

Public Document Pack

LICHFIELD DISTRICT COUNCIL

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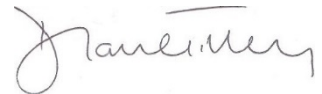
8 April 2019

To: Members of the Lichfield District Council

In accordance with Paragraph 4(2) of Part 1 of Schedule 12 to the Local Government Act 1972, you are hereby summoned to attend the meeting of the Lichfield District Council which will be held in the Council Chamber, District Council House, Frog Lane Lichfield on **TUESDAY, 16 APRIL 2019 at 6.00 pm.**

Prayers will be said by Councillor Wilcox.

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



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
Pages 3 - 18
4. Chairman's Announcements
5. Report of the Leader of the Council on Cabinet Decisions from the meetings held on 12 March and 9 April 2019 (to follow) and Cabinet Member Decisions *Pages 19 - 22*
6. Minutes of the meetings of the Economic Growth, Environment and Development (Overview & Scrutiny) Committee held on 19 March and 1 April 2019 (copy to follow) (buff enclosure) *Pages 23 - 26*
7. Minutes of the meeting of the Community, Housing and Health (Overview & Scrutiny) Committee held on 25 March 2019 (green enclosure) *Pages 27 - 30*
8. Minutes of the meeting of the Leisure, Parks and Waste Management (Overview & Scrutiny) Committee held on 26 March 2019 (yellow enclosure) *Pages 31 - 34*
9. The Chairmen indicated below to move that the proceedings of the following committees be received and, where necessary, approved and adopted.

Committee	2019	Pages	Chairman
Planning	4 March	35 – 36	T. Marshall
Audit & Member Standards	27 March	37 – 40	M. C. Tittley

10. Multi-Storey Car Park Refurbishment

To approve the Cabinet recommendations made at the meeting held on 12 March 2019 and considered by the Economic Growth, Environment and Development (Overview & Scrutiny) Committee on 1 April 2019 (see agenda item 6):

(i) That a new project be included in the Capital Programme with a total cost of up to £300,000 (including £50,000 of contingency) funded by the restricted earmarked reserve entitled 'Birmingham Road Car Park Repairs and Renewals'.

(ii) That the revenue budget be changed to reflect the savings identified in the Cabinet report.

11. Sustainable Design SPD Appendix A Update

To consider the recommendations of Cabinet made at the meeting held on 9 April 2019 (to follow)

12. Designation of Interim Monitoring Officer

That Ms Christie Tims, Head of Corporate Services, be designated as the Council's Interim Monitoring Officer (report attached) Pages 41 - 44

13. Questions

To answer any questions under Procedure Rule 11.2

14. Exclusion of Public and Press

RESOLVED: That as publicity would be prejudicial to the public interest by reason of the confidential nature of the business to be transacted, the public and press be excluded from the meeting for the following 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

15. Confidential Minutes of the Audit and Member Standards Committee

The Chairman of Audit and Member Standards Committee to move that the confidential Minutes of the meeting held on 27 March 2019 be received and, where necessary, approved and adopted (pink enclosure) Pages 45 - 46

COUNCIL

19 FEBRUARY 2019

PRESENT:

R. J. Awty (Chairman)
Mrs N. Bacon (Vice-Chairman)

Baker, Mrs D. F.
Bamborough, R. A. J.
Banevicius, Mrs S. W.
Barnett, Mrs S. A.
Cox, R. E.
Eadie, I.M.
Eagland, Mrs J. M.
Evans, Mrs C. D.
Fisher, Miss B.
Fisher Mrs H. E.
Greatorex, C.
Hoult, B. E.
Humphreys, K. P.

Lax, Mrs A. C.
Leytham, D. J.
Little, Mrs E. A.
Matthews, T. R.
O'Hagan, J. P.
Powell, J. J. R.
Pritchard, I. M. P.
Pullen, D.R.
Pullen, Mrs N. I.
Ray, P. W. W.
Rayner, B. L.
Salter, D. F.
Shepherd, Miss O. J.

Stanhope MBE, Mrs M.
Spruce, C. J.
Strachan, R. W.
Tittley, M. C.
Tranter, Mrs E. H.
Warfield, M. A.
White, A. G.
Wilcox, M. J.
Woodward, Mrs S. E.
Yeates, A.
Yeates, B. W.

76 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Ball, Mrs Boyle, Constable, Mrs Constable, Drinkwater and Marshall.

77 DECLARATIONS OF INTEREST

Councillor A Yeates and Councillor B W Yeates declared an interest in Lichfield Garrick.

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

It was proposed and duly seconded "that the Minutes of the Meeting of the Council held on 18 December 2018 as printed and previously circulated be taken as read, and approved as a correct record."

79 CHAIRMAN'S ANNOUNCEMENTS

(a) Crown Court Opening

The Chairman advised that he had attended the opening of the Crown Court in Stafford with other civic dignitaries including the High Sheriff of Stafford.

(b) Dementia Friendly Communities

The Chairman reported that he had attended a lecture on dementia friendly communities at the Lichfield Methodist Church. He reminded Members that his chosen charity, the Memory Café, provided a drop in centre for people with dementia and their carers at the Methodist Church and thanked everyone who had made a donation at Christmas.

(c) Burntwood Leisure Centre

The Chairman reported that he had cut the ribbon to the newly refurbished Burntwood Leisure Centre which, in partnership with Freedom Leisure, provided a complex with much to offer local residents and residents of the District.

(d) Councillor Steven Claymore

The Chairman advised that together with the leader, deputy leader and chief executive he would be representing the Council at the funeral of Councillor Steven Claymore of Tamworth Borough Council.

80 REPORT OF THE LEADER OF THE COUNCIL ON CABINET DECISIONS FROM THE MEETINGS HELD ON 15 JANUARY AND 12 FEBRUARY AND CABINET MEMBER DECISIONS

9 - Transfer of Public Open Space to Armitage with Handsacre Parish Council

Councillor Cox welcomed the decision to transfer assets in the Parish of Armitage with Handsacre to the Parish Council and noted that the War Memorial was in need of refurbishment.

81 MINUTES OF THE COMMUNITY, HOUSING AND HEALTH (OVERVIEW & SCRUTINY) COMMITTEE

Councillor Mrs Baker submitted the Minutes of the Community, Housing and Health (Overview and Scrutiny) Committee held on 10 January 2019.

24 – Minutes of the Previous Meeting

It was confirmed that representatives from the NHS Trust present at the meeting had advised that there would not be a reduction in the operating hours of the Minor Injury Units.

(COUNCILLOR WHITE DECLARED AN INTEREST IN THIS ITEM AS THE STAFFORDSHIRE COUNTY COUNCIL CABINET MEMBER FOR HEALTH CARE AND WELL BEING)

26 – Homelessness and Rough Sleeper Housing Pathway Proposals and Potential Use of S106 Commuted Sums

Councillor Mrs Woodward commended the work of the Council's officers, working in partnership with other agencies, in supporting vulnerable people.

Councillor Mrs Banevicius asked about progress on rent to buy and Councillor Mrs Baker advised that an answer would be provided.

27 – Community Safety Delivery Plan – Mid-Year Progress Report

Councillor Mrs Evans questioned the statement that the Police had not received any reports of anti-social behaviour following the decision to stop locking park gates in Burntwood. She said this did not appear to be accurate since she had attended public meetings where people had reported calling 111.

82 MINUTES OF THE LEISURE, PARKS AND WASTE MANAGEMENT (OVERVIEW & SCRUTINY) COMMITTEE

Councillor Matthews submitted the Minutes of the Leisure, Parks and Waste Management (Overview and Scrutiny) Committee held on 16 January 2019.

11 – Work Programme

Councillor Mrs Woodward said anti-social behaviour had spiked after the park gates were left unlocked and she had previously asked for details about how the decision came to be made. Noting that the issue was on the work programme for March she said it was unacceptable to have to wait 12 months to consider why £9,000 funding was withdrawn without consultation.

12 – Friary Grange Leisure Centre

In response to a question from Councillor Mrs Evans, Councillor Leytham advised that the Centre would re-open after problems with the heating and fire alarm had been resolved. It was noted that the long term strategy for the Centre would be considered at the next meeting of the Committee.

(COUNCILLOR WHITE DECLARED AN INTEREST IN THIS ITEM AS DEPUTY LEADER OF STAFFORDSHIRE COUNTY COUNCIL)

83 MINUTES OF THE ECONOMIC GROWTH, ENVIRONMENT AND DEVELOPMENT (OVERVIEW AND SCRUTINY) COMMITTEE

Councillor Cox submitted the Minutes of the Economic Growth, Environment and Development (Overview and Scrutiny) Committee held on 22 January 2019.

46 – Local Plan and Related Spatial Policy Matters Update

Councillor Mrs Evans noted that Councillor Ball had referred to the lack of progress on neighbourhood planning in Burntwood.

Councillor Cox advised that this issue had been raised in connection with the Burntwood Neighbourhood Plan, which was a matter for Burntwood Town Council rather than the District Council.

47 – Local Enterprise Partnerships Review

In response to a question from Councillor Ray, Councillor Cox confirmed that the government review of LEPS included their geographic boundaries.

Councillor Wilcox said he felt the review was unnecessary and understood that the issue of borders was still under discussion. He said he would share any information when it became available.

Councillor Mrs Stanhope noted a grammatical error in the report.

84 MINUTES OF THE STRATEGIC (OVERVIEW & SCRUTINY) COMMITTEE

Councillor Strachan submitted the Minutes of the Strategic (Overview & Scrutiny) Committee held on 29 January 2019.

30 – Medium Term Financial Strategy (Revenue and Capital) 2018-23

In response to a question from Councillor Ray about the Property Investment Strategy, Councillor Strachan advised that investment opportunities would be considered on a case by case basis and the governance arrangements for the strategy would be considered later in the agenda.

85 COMMITTEE MINUTES

(a) Planning Committee – 17 December 2018

It was proposed by Councillor Powell “that the Minutes of the Meeting of the Planning Committee held on 17 December 2018 be approved and adopted.”

RESOLVED: That the Minutes of the Meeting of the Planning Committee held on 17 December 2018 be approved and adopted.

(b) Planning Committee – 14 January 2019

It was proposed by Councillor Powell “that the Minutes of the Meeting of the Planning Committee held on 14 January 2019 be approved and adopted.”

RESOLVED: That the Minutes of the Meeting of the Planning Committee held on 14 January 2019 be approved and adopted.

(c) Regulatory & Licensing Committee – 5 February 2019

It was proposed by Councillor B Yeates that “the Minutes of the Meeting of the Regulatory and Licensing Committee held on 5 February 2019 be approved and adopted subject to his inclusion on the list of those present.”

RESOLVED: That the Minutes of the Meeting of the Regulatory and Licensing Committee held on 5 February 2019 be approved and adopted subject to Councillor B Yeates being included on the list of those present.

(d) Audit and Member Standards Committee – 6 February 2019

It was proposed by Councillor Tittley “that the Minutes of the Meeting of the Audit and Member Standards Committee held on 6 February 2019 be approved and adopted.”

Councillor Mrs Banevicius asked about the recommendation on project management governance procedures and Councillor Tittley advised that the governance procedures were project specific and set out in the relevant project initiation document. He said he would provide Councillor Mrs Banevicius with further details following the meeting.

Councillor Tittley referred to the Certification letter from Grant Thornton in connection with the housing benefit subsidy claim and thanked Mrs P Leybourne, Head of Customer Services, Revenues and Benefits and her team for their performance, noting that their very substantial budget had only been out by £7 which was an excellent result.

RESOLVED: That the Minutes of the Meeting of the Audit and Member Standards Committee held on 6 February 2019 be approved and adopted.

(e) Employment Committee – 7 February 2019

It was proposed by Councillor Salter “that the Minutes of the Meeting of the Employment Committee held on 7 February 2019 be approved and adopted.”

Councillor Mrs Evans said she understood that the essential car user allowance represented an excessive cost in the region of £80,000 and Members had expressed their concern. She questioned when the review would take place and when it would be reported to Council.

Council Salter said there were quite a few members of staff who required mobility to undertake their role, but there would be a review of terms and conditions as part of the people strategy, including essential car user allowance, and he would look into the timescale.

Councillor Mrs Woodward sought assurance that as part of their understanding of Member’s roles, staff understood the role of the opposition and its importance in ensuring democratic accountability.

Councillor Salter noted that the responses received in the employee survey reflected the fact that many staff were not directly involved with Members and the next survey would be structured to account for this.

Councillor Wilcox said he concurred with Councillor Mrs Woodward that the opposition played an important role. He noted that workshops had been arranged through the LGA to help inform people about the role of a Councillor and he would always ensure there was opportunity for all Members to have their voice heard.

RESOLVED: That the Minutes of the Meeting of the Employment Committee held on 7 February 2019 be approved and adopted.

(f) Planning Committee – 11 February 2019

It was proposed by Councillor Powell “that the Minutes of the Meeting of the Planning Committee held on 11 February 2019 be approved and adopted.”

Councillor Strachan advised that he had submitted his apologies for the meeting and asked that it be recorded.

RESOLVED: That the Minutes of the Meeting of the Planning Committee held on 11 February 2019 be approved and adopted subject to the addition of Councillor Strachan to the list of apologies for absence.

86 MEDIUM TERM FINANCIAL STRATEGY

Councillor Spruce presented the Medium Term Financial Strategy for 2019/20 to 2022/23 with the updated projections for 2018/19.

He said the Strategy was markedly different from the one presented 12 months ago and was likely to be different again the following year. This was because council funding was largely decided annually which made financial modelling four years ahead difficult.

Councillor Spruce advised that Fair Funding Base/Business Rate Retention and New Homes Bonus were all scheduled for review in the coming year with implementation from 2020/21 onwards. Meanwhile the settlement for 2019/20 enabled the Council to have a small surplus but no surety thereafter.

The revenue budget was predicated on maintaining current services and income streams. The positive news was that the funding gaps for 2020/21 onwards were approximately half of those projected the previous year.

The capital budget was dominated by the new Property Investment Strategy with the aim of raising an additional income stream via investment in property up to £45 million, largely by borrowing. This would see a major change in the balance sheet. Councillor Spruce noted that the details of the strategy were given in the report and he was confident that the proposals were robust and minimised risk as far as possible.

In terms of Treasury Management, Councillor Spruce said there was no change to the strategy and prudence was key. He noted the assurance given by the Council's S151 Officer on the robustness and adequacy of reserves.

Councillor Wilcox said the Council needed robust finances to move forward. He noted New Homes Bonus and Business Rates funding represented grey areas but lobbying against the negative revenue support grant had been successful. He said a prudent approach was being taken to the New Homes Bonus in preparation for the cessation of funding

Councillor Mrs Woodward said there had been cross party lobbying to try and ensure the Government was listening to the pressures local government was operating under.

Councillor Mrs Woodward advised that she would like to table an amendment noting that she had long argued for equitable funding across the District and specifically in Burntwood.

Councillor Mrs Woodward said she had raised the issue of equitable funding at Council in June 2018 and at the Strategic (Overview & Scrutiny) Committee. In November 2018 the Leader confirmed that he would look at any projects submitted. She duly sent an email on 20 November that included projects relating to Burntwood Town Deal priorities. On 10 January 2019 she had asked for an update which led to a positive meeting.

However, at the Strategic (Overview & Scrutiny) Committee on 29 January the Cabinet Member for Finance and Democratic Services indicated that he had not been party to discussions and following a further email to the Leader, Deputy Leader and Cabinet Member for Finance and Democratic Services she was informed that the Leader would consider the proposals on 21 February.

Councillor Mrs Woodward said there had been 8 months to consider this matter and she was now proposing the following amendment to address some of the needs across the District and ensure greater equity:

'The Medium Term Financial Strategy 2018/23 Capital Strategy and Capital Programme as highlighted in Appendices B and C be amended for the total sum of £1.7 million (as broken down below) to be spread to the Lichfield geographical area.'

*£696,000 Allocated for the Birmingham Road Site
£38,860 General transfer from reserves
£110,000 New Homes Bonus
£896,940 VAT refund*

Total sum £1,741,800

Councillor Mrs Woodward said she proposed that £1 million be committed to capital projects in Burntwood to support the Town Deal priorities and £741,800 for rural areas that were not included in the draft capital programme such as Colton and Fazeley. She explained that the money would be made up of the £696,000 that was proposed as additional funding for short term redevelopment of the Birmingham Road site, £38,860 from general reserves, £110,000 New Homes Bonus in excess of the cap for 2019/20 and £896,940 from the successful VAT claim that was as yet unallocated. This totalled £1,741,800.

Councillor Mrs Evans seconded the amendment and called for a named vote.

Councillor White said the leader of the opposition had expressed a clear view of her aspirations for the Burntwood area as she had done for many years and said it was regrettable some of the items had not been addressed beforehand. Nevertheless, £1,741,800 should not be allocated on the hoof when determining the budget. He said when spending public money it was necessary to do so in the full view of the public with the appropriate level of democratic oversight.

Councillor White advised that he was not questioning that due diligence had been undertaken but the amendment needed to go through the democratic process and be discussed.

Councillor Wilcox said it was not prudent to invest on a geographical basis, but rather on specific criteria including needs, impact on the community and the contribution to the Strategic Plan. Furthermore there should be a solid business plan.

Councillor Wilcox added that it was necessary to recognise that tourism was important for the District and Lichfield was an important tourist centre, with the proceeds being invested in services across the District. He said before making any changes to the Medium Term Financial Strategy it was essential to assess any proposals against the relevant criteria.

Councillor Pullen said it was not good practice to remove something positive from one area of the District to appease another. There were opportunities in Burntwood but it was not necessary to remove funding from Lichfield to realise these. Councillor Pullen said there were better ways to allocate funding, and it should be done in the proper democratic way.

Councillor Strachan said imbalances may have occurred but the Council must ensure it invests in the right projects not purely on the basis of geography, noting that the Council had ownership of the Birmingham Road site where there were health and safety concerns.

Councillor Strachan underlined the importance of ensuring the Council acted responsibly with public money, stating that the Medium Term Financial Strategy did this. He said the amendment sought to earmark funds, but if proposals were brought forward they could be considered as part of the capital programme.

Councillor Strachan noted that the Council had not allocated New Homes Bonus to the capital programme in line with its prudent approach.

Councillor Mrs Fisher spoke in support of earmarking funding. She noted that the Burntwood Town Deal had been a great success and had identified five priorities for funding.

While agreeing with the sentiment of the amendment, Councillor Ray said further scrutiny was needed to understand the impact the diversion of funds would have.

Councillor Pritchard stressed that the Council never intended to financially support the development of the Birmingham Road site, but the scheme had collapsed and as owner of the land it had to do something. Taking this project out of the equation, Burntwood had received more funding, including £1.6 million for Burntwood Leisure Centre which was a fantastic facility and £30,000 to help remove a covenant restricting development on a site in Burntwood. Therefore, saying Burntwood was neglected in any way was simply wrong.

Councillor Spruce recalled that in his seven years as Cabinet Member projects had never been assessed on a geographical basis. With regard to the VAT windfall, he said the prudent course of action would be to put it in ear marked reserves for the next twelve months rather than immediately spend it as part of a knee jerk reaction.

Councillor Mrs Woodward said she was acting in a proper and democratic way in proposing the amendment. She noted that the allocation of £696,000 for the Birmingham Road Site was a decision for the meeting that evening and therefore the amendment was not removing money from any existing project since it was yet to be allocated.

Councillor Mrs Woodward said reserves were more than adequate and the amendment represented a modest proposal to bring greater equity to areas outside the city.

A named vote was then taken on the amendment and recorded as follows:-

FOR (4)

Bamborough, R. A. J.
Banevicius Mrs S. W.
Evans, Mrs C. D.
Woodward, Mrs S. E.

AGAINST (30)

Awty, R. J.
Bacon, Mrs N.
Baker, Mrs D. F.
Barnett, Mrs S. A.
Cox, R. E.
Eagland, Mrs J. M.
Greator, C.
Hoult, B. E.
Humphreys, K. P.
Lax, Mrs A. C.
Leytham, D. J.
Little, Mrs E. A.
Matthews, T. R.
O'Hagan, J. P.
Powell, J. J. R.
Pritchard, I. M. P.
Pullen, Mrs N. I.
Ray, P. W. W.
Rayner, B. L.
Salter, D. F.
Shepherd, Miss O. J.
Spruce, C. J.
Stanhope, Mrs M.
Strachan, R. W.
Tittley, M. C.
Warfield, M. A.
White, A. G.
Wilcox, M. J.
Yeates, A.
Yeates, B. W.

ABSTAIN (5)

Eadie, I.M.
Fisher, Miss B
Fisher, Mrs H. E.
Pullen, D. R.
Tranter, Mrs E. H.

The Amendment was defeated.

A named vote was then taken on the Medium Term Financial Strategy and recommendations as submitted in the Council report:

FOR (29)

Awty, R. J.
 Bacon, Mrs N.
 Baker, Mrs D. F.
 Barnett, Mrs S. A.
 Cox, R. E.
 Eadie, I.M.
 Eagland, Mrs J. M.
 Greatorrex, C.
 Hoult, B. E.
 Humphreys, K. P.
 Lax, Mrs A. C.
 Leytham, D. J.
 Little, Mrs E. A.
 Matthews, T. R.
 O'Hagan, J. P.
 Powell, J. J. R.
 Pritchard, I. M. P.
 Rayner, B. L.
 Salter, D. F.
 Shepherd, Miss O. J.
 Spruce, C. J.
 Stanhope, Mrs M.
 Strachan, R. W.
 Tittley, M. C.
 Warfield, M. A.
 White, A. G.
 Wilcox, M. J.
 Yeates, A.
 Yeates, B. W.

AGAINST (3)

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

ABSTAIN (7)

Bamborough, R. A. J.
 Fisher, Miss B
 Fisher, Mrs H. E.
 Pullen, D. R.
 Pullen, Mrs N. I.
 Ray, P. W. W.
 Tranter, Mrs E. H.

RESOLVED: That the Medium Term Financial Strategy (Revenue and Capital) 2018-23 as submitted be approved.

Councillor Spruce then proposed the Council Tax Resolution 2019/20 as set out in the Council report. He advised that the Local Government Association was lobbying for the lifting of the Council Tax cap through the spending review to allow Councils to set their own precepts and let the electorate decide if it supports increases. With the other uncertainties council funding would in large part be down to the ability to raise local taxes to support local services.

Councillor Mrs Woodward said it was a sad day that the current administration that had fought previous elections on keeping council tax low was proposing the maximum increase permissible under the current regulations. Councillor Mrs Woodward said she had stated before that it was a regressive form of taxation that does not take account of people's income, simply the capital in their property.

Councillor Mrs Woodward advised that the Labour Group would be voting against the proposal. She said it was ironic that lifting the cap, and shifting ever more taxation onto those with low and modest incomes, was central to the lobbying undertaken by councils. She said the Government should be properly funding local services.

Councillor White noted there had always been a desire for council's to have more control of their finances but while the Revenue Support Grant had been removed the retention of business rates had not happened and he called upon parliamentary colleagues to get on with passing the necessary primary legislation.

Councillor White said the District Council had historically been a low council tax authority and to some extent was now paying the price for that. He said it was an efficient council and the provision of local services was critically important. He therefore supported the motion and urged cabinet to keep lobbying to achieve the changes that were needed.

In order to comply with Statutory Regulations a named vote was then taken on the Council tax resolution 2019/20, as submitted, and recorded as follows:-

FOR (35)	AGAINST (3)	ABSTAIN (1)
Awty, R. J.	Banevicius Mrs S. W.	Ray, P. W. W.
Bacon, Mrs N.	Evans, Mrs C. D.	
Baker, Mrs D. F.	Woodward, Mrs S. E.	
Bamborough, R. A. J.		
Barnett, Mrs S. A.		
Cox, R. E.		
Eadie, I.M.		
Eagland, Mrs J. M.		
Fisher, Miss B		
Fisher, Mrs H. E.		
Greatorex, C.		
Hoult, B. E.		
Humphreys, K. P.		
Lax, Mrs A. C.		
Leytham, D. J.		
Little, Mrs E. A.		
Matthews, T. R.		
O'Hagan, J. P.		
Powell, J. J. R.		
Pritchard, I. M. P		
Pullen, D. R.		
Pullen, Mrs N. I.		
Rayner, B. L.		
Salter, D. F.		
Shepherd, Miss O. J.		
Spruce, C. J.		
Stanhope, Mrs M.		
Strachan, R. W.		
Tittley, M. C.		
Tranter, Mrs E. H.		
Warfield, M. A.		
White, A. G.		
Wilcox, M. J.		
Yeates, A.		
Yeates, B. W.		

RESOLVED: That the Council Tax Resolution 2019/20 as submitted be approved

Further to Council's decision to approve the Property Investment Strategy on 16 October 2018 and delegate the next steps to the Leader of the Council and Chief Executive, details were given of changes to the constitution.

Councillor Spruce advised that these changes would replace the Asset Strategy Group with a new Strategic Asset Management Committee which would oversee the management of the existing property estate, the delivery of the Council's investment ambitions and act as the Shareholder Committee for the Council's Development Company.

In response to a question from Councillor Mrs Evans, Councillor Wilcox advised that the first meeting would be held once everything was in place.

It was then duly proposed, seconded and

RESOLVED: (1) Article 9, Panels and Forums, section 9.1 be amended to delete the reference to the Asset Strategy Group.

(2) Section 8.2, Standing Committees, be amended to incorporate reference to the Strategic Asset Management Committee, and the text to read:

Strategic Asset Management Committee

The role of the Strategic Asset Management Committee is to have a monitoring and advisory function with regards to the effective and efficient use of strategic assets (land and property) and other related matters as set out in Part 3 of the Constitution, while acting as the Shareholder Committee for any, and all Local Authority Development and Housing Companies

The Strategic Asset Management Committee shall comprise 5 members of the Council including at least one member of Cabinet and one opposition member.

The quorum for a meeting of the Strategic Asset Management Committee shall be 3 voting members of the Committee including at least one member of Cabinet.

(3) Part 3, Responsibility for Functions, Section 2, Responsibility for Council Functions, be amended to incorporate reference to the Strategic Asset Management Committee, and the text to read:

Council/ Committee/Panel	Functions
Strategic Asset Management Committee	To provide advice and support on the development and implementation of strategies, plans and policies relating to strategic assets.
	To monitor the financial and operational performance of strategic assets to ensure they meet the strategic ambitions and operational requirements of the council
	To provide advice and guidance in regards to the potential acquisition, disposal and development of strategic assets, including community asset transfers
	To provide assurance as to the effective and efficient use and governance of our strategic assets
	To act as Shareholder Committee for any and all Local Authority Development and Housing Companies

88 MEMBERSHIP OF THE STRATEGIC ASSET MANAGEMENT COMMITTEE

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

RESOLVED: That the Membership of the Strategic Asset Management Committee be as follows:

Strategic Asset Management Committee Composition		
Conservative 4	Labour 1	Liberal Democrat 0
Cllr. C. J. Spruce (Chairman)	Cllr. C. Ball	
Cllr. Mrs A. C. Lax		
Cllr. B. E. Hoult		
Cllr. A. Yeates		

89 HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING POLICY

Consideration was given to a Hackney Carriage and Private Hire Licensing Policy which outlined the decision making framework the Council would apply when exercising its responsibilities for licensing hackney carriages and private hire vehicles, drivers and operators.

Councillor Mrs Woodward suggested that a link to the Policy could have been provided to save paper.

It was proposed by Councillor B W Yeates, seconded by Councillor Wilcox and

RESOLVED: (1) That the draft Hackney Carriage and Private Hire Licensing Policy be approved for adoption to commence 1st April 2019.

(2) That the Chairman of Regulatory and Licensing Committee together with the Head of Regulatory Services, Housing & Wellbeing be delegated authority to make any minor amendments to the Policy.

90 CALENDAR OF MEETINGS

It was proposed, duly seconded and

RESOLVED: That the Calendar of Meeting for 2019/2020 as circulated prior to the meeting be approved.

91 QUESTIONS

Q1. Question from Councillor Mrs Woodward to the Leader of the Council

'In a statement issued by Cllr Wilcox following the warning he received regarding a breach of policy over the use of his LDC email address for business purposes, he said "I have

apologised for this infringement". Can he tell me please to whom he has apologised and whether he feels he should also now apologise to the Council and to local residents?'

Response from Leader of the Council

'I can confirm that following my warning for this breach of policy, I apologised to our Head of Legal Services Bal Nahal for this infringement, and stated that at the time back in 2011 a web page was created which should not have quoted my council email address alongside my personal email details which I did not at the time realise was a breach of policy.

The page has remained dormant since 2011 and I was only reminded of this by a tweet appearing on a local social media platform recently, once I was made aware of this the site was suspended and I am endeavouring to get this page removed.

Out of interest the property is now not advertised for rental anywhere (as far as I'm aware).

I do not feel that this minor infringement requires any further apology than the one I have already issued to the Council.'

Councillor Mrs Woodward asked the following supplementary question:

'The Leader said in his response that he has apologised to Council. I was not aware of this and wonder if he could take the opportunity to reinforce the apology to Council and also to residents of Lichfield District who are concerned about this.'

The Leader of the Council responded:

'I took legal advice from the Monitoring Officer in relation to the indiscretion that took place some 8 years ago and apologised to her. The site has been withdrawn and cannot be accessed but I did apologise to the Monitoring Officer and was assured that was all that needed to happen, but I am happy to take direction from the Monitoring Officer if anything else is required.'

The Monitoring Officer confirmed that an apology had been received and advised that this was not a formal complaint made through the complaints procedure and was therefore dealt with informally.

Q2. Question from Councillor Mrs Woodward to the Leader of the Council

'Would the Leader of the Council please explain to me how the proposed spending of almost three quarters of a million pounds on short-term cosmetic improvements to the Birmingham Road Site (BRS) site can be classed as a "do-minimum" scheme, as described in the Minutes of the BRS Working Group?'

The Leader of the Council responded:

'The proposed short term improvements and enabling works are essential for health and safety reasons. The bus station buildings are in a poor condition and as such have been boarded up for this very reason. Maintenance expenditure on the bus station during the period whilst Friarsgate was being finalised was minimal such that there are defects in the surfacing used by buses, coaches and cars and the facilities used by pedestrians and customers.

Given the above estate management issues facing the District Council as land owner it is felt appropriate to address these now.

Also it should be borne in mind that whilst the Council has commenced a cross party working group to determine the long term future of the whole of the BRS, it is unlikely that any agreed development would take place within twelve to eighteen months.

It therefore seems sensible to bring forward a scheme of works which enables the Council to address the immediate health and safety issues and in doing so provide improved facilities, enhanced environment and better aesthetic appearance to the site for an interim period.'

Councillor Mrs Woodward asked the following supplementary question:

'In the light of the decision just taken on the Medium Term Financial Strategy with £693,000 going to the Birmingham Road site on top of £2.299 million, which is a significant amount of money, will the Leader undertake to ensure further consideration of the proposals put to him on investment in Burntwood.'

The Leader of the Council responded:

'We will look at all schemes irrespective of where they fall within the District.'

Q3. Question from Councillor Mrs Evans to the Leader of the Council

'Can the leader tell me what are the totals that have been paid in grant funding to The Garrick, in the years 2015 to the present and what has been the total annual spending for other arts activities in the District during this period?'

Response from the Leader of the Council

'The expenditure relating to the Lichfield Garrick and other arts activities is set out below.

	2015/16 Actual	2016/17 Actual	2017/18 Actual	2018/19 Budget
Garrick - grant subsidy	460,000	310,000	310,000	250,000
<u>Arts Development</u>				
Direct Expenditure	21,748	19,878	19,583	17,010
Direct Income	(3,600)	(750)	0.00	0.00
Net Direct	18,148	19,128	19,583	17,010

In addition funding was given following the sale of the statue gifted to the people of Lichfield by Swinfen Broun:

St Chad's £50,000
Erasmus Darwin £25,000
St Mary's £44,979
Puppetry and Community arts website £13,000.'

Q4 Question from Councillor Mrs Banevicius to Cabinet Member for Leisure, Parks & Waste

'Could the Cabinet Member for Leisure, Parks & Waste update me on the progress to date on the transfer of parks within the District.'

Response from Cabinet Member for Leisure, Parks & Waste

Public Open Space transfers since 2014:

Site	Party Involved	Position
Gentleshaw Common	Staffordshire Wildlife Trust	Transferred on 25 year lease
POS by Gentleshaw School	Longdon Parish Council	In progress with solicitors – freehold transfer
Hospital Road Playing Fields	Burntwood Dragons and Burntwood Phoenix FC	Transferred on 25 year lease
Lichfield canal route land	Lichfield and Hatherton Canal Restoration Trust	Transferred with freehold
POS in Whittington	Whittington Parish Council	Transferred with freehold
POS at Armitage with Handsacre	Armitage with Handsacre Parish council	Decision made to arrange transfer in Feb 2019
Ongoing discussions		
Bowling greens in Beacon Park	Museum Bowls Club and Lichfield Crown Green Bowls Club	Potential 5 -25 year lease being discussed
Chase Terrace Park (Burntwood)	St John's Community Church	Potential 25 year lease being discussed
Beacon Park tennis courts	Lichfield Tennis CIO	Potential 25 year lease being discussed
POS at Fradley and Streethay	Initial discussions have taken place	
POS at Burntwood	Ongoing discussions regarding what a transfer might look like	
Land at Albutts Road (Walsall)	Potential transfer to WMBC or sale	

92 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

93 REPORT OF THE LEADER OF THE COUNCIL ON CONFIDENTIAL CABINET DECISIONS FROM THE MEETING HELD ON 12 FEBRUARY 1 – Lichfield Garrick Theatre

Councillor Mrs Evans questioned why the Garrick still required support. She said arts facilities were needed across the District and had been promised but not delivered and yet in the meantime the Council had committed half a million pounds over two years to the Garrick.

94 CONFIDENTIAL MINUTES OF THE LEISURE, PARKS AND WASTE MANAGEMENT (OVERVIEW & SCRUTINY) COMMITTEE

Councillor Matthews submitted the confidential Minutes of the Leisure, Parks and Waste Management (Overview and Scrutiny) Committee held on 16 January 2019.

14 – Lichfield Garrick Theatre

Councillor Mrs Woodward said the scrutiny had been robust and some good suggestions had been made. She noted that the City benefited from the Garrick and it had been raised previously that perhaps it should be contributing.

Councillor Mrs Woodward said Councillor Leytham had indicated that he fully expects the Garrick to be self-sufficient after two years and would not be supported after that. She asked if that could be reiterated.

Councillor Ray said the Garrick was important and needed support but said it needed to be more pro-active and it appeared to be dismissive of new ideas. He asked why the Council was not putting more pressure on the Garrick and attaching conditions to the funding.

Councillor Leytham advised that conditions were attached to the concession agreement and there were links to performance. He also noted that financial support for the Garrick had been reducing. Councillor Leytham said he had expressed his personal view that the Garrick should be able to support itself in due course although this could not be guaranteed.

95 CONFIDENTIAL MINUTES OF THE AUDIT AND MEMBER STANDARDS COMMITTEE

(d) Audit and Member Standards Committee – 6 February 2019

It was proposed by Councillor Tittley “that the Confidential Minutes of the Meeting of the Audit and Member Standards Committee held on 6 February 2019 be approved and adopted.”

RESOLVED: That the Confidential Minutes of the Meeting of the Audit and Member Standards Committee held on 6 February 2019 be approved and adopted.

(The Meeting closed at 7.47 pm)

CHAIRMAN

**FOR COUNCIL
16 APRIL 2019
(GREY ENCLOSURE)**

REPORT OF THE LEADER OF THE COUNCIL

CABINET DECISIONS – 12 MARCH 2019

1. FUTURE RE-DEVELOPMENT OF BIRMINGHAM ROAD SITE, LICHFIELD – COMMISSIONING BRIEF

The Cabinet:

- 1.1 Approved the draft brief for the purposes of engaging consultants to undertake a planning exercise in respect of Birmingham Road, Lichfield and the wider city centre.
- 1.2 Delegated to the Cabinet Member for Economic Growth, Environment and Development Services, in consultation with the Head of Economic Growth, the authority to appoint consultants to carry out the commission following a procurement exercise and subject to the costs being within agreed budgets.

2. MULTI-STOREY CAR PARK REFURBISHMENT PROJECT

The Cabinet:

- 2.1 Approved the procurement of works to undertake a refurbishment of the Multi Storey car park.
- 2.2 Delegated to the Cabinet Member for Economic Growth, Environment and Development Services, in consultation with the Head of Economic Growth, the authority to appoint contractors following a procurement exercise and subject to the costs being within agreed budgets.
- 2.3 Recommended to Full Council:
 - The inclusion of a new project in the Capital Programme with a total cost of up to £300,000 (including £50,000 of contingency) funded by the restricted earmarked reserve entitled 'Birmingham Road Car Park Repairs and Renewals'.
 - A change to the revenue budget to reflect the savings identified in the revenue implications section of the Cabinet report

3. HIGH SPEED RAIL 2 – ADDITIONAL PROVISION (PHASE 2A) AND ENVIRONMENTAL STATEMENT CONSULTATION

The Cabinet agreed:

- 3.1 That the portfolio holder for Economic Growth, Environment & Development Services in consultation with the Head of Economic Growth be given delegated authority to agree to a joint response with Staffordshire County Council and other local authorities.
- 3.2 Table 1 of the Cabinet report be submitted to Staffordshire County Council to assist in developing the joint response.
- 3.3 To continue with petitioning the Hybrid Bill in relation to the Common Lane issue.

4. EXPENDITURE FOR PLANNING SUPPORT

- 4.1 The Cabinet approved, over a 4-year period (2018/19 to 2021/22), the extension of procurement limits, up to a limit of £150,000 of expenditure from existing budgets, for any of the following recruitment agencies, to allow procurement of temporary planning officer resources:

Matchtech Group Ltd, Oyster Partnership, Vivid Resourcing, Park Avenue Recruitment, Carrington West, Macdonald and Company and G2 Recruitment.

5. ALLOCATION OF STRATEGIC COMMUNITY INFRASTRUCTURE LEVY (CIL) FUNDING

The Cabinet:

- 5.1 Approved the allocation of £300,000 of Strategic Community Infrastructure Levy (CIL) funding to the projects set out within Table 2 of the Cabinet report.
- 5.2 Noted the evaluation and development being completed by Strategic Infrastructure Group, following the recommendation by the Joint Members and Officers Group, regarding the process of allocating Strategic CIL funding in the future.

6. HOMELESSNESS AND ROUGH SLEEPER PATHWAY PROPOSALS AND POTENTIAL USE OF S106 COMMUTED SUMS

The Cabinet:

- 6.1 Approved and delegated to the Head of Regulatory Services and Cabinet Member for Regulatory Services, Housing and Wellbeing the award of the procurement exercise for a partner to deliver the homelessness and rough sleeper housing pathway service costing up to £125,000 for an initial 2 year period, with possible extension of 2 years, subject to the success of the project and availability of funds.
- 6.2 Approved the alternative use for the Approved Capital Programme projects funded by commuted sum monies and potentially from existing external grant to purchase properties to provide accommodation as part of the proposed housing pathway model.

- 6.3 Approved the delegation of next steps to the Head of Service and Cabinet Member, to acquire property for this project from a minimum approved budget of £400,000 up to a maximum of £809,000 of additional housing reserves with oversight by the s151 officer and monitoring officer. Additional expenditure will only occur if the project proves successful and further capacity is required.
- 6.4 Approved the creation of a sinking fund to provide funding for upgrades to the properties and an earmarked reserve for the transfer of any surplus between income and spend to enable reinvestment in future options to alleviate homelessness and rough sleeping

7. PENSION CONTRIBUTIONS

The Cabinet:

- 7.1 Approved that the contribution strategy is based on the Pension Fund Actuary's preferred strategy.
- 7.2 Approved the upfront payment of the three year past service element in advance in April 2020 subject to the final level being within the approved Medium Term Financial Strategy.

MICHAEL J WILCOX
LEADER OF THE COUNCIL

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**ECONOMIC GROWTH, ENVIRONMENT AND DEVELOPMENT (OVERVIEW
& SCRUTINY) COMMITTEE**

19 MARCH 2019

PRESENT:

Councillors Cox (Chairman), Ball (Vice-Chair), Warfield (Vice-Chair), Mrs Baker, Mrs Boyle, Mrs Lax, Marshall and Mrs Stanhope MBE.

(In accordance with Council Procedure Rule No.17 Councillor Pritchard attended the meeting).

49 APOLOGIES FOR ABSENCE

Apologies were received from Councillors Mrs Eagland, Drinkwater, Mrs Fisher and Smith

50 DECLARATIONS OF INTEREST

Councillor Warfield notified the Committee that he would declare a disclosable pecuniary interest and would leave the room if any reference to the Lichfield Greenhill Bower was made during discussions.

51 MINUTES OF THE PREVIOUS MEETING

The minutes from the previous meeting were signed as a correct record.

52 WORK PROGRAMME

The Committee noted that this was the last scheduled meeting of the Municipal year. Members also noted the items that would be rolling over into the next Council cycle including the review of the operation of Planning Committee.

RESOLVED: That the work programme be noted.

53 EVENTS AND FESTIVALS IN LICHFIELD CITY - ECONOMIC IMPACT

The Committee received a report on the work that had been taken to date, as part of a commission to assess the economic impact of key events and festivals that take place in the city. It was reported that the Council delivered some of the events but most were carried out and funded by partner organisations. It was then noted that the assessment would determine the impact of the growing events and festivals were having on the city, local businesses and Council services.

The Committee discussed safety at the events and wished to know how they were managed as Members had received complaints from residents. There was concern that there could be bad press that would impact on the success of event. It was reported that there had been no incidents and that was in part due to the work of the Environmental Health team. Hot spots for bottle necking of crowds were known and ways to manage this were discussed with event organisers and partners of the Safety Advisory Group (SAG) but it was noted that access for emergency vehicles was required.

The Committee then discussed the benefits of visitors returning to the district after coming to events and it was noted that did happen and this was the positive for local businesses. When

asked, it was noted that the businesses in the BID would be surveyed as part of the wider commissioned work. It was requested that email reminders to fill out the survey be sent to maximise return.

Subsidising events was discussed and it was noted that when events began, the Council supported them as part of the normal day to day regime for example street cleaning however these events had grown and charging for these services were happening and although not well received by organisers, no subsidies were possible. It was noted that the data from the commissioned work would guide and justify any decision.

Benefits come from whether shops stay let and we get rates etc. if they closed through lack of support we would in the end lose as couldn't keep services going.

Members had concern regarding a saturation point of events where it becomes harmful to the area and only eatery/public houses prosper. Members quoted issues seen in York, Devon and Venice as examples. It was noted that this would be kept under review and the number of empty shops would be an indication to this saturation. It was noted that currently the level of empty shops were lower than the national average.

Members recognised the lack of hotel accommodation in the District and it was noted that this was being addressed but it was requested that the subject be part of the survey. It was agreed that provision would attract more visitors and potentially coach operators to do offer full weekend trips and not just quick stop offs.

The Committee noted that general operational issues would be considered by the Leisure, Parks and Waste Management (Overview & Scrutiny) Committee.

RESOLVED: That the report be noted.

54 LOCAL PLAN AND RELATED SPATIAL POLICY MATTERS UPDATE

The Committee received a report giving an update on the Main Modifications consultation, Local Plan review, Statement of Community Involvement and Neighbourhood Plans.

It was reported that the responses received for the consultation on the Local Plan Allocations Main Modifications had been submitted to the Planning Inspector for his consideration and it was noted that the next steps would for the Inspector to finalise his report and submit it for fact checking by the Council. The Committee noted that there was no timeframe for this to happen.

The Committee went through the responses, specifically those from the Main Modifications consultation and the following observations were made.

Comments were made regarding the representation received by Birmingham City Council and there were concerns that it could be interpreted as an assumption that Lichfield District Council would take their housing requirements. It was noted however that there was a duty to cooperate but not agree and discussions were continuing and positive. It was noted that housing numbers had reduced over time and there could need to be some concessions.. The comments made by Walsall Metropolitan Council were also noted and there were concerns as they had objected to the modifications.

The green belt was discussed further and there was consensus that although there was desire to protect it there will be a need to review it. Members noted that there would be difficult decisions to make on this in the future.

Regarding the Statement of Community Involvement consultation it was asked if the request from Lichfield City Council to publish its list of consultees be reconsidered and it was agreed to look at this again and get back to Members.

Neighbourhood plans was discussed and it was agreed for the Cabinet Member to encourage Burntwood Town Council as much as possible to move forward with their plan. It was asked if there was any feedback from early plan adopters as this analysis may give some insight as to why other areas are not as forthcoming as hoped. It was noted that there would be a review of the CIL charging and this may help as there had been concerns over the different charging zones. It was also agreed that managing expectations was required as many had been disappointed that they could not fully dictate what development happened in their area.

RESOLVED: (1) That the summary of Local Plan Allocations Main Modification responses, and Council responses be noted;

(2) That the progress associated with the Local Plan Review be noted;

(3) That Cabinet be recommended to approve the summary of comments and officer responses in respect of the Statement of Community Involvement;

(4) That Cabinet be recommended to approve the updated Statement of Community Involvement for adoption subject to the changes identified;

(5) That the recent progress in relation to neighbourhood plans within Lichfield District be noted; and

(6) That the minutes of the 19th December 2018 Local Plan Sub Group be noted.

55 SUSTAINABLE DESIGN SPD APPENDIX A UPDATE

The Committee received a report on the results of the consultation on the draft revision of Appendix A of the Sustainable design Supplementary Planning Document (SPD) entitled 'Space and Dwellings and Amenity Standards for all Development'.

Members welcomed the update and agreed that it would be of great help especially in Planning Committee. It was suggested that it be sent to all Parish Council Clerks as an aid in their Planning committee's also.

Members felt that there was a lack of imagination in development currently and developers do not have concerns regarding using best light available or consider which way a property is facing to get best light. It was noted that it would be difficult to enforce to that level.

When asked, it was confirmed that the legal right to light is separate and needs to be dealt with through different routes to the planning system.

RESOLVED: That the contents of the report be noted and Cabinet be recommended that the revised Appendix A of the Sustainable design Supplementary Planning Document (SPD) entitled 'Space and Dwellings and Amenity Standards for all Development' be formally adopted by the Council.

56 BRS WORKING GROUP UPDATE

The Committee received the notes from the last BRS Working Group. It was noted that engagement events had been held for both stakeholders and the public. Regarding the public event, it was reported that there were three sessions with 300 people attending with the overall feedback being positive with appreciation of views being sought by the Council.

Thanks to Chair and Vice Chairs and Members. Thanks to Officers for their support.
Thanks to former VC Drinkwater

57 VOTE OF THANKS

It was proposed, duly seconded and

RESOLVED: That the sincere thanks of the Committee be recorded to all the Chairmen and Vice-Chairmen including Councillor Drinkwater as past Vice-Chairman for their work during the past year.

(The Meeting closed at 7.35 pm)

CHAIRMAN

COMMUNITY HOUSING AND HEALTH (OVERVIEW AND SCRUTINY) COMMITTEE

25 MARCH 2019

PRESENT:

Councillors Mrs Baker (Chairman), Mrs Evans (Vice-Chair), Miss Shepherd (Vice-Chair), Ball, Bamborough, Mrs Boyle, Eadie, Hoult, Humphreys, O'Hagan and Ray.

County Councillor Mrs Eagland attended the meeting and joined the Committee on items relating to health.

(In accordance with Council Procedure Rule No.17 Councillor A. Yeates attended the meeting).

31 APOLOGIES FOR ABSENCE

Apologies were received from Councillor Mrs Constable

32 DECLARATIONS OF INTERESTS

Councillor Shepherd declared a personal interest in item 5 – Together We're Better (TWB) Consultation as her mother works at the Sir Robert Peel Community Hospital

Councillor O'Hagan – declared a personal interest in item 5 – Together We're Better (TWB) Consultation as he works for Midland Partnership NHS Foundation Trust who are based at the Sir Robert Peel Community Hospital

33 MINUTES OF THE PREVIOUS MEETING

The Minutes of the Meeting held on the 10th January 2019 were circulated and signed as a correct record subject to clarification that on Minutes number 26, it was requested that the property investment company focus on buying properties to socially rent. It was noted that this request had been passed to the Assistant Chief Executive to investigate further.

34 STANDING ITEMS

(a) Lichfield District Health Provision
There was no new information for the Committee to note.

(b) Staffordshire Health Select Committee
County Councillor Mrs Eagland reported the main points that were discussed at the SCC meeting on the 4th February 2019. Councillor Mrs Baker then reported the main points of the SCC meeting on the 19th March 2019 and reported that she had requested data on Stroke pathways through Good Hope and Heartlands hospitals as many residents from the District take that route. She also reported that she would pass this information to the Committee once received.

35 TOGETHER WE'RE BETTER (TWB) CONSULTATION

The Committee received a presentation from the Director of the Together We're Better (TWB) programme, Simon Whitehouse.

Mr Whitehouse reported that the TWB was the Sustainability and Transformation Partnership (STP) for Staffordshire and Stoke-on-Trent and was comprised of NHS, GGC and higher tier Local Authorities. He also reported that the objective of TWB was to drive innovation to improve health, provide better care and lower costs.

Mr Whitehouse reported on what had already happened including the Frailty Hub which began in Lichfield and would be rolled out across the county. Members noted that the hub supported families not just patients and dealt with access to information and support being provided.

GP access and proposed integrated care teams were then discussed and Mr Whitehouse reported that this work had begun and it would allow for residents to access care like physiotherapy immediately without the need of a GP referral. It was asked if District Nursing would be included in this approach and it was reported that they would be and staffing levels were being worked through. Members also asked how this approach would work with single GP practices and it was reported that the contracts were being updated to include incentives to work with partners and build those relationships. Deliverability of integrated care teams was questioned by Members specifically whether there would be enough staff to create these teams or if there would be a shortage. It was reported that the ideal number of staff was known but it would take time to get everything and everyone in place. It was agreed that navigating the current system of referrals was not user friendly for patients and integrated care would help this. It was also agreed that this would require a culture change for care providers along with a breakdown in organisational barriers.

Funding was discussed and it was asked what avenues there were. It was reported that TWB was not statutory so could not get funding directly but could access it through the STP on a national level. It was noted that although more funding had been secured nationally through the new settlement, it was intended to create a 4% saving through identifying efficiencies and joining priority areas.

The longer term plans were presented to the Committee including the response timescales and it was noted that a local input was vital for the refresh of the five year strategic plan and it was agreed the Committee could help TWB when appropriate.

The five system priorities were discussed and there was some concern that not much work had been identified for mental health. Members agreed that care closer to home should be considered significantly for Lichfield especially with the temporary closure of George Bryan centre as that meant there was no mental health facility in the area. It was noted that any permanent plan for the George Bryan centre would be subject to consultation.

There was some concern that the priorities were not of a preventative nature and it would be this that would lead to healthier communities, less strain on the care system and overall savings. It was agreed that more conversations were needed especially with local authorities regarding delivering health and wellbeing strategies. The Chairman reported that the County Council's Health Select Committee Chairman was writing to the government to state the importance of considering health implications in the planning process.

The wider pre-consultation was discussed and it was noted that it would be to get views on what was or wasn't currently working and not on specific plans. The Committee asked how the public would be made aware of consultation events and Mr Whitehouse reported that he would like help from authorities to do this so it was agreed that TWB would give the Committee their location timetable and Members would pass back through the Chairman and Officers their ideas for engaging with the public and any names of organisations that could aid TWB.

Mr Whitehouse was thanked for his presentation and attending the meeting. Mr Whitehouse reported that he would be happy to return to the Committee in the future to discuss specific aspects of the programme.

RESOLVED: That the information received be noted and ideas for effective engagement between the TWB and residents be passed to the Chairman and Officers.

36 WORK PROGRAMME

The work programme was circulated and it was noted that items had already been identified for the next Municipal year.

RESOLVED: That the work programme be noted.

37 VOTE OF THANKS

It was proposed, duly seconded and

RESOLVED: That the sincere thanks of the Committee be recorded to all the Chairmen and Vice-Chairmen and Officers for their work during the past year.

(The Meeting closed at 7.15 pm)

CHAIRMAN

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

26 MARCH 2019

PRESENT:

Councillors Matthews (Chairman), Mrs Banevicius (Vice-Chair), Rayner (Vice-Chair), Mrs Bacon, Pullen, Mrs Pullen, Salter, Mrs Tranter, Mrs Woodward and B Yeates.

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

15 APOLOGIES FOR ABSENCE

Apologies were received from Councillor Miss Fisher

16 DECLARATIONS OF INTERESTS

Councillors Mrs Pullen and Mrs Woodward declared personal interests in any reference to Staffordshire County Council as they are County Councillors.

17 MINUTES OF THE PREVIOUS MEETING

The minutes including the confidential part of the previous meeting as circulated were signed as a correct record.

18 WORK PROGRAMME

The work programme was discussed and it was noted that this was the last meeting of the Municipal year. Items requested to be put forward for the next year included football pitches review, an update on Bowling clubs and opportunities for events at Chasewater.

RESOLVED: That the work programme be noted.

19 LEISURE MANAGEMENT OUTSOURCING - PRESENTATION BY FREEDOM LEISURE

The Committee received a presentation from Mike Worsnop, Head of Business Development & Active Communities for Freedom Leisure.

The presentation focused on the first 12 months of Freedom Leisure operation and commitments delivered so far. It included the introduction of free swimming for all under 5's and the soon to be introduced free swimming for all over 75 year olds.

The presentation then gave an update of the refurbishment of Burntwood Leisure Centre which included an investment for energy saving at the site along with equipment and the Costa reception area. This was followed by information regarding the fee payable from the Council to Freedom and noted that this would reverse and become a fee received in 2020/21.

Balanced scorecard information was presented to show performance in participation at both Burntwood and Friary Grange centres. It was reported that the Council monitored these

scorecards and as this was the first year of operation, these scorecards would set the baseline to compare to in future years.

Health and Wellbeing was discussed and it was reported that a new Active Communities Manager had begun work at Freedom and developed their development plan for 2018-2020 in partnership with the Council and other parties and clubs. It was agreed to send this plan to the Committee.

Members asked how targeting for under participating demographics were carried out as there was concern that wards known for deprivation were not being targeted. It was reported that Freedom worked closely with the Sports development team at the Council who know the relevant areas and that Freedom also used 'know your patch' and conducted consultations with schools and clubs.

Members discussed further areas of improvement that they wished to be considered by Freedom including the showers and toilets at BLC. It was also requested that a changing areas changing space for disabled users be looked at and it was agreed to investigate this further as Freedom do offer this at other facilities they manage. Car parking provision was also considered as needing improvements especially blue badge provision as well as parent and child spaces especially if participation was to grow.

When asked, it was reported that competitor gyms opening in both the Lichfield and Burntwood areas were known about however the offerings and price points were different so there was no concern regarding losing users.

Friary Grange Leisure Centre was discussed further and it was noted that there had been further meetings with Staffordshire County Council and the school as it is move to academy status. It was reported that a business case as to whether there should be future investment was being worked on and would be reported as soon as possible. It was asked what Freedom's position would be and if the centre would be viable if there was no capital investment in the pool and it was reported that it was a known risk and Freedom were supporting the Council to make informed decisions. It was asked if a further graph showing fee payable or receivable could be provided to include FGLC as well as BLC. Freedom Leisure were thanked for their attendance and input to the Committee.

RESOLVED: The information received be noted.

20 BURNTWOOD PARKS

The Committee received a report overviewing the decision to cease the locking of four parks in Burntwood. It was reported that the decision not to lock was made when all services were asked to identify savings and it had been agreed to transfer the responsibilities for the parks to Burntwood Town Council (BTC). Subsequently, the parks did not transfer to BTC.

It was reported that some issues of ASB had come to the Council's attention and complaints received so an agreement had been put in place with residents to lock the gates at Redwood Park. It was noted that ASB had reduced however it had been winter and this may change when the weather gets warmer. As regards to motorbikes scrambling at Chase Terrace Park, it was reported by Committee Members that they use the railway tracks and that is why there is no evidence of damage in the park.

Members stated their concern and disappointment at not being consulted on the decision not to lock the parks and felt it vital to inform ward Members of decisions of this nature. Members also had concern of relying on the goodwill of residents to carry out the task of locking park gates. It was requested by the Committee that these residents be supported if required. The Chairman stated that he would send the residents a letter thanking them for their help on behalf of the Committee.

A query was raised regarding the position of tree planting at Burntwood Park as it was encroaching on the children's play area and there was again concern that ward Members had not been notified. It was reported that the trees had been planted as part of the Lichfield Cathedral's Peace Woodland project. It was agreed that Officers would meet with Members at the park to discuss and relocate the trees to a more appropriate location.

RESOLVED: That the report be noted and Ward Members be informed along with Police to any changes to the current arrangements for locking parks.

21 REVIEW OF PARKS EVENTS PORTFOLIO

The Committee received a report on details of the events and festivals programme delivered in 2018 on the council's parks and open spaces. It was noted that a report on the economic impact of events had been reported to the Economic Growth, Environment & Development (Overview & Scrutiny) Committee.

It was reported that lessons had been learnt regarding certain events and it was noted that with regard to the Drive in Movies events, it was recognised that the cult movie selection was not selling as well as anticipated so the decision was made to change to a newer blockbuster movie and sell tickets through Eventbrite which made a vast improvement and sales from that one movie offset the loss from the others. The Winter Wonderland event was also discussed and Members felt that positive steps had been taken to reduce issues occurring and congratulated Officers for continuing to develop the commercial aspect of the service.

Members asked whether the data captured could include events in Burntwood and the research due to be carried out by Bournemouth University on economic impact could include the impact across the whole district. It was reported that this would be investigated. It was discussed as to whether more support should also be provided by the City Council as the area benefitted greatly from the events held.

It was suggested that there had been some crime and disorder at events but it was also noted there was a high potential for a perception of crime and it was requested that any facts from the Police be sought. It was confirmed that there had been no reports of issues to the Regulatory and Licensing Committee.

Income figures from the events was requested and it was reported that figures would be sent to the Committee once the financial year had ended and the most accurate figures could be provided. When asked, it was confirmed that there were different pricing regimes if bookings were from commercial or community.

RESOLVED: That the report be noted and financial information be sent to the Committee when available.

COUNCILLOR B. YEATES DECLARED A PERSONAL INTEREST IN ANY MENTION OF THE GARRICK THEATRE AS HE HAS DEALT WITH THEM IN A BUSINESS CAPACITY.

22 VOTE OF THANKS

It was proposed, duly seconded and

RESOLVED: That the sincere thanks of the Committee be recorded to the Chairman and Vice-Chairmen and Officers for their work during the past year. The Chairman also wished to record his thanks to Vice-Chairmen for their work and support.

(The Meeting closed at 7.20 pm)

CHAIRMAN

PLANNING COMMITTEE

4 MARCH 2019

PRESENT:

Councillors Marshall (Chairman), Mrs Baker, Mrs Barnett, Cox, Mrs Evans, Matthews, Pritchard, Mrs Stanhope MBE and Strachan

44 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Mrs Bacon, Bamborough, Drinkwater, Powell and A Yeates.

45 DECLARATIONS OF INTEREST

Councillor Mrs Stanhope MBE declared a personal interest as the Chair of Lichfield Canals & Hatherton Restoration Trust (Objector) is known to her.

Councillor Mrs Baker declared a personal interest as some of the Objectors are known to her.

46 MINUTES OF PREVIOUS MEETING

Subject to the inclusion of apologies being added from Councillor Strachan, the Minutes of the Meeting held on 11 February 2019 previously circulated were taken as read, approved as a correct record and signed by the Chairman.

47 PLANNING APPLICATIONS

Applications for permission for development were considered with the recommendations of the Director of Place and Community and any letters of representation and petitions of observations/representations together with a supplementary report of observations/representations received since the publication of the agenda in association with Planning Application 17/01191/OUFMEI

17/01191/OUFMEI – Hybrid Planning Application comprising full Planning Application for the construction of a sustainable mixed use urban extension comprising of 475 dwellings, new vehicular access points onto Claypit Lane and Birmingham Road, the remodelling and formation of a roundabout at the junction of Fosseway Lane and Claypit Lane, Comprehensive Green Infrastructure including up to 16.55 HA of Country Park, Footpaths, Cycleways, Multifunctional Open Space including Children's Play Areas, Community Orchard, Open Space for Informal Sport and sustainable urban drainage systems, foul and surface water drainage infrastructure including balancing ponds, and other ancillary infrastructure and ground remodelling.

With Outline Applications for the serviced provision of 1.09 HA of Land for a Primary School and 1.9 HA for Strategic Sports provision with all matters reserved except access Deanslade Park, Land South of Falkland Road, Lichfield, Staffordshire
Deanslade Park Consortium

RESOLVED:-

(1) Subject to the owners/applicants first entering into a Section 106 Legal Agreement under Town and Country Planning Act (as amended) to secure contributions/planning obligations towards:-

1. On-site affordable housing provision.
2. On-site Public Open Space Provision (including Delivery of Country Park).
3. On-site Sports Provision (including changing facilities).
4. Bus Service and Travel Pack Contribution.
5. Primary School Education Contribution.
6. Travel Plan.
7. Off-site highway works.
8. Maintenance Management Company.

(2) If the Section 106 Legal Agreement is not signed/completed by the 15th April 2019 or the expiration of any further agreed extension of time, then powers be delegated to officers to refuse planning permission based on the unacceptability of the development without the required contributions and undertakings as outlined in the report then planning permission be approved subject to conditions contained in the report of the Director of Place and Community.

(PRIOR TO CONSIDERATION OF THE APPLICATION REPRESENTATIONS WERE MADE BY MRS CHRISTINE BULL, CHAIR OF LICHFIELD & HATHERTON CANALS RESTORATION TRUST (OBJECTOR) AND MR ROB BEATTIE OF TAYLOR WIMPEY (APPLICANT))

(The Meeting closed at 7.14 pm)

CHAIRMAN

AUDIT AND MEMBER STANDARDS COMMITTEE

27 MARCH 2019

PRESENT:

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

Observer: Councillor Spruce (Cabinet Member of Finance & Democratic Services)

Officers In Attendance: Mrs J Irving, Miss W Johnson, Ms B Nahal, Mrs A Struthers, Mr A Thomas, Ms C Tims and Mr N Turner

Also Present: Ms Laurelin Griffiths (Grant Thornton UK LLP) (External Auditors) and Mr Phil W Jones (Grant Thornton UK LLP)

36 APOLOGIES FOR ABSENCE

No apologies were received.

37 DECLARATIONS OF INTEREST

There were no Declarations of Interests.

38 MINUTES OF THE PREVIOUS MEETING

The Minutes of the Meeting held on 6 February 2019, as printed and previously circulated, were taken as read and approved as a correct record.

39 REVIEW OF ACCOUNTING POLICIES

Mr Thomas presented the proposed Accounting Policies for the 2018/19 Statement of Accounts and explained that best practice recommends that this be used to prepare the Council's Statement of Accounts if approved by the Audit & Member Standards Committee. The changes had been highlighted throughout the report for ease of reference and Mr Thomas did a Presentation which covered Local Authority Accounts, Accounting Policies, Potential changes in Accounting Policies for 2018/19, Financial Instruments at 31 March 2018, International Financial Reporting Standard (IFRS) 9 Financial Instruments and Classifications and likely Financial Instrument Classifications at 31 March 2019.

Mr Thomas explained that we had assessed the scope and the Council's income and believed that Standard IFRS15 did not apply to Lichfield District Council, implementation of IFRS16 related to Leases had been delayed for implementation by CIPFA until 1 April 2020 and only Standard IFRS9 applied for Financial Instruments applies for 2018/19. Mr Thomas explained that the main change contained within this Standard is the introduction of a forward looking expected credit loss (ECL) model for financial assets such as investments and relevant debtors that replaces the old incurred loss model which impacts on two accounting policies – Financial Instruments and Fair Value Measurement which Mr Thomas went on to explain as it had been described as more user-friendly but still complex. In IFRS you can make a choice through an election to manage changes through the balance sheet and Arlingclose view is that the election is only suitable for strategic funds and company shares held for the long term and that shares and units in pooled funds are equity instruments including the CCLA Property

Fund. However, our External Auditors have alternative views on this as Grant Thornton as a firm believe Property Funds do not meet the criteria for election.

Concern at the different professional opinions was raised by the Committee as it was felt as lay members receiving two diverse professional views can be very confusing. It was asked if one could revoke the election but Mr Thomas stated that once made, the decision was irrevocable until it ends when you sell the investment. However, Mr Thomas did say that there were differences of opinion between different audit firms on this as the moment and it was a relatively modest amount of money (£70,000) which may reduce in the future dependent on the value of property within the property fund.

RESOLVED:- The Committee approved the Council's proposed Accounting Policies that will form part of the 2018/19 Statement of Accounts.

40 PUBLIC SECTOR INTERNAL AUDIT STANDARDS & QUALITY ASSURANCE & IMPROVEMENT PROGRAMME

Mrs Struthers (Audit Manager) presented the Public Sector Internal Audit Standards/Quality Assurance & Improvement Programme Report which provides evidence of compliance with the Public Sector Internal Audit Standards. The Quality Assurance & Improvement Programme is a requirement of the Public Sector Internal Audit Standards and sets out how the quality will be measured for the Internal Audit Service. Mrs Struthers explained that Appendix 1 was the current internal annual assessment against the standards and Appendix 2 was the Quality Assurance & Improvement Programme (QAIP).

RESOLVED:- Members endorsed the Internal Quality Assessment and the Quality Assurance & Improvement Programme as no issues were raised.

41 INTERNAL AUDIT CHARTER AND PROTOCOL

Mrs Struthers (Audit Manager) introduced Members to the proposed Internal Audit Charter and Protocol for the 2019/20 financial year. The Committee considered the attached report and appendices and changes made to the protocol were welcomed. The changes included deleting the requirement for the issue of a memo in certain circumstances as, after completion of all work, a final audit report will be issued and the Report distribution being extended to all Members of the Audit & Member Standards Committee to ensure that all Members of the Committee are made aware of the assurance levels given at the completion of the audit.

RESOLVED:- The Committee considered and approved the amended Internal Audit Charter and Protocol for 2019/20 as no issues were raised.

42 INTERNAL AUDIT PLAN

Mrs Struthers (Audit Manager) introduced the Internal Audit Plan 2019/20 which is the work programme of the Internal Audit section. Discussions took place and it was recognised that there was a typo in paragraph 3.4 as the days calculated should have quoted 447 as detailed in Appendix 1. It was agreed to amend this and there was only one concern around the planned number of days spent on Finance & Procurement – a query was raised whether 10 days was enough for the Property Investment Strategy audit. Mrs Struthers and Mr Thomas agreed and stated that once an area was scoped and identified a better idea of the number of days involved was mapped. The planned days are an estimate as some areas could take less or some more but the plan would be monitored throughout the year.

RESOLVED:- Members approved the Annual Planned Audit Work Programme.

43 2017/2018 ANNUAL REPORT OF THE MONITORING OFFICER - COMPLAINTS

A verbal report was given by Ms Bal Nahal as Monitoring Officer on the number of complaints received by Lichfield District Council since the last Annual Report tabled on 9 May 2018. Only two complaints had been received during 2017/18 and no action on either taken. However, as several complaints had recently been received she suggested the Annual Report of the Monitoring Officer re: complaints be brought forward on the Audit & Member Standards Committee work programme to November 2019.

It was asked if there was a peak in complaints at election time and Ms Nahal confirmed that there was, but they can be politically motivated and do not all go through the complaints procedure. Members said one of the difficulties with members' complaints was that there was no inhibitor within the process and it was agreed there was a problem as each complaint had to be dealt with on its own merit as frivolous, vexatious and politically motivated tit-for-tat complaints were likely to be rejected.

Ms Nahal said she had taken a briefing note to Leadership Team recently on Local Government Ethical Standards Best Practice Guidance which highlighted the Standards in Public Life Report. A number of recommendations may require legislative change but the council should be adopting best practice.

It was asked if the Committee could assist in assessing the recommendations but it was felt that given the disruption to the legislative process posed by the effects of Brexit there was considerable potential for constant changes. It was agreed to await the primary and secondary legislation adoption.

It was agreed that Councillors have a very difficult job as there is a consistent change in legislation for them to consider. Ms Nahal said that it had been recommended after her last Annual Report that refresher member training take place on Code of Conduct/Equalities and this had taken place. Ms Nahal advised that there would be a Member Induction and Member Training session arranged after the District/Parish Election on 2 May 2019 and asked if existing members could help any new members going forward.

44 AUDIT COMMITTEE LDC PROGRESS REPORT AND UPDATE - YEAR ENDED 31 MARCH 2019

Mr Phil Jones and Ms Laurelin Griffiths from Grant Thornton presented the Audit Progress Report and Sector Update Lichfield District Council year ending 31 March 2019 which provided the Committee with a report on progress in delivering our responsibilities as External Auditors. Ms Griffiths confirmed that the interim audit had commenced in January 2019 and said the auditors had been on-site for a couple of weeks during the month of March and so far no issues had been found. She advised that the statutory deadline for the issue of the 2018/19 opinion is 31 July 2019 and they were currently discussing their plan and timetable with officers. The final accounts audit is due on 28 May with a findings report being tabled at the July Audit & Member Standards Committee meeting.

Mr Phil Jones advised the Committee Sector Updates had been included in the report to give an update on emerging national issues and developments that may be relevant to us as a local authority and includes a number of challenge questions in respect of emerging issues which the Committee may wish to consider.

RESOLVED:- The Committee noted the contents of the Audit Progress Report and Sector Update.

45 WORK PROGRAMME

Members noted the Work Programme and the Chairman requested any additions/alterations to the programme.

46 EXCLUSION OF PUBLIC AND PRESS

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

IN PRIVATE

47 CONFIDENTIAL MINUTES OF THE PREVIOUS MEETING

The Confidential Minutes of the Meeting held on 6 February 2019, as printed and previously circulated, were taken as read and approved as a correct record.

48 CONFIDENTIAL INTERNAL AUDIT REPORT - PR & COMMUNICATIONS

Minutes for this item are recorded separately as it includes exempt information.

(The Meeting closed at 7.15 pm)

CHAIRMAN

Designation of Interim Monitoring Officer

Report of Cabinet Member for Finance and Democratic Services

Date: 16 April 2019

Agenda Item: 12

Contact Officer: Neil Turner, Director of Transformation

Tel Number: 01543 308761

Email: neil.turner@lichfielddc.gov.uk

Key Decision? **NO**

Local Ward: None

Members



Council

1. Executive Summary

- 1.1 The Local Government and Housing Act (1989) obliges the Council to nominate one of its officers as its Monitoring Officer.
- 1.2 The previous Monitoring Officer, Bal Nahal, the former Head of Legal, Property and Democratic Services, left the employment of the Council on the 14 April 2019.
- 1.3 In consequence, Council is required to designate a new Monitoring Officer.

2. Recommendations

- 2.1 It is recommended that Council approves the designation of Christie Tims, Head of Corporate Services as the Interim Monitoring Officer.

3. Background

- 3.1 Legislation specific to local government obliges councils to appoint three 'statutory officers': a Head of Paid Service (here that is Diane Tilley), a S151 Officer (Anthony Thomas) and a Monitoring Officer.
- 3.2 Section 5 of the Local Government and Housing Act 1989 says that 'shall be every duty of every [council] to designate one of their officers (to be known as 'The Monitoring Officer')'.
- 3.3 The council is obliged to provide The Monitoring Officer with the staff, accommodation and other resources as required for the duties of The Monitoring Officer to be undertaken.
- 3.4 The Monitoring Officer has three main roles:
 - To report to Council on matters, decisions and actions that they believe are, or are likely to be, illegal or amount to maladministration;
 - To be responsible for matters relating to the conduct of Councillors and officers, in accordance with the Codes of Conduct for Members and for officers.
 - To be responsible for the maintenance and operation of the council's Constitution.
- 3.5 The role of the Monitoring Officer, as described by the Constitution, is attached at Appendix A.
- 3.6 The Council has designated a Deputy Monitoring Officer, who can support the Monitoring Officer and has the authority to act in their absence.
- 3.7 Unlike the S151 Officer, who must be a qualified accountant, there are no qualification requirements to being the Monitoring Officer other than they must not also be the S151 Officer.

- 3.8 The nature of the role demands full access to the decision making processes. This limits the number of potential officers to those that are members of Leadership Team.
- 3.9 Members will also be aware that the Council currently has three vacant Heads of Service position. There will be a review of the structure of the senior management team before any vacancies are advertised, which will come to Members for consideration as early in the new Council as possible.
- 3.10 In order not to prejudge the outcome of this review it is proposed to designate an Interim Monitoring Officer.
- 3.11 Officers have considered the skills, capability, capacity and anticipated work commitments of those of those on Leadership Team. In consequence, it is recommended that Council designates Christie Tims, Head of Corporate Services, as the Council's Interim Monitoring Officer.

Alternative Options	<p>All members of Leadership Team were considered for the position and concluded that Ms Tims is the most appropriate nomination.</p> <p>Other officers were considered – as was sharing a Monitoring Officer with another council - but it is felt that the Monitoring Officer should be one of our own staff and a member of Leadership Team so that they are at the centre of the decision formulating process and can advise in a timely manner.</p>
Consultation	Leadership Team has been consulted on this proposal.
Financial Implications	There are no additional financial implications arising from this report.
Contribution to the Delivery of the Strategic Plan	Designating the Monitoring Officer is a statutory duty of the Council.
Equality, Diversity and Human Rights Implications	There are no such implications arising from this report.
Crime & Safety Issues	There are no such implications arising from this report.
GDPR/Privacy Impact Assessment	There is no requirement to complete a Privacy Impact Assessment because of this report.

	Risk Description	How We Manage It	Severity of Risk (RYG)
A	The Council does not appoint a Monitoring Officer	The Council is being asked to designate a Monitoring Officer so that we comply with our obligations.	Green

<p>Background documents</p> <p>Local Government and Housing Act 1989</p> <p>Lichfield District Council Constitution</p>

Appendix A

The Role of the Monitoring Officer

(a) Maintaining the Constitution

The Monitoring Officer will maintain an up to date version of the Constitution and ensure that it is widely available for consultation by members, officers, and the public.

(b) Ensuring Lawfulness and Fairness of Decision Making

After consulting the Head of Paid Service and Chief Finance Officer, the Monitoring Officer will report to the Council (in relation to a non-executive function) and to the Cabinet in relation to an executive function if he/she considers that any proposal, decision, or omission will give rise to unlawfulness or any decision or omission has given rise to maladministration. Such a report will have the effect of preventing the proposal or decision from being implemented until the report has been considered.

(c) Supporting the Audit and Member Standards Committee

The Monitoring Officer will contribute to the promotion and maintenance of high standards of conduct through provision of support to the Audit and Member Standards Committee.

Notwithstanding any duty of confidentiality, the Monitoring Officer shall be at liberty to disclose any information relating to the Council's affairs, and provide copies of any records or documents belonging to the Council to the Audit and Member Standards Committee, for the purposes of investigation or determination of an allegation that a Councillor has failed to comply with the Code of Conduct for Members.

(d) Receiving Reports

The Monitoring Officer will receive and act on reports made by the Council's Audit and Member Standards Committee.

(e) Conducting Investigations

The Monitoring Officer will conduct investigations into matters as directed by or which fall within the jurisdiction of the Audit and Member Standards Committee and the Monitoring Officer and make reports or recommendations in respect of the same to the Audit and Member Standards Committee, in so doing the Monitoring Officer shall comply with any arrangements for such investigations as may be adopted by the Council.

(f) Proper Officer for Access to Information

The Monitoring Officer will ensure that decisions, together with the reasons for those decisions, and relevant reports and background papers are made publicly available in accordance with legislation.

(g) Advising whether Cabinet Decisions are within the Budget and Policy Framework.

The Monitoring Officer will advise whether the decisions of the Cabinet are in accordance with the Council's budget and policy framework.

(h) Providing Advice

The Monitoring Officer will provide advice on the scope of powers and authority to take decisions, maladministration, financial impropriety, probity and budget and policy framework issues to all Councillors.

(i) Restrictions on Post

The Monitoring Officer cannot be the Chief Finance Officer or the Head of Paid Service.

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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