

COUNCIL

12 JULY 2022

PRESENT:

Councillors Greatorex (Chair), Warburton (Vice-Chair), Anketell, Baker, Ball, Banevicius, Checkland, Cox, R Cross, Eagland, D Ennis, L Ennis, Evans, Grange, Ho, Lax, Leytham, A Little, E Little, Marshall, Matthews, Norman, Parton-Hughes, Powell, Pullen, Ray, Robertson, Salter, Silvester-Hall, Smith, Spruce, Tranter, Strachan, Tapper, Warfield, White, A Yeates and B Yeates

1 APOLOGIES FOR ABSENCE

Apologies were received from Councillors Barnett, Birch, D Cross, Eadie, Gwilt, Humphreys, Westwood, M Wilcox and S Wilcox.

2 DECLARATIONS OF INTEREST

There were no declarations of interest made at this point in the meeting.

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

The Minutes of the meeting held on 17 May 2022 were approved as a correct record.

4 CHAIRMAN'S ANNOUNCEMENTS

The Queen's Platinum Jubilee

The Chair commented that he was pleased to see a number of street parties had taken place to celebrate the Queen's Platinum Jubilee.

Civic Service

The Chair thanked Wade Street Church and Reverend Ian Hayter for hosting the annual civic service held on 26 June 2022 which had been well received by attendees.

Easy IT

The Chair informed members of developments with his charity for the year, Easy IT.

5 REPORT OF THE LEADER OF THE COUNCIL ON CABINET DECISIONS FROM THE MEETINGS HELD ON 17 MAY, 7 JUNE AND 11 JULY 2022 AND CABINET MEMBER DECISIONS

Councillor Pullen submitted his report on Cabinet Decisions from the meeting held on 17 May, 7 June and 11 July and Cabinet Member Decisions.

6 MINUTES OF THE OVERVIEW AND SCRUTINY COMMITTEE

Councillor Norman submitted the Minutes of the Overview and Scrutiny Committee held on 1 June and 15 June 2022.

Councillor Evans said she was glad to see the maternity unit at Samuel Johnson Community Hospital get a temporary reprieve and hoped to see its permanent reopening. She was also

pleased that the George Bryan Centre would be looked at especially considering the rising rates of mental health issues.

Councillor Ray agreed with Councillor Evan's comments adding that the lack of Child and Adult Mental Health Services (CAMHS) was a serious issue to which he urged the council to continue to put pressure on health authorities to improve CAMHS provisions in the district. He asked whether the meeting that was originally scheduled for 30 May 2022 had been rescheduled as this is vital in maintaining pressure.

Councillor White declared an interest in the item as he was now Co-Chair of the Integrated Care Partnership across Staffordshire and Stoke-On-Trent. He informed members that the clinical commissioning groups ceased to exist on 30 June 2022 and the Integrated Care Partnership and Integrated Care Board took over. He stated that the earlier points raised are duly noted, in particular CAMHS provision. He commented that across the district access to primary care and secondary care is not what it should be and the Council needed to continue to lobby hard to change that because provision is needed that is accessible to all.

Councillor Norman informed members that the maternity ward should be open at the end of December and there would be a review. He commented that he had attended the Staffordshire County Council Health and Care Overview & Scrutiny Committee in Councillor Wilcox's place and would submit a report to members from that meeting.

Councillor Cox commented that the George Bryan Centre would be on the Committee's work programme.

Councillor Robertson raised a matter of accuracy on the Councillor Community Fund, noting it had been questioned whether groups of wards could be added to the website for organisations that apply.

Councillor Ray commented on the economic prosperity item and asked what was being done to persuade the government that Lichfield is well suited for government work. Councillor Pullen noted that Lichfield is a place that the government wishes to level up and this is why Lichfield is in tier 3 of the levelling up fund.

Councillor Robertson suggested the minutes be amended in relation to this item to show that a discussion had taken place at the meeting on how the reporting would be done and whether the reporting mechanism was accurate and helpful.

7 MINUTES OF THE EMPLOYMENT COMMITTEE

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

RESOLVED: That the Minutes of the special meeting held on 1 June 2022 be approved and adopted.

8 MINUTES OF THE PLANNING COMMITTEE

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

RESOLVED: That the Minutes of the Meetings of the Planning Committee held on 9 May and 6 June 2022 be approved and adopted.

9 MINUTES OF THE REGULATORY AND LICENSING COMMITTEE

It was proposed by Councillor B Yeates, seconded by Councillor Salter and

RESOLVED: That the Minutes of the Meetings of the Regulatory and Licensing Committee held on 16 June and 20 June 2022 be approved and adopted.

10 MEDIUM TERM FINANCIAL STRATEGY

Councillor Strachan proposed that an amendment be made to the recommendation set out at 2.1. in the report so that the recommendation would read

'that Council approves an update to the Medium Term Financial Strategy to include the additional net investment needs of £1,263,000 identified at paras 3.22 and 3.23 of the report and any other capital investment such as digital support and further apprenticeships that will enable the delivery of Council priorities.'

Councillor Strachan explained that this was the initial stage of the MTFs in its progress to hopeful approval in February. He informed members that the main change was the fully costed proposed severance scheme as part of Being a Better Council. The remainder related to further expansion of LDC's digital infrastructure and apprenticeships.

Councillor White questioned whether the proposed amendment was capped to which Councillor Strachan responded that it was.

Councillor Robertson noted that the projected base rate across the following few years had been revised upwards and asked about the impact on the revenue budget. Councillor Strachan answered that he would provide the figure.

Councillor Ball commented that the approved funding gap is increasing year on year and the projected general reserves were reducing year on year. He also noted that at appendix B of the report there was a relatively small figure for developing prosperity. He concluded that more needed to be done to develop prosperity and generate income.

Councillor Strachan advised that capital investment returns were not added until they could be accurately costed and the size of the developing prosperity budget was determined by the number projects that were ready to go.

The recommendation as amended was duly seconded and it was

RESOLVED: That Council approves an update to the Medium Term Financial Strategy to include the additional net investment needs of £1,263,000 identified at paras 3.22 and 3.23 of the report and any other capital investment such as digital support and further apprenticeships that will enable the delivery of Council priorities.

11 APPOINTMENT TO THE STAFFORDSHIRE SUSTAINABILITY BOARD

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

RESOLVED: That Councillor Lax be appointed to the Staffordshire Sustainability Board as recommended by Cabinet on the 11th June 2022.

12 REPORT OF THE INDEPENDENT REMUNERATION PANEL

Councillor Pullen introduced the report produced by the Independent Remuneration Panel (IRP), which reviewed Members' allowances. The IRP found that Lichfield District Councillors receive a lower allowance when compared to other comparable councils. The report showed

disparities in how those with extra responsibilities are remunerated and also that councillors have chosen to freeze their allowances since 2019.

Councillor Pullen stated that he could not accept the recommendations set out by the IRP to increase members' allowances due to the current economic challenges facing residents. He moved that Council does not accept the IRP recommendations at this time.

This was seconded by Councillor Norman.

Councillor A Yeates welcomed the report and referred to the increase in costs incurred by Councillors. He also proposed that the paragraph on the amalgamation of the civic allowances be removed.

Councillor Grange supported the motion reasoning that due to the current cost of living crisis and rising foodbank usage it would be wrong to raise members' allowances at the current time.

Councillor Marshall stated that if members were concerned on about how the electorate would perceive the decision to accept the recommendations then they were being unnecessarily fearful. He acknowledged the comments made on the cost of living crisis but concluded that there is rarely a right time and not accepting the recommendations would imply that members were not worthy of an increased allowance.

Councillor Tapper questioned whether members needed this raise in allowance and supported Councillor Grange's comments. He stated that accepting the recommendations would send a negative message to residents.

Councillor Ray agreed and stated that it would be inappropriate and would show that the council was out of touch with its residents.

Councillor Salter was inclined to accept the recommendations of the IRP due to the already mentioned reasons. He stated regardless of the outcome of the vote it is important that the council reiterate the IRP's findings to the community.

Councillor White thanked the IRP for their work. He advised that the Council had made the decision to freeze allowances from time to time over the years to reflect economic circumstances. This had led to an accumulation of freezes and he was able to say from experience that a revaluation never takes place. Therefore if the proposal was accepted there was no certainty that the Council would be in a position in the future to accept an increase significant enough to catch up. Councillor White noted that under part 6 of the constitution members can choose not to take part of their allowance if they so wish.

Councillor Spruce agreed with Councillors White and Marshall. He stated it seemed senseless to reject recommendations from an independent report that was funded by the Council. He stated that there would never be a right time to raise allowances noting LDC allowances were in the bottom 10%.

Councillor Ball said that he was surprised to see support of accepting the recommendations and called for a named vote. He reasoned that if LDC cannot afford to pay all of its staff the living wage as assessed by the Living Wage Foundation, it would be inappropriate. He concluded that he would happily sacrifice his own increase in allowance.

Councillor Strachan said although he agreed with the majority of the report, he had two main difficulties – scale and timing. In terms of scale, he stated that if members' allowances were to increase by 10%, he would be forced to amend the Medium Term Financial Strategy which would have to go before Council. He stated that this would not bode well. He instead reasoned that a staged approach would be better. Increasing members' allowances at a pace that would allow it to be measured against the economic factors present. On the issue of timing, he

reiterated previous comments on the ongoing cost of living crisis and high use of foodbanks. He concluded that although there is never a good time to raise allowances this would be a bad time.

Councillor Cox supported Councillor Strachan's reasons and stated that this was an issue of his own conscious – he could not accept the report when there are residents struggling.

Councillor Leytham noted that the issue was not whether members agree with the IRP's recommendations but when they would accept them. He asked members when would be the right time and concluded by stating that the suggested increase is still below the benchmark of other Councils.

Councillor Robertson agreed with Councillor Strachan. He thanked the IRP but stated that he was not fully confident in their conclusions and the report had left him with questions. He reiterated Councillor Ball's view, that he could not justify accepting an increase in allowance when not all employees of the Council were being paid a Living Wage.

Councillor A Little thanked the IRP and wanted it on record that if the recommendations passed he would not be accepting the increase in allowance. He also was in favour of a named vote.

Councillor Silvester-Hall said it was a pity that a staged and incremental proposal had not been made to correct the current discrepancy with other comparable Councils. With respect to current economic difficulties she said it was important that residents were aware of the local and national support schemes that were available.

Councillor D Ennis supported the Leader's proposal and agreed with Councillor Strachan's comments. He stated that he was in favour of a named vote.

Councillor Norman agreed that the main issue was timing, and this was the worst year to suggest an increase. He thanked the IRP noting that the report was well researched.

On a show of hands the Council did not support the call for a named vote.

Following a vote it was then:

RESOLVED: That the Independent Remuneration Panel report be not accepted.

13 COMMUNITY GOVERNANCE REVIEW

It was reported that a community governance review (CGR) is a legal process that provided an opportunity for principal councils to review and make changes to community governance within their areas.

On 14 December 2021 the District Council resolved to undertake a review of the whole District.

Accordingly the Terms of Reference were published on 1 February 2022 and a consultation exercise took place between 1 February - 25 April 2022.

A total of 98 submissions and a 67 signature petition were received. The majority of responses focused on two parishes – (i) Shenstone and (ii) Fradley and Streethay.

On 20 June 2022 draft recommendations were considered by the Regulatory and Licensing Committee and were now submitted to Council for consideration.

Councillor Robertson proposed the following amendment to further address the variation in the ratio of electors to councillors in Lichfield City:

the representation of Curborough ward be increased to 4 councillors, the representation of St Johns ward would be decreased to 5 councillors and the representation of Leomansley ward be increased to 6 councillors. This would mean electors per councillor in Lichfield City will range from 825 to 985.

The amendment was seconded by Councillor Anketell.

Councillor Lax stated that she was not opposing Councillor Robertson's amendments but proposed that the amendment should be added as an additional option in the consultation that would go out to residents and parish councils.

The Chair declared a personal interest as a member of the City council. He opened the room to further declarations from dual District/Parish members.

Councillor Pullen stated that if this motion was defeated, he would propose an alternative motion that would offer Councillor Robertson's amendment as an option as suggested by Councillor Lax.

Councillor Ball agreed with Councillor Robertson's amendment commenting that it would help achieve a better balance of councillors across the city.

Councillor Norman said the main issue was fairness, ensuring that the electors have fair and equal representation.

Councillor Strachan commented that he could see the merit of Councillor Robertson's proposal however the primary report had been through proper scrutiny and the Regulatory and Licensing committee and is a fully formed proposal. He concluded that due to this he could not support the proposal being the only submission of this authority however he would support it being added as an alternative.

Councillor Anketell seconded the proposed amendment. He commented that it was proportionate and fair and if it was not accepted residents may view it as unfair.

Members then voted on the amendment and the amendment was defeated.

Councillor Pullen proposed that the recommendations of the report should include an additional option that reflected Councillor Robertson's earlier proposed amendment.

Councillor Ho seconded the amendment.

Councillor Robertson commented that a difficult decision had just been made to not improve a flaw in the report that would then go out for consultation. He stated that he looked forward to seeing the Leader's plans to reach out to residents and ensure that a significant consultation response is received.

Councillor Lax stated that at this stage in the process they were doing what they should be, especially for an exercise that must be carried out in accordance with strict rules. She further stated that it was not Council's place to dictate to residents at this point in the process.

Members then voted on the amendment and the amendment was carried. It was then proposed by Councillor B Yeates, seconded by Councillor Spruce and

RESOLVED: That the draft recommendations of the Regulatory and Licensing Committee as set out at Appendix A of the Council report and summarised in section 3.13 of the report be approved for consultation and that views be sought on expanding the recommendations to further address the variation in the ratio of electors to councillors. To achieve this, the representation of Curborough ward would be increased to 4 councillors, the representation of St Johns ward would be decreased to 5 councillors and the representation of Leomansley ward would be increased to 6 councillors.

14 QUESTIONS

Questions under Procedure Rule 11.2 for Council

Q1. Question from Councillor Evans to the Deputy Leader and Cabinet Member for Economic Growth and Development

“The members of the Regulatory and Licensing Committee have received an Internal Briefing Paper from an officer regarding the Food Service Delivery Plan, where a number of actions and risks were recorded, and concerns were raised in the report. This included the fact that the departure of Gareth Davies has led to missing key direction and support, plus the Food Safety Health and Safety Manager is also leaving at the end of July, so there will be no Lead Food Officer. This is a requirement of the Food Standards Agency and could lead to worsening hygiene standards and a lowering of compliance levels.

Can Councillor Eadie please comment on this report and explain when and how the problems will be overcome, as food hygiene is obviously crucial and all users have a right to be sure that all food premises are compliant and inspected and re-inspected if necessary?”

Response from the Deputy Leader and Cabinet Member for Economic Growth and Development

“The imminent departure of the senior officers for the service should not impact on the day to day delivery of inspections thanks to the diligence of the outgoing Food Safety Manager ensuring appropriate plans are in place.

As part of the Target Operating Model proposals currently being consulted there is a Regulatory and Enforcement Manager post vacancy identified for this area along with a Food Safety managerial post vacancy.

It is hoped that by the end of August, when the new Assistant Director for this area will be in post, these proposals will have been considered and relevant recommendations confirmed so that suitable recruitments can be made.

In the meantime Leadership Team are commissioning interim support for this key area of work to complement the existing action plans.”

Supplementary Question from Councillor Evans to the Deputy Leader and Cabinet Member for Economic Growth and Development

“I understand what has been said but in view of the fact that this council is encouraging as many people as possible to visit Lichfield can we therefore be assured that the guarantees of safety will be met because it is vitally important that people who want to visit the restaurants in Lichfield and around the area can be sure that we have the right measures in place to ensure that happens. Can I be assured that is going to be served?”

Response from the Leader of the Council in Deputy Leader and Cabinet Member for Economic Growth and Development’s Absence

“Yes, you can be assured of that. Thank you for highlighting the broad range of eating and dining establishments throughout Lichfield district that have done so well and winning awards recently - one of them taking up a tenancy within this district council house. I have faith in our officers that they will continue to do sterling work in ensuring that these establishments are fit and proper.”

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

“Whilst I am able to manage with one small blue bag for recycling paper, card and cardboard, even though it is only a 57 litre one, I am aware that families with children even those who were lucky enough to receive a correct size 80 litre bag, this may still not be adequate so can she tell me how many residents have requested extra blue bags to date?”

Response from the Cabinet Member for Climate Change & Recycling

“As of Friday 8 July we had received a total of 3,228 additional bag request which is 7% of Lichfield households and we have delivered 2,386 in Lichfield which represents delivery of 74% of the bags requested.

We are continuing to accept requests for additional bags and delivering these as quickly as we are able. They are also now available to collect at the newly re-opened reception area at the District Council Offices on Frog Lane.”

Supplementary Question from Councillor Norman to the Cabinet Member for Climate Change & Recycling

“Will the Cabinet Member agree with me that the availability of extra bags is in the leaflets that people have had through their doors, is on the website and in the news releases? Therefore, nobody should have an excuse not to ask for an extra bag, whether they are a councillor or a member of the public, if they need one.”

Response from the Cabinet Member for Climate Change & Recycling

“Yes, it is on the website and we will be doing various engagements over the weeks.”

15 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

16 CONFIDENTIAL REPORT OF THE LEADER OF THE COUNCIL ON CABINET MEMBER DECISION

Councillor Pullen submitted his confidential report on Cabinet Member Decisions and answered members' questions.

(The Meeting closed at 7.18)

CHAIRMAN