

# COUNCIL

18 APRIL 2023

## PRESENT:

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

### 1 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors D Cross and Ray.

### 2 DECLARATIONS OF INTEREST

No declarations of interest were received.

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

The Minutes of the Meeting held on 28 February 2023 were approved as a correct record.

### 4 CHAIRMAN'S ANNOUNCEMENTS

The Chair informed members that former Councillor Brian Pretty had sadly passed away and led the Council in a Minutes' silence. Members gave their condolences and remembered the former councillor and the contribution he had made.

The Leader referred to Councillors who were not standing for re-election at the forthcoming District Council Elections and thanked them for their contribution to the District and the Council.

Cllr Pullen also paid tribute to the Members leaving the Council: Cllrs Barnett, Eagland, Spruce, Leytham, Humphreys, Eadie, Birch, Gwilt, A Little and Westwood who had served their communities in a role that was both challenging and rewarding. Members then reflected on the contributions that had been made.

### 5 REPORT OF THE LEADER OF THE COUNCIL ON CABINET DECISIONS FROM THE MEETINGS HELD ON 7 MARCH AND 4 APRIL AND CABINET MEMBER DECISIONS

Councillor Pullen submitted his report on Cabinet Decisions from the meetings held on 7 March and 4 April and Cabinet Member Decisions.

Councillor Pullen commented on the 'Being a Better Council' programme, noting that the strategy was attracting national attention and resulted in savings of over a million pounds. He also commended the Housing Pathway Scheme that helped people rebuild their lives.

Councillor M Wilcox spoke on the Reallocation of Section 106 Funds. He thanked the Council on behalf of Fradley and Streethay for the award of these funds which would be put to good use in the community.

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

Councillor M Wilcox submitted the Minutes of the Overview and Scrutiny Committee held on 16 March 2023.

Councillor Norman stated that the meeting with representatives from the Staffordshire and Stoke-on-Trent Integrated Care Board went well and he was looking forward to meeting them again. He also noted that having virtual meetings in the Council Chamber presented audio difficulties.

Councillor Robertson raised a matter of accuracy on the item Health Matters. He stated the figure needed to be updated from £550,000 to £620,000.

Councillor Norman recommended that all members read the internal audit report on climate change noting that the Council had declared a climate change emergency in 2019.

Councillor M Wilcox thanked members of the O&S Committee for their dedication and commitment.

## **7 MINUTES OF THE PLANNING COMMITTEE**

Councillor Marshall expressed his thanks to members of the Planning committee.

With reference to a particular application, Councillor Evans asked that all major applications are brought before the Committee rather than be delegated to the Chair and officers. Councillor Birch said he hoped future committee members would ensure that they did not fall into the habit of deferring decisions to be made by the Chair and officers unless necessary.

Councillor Marshall agreed with the comments made, clarifying that he had not suggested that the Chair and officers would determine the application referred to and that it had simply been deferred. He gave assurance that the application would be brought to the committee again.

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

**RESOLVED:** That the Minutes of the Meetings of the Planning Committee held on 27 February, 6 March and 3 April 2023 be approved and adopted.

## **8 MINUTES OF THE AUDIT AND MEMBER STANDARDS COMMITTEE**

Councillor Spruce thanked the members of the Committee for their hard work and referred to the effectiveness of the Committee.

It was proposed by Councillor Ho, seconded by Councillor M Wilcox and

**RESOLVED:** That the Minutes of the meeting held on 23 March 2023 be approved and adopted.

## **9 MINUTES OF THE REGULATORY & LICENSING COMMITTEE**

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

**RESOLVED:** That the Minutes of the Meetings of the Planning Committee held on 1 March 2023 be approved and adopted.

**10 GREATER BIRMINGHAM AND SOLIHULL LOCAL ENTERPRISE PARTNERSHIP (GBSLEP)**

It was reported that the Greater Birmingham and Solihull Local Enterprise Partnership (GBSLEP) had been established as a partnership of business, public sector, further and higher education to drive inclusive and sustainable economic growth across the region.

Lichfield District Council had been a member of GBSLEP since 2011 when GBSLEP was set up as a company limited by guarantee.

The Government's Levelling Up White Paper set out the requirement for LEPs to integrate into Mayoral Combined Authorities where they exist and remove geographical overlaps.

As a consequence, the GBSLEP was required to integrate into the West Midlands Combined Authority. Local Authorities, like Lichfield District, that were located outside of the West Midlands Combined Authority needed to exit GBSLEP.

It was therefore proposed that the District Council approved revisions to the GBSLEP Articles of Association to facilitate a new Board Structure and stand down from membership of the GBSLEP when the new model, comprising Birmingham City Council and Solihull Metropolitan Borough Council, was adopted.

Councillor Cox commented on his time on the scrutiny committee of GBSLEP stating he was honoured to be the first Chair and that the committee was highly effective. Councillor Norman agreed with his comments and commended councillor Cox's role as Chair.

It was

**RESOLVED: (1)** That the content of the report be noted.

**(2)** That the District Council agree to stand down from membership of GBSLEP Ltd as soon as the new model comprising Birmingham City Council and Solihull Metropolitan Borough Council is adopted.

**(3)** That authority be delegated to the Leader of the Council in consultation with the Chief Executive and the Monitoring Officer to approve amendments to the GBSLEP Articles of Association, constitution and governance to facilitate changes to the Board membership and structure.

**11 UPDATES TO THE CONSTITUTION**

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

**RESOLVED: (1)** That the updates to Part 3 of the Constitution to reflect current Leadership Team responsibilities be noted.

(2) That the delegations in respect of building control, as set out in the report, be assigned to the Assistant Director Operations, Regulation and Enforcement.

(3) That the delegation to the Chief Operating Officer and Assistant Directors to set fees and charges be amended as set out in the report.

## 12 QUESTIONS

### Questions under Procedure Rule 11.2 for Council

#### **Q1. Question from Councillor M Wilcox to the Cabinet Member for Leisure and Parks**

Would the Cabinet Member agree with me that given both Lichfield District Council and the County Council have as one of their priorities the encouragement of Health & Wellbeing of its residents across the whole District, the decision to bring back responsibility of running Burntwood Leisure Centre to this Council is another positive step in supporting this policy?

And will he also agree that the additional facilities that are planned will only enhance the offer we have for our residents?

#### **Response from the Cabinet Member for Leisure and Parks**

I absolutely agree with Cllr Wilcox; the decision to bring in-house the running of Burntwood and the Friary Leisure Centres, along with the decision by Full Council in February to invest £10m in a new centre at Stychbrook Park, to replace the ageing one at the Friary, are positive steps in supporting the health and wellbeing of residents in the district. The Chief Medical Officer recommends daily physical activity levels for children, young people and adults, to support their physical and mental health. The latest Sport England statistics for our district (2019/20 - the survey has not been redone since Covid) suggest that while we do well in our district compared to other parts of the country, 35% of adults are not active for the recommended 150 minutes a week, and around 60% of children and young people do not achieve the 60+ minutes a day recommended.

Our ambition in bringing leisure services back under our control is to help get 'More People, More Active, More Often'. The further investment of approximately £1.5m in new sports and leisure facilities we are introducing this year and next, which include a Climbing Wall, new Soft Play and resurfaced tennis / netball courts in Burntwood, the introduction of new competitive sports, Padel, Obstacle Course Racing, additional 3G pitches, and Adventure Golf, to replace the mini golf we currently offer, will certainly support that ambition. We hope these investments will inspire more people to become happier and healthier through increased participation.

We believe taking back control will encourage more people to use our facilities old and new, and associated facilities across the district. We have invested significantly in Burntwood Leisure Centre over the last few weeks to make it a better, warmer, and cleaner environment for users, and have discounted membership and joining fees for the next few months to encourage a greater take up"

**Q2. Question from Councillor Robertson to the Cabinet Member for Community Engagement**

I thank you for publishing the communications between you and officers in relation to the repeated delays around the data link between the CCTV on Dimbles Lane and the control room in the City Centre. In these communications it is clear that on 8<sup>th</sup> February you offered your apologies to me about "the length of time it has taken to action" but at Council on 28<sup>th</sup> February you refused to apologise to the community which had been let down. Can you explain why?

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

May I thank Cllr Robertson for his question; however, I must remind the councillor that whilst the component to link the CCTV to the control room was not active due to the delay in being supplied, the CCTV was recording and could be reviewed by the police on request.

During this delay I can assure Cllr Robertson that officers were chasing the supplier on regular basis, and I thank them for their efforts in obtaining an alternative supply, once it was established the supply was further delayed.

May I also remind Cllr Robertson, that not all our District is covered by CCTV but where it is, I am sure residents feel secure in knowing that their area is fortunate to have such coverage. By investing in additional cameras located around the shopping area of Dimbles Lane, I believe this will act as a deterrent to any activities that may occur and allow residents to go about their business without being intimidated by any wrongdoing. This would also apply to those residents living in the immediate vicinity and of course I would apologise to those residents who may have felt let down by the delay caused by external suppliers. As a priority the Council continues to ensure our communities are safe and work closely with our partners to meet this objective.

**Q3. Question from Councillor Robertson to the Leader of the Council**

In 2019 as people went to the polls to elect their representatives for the coming 4 years, the leadership of the Council was well aware of the ongoing discussions about the academisation of Friary School and the potential knock-on effect to Friary Grange Leisure Centre. Despite knowledge of this no publicity was made about the threat to Lichfield's public leisure centre before people went to the polls, and the decision about the future of the facility kicked down the road until after the elections which then led the cabinet to make a disastrous decision to close the centre, before being forced into a U-turn in light of a backlash in the community. Can you give an assurance to voters that no such skeletons are being kept in the closet ahead of these elections?

**Response from the Leader of the Council**

Since I became leader in May 2019, I have given a firm commitment to transparency at Lichfield District Council. While I wasn't part of the leadership team in the run up to the 2019 elections and therefore cannot speak on their behalf I do note that Labour Group members were alerted to discussions around the future viability of Friary Grange Leisure Centre at the Leisure Parks & Waste O&S Committee held in March 2019. The minutes record that:

*"Friary Grange Leisure Centre was discussed further and it was noted that there had been further meetings with Staffordshire County Council and the school as it is move to academy status. It was reported that a business case as to whether there should be future investment was being worked on and would be reported as soon as possible. It was asked what Freedom's position would be and if the centre would be*

*viable if there was no capital investment in the pool and it was reported that it was a known risk and Freedom were supporting the Council to make informed decisions.”*

Given that members of the Labour Group were party to this information, discussed in a public forum with minutes then published, I find your characterisation of this as a “skeleton” rather crass and potentially misleading.

I’m very proud that the Conservative Group backed investing £695,000 pounds into refurbishing Friary Grange Leisure Centre, which was completed ahead of time and under-budget, during COVID-19 restrictions. I’m even prouder that we have allocated £10m for a brand new leisure centre in Cllr Robertson’s current ward, and that we have brought our leisure provision back in-house to provide our residents with 2 top class leisure centres. He has my guarantee that we will continue our good work if we are successful in the upcoming elections.

**Q4. Question from Councillor A Yeates to the Leader of the Council**

What do you feel the Conservative run council has achieved during this current term in control of Lichfield District Council?

**Response from the Leader of the Council**

I am incredibly proud of our achievements over the last 4 years, with too many to mention in this written answer.

Throughout the COVID-19 pandemic, we were at the forefront of the response, implementing initiatives such as the co-op food delivery scheme and ensuring that grants were distributed quickly to those businesses in need.

We’ve supported our communities through addressing homelessness with our Housing First approach, our Community Lottery, Councillor Grants, looking to speed up DFG’s by bringing the service back in-house and supporting a wide range of voluntary organisations.

We have made significant progress on several major projects that will benefit the entire district, including the approval of investments for a cinema and leisure centre, which are both due to open next year.

The last 18 months has seen a real culture change at Lichfield District Council, spearheaded by our new CEO and I’m rightly proud of that appointment. Our staff have expressed increased confidence in their managerial leaders and in the Cabinet, and are more satisfied with LDC as an employer, which I believe is a strong testament to the positive culture that is emerging within the council, and will stand us in good stead for the future.

**Supplementary Question from Councillor A Yeates**

What are your plans for the next four years?

**Response from the Leader of the council**

We have had a tremendous four years. We all hope that we will be able to carry out our plans in the next four years. Residents across the district will have received a leaflet telling them not only how many votes they have in their local ward, but it will also tell them six other things. That we will continue to keep council tax low. That we will have a design code brought into Lichfield district so no longer are we just building housing estates, but we are building communities too. It will tell them that we will bring a cinema

and a leisure centre to the district which plans to be open next year in 2024. It will tell them that the power of the people is far more important than the power of anything we have here and therefore we will set up panels across the district to enable local people to make decisions about how money is spent locally. We will continue to support local businesses - Lichfield district is on course to be the fourth fastest growing economy in 2023/24 and that is a testament to the businesses in our district who are expanding or growing who are acquiring new talent in the district. Finally, it will tell them of our plans to convert a former Lichfield railway line into greenway for cyclists and walkers linking Lichfield with Chase Water. It illustrates the principle of the Council intervening only when it has to and then getting out the way to allow willing volunteers to get on with it, as people are quite often better at getting on with things than organisations.

**Q5. Question from Councillor Norman to the Cabinet Member for Housing, Ecology and Climate Change**

Can the Cabinet member responsible for the Climate Change policy confirm that she has read the Internal Auditor's Report on the Council's Climate Change Policy which found that the Action Plan did not outline the governance and oversight structures for the Action Plan; that two of the three officers that actions had been allocated to no longer worked at the Council and that of the 17 actions in the Action Plan, 10 had been allocated to these officers; that the Organisational Carbon Plan's Action Plan was not monitored through the Council's governance structures to assess whether the actions have been implemented and concluded that the Action Plan was not a live document that supports the Council's move towards net-zero carbon emissions?

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

Yes thank you, I have read the Internal Auditor's report. I had raised with officers in advance that LDC's own Organisational Carbon Reduction Plan needed revising due to staff leaving, the reorganisation of LDC operating structures and implementing the Being a Better Council programme. I am pleased to report we are in the process of putting in place best practice in relation to the effective management of risk, the delivery of good governance and the attainment of management objectives to be achieved.

The Leader of LDC, Cllr Pullen and myself as the Cabinet Member for Ecology and Climate change, together with the Cabinet, fully support our Chief Executive in setting an ambitious target of the council itself becoming carbon neutral by 2035 within its Organisational Carbon Reduction Plan.

We have a moral duty to protect our planet for future generations. While we were slow to generate momentum immediately following the Council declaring a Climate Emergency we are now working tirelessly to drive forwards the actions needed to get our district carbon neutral by 2050 while growing our local economy.

We have a dedicated manager for this activity, along with the Organisational Carbon Reduction Plan to support our becoming a carbon neutral organisation, and our Lichfield district 2050 Strategy, which is being launched in the summer. This will set out how we believe we can hit the 2050 target through working with our residents and partners.

Lichfield District Council is a member of the newly formed Staffordshire Sustainability Board (SSB) alongside 8 other Staffordshire authorities. The SSB is an active and transparent collaborative forum that works to ensure Staffordshire is net carbon zero by at least 2050 or before.

We are taking initiatives across the district and with community groups. Please see our climate change resources hub at <https://www.Lichfield.gov.uk/climatechange>

Together with Staffordshire Wildlife, our nationally recognised Ecology and Climate Change Manager has led the way in LDC actioning a Nature Recovery Declaration.

We were the first council in the country to make a policy demanding that all development must deliver a 20 per cent net gain to biodiversity as part of seeking planning permission. If developers cannot deliver that net gain on site, they either create or enhance areas of habitat elsewhere in the district or provide the council with a suitable financial contribution for us to deliver that habitat on their behalf. Other examples of our proactive work include promoting a 'No Mow May initiative' where areas have been left uncut so that grasses and wildflowers can thrive and provide food for hungry pollinating insects and we are part of the pioneering Purple Horizons nature recovery project whose work restores heathland to create sustainable habitats for wildlife and carbon storage while making these areas more accessible for residents, improving both mental and physical health.

All these initiatives and many more are contributing to our collective efforts to tackle climate change.

**Q6. Question from Councillor Norman to the Leader of the Council**

Like many district councils we have publicised the need for voters to take photo ID with them when they come to vote on May the 4<sup>th</sup>, even though, as he confirmed to me in December there was no record held by this council of a case of personation. With less than a week left for residents to apply can he give me the latest figure for applications received by Lichfield District Council for the voter authority certificate for those who do not have an acceptable form of photo ID?

**Response from the Leader of the Council**

We have received 95 Voter Authority Certificate applications to date.

**Supplementary Question from Councillor Norman**

Is the Leader aware that some older residents are still concerned about what they need and what can be used for photo ID despite the efforts already made by LDC?

**Response from the Leader of the Council**

I am confident in our officers that they will do absolutely everything they can to address any issues the best way they can.

**Q7. Question from Councillor Norman to the Cabinet Member for Leisure and Parks**

There have been a number of changes to Burntwood Leisure Centre, including a "Deep Clean", since the contract with Freedom Leisure failed and the Council was forced to take the facility back in-house on the 1<sup>st</sup> of April. Can he explain why the contract was not properly supervised up to that point?

**Response from the Cabinet Member for Leisure and Parks**

Freedom Leisure was awarded the contract to run our leisure centres after a fair, thorough and detailed competitive tendering process. Outsourcing the centres when we did in 2018 was the right decision and best option for our leisure provision at that time.



The contract has provided the council with significant savings of £1,365,083 between 2017/18 and 2021/22 which has enabled the council to invest £2 million in improving the offer for users, including refurbishing Friary Grange and a new aerobics studio and larger gym at our Burntwood centre.

However, the last couple of years have been difficult for the leisure industry, as it has been for other sectors of the economy. That said, we have watched the way Freedom Leisure reacted to Covid, economic pressures and more recently the impact of the war in Ukraine on energy pricing and believe their chosen response significantly negatively impacted the financial viability of the centres. Their commercial choices, to protect the bottom line, led to a decline in the cleanliness, condition and environment of the centres, which in turn has led to a reduction in the number of users of the centres.

This is why over the last six months we have proactively sought Freedom Leisure's exit from the contract, along with a substantial £750,000 fee in settlement from them. We believe a community focussed response, instead of a purely financial one, will result in more users across the centres and new facilities we are developing and an overall more active population. We are investing in improving the environment and offer in Burntwood, building a brand new centre for Lichfield and extending sports and leisure facilities in the district. We are also reducing pricing to make the facilities more financially accessible to residents. All as part of that community focused response.

#### **Supplementary Question from Councillor Norman**

I appreciate that Freedom Leisure have had the extra pressures from energy costs, they've also had that extra pressure with other contracts they have with other local authorities in England. I wondered if the cabinet member could tell me why it is just Lichfield district that has had to end the contract and still have all these contracts elsewhere?

#### **Response from the Cabinet Member for Leisure and Parks**

When we first contracted out with Freedom Leisure it was an excellent decision by the council and in four/five years it has saved us 1.4 million pounds and we have managed to reinvest that into our Friary and Burntwood Leisure centres. However, due to Covid and other pressures, we've noticed we've pushed Freedom Leisure as far as we can within the contract. We're a proactive council so we took the decision as Cabinet and decided to end the contract. We also took £750,000 out of the deal – this was not something that Freedom did voluntarily that was us causing it to happen. That money can now be reinvested back into Burntwood and our new leisure centre as needed.

(The Meeting closed at 7.20pm)

CHAIRMAN