

# COUNCIL

20 APRIL 2021

## PRESENT:

Councillors Powell (Chairman), Cross (Vice-Chair), Anketell, Baker, Ball, Barnett, Binney, Birch, Checkland, Cox, Eadie, 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.

## 151 APOLOGIES FOR ABSENCE

An apology for absence was received from Councillor Banevicius.

## 152 DECLARATIONS OF INTEREST

There were no declarations of interest.

## 153 TO APPROVE AS A CORRECT RECORD THE MINUTES OF THE PREVIOUS MEETING

**RESOLVED:** That the Minutes of the Meeting held on 16 February 2021 be approved as a correct record.

## 154 CHAIRMAN'S ANNOUNCEMENTS

The Council observed a Minutes silence in memory of HRH The Duke of Edinburgh.

## 155 REPORT OF THE LEADER OF THE COUNCIL ON CABINET DECISIONS FROM THE MEETING HELD ON 13 APRIL AND CABINET MEMBER DECISIONS

Councillor Pullen submitted his report on Cabinet decisions from the meeting held on 13 April 2021 together with individual Cabinet Member Decisions, and answered questions on issues arising from the report.

Members welcomed the revised housing policy, the consideration being given to the Garrick contract and the applications to become a registered social housing provider and Homes England Partner.

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

Councillor Eagland submitted the Minutes of the meeting held on 10 March 2021.

Councillor Humphreys thanked Councillor Eagland for her work as Chair of the Committee and Councillor Eagland thanked the Vice-Chairs of the Committee and officers for their work during the year.

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

Councillor Matthews submitted the Minutes of the meeting held on 1 April 2021 and thanked the Vice-Chairs, members of the committee and officers for their work during the year.

**158 MINUTES OF THE REGULATORY AND LICENSING COMMITTEE**

Councillor B Yeates submitted the Minutes of Regulatory & Licensing Committee held on 25 February 2021.

It was then seconded by Councillor Leytham and

**RESOLVED:** That the Minutes of the meeting held on 25 February 2021 be approved and adopted.

**159 MINUTES OF PLANNING COMMITTEE**

Councillor Marshall submitted the Minutes of the Planning Committee held on 8 March 2021 and thanked the members of the committee and officers for their support during the year.

It was seconded by Councillor Baker and

**RESOLVED:** That the Minutes of the meeting held on 8 March 2021 be approved and adopted.

**160 MINUTES OF THE EMPLOYMENT COMMITTEE**

Councillor Humphreys submitted the Minutes of the Employment Committee held on 25 March 2021 and thanked the Vice-Chair and officers for their work during the year.

It was then seconded by Councillor Barnett and

**RESOLVED:** That the Minutes of the meeting held on 25 March 2021 be approved and adopted.

**161 MINUTES OF THE AUDIT AND MEMBER STANDARDS COMMITTEE**

Councillor Greatorex submitted the Minutes of the Audit and Standards Committee held on 25 March 2021 and thanked officers for their continued support noting that there would be a further meeting on 27 April.

Councillor Robertson welcomed the progress being made in relation to payment card industry data security standards.

It was then seconded by Councillor Ho and

**RESOLVED:** That the Minutes of the meeting held on 25 March 2021 be approved and adopted.

## 162 APPOINTMENT OF HEAD OF PAID SERVICE

It was reported that a comprehensive recruitment process for the role of Chief Executive had not, as yet, resulted in a permanent appointment.

It was therefore recommended that an appointment be made to the role of Interim Chief Executive (Head of Paid Service and Chief Officer), Electoral Registration Officer and Returning Officer.

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

**Resolved: (1)** That the appointment of Tony McGovern as Interim Chief Executive (and be designated Head of Paid Service) be approved

**(2)** That the appointment of Tony McGovern as Returning Officer and Electoral Registration Officer be approved.

**(3)** That the post be appointed to undertake an effective hand over with the current post holder and support the elections, with full delivery of the statutory role taking effect from 1 June 2021.

## 163 REVIEW OF COMMITTEE MEETINGS

It was reported that with the exception of Planning Committee, there had not been a review of the Committee System since 2014 when the Overview & Scrutiny Committees were reconfigured. There had been numerous changes in strategic priorities since then with the latest Strategic Plan approved in 2020.

The Strategic (Overview & Scrutiny) Committee had created a Member Task Group to undertake a review and investigate options to create an effective Committee System.

The Task Group's recommendations were agreed unanimously by Strategic (Overview & Scrutiny) and submitted to Cabinet for approval and recommendation to Full Council.

During the debate there was support for improving processes, being proactive and ensuring strategic focus while disappointment was expressed about the response rate to the consultation questionnaire. Reference was made to the importance of public access to proceedings and the timing of meetings.

In moving the recommendations Councillor Lax advised that Overview & Scrutiny meetings would be held in public and the task groups would be accessible but would retain more flexibility than the Overview & Scrutiny Committee. Once set up the process could be tweaked as necessary and kept under review.

It was confirmed that if the recommendations were approved, amendments to the constitution would be submitted to Council in due course.

In seconding the recommendations Councillor Norman noted that while online meetings had a part to play they may not always be practical or appropriate (e.g. when conducting site visits or talking to witnesses). He noted that task groups would report to the Scrutiny Committee and the Committee would, in turn, be overseen by Full Council. He said the proposed arrangements provided great opportunities and made for good governance which was good for the Council and residents.

It was then:

**RESOLVED:** That the following updates to the committee structure be approved:

- (1) That Parish Forum is removed as a constituted committee and become informal meetings to aid information flow and training.
- (2) The District Board is removed as a constituted committee. Any statutory function carried out by this meeting is delegated to officers and relevant, plans and decisions notified to Cabinet members and committees where appropriate.
- (3) That the structure for Overview & Scrutiny and the four existing committees be changed to a single Overview and Scrutiny Committee.
- (4) That the Overview & Scrutiny Committee consider items earlier on to aid policy development and review whether stated outcomes from decisions, strategies and policies have been achieved via effective use of member task groups.
- (5) That mandatory training is developed for the scrutiny committee and additional mandatory training for chair, vice chair and task group chair roles and gender neutral terms are used for all members.
- (6) Full Council will appoint the Chair of Overview & Scrutiny. The vice chair role will be nominated by the leader of the leading opposition party and all task group chairs are appointed by the Chair of Overview & Scrutiny.
- (7) That an Independent Review Panel (IRP) is commissioned to assess the Special Responsibility Allowance (SRA) payable to any roles affected by this review.
- (8) That an evaluation of the effectiveness of the new committee structure be undertaken after the next District Council Local Elections in 2023.
- (9) That the relevant sections of the Constitution be updated to reflect the new committee structure with clear but adaptable processes to support effective decision making.

## **164 COUNCIL MEETING ARRANGEMENTS**

It was noted that since May 2020 the Council had successfully hosted virtual meetings to keep members and officers safe whilst allowing essential decision making to take place in line with the Coronavirus Act 2020.

These regulations would come to an end on 7 May and consideration was given to keeping members and officers safe until restrictions were lifted on 21 June 2021.

During the debate disappointment was expressed that provisions allowing virtual meetings had not been extended. Reference was made to Local Government Association support for action by Hertfordshire County Council, Lawyers in Local Government and the Association of Democratic Services Officers to seek clarification from the courts as to whether meetings could continue to be held virtually.

It was confirmed that the Council had responded to the call for evidence issued by Luke Hall MP, Minister of State on the use of remote meetings.

It was proposed by Councillor Lax, seconded by Councillor Eadie and

**RESOLVED: (1)** That the end of regulations allowing virtual attendance at committee meetings on 7 May 2021 be noted.

**(2)** That the deferment of all non-essential Council meetings prior to 21 June and the updated Diary of meetings as set out in Appendix 1 of the report be approved.

**(3)** That the change of venue for Annual Council to ensure Covid security be noted.

**(4)** That Council members agree to voluntary participation in lateral flow testing prior to public meetings, until and including July Full Council.

**(5)** That Council delegates the ability to call virtual meetings to the Chief Executive, should the legal challenge prove successful and virtual attendance will qualify beyond 7 May.

## **165 PAY POLICY STATEMENT**

It was moved by Councillor Smith, seconded by Councillor E Little and

**RESOLVED:** That the updated Pay Policy Statement as submitted be approved.

## **166 UPDATE TO THE CONSTITUTION (SCHEME OF DELEGATION)**

It was noted that following the retirement of the Head of Customer Services, Revenues & Benefits the powers delegated to that post had been delegated to the Head of Corporate Services.

Members paid tribute to the work off Pat Leybourne as Head of Customer Services, Revenues and Benefits and wished her well for her retirement.

## **167 QUESTIONS**

### **Q1. Question from Councillor Norman to the Leader of the Council**

Can I ask the Leader of Council if he has viewed the Planning Committee meetings on YouTube in recent weeks, and if so, does he think it is operating efficiently and properly?

### **Response from the Leader of the Council**

I have indeed watched Planning Committee several times in recent weeks and commend the work of both councillors and officers who navigate what can be a complex and emotive environment. There are always things which can be improved in any organisation, and I know that both the Chair of Planning and the relevant Cabinet member are focussed on achieving those improvements.

### **Councillor Norman asked the following supplementary question:**

Can the Leader let me know, when he can, what improvements referred to in the answer the Chairman and the Cabinet Member will be focusing on so I can judge the outcome.

### **The Leader of the Council responded:**

I will be more than happy to do so.

**Q2. Question from Councillor Norman to the Cabinet Member for Regulatory, Housing and Health**

Can the Cabinet Member tell me how many pre-planning application meetings there have been in the last 12 months and set out the procedure that officers follow, including the nature of the advice that are then given, to applicants?

**Response from the Cabinet Member for Regulatory, Housing and Health**

In the period 1.4.20-31.3.21 LDC received 188 pre apps (compared to 163 in the previous 12 months and 170 in the 12 months before that).

Pre-application advice is a discretionary service and developers do not have to seek such advice if they do not wish to.

In terms of the pre-application protocol, this is set out in information on our website, which can be viewed by the following link: <https://www.lichfielddc.gov.uk/pre-application-guidance-1/pre-application-protocol/1>

In terms of Member involvement in pre-app this tends to only happen on larger/major schemes and we have a protocol for Member involvement as part of a Development Team approach, again as set out on the website: <https://www.lichfielddc.gov.uk/pre-application-guidance-1/pre-application-protocol-major-developments?documentId=387&categoryId=20072>

Pre-application advice is the informal opinion of an officer and made without prejudice. The responses are not in the public domain, as they are not formal determinations under the Town & Country Planning Act. We do not release copies of the responses or advice to others, as the advice is given specifically and of course has been paid for by the person or company that approaches us.

**Councillor Norman asked the following supplementary question:**

Councillor Lax may well be aware that Bromford carried out a consultation recently regarding the blue hoarding site that they sought pre-application advice about some time ago. With Bromford's withdrawal of the proposals for Leyfields and Netherstowe can people be reassured that it will not influence any future proper consideration of a formal planning application for the blue hoarding site that is designated as a town centre by the local plan in Burntwood.

**The Cabinet Member for Regulatory, Housing and Health responded:**

I'm not sure on the point being made because the reference to the blue hoardings in Burntwood is a specific application which had a pre-application and my answer sets out how pre-applications are dealt with and the circumstances under which they are not in the public domain. It would not be prudent to comment on the intentions or otherwise of Bromford. If further information is required please write to me and I will see what I can answer.

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**

**169 CONFIDENTIAL MINUTES OF THE APPOINTMENTS COMMITTEE**

Councillor Pullen submitted the Minutes of the Appointments Committee held on 18 March and 25 March 2021.

It was seconded by Councillor Norman and

**RESOLVED:** That the Minutes of the meetings held on 18 March and 25 March 2021 be approved.

(The Meeting closed at 7.35 pm)

CHAIRMAN