amyes (Objector) and Mr Guy Poole (Applicant's Agent)).

22/00932/FUH – Erection of single storey side and rear extension to form entrance hall and living room
17 Trafalgar Way, Lichfield
For: Miss Melanie Dewe

RESOLVED: That this planning application be approved subject to the conditions contained in the report of the Chief Executive.

(The Meeting closed at 7.12 pm)

CHAIR

PLANNING COMMITTEE

3 OCTOBER 2022

PRESENT:

Councillors Marshall (Chair), Anketell, Birch, Checkland, Cross, Evans, Humphreys, Matthews, Powell, Ray and Salter

17 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Baker, Barnett and S Wilcox.

18 DECLARATIONS OF INTEREST

There were no declarations of interests.

19 MINUTES OF PREVIOUS MEETING

The Minutes of the meeting held on 5 September 2022 previously circulated were taken as read, approved as a correct record and signed by the Chair.

20 PLANNING APPLICATIONS

Applications for permission for development were considered with the recommendations of the Chief Executive and any letters of representation and petitions of observations/representations received together with the supplementary report of observations/representations received since the publication of the agenda in association with Planning Applications 22/01047/COU & 22/01081/COU

22/01047/COU - Retention of change of use from scrub verge to residential garden and new boundary fence
76 Giles Road, Lichfield, WS13 7JY
For: Cheryl Rooke

RESOLVED: That this planning application be approved subject to the conditions contained in the report of the Chief Executive and two additional conditions:-

- (1) Within one month of the date of this permission a bat or bird box shall be installed within the site. The bat or bird box shall thereafter be retained as such for the life of the development.

Reason: In order to encourage enhancements in biodiversity and habitat, in accordance with the requirements of Policy NR3 of the Local Plan Strategy, the Biodiversity and Development Supplementary Planning Document and the National Planning Policy Framework.

- (2) The gate shall be hung so that it shall only open inwards.

Reason: In the interests of highway safety in accordance with Policy BE1 of the Local Plan Strategy and the National Planning Policy Framework.

(Prior to consideration of the application, representations were made by Councillor Dave Robertson (Ward Councillor) and Mr Ben Rayner (Applicant's Agent)).

22/01081/COU - Retention of change of use from scrub verge to residential garden and new boundary fence
78 Giles Road, Lichfield, WS13 7JY
For: Mr Howard Moth

RESOLVED: That this planning application be approved subject to the conditions contained in the report of the Chief Executive and two additional conditions:-

- (1) Within one month of the date of this permission a bat or bird box shall be installed within the site. The bat or bird box shall thereafter be retained as such for the life of the development.

Reason: In order to encourage enhancements in biodiversity and habitat, in accordance with the requirements of Policy NR3 of the Local Plan Strategy, the Biodiversity and Development Supplementary Planning Document and the National Planning Policy Framework.

- (2) The gate shall be hung so that it shall only open inwards.

Reason: In the interests of highway safety in accordance with Policy BE1 of the Local Plan Strategy and the National Planning Policy Framework.

(Prior to consideration of the application, representations were made by Councillor Dave Robertson (Ward Councillor) and Mr Ben Rayner (Applicant's Agent)).

(The Meeting closed at 7.00 pm)

CHAIR

EMPLOYMENT COMMITTEE

13 JULY 2022

PRESENT:

Councillors Matthews (Chair), Banevicius, Robertson and Tapper

1 APOLOGIES FOR ABSENCE

Apologies were received from Councillors Wilcox, Birch, Gwilt, Parton-Hughes, Powell and Warfield

2 DECLARATIONS OF INTEREST

There were no declarations of Interests.

3 MINUTES OF THE PREVIOUS MEETING

The minutes of the previous meeting were agreed as a correct record.

4 EXCLUSION OF PRESS AND PUBLIC

5 TARGET OPERATING MODEL (TOM) PROPOSALS PRESENTATION

The Committee received a report and presentation on the proposed Target Operating Model. This presentation included an overview of the impact the existing redundancy policy has had on the Target Operating Model and how this has resulted in incremental changes to the structure of the organisation to achieve the required final structure.

It was confirmed that full consultation has taken place with the Union, ELG and all staff. Official consultation will commence following Employment Committee on the 14 July 2022.

The Committee requested further clarity in relation to the LWMTS and whether any of the staff within some service areas would be subject to a TUPE agreement. It was confirmed that the business plan for LWMTS is to start small and build over time, however, there is no intention to TUPE staff into the LWMTS.

The Committee received reassurances that there will be no redundancies during this transition to the Target Operating Model as there are more roles than officers due to organic staff turnover and the voluntary severance scheme.

The Committee requested assurances that there is sufficient capacity within the Human Resources Service to deliver the transition to the Target Operating Model within the timescale. It was confirmed that there will be no changes to 90% of the staff and therefore this transition will not be resource intensive, an external consultant has been recruited on a temporary basis to facilitate the large scale changes.

It was then confirmed that all sites will be developed to facilitate hot desking by all staff, location and mobility clauses exist within contracts to support this and training for staff to facilitate increasing collaboration will be delivered from existing budgets.

RESOLVED: (1) The Target Operating Model proposal was noted and approved in principle

6 VOLUNTARY SEVERANCE APPLICATIONS

The Committee received a report on the voluntary severance applications, both provisionally approved and provisionally rejected.

It was confirmed that 15 applications were received in total, a few of which could not be supported due to the cost implications and because some of these roles were necessary within the Target Operating Model.

Support was requested from the Committee to hold a second round of applications for redundancy severance and confirmed that where the cost implication is due to an actuarial strain these will be brought before Employment Committee. Where the costing is below £25,000 and the applicant is not age 55 these could be progressed and reported to Committee as a Briefing Note.

RESOLVED: (1) The Committee approved the actuarial strain costs for the applications set out in Appendix 1

(2) Other payments, updated EIA and the reasons for rejection were noted by the Committee

(3) The Committee delegated authority to the Chief Operating Officer in consultation with Leadership Team to open further application windows as required to achieve the Target Operating Model and associated savings providing it is within budget and subject to reporting of applications accepted to the Committee

(The Meeting closed at 7:00pm)

CHAIRMAN

AUDIT AND MEMBER STANDARDS COMMITTEE

21 JULY 2022

PRESENT:

Councillors Spruce (Chair), Ho (Vice-Chair), Grange, Norman, Robertson, Silvester-Hall, White and M Wilcox

Officers in Attendance: Will Stevenson, Anthony Thomas

Also Present: Kirsty Lees (External Auditor), Councillor Rob Strachan (Cabinet Member for Finance, Procurement and Revenues & Benefits)

1 APOLOGIES FOR ABSENCE

There were apologies from Councillor R. Cross.

2 DECLARATIONS OF INTEREST

There were no declarations of interest during this item. However, Councillor Ho subsequently declared a personal interest during Item 6 (Internal Audit Progress Report) as his family's business is subject to food safety inspections.

3 MINUTES OF THE PREVIOUS MEETING

The minutes of the meeting held on 20 April 2022, previously circulated, were taken as read and approved as a correct record.

4 ANNUAL TREASURY MANAGEMENT REPORT

Anthony Thomas (Assistant Director Finance & Commissioning) presented the annual treasury management report to the committee. Mr Thomas noted that the draft statement of account has been completed well in advance of the 31st July deadline and was now in the process of being audited. It was highlighted that the income from capital receipts was higher than the original budget of £296,000 by £219,335. This was primarily due to higher than planned Bromford Right to Buy Sales achieved. The Long Term Pension Liability had seen a roughly £19,000,000 swing from budget to actual, which had naturally had a large impact on the balance sheet. This was mainly due to financial assumptions used in the second of three reports by the Pension Fund Actuary. Other factors were noted including higher working capital and earmarked reserves due to Central Government providing council tax rebates in advance of their spend. The Prudential Indicators will be sent to Full Council later in year, but the committee were assured that all were compliant, and no breaches were recorded.

In response to questions from members regarding the adequacy of reserves, Mr Thomas explained that there had been a net loss of about £200,000 due to very volatile economic circumstances. It was stated that these conditions may mean that number could swing further in the following months. Noting the loan paid back on 31st March 2022, members asked if it was worth considering an early repayment of the second PWLB loan listed on page 20. Mr Thomas confirmed that this option will be considered. He confirmed officers could also review the potential for increased costs of ongoing projects rolling into other years.

Members noted that SR1 items 'C' and 'D' were still ranked as Red. The committee were informed that the recent resignation of the relevant Secretary of State had added unwanted

uncertainty on this. When asked if there was a concern about fixed term investments LDC has with unitary authorities, Mr Thomas clarified that the local authorities in question have different support arrangements with their devolved administrations than those in England.

RESOLVED: The committee approved to review the report and issues raised within. The committee also approved to review the actual 2021/22 Prudential Indicators contained within the report.

5 CIPFA RESILIENCE INDEX

Mr Thomas presented the report to committee, explaining that this is the third year the resilience index has been published; it is designed to improve and support local authority financial resilience by showing a range of measures associated with financial risk. The report notes that there are currently more interventions taking place in local government than ever before. The index is backward-looking, so for 2022 it starts to identify the impact of the pandemic. However, looking forward, the strategic risk register continues to show a risk around the availability of finance which is currently in the red zone due to local government finance reform, some residual impact from the Covid-19 pandemic and ongoing inflationary pressures. It was confirmed that the authority is procuring a new insurance provider currently, and officers are interested to see the impact of this change.

Commenting on the figures involved, members agreed that it was wise to err on the side of caution at the present time.

RESOLVED: The Committee noted the results of the CIPFA Resilience Index for 2022.

6 INTERNAL AUDIT PROGRESS REPORT

The Assistant Director Finance & Commissioning (Anthony Thomas) presented this report in the absence of the Audit Manager (Andrew Wood). Mr Thomas explained that as of this first quarter, 10% of the audit plan has currently been completed. The reasons for this slow pace include several grant assurance items – each requiring a sign off and extra resources - that were not envisioned initially. The authority is in the process of procuring a general auditor and these resources should be sufficient to complete the audit plan. However, there is a risk that the current rate of organisational change within the council means that target may not be achieved. It was confirmed that the Audit Manager is working towards achieving 90% of the audit plan. All outstanding high priority recommendations will be revisited, and the committee kept updated of their progress.

Members raised significant concerns about the pace of the audit plan and increase in risk levels. Though sympathetic to the impact of external forces outside the authority's control, the committee noted that it is their obligation to highlight this issue, urging officers to find the resources to tackle these issues before they grow beyond control. They raised five outstanding high priority actions that had been identified for the last five quarters, urging that these be acted upon as soon as possible. Mr Thomas confirmed these issues have been raised with officers and the early stage of the current audit means that there is time for the plan to catch up. However, it was still important to raise the potential risk of external impacts with the committee.

Members requested further detail from Mr Wood regarding the Debtors System discussed on page 48.

RESOLVED: With concerns raised, the committee noted the Internal Audit Quarterly Progress Report, including results for the quarter to 30 June 2022.

7 QUALITY ASSURANCE AND IMPROVEMENT PROGRAMME/PUBLIC SECTOR INTERNAL AUDIT STANDARDS

In the absence of Mr Wood, Mr Thomas presented the report to the committee. As part of the annual self-assessment, Internal Audit operations were reviewed by the Audit Manager and judged to be compliant. These operations would be subsequently subjected to an external quality assessment too. External quality assessments are completed every 5 years, with the last one completed in 2017, and the next one scheduled for this year. At conclusion, this report will be sent to the Audit & Member Standards Committee.

RESOLVED: The committee noted Internal Audit's compliance with the PSIAS and the QAIP.

8 RISK MANAGEMENT UPDATE

In the absence of Mr Wood, Mr Thomas presented the Risk Management report to the committee, including the strategic risk register, last updated by Leadership Team on June 22nd this year. At present, SR1 is the only indicator outside of risk appetite, mainly due to external factors. Horizon Scanning risks identified included voter registration requirements, and the impact of Ukrainian visitors to the district through the potential for breakdown of relationships between hosts and visitors.

Members questioned why SR7 has been reduced from a score of '9' to '6' given that the risk of a cyber-attack has not gone away. Mr Thomas explained that the score was increased significantly at the outbreak of the Russo-Ukrainian War 2022, but at this point there has been no indication of a cyber-attack taking place at LDC. Members noted a recent report from the National Cyber Security Centre specifically suggesting that local authorities should not be complacent about this risk and requested SR7 be reviewed again.

Noting that the AEA recently wrote to the Secretary of State stating that the timescales for voter registration plans were not sufficient, members suggested this risk should be looked at again.

The committee raised significant concerns that 5 out of 7 risks are currently scored '9' and raised the possibility of a ceiling on the cumulative total of risk scores that could be deemed acceptable. Members expressed keen interest in inviting the Chief Executive and managers responsible for areas of risk to come before the committee to provide further detail and accountability.

Members requested clarification from Mr Wood on why SR2 has not increased through a period of significant managerial change within the council.

RESOLVED: The committee noted the risk management update and received assurance on actions taking place to manage the Council's most significant risks, subject to the significant concerns raised by the committee. Members requested that the Chief Executive and a manager responsible for an area of risk, both be invited to the next meeting.

9 WORK PROGRAMME

RESOLVED: Members noted the contents of the work programme for the 2022/23 year.

(The Meeting closed at 7.06 pm)

CHAIR

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AUDIT AND MEMBER STANDARDS COMMITTEE

29 SEPTEMBER 2022

PRESENT:

Councillors Spruce (Chair), Ho (Vice-Chair), Cross, Grange, Robertson and White

Officers in Attendance: Laura Brentnall, Simon Fletcher, Mark Hooper, Will Stevenson, Anthony Thomas, Andrew Wood

Also Present: Kirsty Lees (External Auditor), Councillor Rob Strachan (Cabinet Member for Finance and Commissioning)

10 APOLOGIES FOR ABSENCE

There were apologies from councillors Norman, M Wilcox and Silvester-Hall.

11 DECLARATIONS OF INTEREST

There were no declarations of interest.

12 MINUTES OF THE PREVIOUS MEETING

The minutes of the meeting held on 21 July 2022, previously circulated, were taken as read and approved as a correct record.

13 LEADERSHIP TEAM RESPONSE TO QUESTIONS RAISED AT THE PREVIOUS MEETING

This item follows a request by the committee at the previous meeting to seek follow up answers on several questions. Overall, 6 questions were taken to Leadership Team, reviewed and the formulated responses distributed to members. The committee had also requested the attendance of the Chief Executive to answer and subsequent questions.

Simon Fletcher (Chief Executive) thanked the committee for the invitation and shared their concerns regarding some priority recommendations in the internal audit. He reassured members that these matters were being taken very seriously and that Leadership Team takes a thorough line-by-line approach to scrutinising risk register priority recommendations. Mr Fletcher confirmed that whilst there have been issues recruiting key posts within the organisation, the strategic decision to hold certain positions vacant could now be reduced from a period of 3 months to 1 month. He also confirmed the successful recruitment of a new individual to the talent acquisition role. In responses to member questions, Mr Fletcher confirmed that he was not in favour of relaxing the scheme of delegation and his priority was to fill the vacant posts instead.

Members highlighted that last year, unfinished items were subsequently pushed into this year's Audit Plan and hoped that this would not be repeated this year. Andrew Wood (Audit Manager) said he was optimistic and estimated that a minimum 90% of the plan will be completed. Whilst Mr Wood could not completely rule out the possibility of an audit that rolls into next year, he was confident in completion being achieved near the start of April 2023. Mr Wood highlighted that at this stage last year, completion was roughly 6%, whereas this year it stands at roughly 22%.

Responding to members questions on recruitment, Anthony Thomas (Assistant Director Finance & Commissioning) cited a general aging of the local government workforce, alongside increased agile working removing the need to work locally, as causing a number of recruitment issues. He noted working conditions and salary as potential incentives to drive recruitment. Beyond that, increased training and development of staff would be an essential step. Mr Fletcher added that approaches to recruitment, such as seeking and acquiring talent rather than waiting for applicants would be key.

Following members questions on the risk management update, Mr Fletcher confirmed this was reviewed thoroughly by Leadership Team. He confirmed that Leadership Team will now be seeing internal audit recommendations more frequently and will be creating star chambers to discuss performance with managers in more depth. Mr Thomas added that the horizon scanning section allows the authority to flag any unforeseen or live risks.

Members expressed concern at the number of amber risks on the register that are close to becoming red. They asked that their hope to see a few of these risk levels reduced in the next update be noted. Members highlighted the importance of the Audit & Member Standards committee as the only form of democratic oversight of the risk register and the responsibility they had to constituents as a result. Mr Fletcher expressed his appreciation of the committee and letters previously received from the Chair. The Chair thanked the Chief Executive for his support.

RESOLVED: The committee noted the response from Leadership Team to the questions raised at the previous meeting and were satisfied with the answers received to subsequent questions.

14 RIPA REPORTS POLICY AND MONITORING

Mark Hooper (Governance Manager & Monitoring Officer) presented the report. He confirmed as part of the annual report to ensure compliance within the code of practice, that no covert surveillance or covert human intelligence sources had been used for the 2021-2022 financial year. Mr Hooper also confirmed there were no uses currently awaiting approval. He explained that the report contained minor changes of policy this year, to increase resilience and account for changing posts. Issues surrounding social media will be addressed in ongoing training.

In response to member questions on the potential usage of these powers in cases of uncollected business rates, Mr Fletcher confirmed that in instances of an open and established business, there was often no need for covert action when a direct approach can be taken much more easily. Mr Thomas added that in council tax cases, a proactive approach is preferred, including contacting residents, establishing payment plans, etc.

RESOLVED: The committee noted the RIPA monitoring report for the 2021-2022 financial year and approved the updates to the Corporate Policy and Procedure for RIPA as set out in Appendix 1 of the report.

15 VERBAL UPDATE ON THE AUDIT FINDINGS REPORT FOR LICHFIELD DISTRICT COUNCIL 2021/2022

The verbal update was given by Kirsty Lees (External Auditor). She confirmed that the Audit Findings Report for Lichfield District Council 2021/2022 was close to completion, though highlighted issues in utilising the new ledger provided by a third party. She understood that the Finance Team have struggled with recruitment and retention of staff but wanted to express thanks for their continued support in responding to queries and providing required information. Ms Lees confirmed that the report will be presented at a special committee on 23rd of November. She confirmed that she had written to the Chair, informing him of the report being

delayed. She had been informed at the start of September that the pension audit was on track to be completed on time.

Members requested an additional update be added to the agenda of November 30th, to discuss the impact of the OBR report due to be published shortly before this meeting.

RESOLVED: The committee noted the information and thanked the External Auditors for the verbal update.

16 WORK PROGRAMME

RESOLVED: Members noted the contents of the work programme for the 2022/23 year.

17 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 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

18 JOINT VENTURE

Mr Fletcher and Mr Thomas provided the committee with a verbal update on the proposed joint venture to deliver a cinema for Lichfield. Responding to members questions on the timescale of these plans, Mr Thomas anticipated the plan would go to cabinet in October, before going to council later that month.

RESOLVED: The committee noted the information and thanked Mr Fletcher and Mr Thomas for the verbal update

(The Meeting closed at 6.56 pm)

CHAIR

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Public Document Pack Agenda Item 10

REGULATORY AND LICENSING COMMITTEE

28 SEPTEMBER 2022

PRESENT:

Councillors B Yeates (Chair), Checkland (Vice-Chair), Anketell, Cross, Eagland, L Ennis, Evans, Salter, Mrs Tranter and Warfield

13 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Barnett, A Little and Ray.

14 DECLARATIONS OF INTEREST

Councillors Anketell, Checkland, and Warfield declared a non-pecuniary interest in Item 7 as members of Lichfield City Council.

Councillor Eagland declared a non-pecuniary interest in Item 7 as a member of Lichfield City Council and as the Staffordshire County Councillor for Lichfield Rural North.

Councillor Salter declared a non-pecuniary interest in Item 7 as the Chair of Shenstone Parish Council.

Councillor Cross declared a non-pecuniary interest in Item 7 as a member of Fradley and Streethay Parish Council.

15 MINUTES OF THE PREVIOUS MEETING

The minutes of the previous meeting were taken as read and approved as a correct record by the Chair.

16 WORK PROGRAMME

The committee noted the current contents of the work programme and were informed that this may be amended before the next meeting.

17 PROPOSED DIVERSION OF PUBLIC FOOTPATH NO. 0.333 (PART) IN THE PARISH OF BURNTWOOD

Robin Carr (Public Rights of Way Consultant) presented the report to the committee. Mr Carr explained that whilst there were no objections in principle to the diversion there had been one or two technical issues relating to diversion in the past. However, he confirmed that there were being addressed by new orders and changes to the alignments.

Members outlined concern at the past approach of developers; building properties and developments without seeking permission to divert any existing footpaths beforehand. It was confirmed that any potential condition put in place to mitigate this would be a matter for the Planning Committee. The Chair confirmed that the concerns expressed would be passed on.

RESOLVED: The committee approved the proposed diversion of Public Footpath No. 0.333 (part) in the Parish of Burntwood as set out in Appendix A of the report.

18 PROPOSED DIVERSION OF PUBLIC FOOTPATH NO. 6 (PART) IN THE PARISH OF ELFORD

Robin Carr (Public Rights of Way Consultant) presented the report to the committee. Mr Carr outlined that the path has historically been obstructed by the social club and housing association homes. This proposal deals with the social club element and is necessary to facilitate development to take place in the future. It was confirmed that the continuation of the footpath outside of the development site is due to be addressed by the County Council. Mr Carr informed the committee that the developers had been in discussion with the Parish Council on this matter and the Parish Council had indicated strong opposition to any proposal to extinguish the footpath entirely.

Members agreed that whilst diversion was a sensible course of action, they believed that developers should seek permission to divert footpaths before beginning any proposed developments.

RESOLVED: The committee approved the proposed diversion of Public Footpath No. 6 (part) in the Parish of Elford as set out in Appendix A of the report.

19 COMMUNITY GOVERNANCE REVIEW - STAGE II CONSULTATION

Mark Hooper (Governance Manager & Monitoring Officer) presented the report to the committee. He explained that the report summarises key issues identified during the second stage consultation, with a view to agreeing final recommendations, as set out in section 3.11 of the report.

The new proposals involved revising the number of parish members to 10 for Fradley and 7 for Streethay parish councils. No objections were received in relation to the proposal to reduce Longdon from 11 to 9 members. The committee was informed that Lichfield City Council had agreed with additions to Curborough and Leomansley additions but did want to reduce the St Johns ward from 6 to 5 members, due to increased development there over coming years. The cumulative effect of all proposed changes would take the City Council from 27 to 28 members.

Mr Hooper confirmed to members that there was no need to include Shenstone parish council in the order as there is no recommendation for change on that parish.

RESOLVED: The committee gave consideration to the draft Community Governance Review recommendations as set out in section 3.11 of the report and determined these final recommendations to be submitted to Council for approval.

(The Meeting closed at 6.20 pm)

CHAIR

MTFS and Governance Updates

Cabinet Member for Finance and Commissioning

Date: 20 October 2022
 Agenda Item: 11
 Contact Officer: Anthony Thomas
 Tel Number: 01543 308012
 Email: Anthony.thomas@lichfielddc.gov.uk
 Key Decision? YES
 Local Ward All Wards
 Members



Council

1. Executive Summary

Money Matters: 2022/23 Review of Financial Performance against the Financial Strategy

- 1.1. The Council has received external funding from Changing Places and the United Kingdom Shared Prosperity Fund that require an update to the Medium Term Financial Strategy to reflect the grant income and the matching expenditure.

Money Matters: Review of Reserves

- 1.2. Local Authorities can establish reserves to help cushion the impact of uneven cash flows and avoid unnecessary temporary borrowing, to cushion the impact of unexpected events or emergencies and earmarked reserves to meet known or predicted events.
- 1.3. In addition, capital reserves are retained in relation to Capital receipts (these resources result from the sale of assets) and Capital grants and contributions (these resources relate to Capital Grants, Community Infrastructure Levy, Special Areas of Conservation and Section 106).
- 1.4. The level of reserves has increased across local government since 2013/14 due to the localisation of Council Tax Support and the local retention of Business Rates. The levels have further increased since 2020/21 due to COVID grants.
- 1.5. The various comparisons available show that the Council's reserves were in a healthy position relative to all District Councils and this provides an element of resilience for financial 'shocks' such as the COVID-19 pandemic.
- 1.6. However, it is important to note that whilst the short term picture based on the increases in reserves may appear to suggest that generally local government finances are sustainable, there remains concern about the medium-term to long-term outlook which remains unsettled and uncertain.
- 1.7. The Capital Strategy risk assessment identified a significant risk that the Capital Programme did not include investment to realise all of the Council's strategic aims and this was reiterated in the Corporate Peer Challenge.
- 1.8. A review of reserves has been undertaken with the aim of repurposing reserves to provide funding for strategic priorities.

A Cinema for Lichfield District

- 1.9. The paper proposes a significant financial investment by the council in its role as place-shaper for our district, to spark the regeneration of the site known as 'Birmingham Road', adjacent to the district council house in the centre of Lichfield city.
- 1.10. It seeks support for the creation of a joint venture partnership with Evolve Estates (owners of the Three Spires Shopping Centre) through which a new cinema and associated food and beverage (F&B) units will be developed.

2. Recommendations

2.1. Council approve:

Money Matters: 2022/23 Review of Financial Performance against the Financial Strategy

- The creation of a Capital Programme project for Changing Places funded by external grant of **(£94,285)**, which is to deliver Changing Places public conveniences at Swan Island and the National Memorial Arboretum.
- An update to the Medium Term Financial Strategy to reflect the budgets shown in the financial implications that will be funded by the three year UKSPF allocation of **(£3,285,310)**.

Money Matters: Review of Reserves

- To repurpose earmarked reserves and agree changes to the Capital Programme to release reserves that will result in the strategic priorities reserve balance of **(£5,169,000)**.

A Cinema for Lichfield District

- Lichfield District Council enter a joint venture Limited Liability Partnership (LLP) with Evolve Estates (subject to any issues identified in relation to financial standing and independent valuation of the Debenham's building being satisfactorily addressed) for the purposes of developing a new cinema and associated food and beverage units in the former Debenhams store on the Three Spires retail site.
- Delegated authority be granted to the Leader and Chief Executive Officer to finalise the details of the LLP in consultation with the Monitoring Officer and S151 Officer subject to financial implications remaining within the budget framework recommended for approval below.
- The Leader and Chief Executive being the Council's representatives on the LLP board.
- The creation of a budget in the Capital Programme for the Joint Venture loan advance totalling **£5,349,000** (including £400,000 being funded by the UKSPF).
- To dispose of Venture House and include a budgeted capital receipt of **(£850,000)**¹ in the Medium Term Financial Strategy to fund strategic priorities (a receipt greater than this level will increase the level of the strategic priorities reserve).
- To fund the capital investment through UKSPF funding of **(£400,000)**, the capital receipt from the sale of Venture House of **(£850,000)** and the strategic priorities earmarked reserve of **(£4,099,000)**.
- To approve the inclusion of a project with a budget of **£1,070,000**² in the Capital Programme (initially equally spread between 2022/23 and 2023/24) for BRS enabling works funded from this capital receipt and the strategic priorities reserve.
- At this stage, in terms of the Joint Venture, the Revenue Budget will be based on a budget neutral (no surplus or deficit is included) position until the projections included in this report have been reviewed. Any future changes following independent review will be reported in line with the Council's budget monitoring and any budget approvals will be in line with the budget framework.

¹ Updated from £650,000 included in the Report to Cabinet on 6 September 2022 to £850,000 by the Report to Cabinet on 11 October 2022.

² Updated from £2,000,000 included in the Report to Cabinet on 6 September 2022 to £1,070,000 by the Report to Cabinet on 11 October 2022.

3. Background

Money Matters: 2022/23 Review of Financial Performance against the Financial Strategy

- 1.1. The Council has received external funding for Changing Places to deliver Changing Places public conveniences at Swan Island and the National Memorial Arboretum.
- 1.2. The UKSPF will replace European Structural and Investment Funds (ESIF) with the objective of levelling up and creating opportunities for people and place across the UK, delivering on priorities within the Levelling Up White Paper.
- 1.3. The fund provides £2.6 billion of new funding for investment by March 2025.
- 1.4. The Council has to submit an investment plan to Government to outline local interventions over the financial years 2022/23, 2023/24 and 2024/25 which meets the UKSPF priorities.
- 1.5. Once the submitted investment plan is approved, the first payment is expected to be received by lead local authorities from October 2022.

Money Matters: Review of Reserves

- 1.6. Local authorities can claim retrospectively for this financial year (2022-23), against any projects delivered from April 2022 onwards which are included in the investment plan. However, these are delivered at risk and if not approved in the investment plan will be a cost against the Council.
- 1.7. The Capital Strategy approved by Council on 22 February 2022 included a risk assessment by the Chief Finance Officer.
- 1.8. This risk assessment identified a significant risk that the Capital Programme did not include investment to realise all of the Council's Strategic aims including the provision of a new Leisure Centre in Lichfield City and planned redevelopment of the Birmingham Road Site.
- 1.9. The LGA Corporate Peer Challenge commented on investment moving forward including the use of reserves as part of its investment strategy:

“LDC should also have the confidence to use its finances to support the delivery of its priorities. In order to deliver the organisation’s priorities, resourcing of these is absolutely essential and the peer team recommend that the council give some further consideration of how to effectively do this. For example, LDC has developed reserves through the effective management of its budget and as it now embarks on a significant transformation programme designed to deliver long term savings, the council may need to draw on those reserves to implement this strategy. The council may also want to consider the use of reserves in supporting organisational development within the transformation programme and also how deploying the reserves might play a part in LDC’s wider investment strategy.”

- 1.10. The release of an element of reserves is one option to fund capital investment. However in the current economic climate, there is a balance that will need to be maintained between ensuring financial resilience and the level of reserves released.
- 1.11. Therefore the outcomes from any review of reserves must be:
 - The Council must remain financially resilient and continue to provide essential services in a sustainable way. Therefore only earmarked reserves will be considered for release with general reserves being used to balance the budget to provide resilience.
 - The release of reserves will be focussed on only providing funding for strategic priorities.
 - The cost of financing capital investment and therefore the impact on the revenue budget will be minimised given other inflationary budget pressures such as pay awards.
 - To be cognisant of the level of reserves held at other District and Nearest Neighbour Councils whilst taking into account the specific financial risks at this Council.
 - To consider redirecting reserve funding for approved capital investment potentially to those projects that have become a higher strategic priority.

A Cinema for Lichfield District

- 1.12. The importance of local government as ‘place shapers’ has been understood for decades but was most recently underlined and articulated by Sir Michael Lyons in his inquiry into the sector in 2007 where he addressed our role, function, and funding. He called for us to help improve satisfaction and prosperity of local areas through ‘the creative use of powers and influence to promote the general well-being of a community and its citizens’.
- 1.13. In the context of the Cabinet paper, delivering ‘place shaping’ responsibilities requires the council to shift away from a focus purely on delivering our day-to-day services, which of course remain important, to become an organisation that understands its role and relationships within our local communities – becoming a partner and enabler and working alongside other public and private institutions and organisations, using resources (including money) judiciously to make things happen for our communities where they otherwise would not.
- 1.14. The Cabinet paper introduces a proposal for the council to enter a commercial arrangement with a private sector organisation to deliver a long-standing ‘place shaping’ aspiration, identified in the city centre Masterplan and Zoning Plan, to develop and operate a cinema and associated F&B activities for the benefit of the entire district.
- 1.15. The councils’ Lichfield City Centre Masterplan 2020 is an important document that aims to shape the future growth of the city centre, set out opportunities for enhancing the quality of environment, the range of different uses on offer, and provide a prospectus for investment in Lichfield. While the council believes elements of it have evolved since its inception, the Masterplan is still considered to be a key means of enhancing what is already a strong and vibrant city centre, and its adoption demonstrates the importance of the city centre as an asset for residents, visitors, those who work in the city and residents across the district.
- 1.16. The Masterplan states that the Birmingham Road Gateway Site (BRS) is the most significant development opportunity in the city centre aimed at supporting & providing a vibrant mix of uses. With the intention for it to be reconfigured to provide a new city centre quarter, one that enhances the experience of arrival into the city centre by all modes of transport and introduces a new mix of leisure (a new cinema together with restaurant uses), residential, and commercial development opportunities to Lichfield.
- 1.17. The Debenhams building sits adjacent to BRS and provides an opportunity to deliver on these ambitions, especially the recommendation for a cinema with associated food and beverage units.

Alternative Options	These are contained in the Cabinet Reports.
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Consultation	This is detailed in the Cabinet Reports.
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Money Matters: 2022/23 Review of Financial Performance against the Financial Strategy

The Investment Plan totalling **£3,285,310** submitted on 1 August 2022 is summarised below:

Project	Revenue				Capital			
	2022/23	2023/24	2024/25	Total	2022/23	2023/24	2024/25	Total
Burntwood	£0					£250,000		£250,000
Cinema	£0						£400,000	£400,000
Incubator	£0				£353,703	£300,000	£546,297	£1,200,000
Localities Work	£45,000	£90,000	£90,000	£225,000				
Us Girls	£0	£30,000	£60,000	£90,000				
Play Streets	£0	£20,000	£40,000	£60,000				
High Street	£0	£0	£279,310	£279,310				
Marketing of	£0	£4,905	£65,095	£70,000				
Entrepreneurial	£0	£0	£93,000	£93,000				
Resource (from the 4%)	£0	£32,500	£32,500	£65,000				
Evolve	£0	£70,000	£70,000	£140,000				
Transport	£0	£0	£320,000	£320,000				
Workforce	£0	£0	£93,000	£93,000				
Total	£45,000	£247,405	£1,142,905	£1,435,310	£353,703	£550,000	£946,297	£1,850,000

Money Matters: Review of Reserves

The recommended level, excluding those assessed to have a high operational risk, is **(£5,169,000)** and are related to:

- The release of uncommitted earmarked reserves of **(£2,100,000)**.
- Capital Programme – release the equipment storage budget of **(£111,000)**.
- Capital Programme – reduce the coach park budget to £350,000 a saving of **(£273,000)**.
- Capital Programme – reduce the loan to the Company to £150,000 a saving of **(£525,000)**.
- Revenue Budget – release unallocated and uncommitted Risk and Recovery Funding of **(£709,000)**.
- Revenue Budget – release uncommitted element of strategic budget of £1,200,000 a saving of **(£500,000)**.
- The release other earmarked reserves of **(£951,000)**.

A Cinema for Lichfield District

The Level and Nature of Investment in the Joint Venture LLP

The latest project budget for the development is **£6,997,000**. Taking account of the Council's initial financial contribution of **£3,000,000** to match the assessed value of the asset, this means that the remaining cost of **£3,997,000** will be shared on a 50:50 basis between the two partners.

This cost sharing arrangement will result in each partner making a further financial contribution of **£1,998,500**.

Therefore, the Council's project budget contribution will be **£4,998,500**.

However, a further client contingency of **10%** identified by the Council's Quantity Surveyor is recommended and this equates to **£350,500** (being the Council's 50% share).

Therefore, the total financial contribution and Capital Programme Budget is recommended to be **£5,349,000**.

An indicative investment profile, that will need to be refined as the project develops, based on a start date of November 2022 and practical completion in November 2024, is shown in summary below:

Investment Profile (assumes start Nov 2022 & opening Nov 2024)				
	2022/23	2023/24	2024/25	Total
	£	£	£	£
Capital Budget	£834,000	£2,499,000	£1,665,500	£4,998,500
Client Contingency @ 10%	£58,000	£175,000	£117,500	£350,500
Profiled Total Budget	£892,000	£2,674,000	£1,783,000	£5,349,000

This financial contribution will be through a long term capital loan advance to the Joint Venture. The presence of a private sector partner will mean the terms of the loan will need to be in compliance with subsidy control requirements.

The Funding of the Investment

The recommended funding for the investment of **(£5,349,000)** and updated BRS enabling works budget that takes account of this recommended revised investment level would be:

	2022/23	2023/24	2024/25	Total
	£	£	£	£
UKSPF			(£400,000)	(£400,000)
Sale of Venture House - Original	(£650,000)			(£650,000)
Sale of Venture House - Current	(£200,000)			(£200,000)
Repurposed Reserves	(£42,000)	(£2,674,000)	(£1,383,000)	(£4,099,000)
Total Funding	(£892,000)	(£2,674,000)	(£1,783,000)	(£5,349,000)
Latest BRS Enabling Works Budget	£535,000	£535,000		£1,070,000

Financial Implications resulting from the Investment

The investment through a long term capital loan advance will result in income to the Council from the repayment of the loan (capital receipts until the loan has been repaid).

Other financial implications relate to:

- Loan interest (revenue income).
- The use of earmarked reserves to partly fund the investment will also result in a loss of investment income (revenue cost).
- Additional business rates from the enhanced 'footprint' of the development.
- The loss of 11% of net income from the former anchor store because the joint venture will be outside of the shopping centre lease.

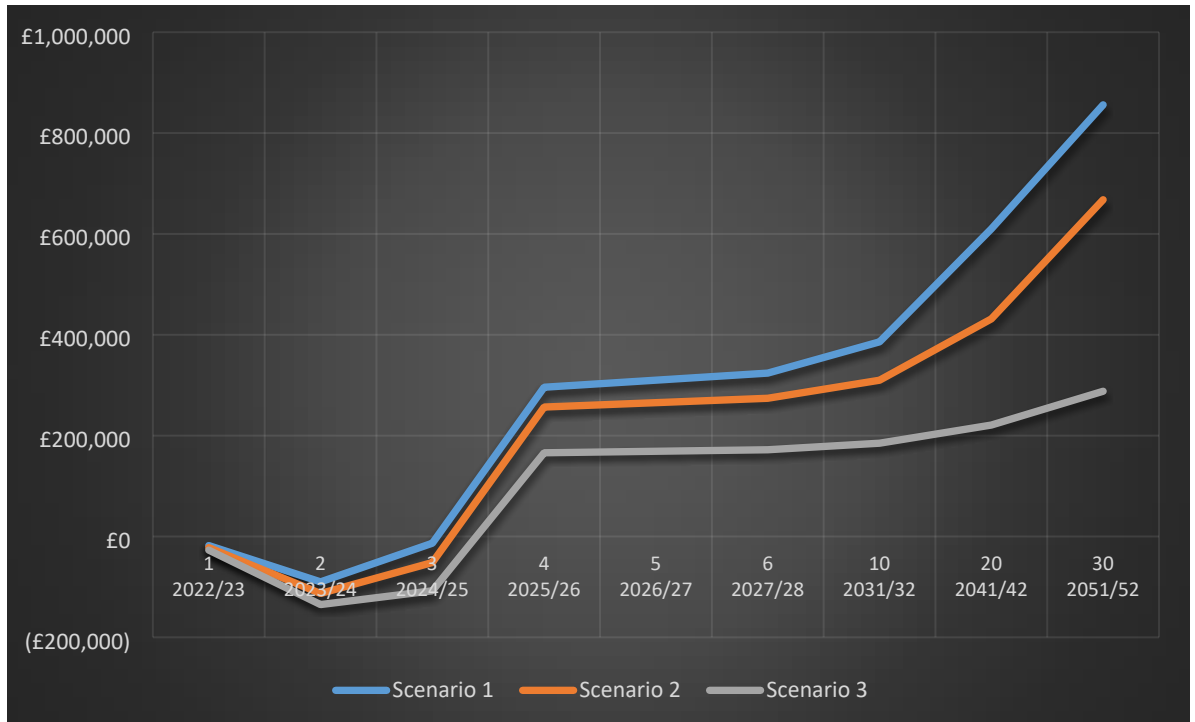
The Projected Net Income of the Joint Venture

The starting point to assess the financial implications relates to the projected net income and expenditure for the Joint Venture.

At this stage, no projections have been provided by EE however to inform the decision making process at the Council, three illustrative scenarios have been developed based around the following assumptions:

Scenario	1	2	3
Annual Inflation	2%	1%	0%
Running Void	0%	5%	10%
LDC Loan Rate	4%	5%	6%
Year 4 Rental Income	(£612,000)	(£606,000)	(£600,000)
Year 4 Operational Costs	£316,000	£349,300	£434,000
Year 4 2025/26 Net Income	(£296,000)	(£256,700)	(£166,000)

Projected net income (for illustrative purposes, income is shown as positive) has been estimated over a 30 year horizon and is shown in summary below:

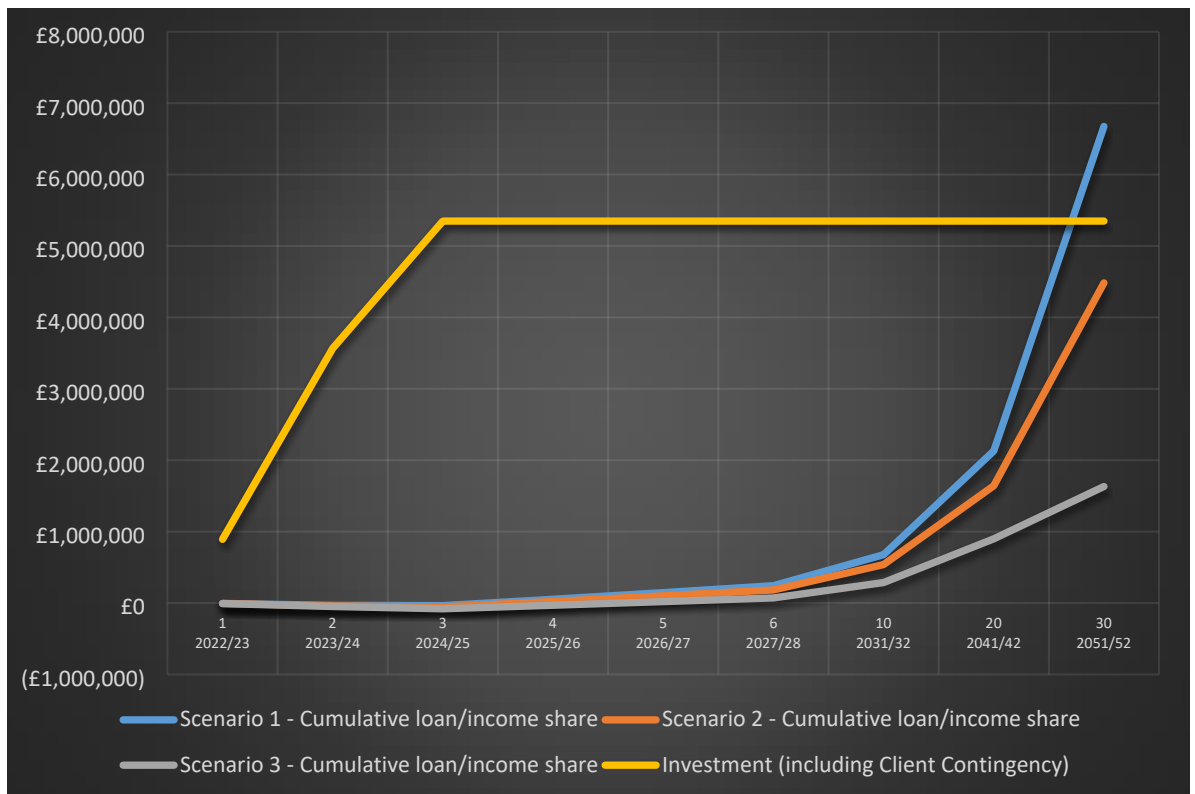


It is important to note that these projections will need to be agreed with EE and will be subject to review by an independent set of advisors.

Payback of the Investment

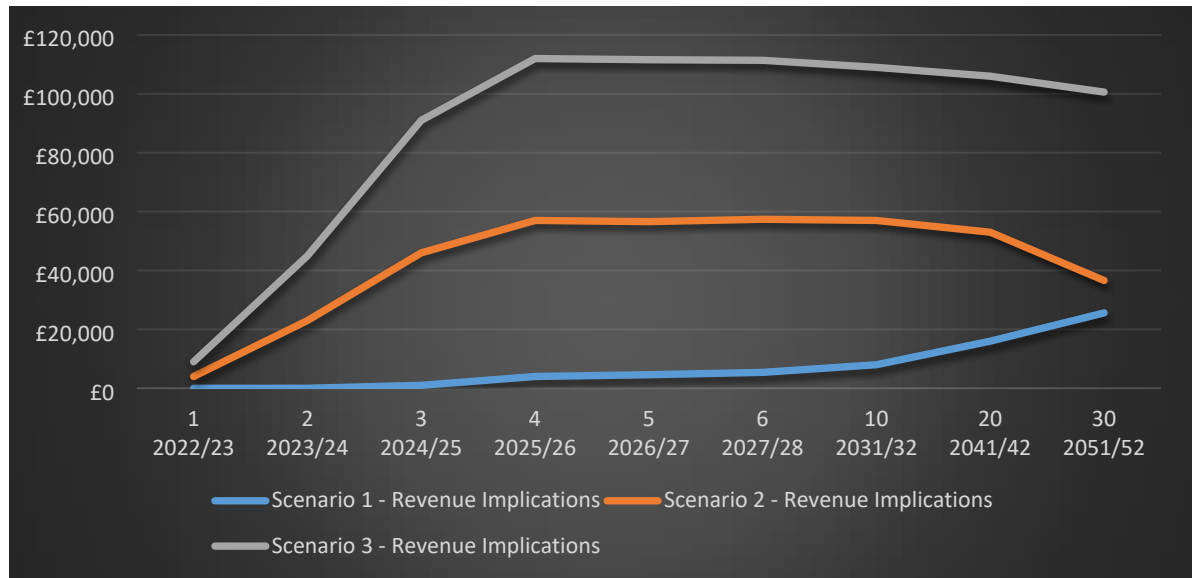
These projections have also been used to estimate the payback period for the capital loan advance over a 30 year horizon (once the loan has been repaid, the income could then become revenue income).

This is shown for the three scenarios above (for illustrative purposes, income is shown as positive) in summary below:



Other Financial Implications

Annual projections for the other financial implications are also provided over a 30 year horizon and this is shown (for illustrative purposes, income is shown as positive) for the three scenarios above in summary below:



Investment Appraisal

Investment appraisal information has been provided for each of the three scenarios:

Scenario (including Client Contingency)	1	2	3
Rental Share @ year 5	30%	30%	30%
Rental Share @ year 20	70%	70%	30%
Rental Share @ year 30	50%	70%	30%
Payback Period in years	27	31	48
Net Present Value (nil residual value, 6% & over 30 years) negative value because investment exceeds net present value of income	£2,546,771	£2,651,397	£2,802,376
Accounting Rate of Return over 30 years	4.39%	3.73%	2.90%

Investment Strategy Report Update

Service Investments: Loans

Contribution: It is recommended the Council lend money to the joint venture to support the development of a cinema for Lichfield District.

Security: The main risk when making service loans is that the borrower will be unable to repay the principal lent and/or the interest due. In order to limit this risk, and ensure that total exposure to service loans remains proportionate to the size of the Council, an upper limit on the outstanding loan to the joint venture is recommended as follows:

Category of borrower	31.3.2023 Projection			2023/24	2023/24
	Balance owing	Loss allowance	Net figure in accounts	Projection	Proposed Limit
Joint Venture (full loan)	892,000	0	892,000	3,566,000	5,349,000

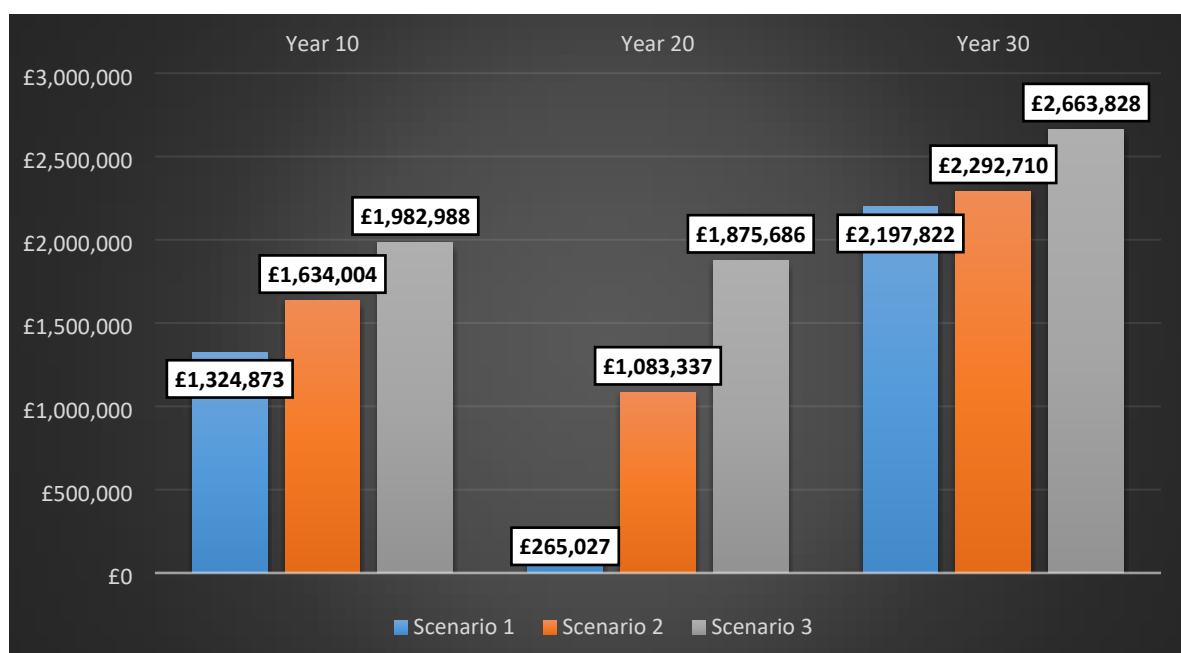
Accounting standards require the Council to set aside loss allowance for loans, reflecting the likelihood of non-payment. The figures for loans in the Council's statement of accounts are shown net of this loss allowance. However, the Council makes every reasonable effort to collect the full sum lent including placing charges on properties (secured) and has appropriate credit control arrangements in place to recover overdue repayments.

Risk assessment: This loan for a service purpose is the **£5,349,000** loan for to the Joint Venture for the provision of a cinema and food and beverage. The Council will provide representatives onto the LLP Partnership Board and therefore the Council will be able to manage the repayment risk through project due diligence, the monitoring of selected projects and through governance oversight.

Exit or 'Cash Out' from the Joint Venture

The Joint Venture agreement will allow either party to exit the agreement after a set period of time. The calculation of an exit or 'cash out' payment is very difficult to determine because it will be impacted by a range of wider economic conditions. Therefore to provide an illustration of the projected level of gains or (losses), a net present value-based calculation has been undertaken using a discount rate of **6%**. However it is important to note this is not a formal or definitive valuation.

A summary of the calculations (for illustrative purposes, losses are shown as positive values) in the chart below:



Areas where further Information is still Required or Independent Review will take Place

- Further information on the approach to Service Charges by the Joint Venture.
- Further information on the net income projections for the Joint Venture from EE.
- A review of the commercial, indirect taxation and financial arrangements (draft Heads of Terms) of the proposed JV, identify and quantify the key commercial and financial risks throughout the life of the JV, identify mitigations and recommendations to address same, and considers the overall balance of risk and return between the two parties as currently presented, and
- A review of the financial standing and integrity of the proposed counterparty to the transaction.

Approved by
Section 151
Officer

Yes

Legal Implications

These are contained in the Cabinet Reports.

Approved by Monitoring Officer	Yes
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Contribution to the Delivery of the Strategic Plan	This is detailed in the Cabinet Report.
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Equality, Diversity and Human Rights Implications	These are contained in the Cabinet Reports.
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Crime & Safety Issues	These are contained in the Cabinet Reports.
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Environmental Impact	This is contained in the Cabinet Reports.
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GDPR / Privacy Impact Assessment	This is contained in the Cabinet Reports.
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	Risk Description & Risk Owner	Original Score (RYG)	How We Manage It	Current Score (RYG)
A	These are contained in the Cabinet Reports			

	<p>Background documents</p> <p>Money Matters: 2022/23 Review of Financial Performance against the Financial Strategy – Report to Cabinet 6 September 2022</p> <p>Money Matters: Review of Reserves – Report to Cabinet 6 September 2022</p> <p>A Cinema for Lichfield District – Report to Cabinet 11 October 2022</p>
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	Relevant web links
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Community Governance Review

Date:	20 October 2022
Agenda Item:	12
Contact Officer:	Mark Hooper, Governance Manager
Tel Number:	01543 308064
Email:	Mark.hooper@lichfielddc.gov.uk
Local Ward Members	All



Council

1. Executive Summary

- 1.1 A community governance review (CGR) is a legal process that provides an opportunity for principal councils to review and make changes to community governance within their areas.
- 1.2 On 14 December 2021 the District Council resolved to undertake a review of the District and launched a consultation exercise (1 February - 25 April 2022).
- 1.3 Draft recommendations, informed by the consultation, were considered by Regulatory and Licensing Committee in June and approved by Full Council on 12 July 2022. These were then subject to a second stage consultation (25 July - 9 September 2022).
- 1.4 On 28 September Regulatory & Licensing Committee considered the key issues identified in the second stage consultation and approved the final recommendations set out in section 3.11.

2. Recommendations

- 2.1 That the Final Community Governance Review Recommendations as set out in section 3.11 below be approved.
- 2.2 That in pursuance of s96 of the Local Government and Public Involvement in Health Act 2007 the Council's decisions be published together with the reasons for making the decisions (as set out at Appendix A).
- 2.3 That the Final Recommendations form a Reorganisation Order to take effect on 1 April 2023.
- 2.4 That the Governance Manager be instructed to make the necessary order(s) and take other such action required and provided for by legislation to give effect to the recommendations.

3. Review

- 3.1 On 14 December the District Council agreed that a Community Governance Review (CGR) be conducted for the whole of the district in accordance with Part 4 Chapter 3 of the Local Government Public Involvement and Health (LGPIH) Act 2007.
- 3.2 A community governance review can consider one or more of the following:

- Creating, merging, altering or abolishing parishes
- The naming of parishes and the style of new parishes
- The electoral arrangements for parishes (the ordinary year of election, council size and parish warding)
- Grouping parishes under a common parish council or de-grouping parishes
- Other types of local arrangements, including parish meetings

Consultation (stage 1).

- 3.3 Between 1 February and 25 April 2022 the Council invited residents and interested organisations to submit their views on existing arrangements and suggest proposals for change.
- 3.4 A total of 98 Submissions were received together with a 67 signature petition.

Determining the Draft Recommendations

- 3.5 An initial assessment identified:
- proposals for change that indicated a degree of community consensus i.e. a critical mass
 - proposals for improving the effectiveness and efficiency of existing arrangements.
- (subject to the statutory guidance tests outlined at 3.6 and 3.7).
- 3.6 In arriving at recommendations a Community Governance Review is required to take into account:
- the impact of community governance arrangements on community cohesion; and
 - the size, population and boundaries of a local community or parish
- 3.7 Governance arrangements should also aim to be:
- reflective of the identities and interests of the community in that area; and
 - effective and convenient
- 3.8 Any other factors, such as council tax precept levels, cannot be considered.

The Draft Recommendations & Stage 2 Consultation

- 3.9 Following consideration by Regulatory & Licensing Committee Draft Recommendations were approved by Council on 12 July 2022. These were then subject to a stage 2 consultation and the responses were considered by Regulatory & Licensing Committee on 28 September (and are set out at Appendix A of the [Regulatory & Licensing Committee report](#)).

Final Recommendations

- 3.11 The tables below set out (i) the draft recommendations, (ii) an overview of the stage 2 consultation response and (iii) the **final recommendations** as agreed by Regulatory & Licensing Committee on 28 September.

A. Fradley & Streethay Parish Council

Draft Recommendation	Consultation overview	Final Recommendation (changes in bold)
<p>A1. Fradley and Streethay Parish be split into:</p> <p>(i) Fradley Parish</p> <p>(ii) Streethay Parish</p> <p>A2. That the following governance arrangements be put in place:</p> <p>(i) Fradley Parish Council comprising 9 councillors</p> <p>(ii) Streethay Parish Council comprising 5 councillors</p>	<p>There was support for splitting the Parish into two separate parishes.</p> <p>Therefore it is proposed that this recommendation be made final.</p> <p>Comments centred on the most appropriate size of the respective Councils.</p> <p><u>Streethay</u> Concern was raised that five councillors is not sufficient for Streethay Parish Council given that a minimum quorum of 3 is required (therefore if there are 3 or more apologies for absence a meeting cannot proceed).</p> <p><u>Fradley</u> The Parish Clerk advised that at current levels of activity and involvement, Fradley Parish Council would function better with 10 Councillors. Two other consultation responses suggested an increased level or representation. One response questioned the ability to find enough suitable candidates.</p>	<p>A1. Fradley and Streethay Parish be split into:</p> <p>(i) Fradley Parish</p> <p>(ii) Streethay Parish</p> <p>A2. That the following governance arrangements be put in place:</p> <p>(i) Fradley Parish Council comprising 10 councillors.</p> <p>(ii) Streethay Parish Council comprising 7 councillors</p>

Further details are given in Appendix B.

B. LICHFIELD CITY

Draft Recommendation	Consultation overview	Final Recommendation (changes in bold)
<p>B1. Garrick Road Ward be incorporated into Chadsmead Ward. Chadsmead Ward to comprise 4 Councillors</p>	<p>No objections received.</p>	<p>B1. Garrick Road Ward be incorporated into Chadsmead Ward. Chadsmead Ward to comprise 4 Councillors</p>

(-1 councillor)		
B2. Burton Old Road Ward be incorporated into Stowe Ward. Stowe Ward to comprise 5 Councillors (-)	No objections received	B2. Burton Old Road Ward be incorporated into Stowe Ward. Stowe Ward to comprise 5 Councillors
B3. Pentire Road Ward be incorporated into Boley Park Ward. Boley Park Ward to comprise 4 Councillors (-)	No objections received	B3. Pentire Road Ward be incorporated into Boley Park Ward. Boley Park Ward to comprise 4 Councillors

In line with the recommendations of Council on 12 July 2022 views were also sought on expanding the above recommendations to further address the variation in the ratio of electors to councillors in the remaining three wards in Lichfield city:

Additional Proposal	Consultation overview	Final Recommendation (changes in bold)
B4. Curborough ward be increased to 4 councillors. (+1 councillor)	This proposal was formerly supported by Lichfield City Council	B4. Curborough ward be increased to 4 councillors.
B5. St Johns ward be decreased to 5 councillors (-1 councillor)	Lichfield City Council requested the retention of 6 members in St Johns ward due to the ongoing development in that ward. One respondent favoured the option for 5 members.	B5. St Johns ward to remain at 6 councillors.
B6. Leomansley ward be increased to 6 councillors (+1 councillor)	This proposal was formerly supported by Lichfield City Council	B6. Leomansley ward be increased to 6 councillors

The final recommendations as set out above **would increase the overall membership of the City Council from 28 to 29 members** (the original proposal reduced it to 26 and the expanded proposal would have kept it the same).

Although the original recommendations sought to avoid increasing councillor numbers there is currently no difficulty in filling vacancies on the Council.

Given that the City Council is best placed to determine the governance arrangements that will work for itself the recommendation has been amended accordingly. Further details of the proposal are given at Appendix B.

C. LONGDON PARISH

Additional Proposal	Consultation overview	Final Recommendation
C1. That Longdon Parish Council be reduced from 11 councillors to 9 councillors.	No objections received.	C2. That Longdon Parish Council be reduced from 11 councillors to 9 councillors.

D. Shenstone Parish Council

Regulatory and Licensing Committee and Council have previously recommended that Shenstone remain unchanged. The consultation responses received on the subject supported the decision.

Next Steps/Review Timetable

- 3.12 The final recommendations will be published and publicised in line with the requirements of s96 of the Local Government and Public Involvement in Health Act 2007.
- 3.13 As soon as practicable a re-organisation order will be made to give effect to the recommendations.
- 3.14 Arrangements will need to be made for the administration and financing of any new parish council. The District Council will need to arrange and adopt the initial parish precept on behalf of the parish. It may also need to arrange the first meeting of a new Parish Council including the Agenda, adoption of a code of conduct, election of Chairman and Vice-Chairman, appointment of parish clerk, appointment of bank, cheque signatories and auditor.
- 3.15 It is intended that changes will take effect in time for the elections in May 2023.

Alternative Options	A community governance review is a statutory obligation of the district Council, we can delay undertaking one, however there are advantages in undertaking this review before the next District and Parish elections in 2023 or before one is invoked by request from the electorate.
Consultation	Two consultation exercise have been undertaken with residents, Parish Councils and other stakeholders (stage 1 & stage II). The Draft Recommendations were considered by Regulatory & Licensing Committee in June and Full Council in July. The final recommendations were approved by Regulatory & Licensing Committee on 28 September.
Financial Implications	None arising from this report. A one off reserve has been provided to support any advertising, bookings or other costs associated with the review.
Approved by Section 151 Officer	Yes

Legal Implications	<p>The process is undertaken in line with the provisions of the Local Government and Public Involvement in Health Act 2007 and advice on best practice and training has been sought from Association of Electoral Administrators to support this project.</p> <p>Two statutory instruments have been issued which relate to transitional and consequential matters:</p> <ul style="list-style-type: none"> Local Government (Parishes and Parish Councils)(England) Regulations 2008 (SI2008/625) Local Government Finance (New Parishes) Regulations 2008 (SI2008/626). <p>These make provision for the transfer of property, rights and liabilities and the calculation of council tax requirements.</p>
Approved by Monitoring Officer	Yes

Contribution to the Delivery of the Strategic Plan	This project supports the development of strong, sustainable communities with participation in decision making in respect of the governance arrangements of parish councils.
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Equality, Diversity and Human Rights Implications	None identified at this stage.
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Crime & Safety Issues	None identified at this stage.
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Environmental Impact	None identified at this stage.
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GDPR / Privacy Impact Assessment	Residents' names and addresses are redacted.
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	Risk Description & Risk Owner	Original Score (RYG)	How We Manage It	Current Score (RYG)
A	Consultation is not undertaken in line with requirements of Act - HOS	LIKELIHOOD IMPACT SEVERITY	Training and advice sought from AEA	LIKELIHOOD IMPACT SEVERITY
B	There is a negative reaction to the draft recommendations in one or more parishes.	LIKELIHOOD IMPACT SEVERITY	Messaging will make it clear that the recommendations are draft proposals and no decision has been taken. The second stage consultation will consider representations for and against the draft recommendations.	LIKELIHOOD IMPACT SEVERITY
C	That review creates additional work across council services	LIKELIHOOD IMPACT	That a project team is established to feed in and manage the work generated by the review and any decision.	LIKELIHOOD IMPACT

		SEVERITY		SEVERITY
D	Insufficient capacity to support level of consultation and considerations.	LIKELIHOOD	Additional temporary resources have been put in place - risks around project team member availability due to other projects are managed	LIKELIHOOD
		IMPACT		IMPACT
		SEVERITY		SEVERITY

	<p>Background documents & Relevant web links</p> <p>Report to Regulatory & Licensing Committee (including Consultation Stage 1 Responses) on 20 June 2022: https://democracy.lichfielddc.gov.uk/documents/s13058/Draft%20RL%20Report%20-%20Community%20Governance%20Review.pdf</p> <p>Report to Council 12 July 2022 on the Draft Recommendations - https://democracy.lichfielddc.gov.uk/documents/s12970/Community%20Governance%20Report.pdf</p> <p>Report to Regulatory & Licensing Committee (including Consultation Stage 2 Responses) on 28 September 2022 https://democracy.lichfielddc.gov.uk/documents/s14221/Community%20Governance%20Review%20-%20RL%20Committee%2028%20September%202022.pdf</p>
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1 **FRADLEY AND STREETHAY**

Final Recommendations:

- A1.** Fradley and Streethay Parish be split into:
- (i) Fradley Parish
 - (ii) Streethay Parish
- A2.** That the following governance arrangements be put in place:
- (i) Fradley Parish Council comprising **10 councillors**.
 - (ii) Streethay Parish Council comprising **7 councillors**

Consultation response

- 1.1 A number of submissions were received in favour splitting Fradley and Streethay Parish to create two distinct parishes one centred on Fradley, the other on Streethay. An alternative suggestion was to include Streethay as a Ward of Lichfield City Council. No submissions were received in favour of the status quo.
- 1.2 The Parish Council is supportive of creating two distinct parishes.

Reasons

- 1.3 Fradley and Streethay are geographically separate settlements with their own distinct identities.
- 1.4 Both settlements have experienced significant growth to date and will continue to experience growth in the future. The population (aged 19+) is forecast to increase from 4,455 in 2022 to 6,932 in 2026.
- 1.5 The proposal to split the parish to create parishes centred on the two key settlements is consistent with the objective of promoting community cohesion and would be reflective of the individual identities and interests of the two communities. Critically the proposal appears to enjoy local support.
- 1.6 Recent and continuing growth mean the population can support individual parish councils, satisfying the criteria of effective and convenient governance.
- 1.7 Including Streethay as a ward of Lichfield City Council was considered as an option, however the existing Parish Council favours separate parishes for each settlement, and we are mindful that Lichfield City is already one of larger Parish Council's in the country.

2. LICHFIELD CITY

Recommendations:

- B1. Garrick Road Ward be incorporated into Chadsmead Ward. Chadsmead Ward to comprise 4 Councillors**
- B2. Burton Old Road Ward be incorporated into Stowe Ward. Stowe Ward to comprise 5 Councillors**
- B3. Pentire Road Ward be incorporated into Boley Park Ward. Boley Park Ward to comprise 4 Councillors**
- B4. Curborough Ward be increased to 4 councillors.**
- B5. St Johns Ward to remain at 6 councillors.**
- B6. Leomansley Ward be increased to 6 councillors.**

Consultation Response

2.1 Some responses express support for the status quo in Lichfield City while a number express concern about unequal councillor-to-resident ratio in some wards.

2.2 The City Council representation proposed that:

'Garrick Road ward to be incorporated into Chadsmead, Burton Old Road ward into Stowe and Pentire Road ward into Boley Park, thereby creating coterminous parish and district boundaries and removing the significant confusion that exists currently.'

2.3 It also requested:

'When assessing future options, LDC is asked to have regard to the current unequal allocation of councillors which results in a significant variation in the ratio of electors to councillors across Lichfield City Council wards.'

Reasons

2.4 The recommendations address two key issues raised in the consultation –

(i) The creation of coterminous parish and district boundaries satisfying the criteria of effective and convenient governance. The amalgamation of small single councillor wards into larger wards is not considered to have any detrimental impact on community identity or cohesion, indeed the larger wards would appear to represent more identifiable and coherent communities

(ii) The uneven distribution of Councillors ranging from 302 Councillors per Councillor to 1124 electors per Councillor.

3. LONGDON PARISH

Recommendation

C2. That Longdon Parish Council be reduced from 11 councillors to 9 councillors.

Consultation Response

- 3.1 The Parish Council has previously passed a resolution requesting that the District Council consider reducing the size of the Parish Council from 11 Members to 9 Members.

Reason

- 3.2 It is considered a smaller council is appropriate given the population of the parish and will (i) address difficulties experienced when filling vacancies and (ii) make it easier to achieve a quorum.

APPENDIX B

Fradley & Streethay

Polling Districts	Councillors	Electors - 2026	Electors per Councillor
Fradley	10		289
AB		1984	
AC		909	
	Total	2893	
Streethay	7		239
AD		1676	
	Total	1676	

Lichfield City Council

PROPOSED

Ward (& polling Districts)	Councillors	Electors	Electors per Councillor
Boley Park (including Pentire Road)	4		849
RA		1318	
RB		980	
RC		603	
RB1		497	
		3398	
Chadsmead (including Garrick)	4		825
RE		1,108	
RF		889	
RG		534	
RK		467	
RG1		302	
		3,300	
Curborough	4		835
RH		1426	
RJ		1915	
		3341	
Leamonsley	6		937
RL		1203	
RM1		941	
RM2		1156	
RN1		1097	
RN2		1224	
		5621	
St John's	6		782
RP		1040	
RQ		2304	
RR		1350	
		4694	

Stowe (including Burton Old Road)	5		985
RS		844	
RT		1156	
RU		214	
RW		414	
RX		1439	
RD		860	
		4927	

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