

COUNCIL

22 FEBRUARY 2022

PRESENT:

Councillors Gwilt (Chair), Anketell, Baker, Ball, Birch, Checkland, Cox, D.Cross, Eadie, Eagland, D Ennis, L Ennis, Evans, Grange, Lax, Leytham, A Little, E Little, Marshall, Matthews, Norman, Powell, Pullen, Ray, Robertson, Salter, Silvester-Hall, Spruce, Tranter, Strachan, Tapper, Warfield, Westwood, White, M Wilcox, S Wilcox, A Yeates and B Yeates

60 APOLOGIES FOR ABSENCE (IF ANY)

Apologies for absence were received from Councillors Banevicius, Barnett, R Cross, Ho, Humphreys, Parton-Hughes, Smith and Warburton

61 DECLARATIONS OF INTEREST

Councillor Grange declared an interest in item 9, (Minutes of the Planning Committee), as an applicant.

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

The Minutes of the informal Meeting held on 14 December 2021 were approved as a correct record.

63 TO RECEIVE THE RETURNING OFFICER'S CERTIFICATE OF ELECTION OF DISTRICT COUNCILLOR AND REPORT OF DECLARATION OF ACCEPTANCE OF OFFICE

The Returning Officer reported that Richard Cross had been duly elected District Councillor for Armitage with Handsacre and had signed his declaration of acceptance of office.

64 CHAIR'S ANNOUNCEMENTS

The Chair said that he was pleased to see the new Wellbeing Centre in Burntwood had opened and that a restaurant in Lichfield had been awarded a Michelin star.

65 REPORT OF THE LEADER OF THE COUNCIL ON CABINET DECISIONS FROM THE MEETING HELD ON 8 FEBRUARY 2022 AND CABINET MEMBER DECISIONS

Councillor Pullen submitted his report on Cabinet Decisions from the meeting held on 8 February and Cabinet Member Decisions.

Councillor Robertson questioned whether an alternative bus station could be identified before proceeding with the Birmingham Road Delivery Strategy. He noted that making public transport more difficult would be incongruent with the climate emergency declaration.

Councillor Pullen advised that he could not give any specific assurance because things would continue to progress quickly and different strands were likely to be moving in parallel.

Councillor Ball asked whether Lichfield Housing Limited would provide houses for rent. Councillor Pullen responded that the company was concerned with commercial endeavours

that benefited the District. However if there was a commercial business case for providing houses for rent it would be examined.

Councillor Ray expressed disappointment that CIL (Community Infrastructure Levy) funding wasn't allocated to the leisure centre. He asked the leader if this could be kept under active consideration. Councillor Pullen responded that it would and the Council had, and would continue to be proactive with the leisure centre.

Councillor Wilcox and Councillor White thanked the Cabinet for the allocation of CIL funds to Fradley and Streethay Parish Council.

Councillor Wilcox expressed his support for the Staffordshire Leader's Board stating it would strengthen our community and aid the Council in delivering services to residents.

66 MINUTES OF THE OVERVIEW AND SCRUTINY COMMITTEE

Councillor Leytham submitted the Minutes of the Overview and Scrutiny Committee held on 20 January 2022.

Councillor Evans requested that all Councillors be notified when new task groups are set up. Councillor Leytham gave assurance that they would be.

67 MINUTES OF THE EMPLOYMENT COMMITTEE

In response to a question from Councillor Robertson about HGV apprenticeships and the possibility of publishing the disability pay gap, Councillor Matthews advised that he was happy to have further discussions with the relevant Head of Service.

Councillor Ball asked about the steps being taken to encourage women to apply for HGV jobs. Councillor Matthews advised that this had been discussed in a previous Waste Task Group and a significant increase in female applications had been observed.

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

RESOLVED: That the Minutes of the Meeting of the Employment Committee held on 21 December 2021 be approved and adopted.

68 MINUTES OF THE PLANNING COMMITTEE

Councillor Norman made reference to instances where the Chair adopted a position that was not consistent with officer recommendations. Councillor Marshall said that he felt he would not have fulfilled his role had he not represented the views of residents.

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

RESOLVED: That the Minutes of the Meetings of the Planning Committee held on 26 January and 7 February 2022 be approved and adopted.

69 MINUTES OF THE AUDIT AND MEMBER STANDARDS COMMITTEE

It was proposed by Councillor Spruce, seconded by Councillor Silvester-Hall and

RESOLVED: That the Minutes of the Meetings of the Audit and Member Standards Committee held on 3 February 2022 be approved and adopted.

70 CALENDAR OF MEETINGS

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

RESOLVED: That the Calendar of Meeting for 2022/2023 as submitted be approved subject to consideration being given to moving the date of Council in April 2023.

71 MEDIUM TERM FINANCIAL STRATEGY

It was proposed by Councillor Strachan and seconded by Councillor Pullen 'that the Medium Term Financial Strategy (Revenue and Capital) 2021-2026 and the Council Tax Resolution 2022-2023 be approved.'

In submitting the proposal Councillor Strachan expressed his thanks to the Head of Finance and Procurement and his team for their work. He commented that a one year settlement had been received for the ninth consecutive year rather than a multi-year funding settlement that he had hoped for. He informed members that a letter had been written to both local MPs asking for a multi-year settlement, an end to the threat of negative grant and a rational approach to multi-tier funding.

Councillor Strachan advised that provision had been made for elevated levels of inflation, particularly in construction projects and projects where the figures were unknowable or so uncertain as to be impractical were not included. Councillor Strachan advised that the financial position was better than had been anticipated. He noted an additional £974,000 had been received due to business rate growth together with a further one off payment of £721,000 New Home Bonus. However a funding gap of £732,000 by the end of the MTFS remained.

Councillor Strachan advised that this year's financial decisions should be of significant benefit in the long term. Significant funding had been allocated to increase resilience and capacity of the Planning Team. The 'Being a Better Council' programme had been launched to improve communication across the Council, reduce silo working and respond to changes in how the Council operated following pandemic. Councillor Strachan advised that funding had been identified to pay off the outstanding loan of the Burntwood Leisure Centre and the strategic priority fund would aim to get major capital projects moving.

Councillor Strachan acknowledged that inflation hits the poorest residents the hardest and said this had to be balanced against the increasing cost of providing services. He said he regretted having to increase council tax but proposed to limit it to 1.5% and stated the Council was fortunate not to be in the position where it had to seek a maximum level increase. Nevertheless for some residents even a slight increase would be very difficult and the Council was in the process of overhauling the Local Council Tax Support Scheme to support the maximum number of residents. In summing up, Councillor Strachan commented that the budget is one that balances, makes provisions for the unknown and attempts to place the minimum financial burden on residents.

Councillor Norman proposed an amendment. He asked that the unspecified earmarked reserves equating to 1.9 million pounds be used to fund the Lichfield Leisure Centre and the Burntwood Town Deal.

Councillor Ball seconded the amendment.

Councillor Evans supported the amendment and expressed that funding for Burntwood is long overdue highlighting that Burntwood had been promised money in the past, but it had never materialised.

Councillor Ray, Robertson, D Ennis and Ball spoke in favour of the amendment highlighting the importance of the Council making a commitment considering it has the funds available to support these projects.

Councillor White said he could not support the amendment due to the proven drawbacks of ring-fencing money. Councillor Eadie agreed with this, adding that there were lots of projects that members would like to see delivered but they cannot all happen at the same time. Instead, ring-fencing impeded the Council's ability to deliver projects.

Councillor Pullen agreed that earmarked reserves hindered progress and the amendment would have been more seriously considered if it had been accompanied by an alternative balanced budget which addressed the issues faced by the Council.

Councillor Strachan stated the amendment risked answering one perceived historic inequity by creating another therefore he could not support it. He advised that he would be happy to discuss what funding the Burntwood Town Deal required and gave assurance that the Council is keen to support it.

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

FOR (12)

Anketell
Ball
Birch
Cross, D
Ennis, D
Ennis, L
Evans
Norman
Ray
Robertson
Tapper
Westwood

AGAINST (27)

Baker
Checkland
Cox
Eadie
Eagland
Grange
Greatorrex
Gwilt
Lax
Leytham
Little, A
Little, E
Marshall
Matthews
Powell
Pullen
Salter
Silvester-Hall
Spruce
Strachan
Tranter
Warfield
White
Wilcox, M
Wilcox, S
Yeates, A
Yeates, B

ABSTAIN (0)

The amendment was defeated.

Councillor Robertson proposed an amendment to keep the Council tax at the current level making reference to future rates being adjusted to ensure no detrimental effect on the Council's financial liability at the end of the financial period. He said increased base rates could be expected to increase investment returns and mitigate the need for future increases.

He said this would help alleviate the financial burden on residents during the current economic crisis.

Councillor Norman seconded the amendment.

Councillor White said it would be a significant thing to change the budget in the way indicated and it could not be done on a whim. He stated he could not support a proposal without having evidence that it had gone through the relevant committees and that it formed part of a costed and worked out plan. He added that the proposal supposed that things would be better in the future but there was no guarantee of that.

With regard to the Amendment it was advised that Full Council could only set the council tax for one year and the figures set out in the report had to be calculated on that basis. Alternative proposals would need to be brought back before Council with the revised calculations. As a consequence the Chair proposed that the original motion be debated.

Councillors Norman referred to the low response rate on the consultation and the difficult financial period ahead. He mentioned the 60% cut in funding supported by local Members of Parliament.

Councillor Ray spoke about the increased financial strain on residents and said the Council could make a difference by not increasing council tax. He said the Council had another option since it had seven million in reserves.

Councillor Robertson advised members to vote against the proposal to give the Council more time to look at this and to call an additional council meeting.

Councillor Pullen said he welcomed the budget since it protected and improved services while shielding residents from the full pressure of inflation.

Councillor Anketell stressed that any increase hits the poor the hardest.

Councillor Marshall highlighted that the Council was a low council tax authority and the 1.5% increase remained comparatively low.

Councillor Wilcox appreciated the work put in to create the budget. Despite all the uncertainties, he said the budget avoided increasing council tax to its maximum level thereby minimising the impact on residents while not needing to utilise reserves to balance the books.

Councillor Tapper commented that it was a choice between a fully worked out budget that allowed the Council to fulfil its responsibilities and provide residents with certainty versus one that was less certain.

Councillor Grange stated she understood both sides but the Council had the ability to support residents. It seemed wrong to add to reserves just because it was possible. As a consequence she was not inclined to support the budget proposed.

Councillor Ball supported Councillor Robertson's and Grange's comments and questioned why the Council could not freeze council tax when it is clear that it could.

Councillor Strachan advised that he had considered a council tax freeze however in a time of uncertainty he did not think this would be the best decision. He assured that they would do what they could to support residents who were struggling. He concluded that it was a balanced budget in a challenging environment that involved the meaningful use of reserves and no loss of services.

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

FOR (27)

Baker
 Checkland
 Cox
 Cross, D
 Eadie
 Eagland
 Greatorex
 Gwilt
 Lax
 Leytham
 Little, E
 Marshall
 Matthews
 Powell
 Pullen
 Salter
 Silvester-Hall
 Spruce
 Strachan
 Tapper
 Tranter
 Warfield
 White
 Wilcox, M
 Wilcox, S
 Yeates, A
 Yeates, B

AGAINST (11)

Anketell
 Ball
 Birch
 Ennis, D
 Ennis, L
 Evans
 Little, A
 Norman
 Ray
 Robertson
 Westwood

ABSTAIN (1)

Grange

It was then proposed by Councillor Strachan, seconded by Councillor Pullen and

RESOLVED: that the Medium Term Financial Strategy (Revenue and Capital) 2021-2026 and the Council Tax Resolution 2022-2023 be approved.

72 MEMBERSHIP OF COMMITTEES AND OUTSIDE BODIES

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

RESOLVED:

- (i) That the updated appointments to Committees list, as circulated, be approved.
- (ii) That Councillor Checkland be appointed as a substitute for Councillor Cox on the Staffordshire Police, Fire and Crime Panel.

73 MOTIONS ON NOTICE

(A) The following Motion was submitted by Councillor Birch:

Lichfield District Council resolves to:

1. Approve the Councils for Fair Tax Declaration.

2. Lead by example and demonstrate good practice in our tax conduct, right across our activities.
3. Ensure contractors implement IR35 robustly and pay a fair share of employment taxes.
4. Not use offshore vehicles for the purchase of land and property, especially where this leads to reduced payments of stamp duty.
5. Undertake due diligence to ensure that not-for-profit structures are not being used inappropriately as an artificial device to reduce the payment of tax and business rates.
6. Demand clarity on the ultimate beneficial ownership of suppliers and their consolidated profit & loss position.
7. Promote Fair Tax Mark certification for any business in which we have a significant stake and where corporation tax is due.
8. Support Fair Tax Week events in the area and celebrate the tax contribution made by responsible businesses who say what they pay with pride.
9. Support calls for urgent reform of UK law to enable local authorities to better penalise poor tax conduct and reward good tax conduct through their procurement policies.

Councillors Grange, Strachan and Pullen spoke against the motion stating that they supported the intent of the Fair Tax Mark but not the execution of it.

Councillors Ball, Norman and Robertson spoke in favour of the motion.

Members then voted on the Motion:

FOR (10)

Anketell
Ball
Birch
Ennis, D
Ennis, L
Evans
Norman
Ray
Robertson
Westwood

AGAINST (29)

Baker
Checkland
Cox
Cross, D
Eadie
Eagland
Grange
Greatorrex
Gwilt
Lax
Leytham
Little, A
Little, E
Marshall
Matthews
Powell
Pullen
Salter
Silvester-Hall
Spruce
Strachan
Tapper

ABSTAIN (0)

Tranter
Warfield
White
Wilcox, M
Wilcox, S
Yeates, A
Yeates, B

The Motion was defeated.

(B) The following Motion was submitted by Councillor Pullen:

‘That this Council:

- notes the Boundary Commission for England's initial proposals to move the ward of Whittington & Streethay into the proposed Tamworth County Constituency.
- recognises the exceptionally strong public support for retaining Streethay in the Lichfield Constituency.
- acknowledges the inextricable links that Streethay has with Lichfield, including commuting patterns, schooling, shopping and access to healthcare.
- welcomes the recognition by the Boundary Commission that the splitting of a ward may be necessary to achieve a scheme of constituencies locally that better meets the ‘Rule 5’ statutory criteria.
- urges the Boundary Commission for England to exercise its discretion to split the ward of Whittington & Streethay, keeping Streethay in the proposed Lichfield County Constituency, with Whittington moving to Tamworth County Constituency.’

The Motion was seconded by Councillor Spruce.

Councillors White, Leytham, Norman and Robertson expressed their support of the motion. Following a vote it was unanimously

RESOLVED: That the Motion be approved.

74 QUESTIONS

Q1. Question from Councillor Ray to the Cabinet Member for Economic Development, Leisure & Local Plan

“We desperately need to attract more employment into our district as too many residents have to commute out for their work. Crucially this also helps grow our local economy. As we emerge from COVID 19 residents are travelling again to their workplaces. As we know one effect of COVID 19 will be hybrid working (e.g. 3 days in office and 2 days at home). Related to that, businesses will be looking to be specifically located in areas where they can attract the skills they need - and that may well not be in the big city centres. So Lichfield with its skilled population is very well placed.

In central Lichfield, unfortunately one of the largest employers, Police Mutual, have closed their offices. Police Mutual do now have some office space in Lichfield South but this is for a considerably smaller number of employees. So jobs have been lost to our district.

I urge the council to be proactive in attracting more skilled employment into the district. What steps are being taken? And specifically what is the council doing to engage with Government to attract jobs out of London as part of the Government's so-called Levelling-Up policy?"

Response from the Cabinet Member for Economic Development Leisure & Local Plan

"As a council we work with a wide range of organisations, such as the Local Enterprise Partnerships, Chamber of Commerce and Federation of Small Businesses, to be able to engage with employers. Our hard-working Economic Development team actively promote our District to encourage inward investment both through these organisations and direct engagement.

We support businesses in our District to start-up; grow; take on apprentices; upskill their staff; and create new jobs through funding we give them, something we will be continuing to do using the Risk & Recovery fund this council created.

Alongside this we facilitate jobs fairs in conjunction with South Staffordshire College, the next one taking place on Friday 25 February, 10:00 - 13:00 at Lichfield college. Businesses such as the National Memorial Arboretum, Ocado, Pro 1 Recruitment, Bristan Ltd, Jobs 22, Demontfort Fine Art, Allports Group and Wincanton Screwfix will be there, seeking local people, for local jobs. We are actively looking to arrange the next one in Burntwood, so we give the same opportunities across our District.

We are bringing forward a new digital platform to encourage further employers to base themselves in our District, whilst ensuring we are part of the new Staffordshire Investment Prospectus that is being created. This will showcase the growth opportunities in our District at events such as UK Real Estate Investment & Infrastructure Forum and MIPIM. Our Local Plan Review allocates approximately 85 hectares of land for new employment opportunities. I also look forward to imminently bringing our new emerging Economic Prosperity Strategy to members.

Whilst the takeover of Police Mutual by Royal London has seen jobs within these two financial service companies rationalised, I hope this council's efforts can be recognised when new employer's such as ASOS move into our District creating 2,000 jobs over the next three years and a new £90m state-of-the-art centre.

In terms of engaging with Government to attract jobs out of London, we work through regional inward investment services such as Make It Stoke and Staffordshire, the West Midlands Growth Company and the Department of International Trade to make Government and all potential employers aware of our available employment sites. We will engage with every interested party to give them information about why our District is the best place to base their business in the West Midlands.

Now that the Government has published the Levelling Up White paper, we will keep actively discussing this with regional partners on how we can support the delivery of the investment priorities, as well as look to benefit from the UK Shared Prosperity Fund to support local businesses, people and our communities."

Councillor Ray asked the following Supplementary Question:

"I just urge the Council to be proactive. We have a fantastic amount to offer as part of the Levelling programme. The connections of this city with the road and the rail network and the skills in the city could really service government agencies if we were able to win some of that work here. I ask Councillor Eadie, we've previously spoken about an initiative for promoting the district would you be open to meeting again to discuss that again?"

Response from the Cabinet Member for Economic Development Leisure & Local Plan

“Of course.”

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

“I have been contacted by a resident very concerned about climate change and she has drawn my attention to the research of Climate Emergency UK as published in The Guardian on 27 January 2022. This research reviewed all councils' climate action plans and gave each council a percentage ranking. Lichfield scores 0%.

<https://www.theguardian.com/society/2022/jan/27/one-in-five-uk-councils-have-no-climate-action-plan-campaigners-say>

This is extremely disappointing. I know from liaising with Cllr Ashley Yeates that the council is close to announcing an action plan to tackle climate change issues. So can he summarise this council's commitment to this agenda and say what score he hopes the council will achieve next year in this research.”

Response from the Cabinet Member for Climate Change & Recycling

“Thank you for your resident's question.

There have been a few raised eyebrows by councils around the UK at this report as many don't know or have any knowledge of being contacted by Climate Emergency UK, never mind answering any questions.

Our commitment to the Action Plan is total. It is important to also note that while we have been preparing the Action Plan we have achieved a lot towards our goal (something not taken into account by Climate Emergency UK or acknowledged by the Labour Members for Curborough in their “dis-information” Facebook posts).

The officers and myself have been working incredibly hard to make sure that we have something that will work for our organisation.

We know the Councils base line carbon emissions.

We engaged with APSE to work on an Action Plan that is tailored for Lichfield District Council.

Successfully securing more than a million pounds in grant funding for carbon reduction work at Burntwood Leisure Centre and other LDC buildings.

Planting approximately 3000 trees at 5 destinations in the District to create 5 Tiny Forests. A sixth forest is currently in the pipeline.

Buying our first electric vehicles for our waste department.

We are also in the process of consulting on renewing the entire waste fleet and where possible using new means of transport (EV, hydrogen etc.).

Dual stream recycling should see an increase in recycling rates.

As well as working with local “green” groups we are working collaboratively with our neighbouring councils and Staffordshire County Council on joint initiatives.

Just because there was not an action plan did not mean that we were not working on some great “green projects”.

One that I am incredibly proud of and is something all councillors should applaud is the pioneering “net gain” Biodiversity model our Ecology team have implemented and is producing wonderful results. Not just in our District but around the UK as it has now been adopted by the Govt as the “Lichfield Method” in the Environment Act 2021. This is something that I hope will inspire Cllr Eadie and his team when working on the updates to the Local Plan.

So as for our score in the future with Climate Emergency UK, I am confident of seeing an infinite improvement.”

Councillor Ray asked the following Supplementary Question:

“Councillor Yates I look forward to receiving the action plan about the climate change. I thank him for his answer. I just note the commitment to see infinite improvements. Look forward to seeing that next year. Thank you for that commitment.”

Response from the Cabinet Member for Climate Change & Recycling

“Yes. Also, the action plan is available online if anyone would like to see it.”

75 EXCLUSION OF PUBLIC & 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

76 CONFIDENTIAL REPORT OF THE LEADER OF THE COUNCIL ON CABINET DECISIONS FROM THE MEETING HELD ON 8 FEBRUARY 2022 AND CABINET MEMBER DECISIONS

Councillor Pullen submitted his report on confidential Cabinet Decisions from the meetings held on 8 February and confidential Cabinet Member Decisions.

77 CONFIDENTIAL MINUTES OF THE OVERVIEW & SCRUTINY COMMITTEE

Councillor Leytham submitted the confidential Minutes of the Overview and Scrutiny Committee held on 20 January 2022.

(Meeting closed at 8.20pm)

CHAIRMAN