

# COUNCIL

**20 OCTOBER 2022**

## **PRESENT:**

Councillors Greatorex (Chair), Warburton (Vice-Chair), Anketell, Ball, Checkland, Cox, R Cross, Eagland, L Ennis, Evans, Gwilt, Ho, Lax, Leytham, E Little, Marshall, Matthews, Norman, Powell, Pullen, Salter, Silvester-Hall, Spruce, Mrs Tranter, Strachan, Warfield, M Wilcox and S Wilcox

## **1 APOLOGIES FOR ABSENCE (IF ANY)**

Apologies for absence were received from Councillors Banevicius, Barnett, D Cross, Eadie, D Ennis, Grange, A Little, Parton-Hughes, Ray, Robertson, Smith, Westwood, White, A Yeates and B Yeates.

## **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 12 July 2022 were approved as a correct record subject to a minor amendment relating to Cabinet Member portfolio titles.

## **4 CHAIRMAN'S ANNOUNCEMENTS**

### The passing of Her Majesty Queen Elizabeth II

The Chair reflected on the sad passing of Her Majesty Queen Elizabeth II on the 18 September 2022. He spoke about the Moments of Reflection Service at Lichfield Cathedral, the vigil at Chasetown Memorial Park and the appreciation felt for Her Majesty Queen Elizabeth II.

The Chair passed on thanks and appreciation from care homes to Members who had helped residents access the book of condolences.

Councillor Marshall noted that the Cathedral staff did a remarkable job in commemorating the life of Her Majesty Queen Elizabeth II.

The Chair said that Her Majesty was a good friend of the District having visited Lichfield City Train Station, Saxon Hill School, the Cathedral and the National Memorial Arboretum. He stated that he was honoured to welcome the new Monarch, King Charles III, by proclamation at Lichfield Cathedral and hoped he too will be a frequent visitor to the district.

### Easy IT

The Chair thanked Staffordshire Buddies and Lichfield Repair and Share Café for their services and support in helping people access and use IT. He noted that they meet monthly at Curborough Community Centre.

### Lichfield Carol Service

The Chair informed members that a joint carol service would be put on by Lichfield City Council and Lichfield District Council on Tuesday December 6 2022.

**5 REPORT OF THE LEADER OF THE COUNCIL ON CABINET DECISIONS FROM THE MEETINGS HELD ON 6 SEPTEMBER 2022 AND 11 OCTOBER 2022 AND CABINET MEMBER DECISIONS .**

Councillor Pullen submitted his report on Cabinet Decisions from the meetings held on 6 September and 11 October 2022 and Cabinet Member Decisions.

Councillor Norman commented on the membership and representation of the Youth Council. Councillor Cox responded that views given at Overview and Scrutiny committee had been noted and the invitation to run for Youth Council was currently in the process of being extended to all high schools across the district with an age range of 11 to 18 years old.

Councillor Evans welcomed the decision on the delivery of Disabled Facilities Grants stating that it was imperative that reviews take place as set out in the Cabinet report. She hoped the new arrangements would work effectively for the users of the service. Councillor Lax advised that recruitment was under way and a senior services manager would start in January.

Councillor Norman questioned whether the establishment of a Staffordshire Leaders' Board was, in the context of government cuts, a way of abolishing districts councils within the County.

Councillor Pullen responded that Staffordshire Leaders' Board was set up directly in opposition to the unitary route. It was unanimous across all of the councils in Staffordshire including County Council that this was not a route to go down. He commented that a pragmatic view was taken by Staffordshire Leaders' Board which was to retain the autonomy of districts and boroughs across Staffordshire County but also to join together and make a strong case to government to ensure access to funding.

Councillor Norman raised concerns on potential environmental issues in connection with the Joint Venture project. He asked that he be kept updated as the project progresses. Councillor Pullen responded that the most environmentally friendly building is one that has already been built which was the case for the proposed cinema, and he was pleased that the project had taken an environmentally friendly approach.

**6 MINUTES OF THE OVERVIEW & SCRUTINY COMMITTEE**

Councillor M Wilcox submitted the Minutes of the Overview and Scrutiny Committee held on 19 July and 4 October 2022.

**7 MINUTES OF THE PLANNING COMMITTEE**

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

**RESOLVED:** That the Minutes of the meetings of the Planning Committee held on 4 July, 1 August, 5 September and 3 October 2022 be approved and adopted.

**8 MINUTES OF THE EMPLOYMENT COMMITTEE**

Councillor Norman asked if officers' job roles and responsibilities could be circulated since there had been many changes within the Council resulting in confusion about who to contact. Councillor Pullen responded that he would ensure the information was provided.

It was proposed by Councillor Matthews, seconded by Councillor S Wilcox and

**RESOLVED:** That the Minutes of the meeting held on 13 July 2022 be approved and adopted.

## **9 MINUTES OF THE AUDIT & MEMBER STANDARDS COMMITTEE**

It was proposed by Councillor Spruce, seconded by Councillor Ho and

**RESOLVED:** That the Minutes of the meetings held on 21 July and 29 September 2022 be approved and adopted.

## **10 MINUTES OF THE REGULATORY AND LICENSING COMMITTEE**

It was proposed by Councillor Checkland, seconded by Councillor Salter and

**RESOLVED:** That the Minutes of the Meetings of the Regulatory and Licensing Committee held on 28 September 2022 be approved and adopted.

## **11 MEDIUM TERM FINANCIAL STRATEGY (MTFS) AND GOVERNANCE UPDATES**

Councillor Strachan proposed updates to the MTFS and associated governance updates resulting from decisions made at Cabinet and Council.

Councillor Strachan gave a brief overview of the recommendations set out in the report. He said that the report focused mainly on three primary areas.

The first is the creation of changing places at both Swan Island and the National Arboretum which would be funded entirely externally.

The second was to report to Council that an overarching review of all earmarked reserves had been carried out. As a consequence it was proposed that funding that had been earmarked but was not now required for other purposes be moved to a strategic reserve. This created a reserve of £5.1 million to deliver priorities.

The third was the release from this reserve, with funding from other sources, to invest in a joint venture to deliver a cinema in Lichfield. Councillor Strachan noted that this, together with the use of an existing property that was not being used, avoided the need to borrow. He concluded that the project had long been promised by the Council and he was pleased to see it finally being delivered.

Councillor Ball asked if the report had been produced before or after interest rates had increased. He further asked what the impact of these interest rates would have on the MTFS. Councillor Strachan responded that the report was produced before the current economic situation and was amended during it. He reassured members that it is not necessarily affected by interest rate upheavals. He stated that it was potentially vulnerable to inflation movements, but this would be the case for any construction project. Responding to the concern on the impact it would have on the MTFS, he commented that this was a far wider question and invited Councillor Ball to ask him again when he brings MTFS for approval in February next year.

Councillor Pullen seconded the report's recommendations and a named vote was then taken on the recommendations as a whole and recorded as follows:

**FOR (28)**

**AGAINST (0)**

**ABSTAIN (0)**

Anketell  
Ball  
Checkland  
Cox  
Cross, R  
Eagland  
Ennis, L  
Evans  
Greatorex  
Gwilt  
Ho  
Lax  
Leytham  
Little, E  
Marshall  
Matthews  
Norman  
Powell  
Pullen  
Salter  
Silvester-Hall  
Spruce  
Strachan  
Tranter  
Warburton  
Warfield  
Wilcox, M  
Wilcox, S

It was duly:

**RESOLVED:**

Money Matters: 2022/23 Review of Financial Performance against the Financial Strategy

**(1)** A Capital Programme project be created for Changing Places funded by external grant of (£94,285), which is to deliver Changing Places public conveniences at Swan Island and the National Memorial Arboretum.

**(2)** The Medium Term Financial Strategy be updated to reflect the budgets shown in the financial implications section of the report that will be funded by the three year UKSPF allocation of (£3,285,310).

Money Matters: Review of Reserves

**(3)** That Earmarked reserves be repurposed and changes agreed to the Capital Programme to release reserves that will result in the strategic priorities reserve balance of (£5,169,000).

A Cinema for Lichfield District

**(4)** Lichfield District Council enter a joint venture Limited Liability Partnership (LLP) with Evolve Estates (subject to any issues identified in relation to financial standing

and independent valuation of the Debenham's building being satisfactorily addressed) for the purposes of developing a new cinema and associated food and beverage units in the former Debenhams store on the Three Spires retail site.

**(5)** Delegated authority be granted to the Leader and Chief Executive Officer to finalise the details of the LLP in consultation with the Monitoring Officer and S151 Officer subject to financial implications remaining within the budget framework recommended for approval below.

**(6)** That the Leader and Chief Executive be appointed as the Council's representatives on the LLP board.

**(7)** The creation of a budget in the Capital Programme for the Joint Venture loan advance totalling £5,349,000 (including £400,000 being funded by the UKSPF).

**(8)** That the disposal of Venture House be agreed and a budgeted capital receipt of (£850,000) be included in the Medium Term Financial Strategy to fund strategic priorities (a receipt greater than this level will increase the level of the strategic priorities reserve).

**(9)** That the capital investment be funded through UKSPF funding of (£400,000), the capital receipt from the sale of Venture House of (£850,000) and the strategic priorities earmarked reserve of (£4,099,000).

**(10)** A project with a budget of £1,070,000 be included in the Capital Programme (initially equally spread between 2022/23 and 2023/24) for BRS enabling works funded from this capital receipt and the strategic priorities reserve.

**(11)** At this stage, in terms of the Joint Venture, the Revenue Budget will be based on a budget neutral (no surplus or deficit is included) position until the projections included in this report have been reviewed. Any future changes following independent review will be reported in line with the Council's budget monitoring and any budget approvals will be in line with the budget framework.

## **12 COMMUNITY GOVERNANCE REVIEW**

Interests were declared by Members who were Parish Councillors in areas affected by the review. Councillor Eagland declared an interest as the Staffordshire County Councillor for Lichfield Rural North

Councillor Salter commented that he did not declare an interest despite being the Chair of one of the Parishes included in the governance review because the review had no impact on that Parish.

Councillor Ball stated that he was happy to see Councillor Robertson's amendments had been included.

Councillor Spruce commended the report stating it was correct to separate Fradley and Streethay into separate parishes due to the size of their increasingly growing population. Councillor Eagland commented that she too was happy with this separation.

Members voted in favour of the recommendations set out in the report.

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

**RESOLVED:** that the final Community Governance Review recommendations as set out in the Council report and the creation of a Reorganisation Order be approved.

## 13 QUESTIONS

### **Q1. Question from Councillor Norman to the Cabinet Member for Housing, Ecology and Climate Change**

“Which planning regulation applies to the advertising signs around the Friarsgate site, adjacent to the Council House (and which cost £23,000) means they do not require planning permission?”

#### **Response from the Cabinet Member for Housing, Ecology and Climate Change**

“In the absence of Cllr Eadie to answer, I have checked with officers on the cost of the hoardings. I do not know why Cllr Norman has stated they cost over £23,000. The cost was £17,733.

I am advised by officers the relevant planning regulations which address hoardings on the council’s own land are the Town & Country Planning (Control of Advertisements) (England) Regulations 2007 Schedule 3 if the hoardings are not deemed to be advertising. That is a matter of interpretation and when Cllr Norman asked the question of our Planning Officers back in June/July of this year he was advised that the hoardings did equate to advertising and require planning permission.

For whatever reason, back in 2019, when the hoardings were put up, planning permission was not sought. That was a matter for the then officers dealing with the matter.”

### **Supplementary Question from Councillor Norman to the Housing, Ecology and Climate Change**

“I am familiar with schedule three, I do not see how that fits in with these circumstances. My question is, will the Council provide planning permission now to set a good example to others?”

#### **Response from the Cabinet Member for Housing, Ecology and Climate Change**

“I’m responding in the absence of Councillor Eadie. The supplemental question is a matter for the Chief Executive and officers because members are not involved in planning decisions, so I invite him to speak to the Chief Executive on this as to the best way forward.”

### **Q2. Question from Councillor D Ennis to the Cabinet Member for Community Engagement**

“The District Council’s Community safety delivery plan 2022-2025 states, and I quote:

*‘The partnership has considered local crime data and has received contributions from partner agencies. For 2022/23 it has identified that at the heart of its response there needs to be coordination between services to respond to vulnerable people.’*

However, the recent police effectiveness, efficiency and legitimacy (PEEL) inspection report found that Staffordshire Police requires improvement at protecting vulnerable people stating: “Staffordshire Police requires improvement at protecting vulnerable people. And that the force

requires a clear governance and performance reporting structure for vulnerability which is understood throughout the force.”

Why has the Cabinet Member for Community Engagement and our representative on the Staffordshire Police and Crime Panel not reported this to the Council?”

### **Response from the Cabinet Member for Community Engagement**

“The Peel Inspection report relates to the Staffordshire Police and operational matters. This is a matter for the Chief Constable to address.

With reference to the Police, Fire and Crime Panel for Staffordshire, Cllr Darren Ennis will be aware that in line with protocol, I distribute the meeting notes to all Members of Council and if any Member has a question, they can submit these either directly to the Panel or through myself as the agenda facilitates such questions to the Police, Fire and Crime Commissioner.

May I take this opportunity to remind Council of the specific role of the panel. The specific role of the panel is *'to scrutinise the Police, Fire and Crime Commissioner, to promote openness in the transaction of Police and Fire and Rescue business and also to support the Commissioner in the effective exercise of their functions'*.

Included in the work of the Panel is:

- scrutiny of decisions made by the Police, Fire and Crime Commissioner
- scrutiny of the Commissioners Precepts (one each for the Police Service and the Fire and Rescue Service)
- contributing to the development of the Police and Crime Plan and Fire Plan
- reviewing proposed appointment to key posts including the Chief Constable and Chief Fire Officer
- scrutinising at a Public meeting, the Commissioners Annual Report and Fire and Rescue Statement of Assurance
- consider complaints against the Police, Fire and Crime Commissioner (**NB**. Not complaints against the Staffordshire Police Force or the Staffordshire Fire and Rescue Service).

You can view information from the former Staffordshire Police and Crime Panel from the link here <http://moderngov.staffordshire.gov.uk/mgCommitteeDetails.aspx?ID=831>”

(The Meeting closed at 6.45pm )

CHAIRMAN