

# OVERVIEW & SCRUTINY COMMITTEE

4 OCTOBER 2022

## PRESENT:

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

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

## 1 APOLOGIES FOR ABSENCE

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

## 2 DECLARATIONS OF INTERESTS

There were no declarations of interests.

## 3 MINUTES OF THE PREVIOUS MEETING

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

## 4 WORK PROGRAMME

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

## 5 PLANNING COMMITTEE PROTOCOLS

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

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

**RESOLVED:-**

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

**6 UPDATE FROM TASK GROUPS**

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

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

The following questions were asked:-

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

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

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

## 7 HEALTH MATTERS

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

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

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

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

## 8 MEDIUM TERM FINANCIAL STRATEGY

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

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

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

He asked members to note:-

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

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

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

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

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

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

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

The following questions were asked:-

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

The following observations were given:-

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

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

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

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

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

The following questions were asked:

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

The following views were given:-

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

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

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

## 10 DELIVERY OF DISABLED FACILITIES GRANTS

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

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

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

The following questions were asked:-

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

The following views were given:-

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

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

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

## **11 DUAL STREAM RECYCLING IMPLEMENTATION**

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

## **12 EXCLUSION OF PRESS AND PUBLIC**

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

**IN PRIVATE**

## **13 JOINT VENTURE**

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

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

**RESOLVED:** That the item be noted.

(The Meeting closed at 8.30 pm)

CHAIR