

COUNCIL

16 FEBRUARY 2021

PRESENT:

Councillors Powell (Chairman), Cross (Vice-Chair), Anketell, Baker, Ball, Banevicius, Barnett, Binney, Birch, Checkland, Cox, Eagland, D Ennis, L Ennis, Evans, Grange, Greatorex, Gwilt, Ho, Humphreys, Lax, Leytham, A Little, E Little, Marshall, Matthews, Norman, Parton-Hughes, Pullen, Ray, Robertson, Salter, Silvester-Hall, Smith, Spruce, Strachan, Tapper, Warburton, Warfield, Westwood, White, M Wilcox, S Wilcox, A Yeates and B Yeates.

136 APOLOGIES FOR ABSENCE

An apology for absence was received from Councillor Eadie.

137 DECLARATIONS OF INTEREST

There were no declarations of interest.

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

RESOLVED: That the Minutes of the Meeting held on 15 December 2020 be approved as a correct record.

139 CHAIRMAN'S ANNOUNCEMENTS

The Chairman said it was his sad duty to inform Members that former Councillor Stephen Taylor had passed away.

The Council held a Minute's silence in memory of former Councillor Taylor and all those who had suffered a loss recently. Following the silence Members remembered and paid tribute to former Councillor Taylor who had represented Chasetown Ward from 2011 to 2015 and served on a number of Committees, including Planning and Regulatory and Licensing Committee.

140 REPORT OF THE LEADER OF THE COUNCIL ON CABINET DECISIONS FROM THE MEETINGS HELD ON 12 JANUARY AND 9 FEBRUARY AND CABINET MEMBER DECISIONS

Councillor Pullen submitted his report on Cabinet decisions from the meetings held on 12 January and 9 February 2021 together with individual Cabinet Member Decisions, and answered questions on issues arising from the report.

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

Councillor Eagland submitted the Minutes of the meeting held on 20 January 2021. In doing so she informed Members that a meeting had taken place with the Chairman of the Staffordshire County Council Health Select Committee in connection with issues raised by the Committee including the George Bryant Centre, the South East Staffordshire Clinical Commissioning Group (CCG) and Samuel Johnson Hospital.

It was advised that county council officers would be:

- writing to the CCG Accountable Officer outlining the Committee's concerns and requesting comments;
- writing to the Midland Partnership NHS Foundation Trust to clarify the future of the George Bryant Centre which would also be added to the Select Committee work programme,
- requesting further information on the Samuel Johnson Hospital.

Councillor Norman noted that the CCG would be reviewing the need for a permanent Health and Well Being Centre in Burntwood but given it took 10 years to provide the new surgery he did not have much hope. Councillor Norman advised that the Chairman of the South East Staffordshire CCG had offered to come to the District Council to report on the CCG and answer questions as he currently did at Tamworth Borough and South Staffordshire District Council on an annual basis.

Councillor Ball sought reassurance that South Staffordshire CCG performance, George Bryant Centre, community hospitals and Burntwood Health Centre would go on the agenda of the County Council select Committee, be dealt with and reported back.

With regard to the Burntwood Health Centre Councillor Eagland referred to correspondence from Staffordshire County Council advising that work is ongoing between NHSE and Staffordshire County Council to secure funding to start design work on an alternative site owned by the County Council.

Councillor Evans welcomed the Housing Assistance Policy Review and requested that Members be kept informed as it progressed. Councillor Lax advised that the Review would be brought back to the Committee in March.

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

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

Councillor Matthews submitted the Minutes of the meeting held on 21 January 2021.

With regard to the Minute on the Covid Recovery Plan, Councillor White advised that close to a quarter of a million vaccines had been delivered across Staffordshire and the work of all the partners involved was commended.

143 MINUTES OF THE ECONOMIC GROWTH, ENVIRONMENT & DEVELOPMENT (OVERVIEW & SCRUTINY) COMMITTEE

Councillor Leytham submitted the Minutes of the meeting held on 26 January 2021.

144 MINUTES OF THE STRATEGIC (OVERVIEW & SCRUTINY) COMMITTEE

Councillor Spruce submitted the Minutes of the meeting held on 27 January 2021.

Councillor Grange said detailed information referred to in the Minutes about the gap between the District Valuer's assessed value of land at Netherstowe and Leyfields and the amount included in the MTFS had not yet been made available. Councillor Spruce said he thought this

was covered in the information provided by the S151 Officer but he would consult with him if further details were required.

Councillor Robertson referred to the review of Committee meetings and sought reassurance that the new structure would maintain transparency and openness. The Chairman guaranteed that openness would continue and the idea was to make people more aware not less. Councillor Norman spoke in support of the scrutiny recommendations and highlighted the importance of training.

Councillor White noted task groups often had to be set up to respond to issues at short notice and the recommendation for mandatory training could be difficult to operate in practice. Considerations included the need to ensure transparency when reaching conclusions, the need to avoid reiterating issues and the focus of task groups (for example, ensuring they didn't become too narrowly defined).

145 MINUTES OF PLANNING COMMITTEE

Councillor Marshall submitted the Minutes of Planning Committee held on 14 December 2020 and 11 January 2021.

It was then seconded by Councillor Baker and

RESOLVED: That the Minutes of the meetings held on 14 December 2020 and 11 January 2021 be approved and adopted.

146 MINUTES OF EMPLOYMENT COMMITTEE

Councillor Humphreys submitted the Minutes of the Employment Committee held on 15 December 2020.

It was then seconded by Councillor Silvester-Hall and

RESOLVED: That the Minutes of the meeting held on 15 December 2020 be approved and adopted.

147 MINUTES OF AUDIT & MEMBER STANDARDS COMMITTEE

Councillor Greatorex submitted the Minutes of Audit and Member Standards Committee held on 3 February 2021.

It was then seconded by Councillor Ho and

RESOLVED: That the Minutes of the meeting held on 3 February 2021 be approved and adopted.

148 MEDIUM TERM FINANCIAL STRATEGY

It was proposed by Councillor Strachan and seconded by Councillor Pullen 'that the Medium Term Financial Strategy (Revenue and Capital) 2020-2025 and the Council Tax Resolution 2021-2022 be approved.'

In submitting his report Councillor Strachan referred to the impact of the global pandemic on budgets at a local and national level. Over £47 million of grants, reliefs and additional funding had passed through the Council in connection with the pandemic and teams had designed

and implemented schemes to distribute funds as swiftly as possible, frequently from scratch with minimal guidance from ministerial departments. As a result of these actions support had reached businesses in time to keep them afloat.

A one year settlement had been received and there was little visibility of the financial future with the new homes bonus reforms, fair funding review (now known as the review of needs and resources) and the fundamental business rates reset and reform all being delayed. In view of these uncertainties a cautious approach had been taken to the budget. Councillor Strachan highlighted the proposed early repayment of a loan taken out at Burntwood Leisure Centre (£979,000) to generate an annual saving of £140,000 and the creation of the risk, resilience and recovery reserve. He noted that the most likely scenario was for a funding gap of £2.1 million in years 4 to 5 with further financial risks and threats ahead that could affect nearly 90% of income. For these reasons a council tax increase of £5 annually on a band D property was proposed.

Given the funding gap, huge uncertainty and need to fund the commitment to replace Friary Grange leisure centre Councillor Strachan said freezing Council tax would be a reckless act of self harm. He said the increase represented a 9p per week increase on a band D property but he would never seek to minimise the impact of any tax increase and urged anyone having difficulty to contact the Revenues and Benefits Team. Councillor Strachan said it was a budget of necessity born of the current circumstances designed to leave the Council in the best possible place to support those living and working in the District.

Councillor Norman noted the work undertaken to come up with a budget in the face of all the unknowns and the Covid pandemic. He said the Cabinet Member had been open and honest and explained his concerns. He shared the Cabinet Member's hopes that the situation would improve. However, he said after 10 years of austerity and cuts by the government the current problems were not just a consequence of Covid.

Councillor Norman said it was a Government dictated budget with an above inflation increase. Referring to a freedom of information request he asked why the local Members of Parliament were not being lobbied in the way they should.

Members then debated the Medium Term Financial Strategy and Council Tax Resolution. Councillors Wilcox, Spruce, Cox, White, Tapper, Ho and Greatorex spoke in favour of the proposal. Members referred to balancing a reluctance to raise taxes with the need to fund and protect the Council's services and commitments.

Councillor Ball raised concern that funding for developing prosperity was reducing while Councillor Grange questioned drawing conclusions from the budget consultation document given the low number of responses. Councillor Ray acknowledged the work undertaken, the challenges and the prudent approach but said there was a structural problem that the government was not addressing in terms of the funding of local government.

Councillors Robertson, Ennis and Evans expressed concerns about the proposal. These included concerns about the timing and necessity of the increase and the impact on those experiencing hardship within the District.

In seconding the proposal Councillor Pullen said it was a budget that saw not cuts to services, and supported jobs, the voluntary sector and residents.

In summing up Councillor Strachan responded to the issues raised during the debate. With regards to developing prosperity budgets Councillor Strachan advised that the Council sought to set the scene rather than being overly interventionist. He said the Council historically low council tax in the district had necessitated the current increases. He commented that while the response rate to the consultation had been low it had provided some good qualitative data. Regarding the necessity of the proposed increase he advised that the MTFs assumed the depletion of all reserves in year five.

To comply with statutory regulations a named vote was then taken and recorded as follows:

FOR (32)	AGAINST (11)	ABSTAIN (1)
BAKER	ANKETELL	RAY
BARNETT	BALL	
BINNEY	BANEVICIUS	
CHECKLAND	BIRCH	
COX	ENNIIS, D	
CROSS	ENNIS, L	
EAGLAND	EVANS	
GREATOREX	GRANGE	
GWILT	NORMAN	
HO	ROBERTSON	
HUMPHREYS	WESTWOOD	
LAX		
LEYTHAM		
LITTLE, A		
LITTLE, E		
MARSHALL, T		
MATTHEWS		
POWELL		
PULLEN		
SALTER		
SILVESTER-HALL		
SMITH		
SPRUCE		
STRACHAN		
TAPPER		
WARBURTON		
WARFIELD		

WHITE

WILCOX, M.

WILCOX, S

YEATES, A

YEATES, B

It was duly:

RESOLVED: that the Medium Term Financial Strategy (Revenue and Capital) 2020-2025 and the Council Tax Resolution 2021-2022 be approved.

149 CALENDAR OF MEETINGS

Councillor Lax submitted the Calendar of Meetings 2021-2022.

Resolved: That the Calendar of Meetings 2021-2022 be approved subject to further consultation over the date of Council in April 2022 and provisional dates in early 2022, with the final dates to be determined by the Cabinet Member in consultation with Leader of the Council and the Leader of the opposition.

150 QUESTIONS

Q1. Question from Councillor Evans to the Cabinet Member for Innovation, Commercialisation and Corporate Services

"Will the Cabinet Member please help with a problem that the 1st Burntwood Scout Group are having with the District Council in their wish to ensure there is equal treatment for the females in their Group, by setting out an action plan to resolve the situation?"

The 1st Burntwood Scout Group that is situated in Elder Lane on the Burntwood Park, has been in discussion with LDC about renewing their ground lease on the land their headquarters are situated on, but there is a dispute regarding ownership of the building. LDC maintains it is their building, but the scouts have proof it is theirs in totality as they built it and they have sent all the relevant information to the council. The present building was constructed in the early 1980's, replacing the wooden structure that was there beforehand. At the moment the group are needing to do renovations, especially to convert the toilets as they now have a number of females in the scouts and the toilets are inadequate. The funding for the building was initially raised by fundraising events, grants and donations, which is one of the reasons they can prove the building belongs to them.

Although they are still conducting meetings via Zoom, they wish to undertake the renovations during this lockdown time, so that they can offer a full programme of scouting when restrictions are lifted in order that the scouting movement can continue to support the young people of Burntwood."

Response from the Cabinet Member for Innovation, Commercialisation and Corporate Services

The ownership of the Scout Hut is not in dispute, the solicitor representing the Scouts has supplied a lease which predates the 2008 lease we hold, the rental charge is a peppercorn rent for the land.

There has been regular contact for the period 5/6/20 until 17/11/20 between officers from the Property Services Team often speaking with the Scouts representative two or three times a day, during which time terms were agreed and solicitors instructed on the 30/6/20 with regards to the new lease. The Scouts head office had not agreed and signed the terms of the new lease until the end of August 2020.

The lease has the following clause:

6(i) Not at any time during the term without the written consent of the landlord (which consent may not be unreasonably withheld or delayed) and then only in accordance with plans previously approved by the landlord and under the supervision and to the reasonable satisfaction of the landlord or its head of planning services to make or suffer to be made in or to the demised premises or any part thereof any alterations additions or improvements.....

(vi) To remove any alterations additions or improvements made to the demised premises at the expiration of the term if so required by the landlord and to make good at the tenants own expense any part or parts of the demised premises.....

On 5/10/20 the Scouts raised the issue of their proposed alterations with the Property Services Team and this enquiry received an immediate response. On the 17/11/20, our legal representatives - South Staffordshire Legal Services responded to a question posed by the Scouts Legal representative regarding the issue of the former 1980 lease and how we would wish to deal with the reinstatement obligations, we are still awaiting their response and/or further instructions.

We have been advising the Scouts about what needs to be carried out to ensure the success of proposed project, including the need for Building Regulations approval, these discussions were at an early stage, and unfortunately due to the impact COVID-19 has had, more recently, we have experienced difficulties in making contact with the Scouts or their representatives.

Property Services Team will not withhold permission to the alterations but we do need to protect the integrity of the building (as indicated in the above clause) as the tenant can return them at any time. We need to safeguard the council from incurring costs to remove inappropriate or rectify defective alterations. Once the project details have been received, we will issue a licence for the alterations.

Whilst there is a good relationship between the Property Services Team and the Scouts, I'd like to thank Councillor Evans for her intervention and for the introduction and connection with the Scout Leader, who is now working directly with us expedite and remedy any outstanding issues - a virtual meeting between the Scout Leader and Property Services is due to take place on Thursday.

(The Meeting closed at 8.00 pm)

CHAIRMAN