

# COUNCIL

**15 OCTOBER 2024**

**PRESENT:**

Councillors Anketell, Ashton, Ball, Banevicius, Bennion, Bragger, Checkland, Coe, Cox, Cross, Farrell, D Ennis, L Ennis, Evans, Galvin, Harvey-Coggins, Henshaw, Hill, Ho, Holland, Hughes, Leung, Marshall, Mears, Norman, Powell, Pullen, Ray, Rushton, Salter, A Smith, J Smith, Strachan, P Taylor, S Taylor, Trent, Vernon, Warfield, Whitehouse, M Wilcox and S Wilcox

**16 APOLOGIES FOR ABSENCE (IF ANY)**

Apologies were received from Councillors Robertson, Woodward, Yeates, Booker, Silvester-Hall and Hawkins.

**17 DECLARATIONS OF INTEREST**

No declarations of interest were received.

**18 TO APPROVE AS A CORRECT RECORD THE MINUTES OF THE PREVIOUS MEETING**

The minutes of the previous meeting, held on 09th July 2024 were taken as read and approved as a correct record.

**19 CHAIR'S ANNOUNCEMENTS**

The Chair outlined the events she had attended since the previous meeting of Council and encouraged invites to events from across the district to be sent to her. She confirmed that she will be joining with the Mayor of Lichfield with a Christmas carol event.

**20 REPORT OF THE LEADER OF THE COUNCIL ON CABINET DECISIONS FROM THE MEETINGS HELD ON 30TH JULY, 10TH SEPTEMBER AND THE 8TH OCTOBER AND CABINET MEMBER DECISIONS.**

The Leader of the Council submitted his report on the Cabinet Decisions from the meetings held on 30th July, 10th September, 8th October and Cabinet Member Decisions. The Leader welcomed the opportunity to report further updates on the progress of improvements to the handling of Disabled Facilities Grants (DFG) back to members.

On the Civic Matrix, the Leader believed the clothing budget was set as an appropriate level but confirmed that no one would want a potential Chair to feel this budget prevented them from taking up the role and expense claims would likely be addressed on a case-by-case basis. He stated that he was agnostic on whether the Chairs events were reported to Council or the website.

The Leader welcomed the opportunity for LWMTS to be scrutinised at least twice a year and believed full council should have the opportunity to have an input on who sat on the board.

The Leader commended officers for their work on the Local Plan Issues & Options paper.

In response to Councillor Marshall's description of national net zero proposals as 'ruinous', Councillor P. Taylor requested it be put on record that he believed the majority view in the chamber disagreed with Councillor Marshall.

Councillor Mears requested it be noted that residents need more inclusion in the developments around the football pitch at Burntwood Park. The Leader confirmed that the detail around the allocation of 106 funding was available.

The Leader confirmed that the Annual Garden Waste Subscription Charge Amendment had been approved and that this charge would rise in line with CPI each year. He also stated that there will not be a separate cost for food waste from the existing waste collection service cost. The Leader confirmed that the costings in item 22 of the Leaders Report does not include the cost of the control room. He also confirmed the trial pilot period for the On Demand Transport Project would run until the end of the financial year.

## **21 MINUTES OF THE OVERVIEW AND SCRUTINY COMMITTEE**

Councillor Ball asked about progress on a web link to allow members of the public to submit subjects for consideration by O&S. He also asked when the report on the Community Safety Partnership would be coming to O&S. Councillor Cox confirmed it was agreed this would come to the December O&S meeting.

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

**RESOLVED:** That the Minutes of the meeting held on 23rd July 2024 be received.

## **22 MINUTES OF THE EMPLOYMENT COMMITTEE**

It was proposed by Councillor Banevicius, seconded by Councillor D. Ennis and

**RESOLVED:** That the Minutes of the meeting held on 27th June 2024 be received and where necessary approved and adopted.

## **23 MINUTES OF THE PLANNING COMMITTEE**

Councillor M. Wilcox raised the recent application at Warner Avenue. He highlighted the professional way officers handled the meeting and the questions members asked of the application.

It was proposed by Councillor Harvey-Coggins, seconded by Councillor Ashton and

**RESOLVED:** That the Minutes of the meetings held on 29th July 2024 and 2nd September 2024 be received and where necessary approved and adopted.

## **24 MINUTES OF THE AUDIT COMMITTEE**

Councillor P. Taylor noted that the meeting was very nearly not quorate and urged committee members to attend all scheduled meetings.

It was proposed by Councillor P. Taylor, seconded by Councillor Vernon and

**RESOLVED:** That the Minutes of the meeting held on 18th July 2024 be received and where necessary approved and adopted.

## 25 MINUTES OF THE REGULATORY AND LICENSING COMMITTEE

Councillor Hill asked if officers have been in liaison with elderly residents struggling with heating homes or whether this would be looked at going forward.

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

**RESOLVED:** That the Minutes of the meeting held on 25th July 2024 be received and where necessary approved and adopted.

## 26 FINANCIAL PROCEDURE RULES

Councillor Strachan proposed the Financial Procedure Rules to Council. This was seconded by Councillor Marshall.

**RESOLVED:** Council approved the revised Financial Procedure Rules. These will become operational from 1 January 2025.

## 27 ANNUAL TREASURY MANAGEMENT REPORT

Councillor Strachan proposed the Annual Treasury Management Report to Council. This was seconded by Councillor Marshall.

In response to a question from Councillor Powell, Councillor Strachan confirmed that further slippage would not be approved beyond this financial year on existing capital projects.

**RESOLVED:** Council approved the actual 2023/24 Prudential Indicators contained within the report.

## 28 MEDIUM TERM FINANCIAL STRATEGY (MTFS) UPDATE

Councillor Strachan proposed the Medium Term Financial Strategy (MTFS) Update to Council. This was seconded by Councillor Marshall.

**RESOLVED:** That

2.1. Council approved an update the Medium Term Financial Strategy to include a project in the Capital Programme of up to £250,000 for Strategic Priorities within the District funded by the net capital receipt.

2.2. Council approved an increase to the Disabled Facilities Grant Capital Budget by £169,000 from £1,041,000 to £1,210,000 in 2024/25.

2.3. Council approved an update to the Medium Term Financial Strategy to include a project in the Capital Programme for the implementation of Food Waste Collection for the Joint Waste Service of £1,766,540 funded by Government Grant (Lichfield DC (£1,131,640) and Tamworth BC (£634,900))

## 29 QUESTIONS

**Q1. Question from Councillor Ennis to Cabinet Member for Leisure & Major Projects**

“Given the importance of the New Skate Park Project in Burntwood to our community and considering that funding was confirmed by Burntwood Town Council as early as March and by Lichfield District Council in April, with no planning permissions required and the site being on District Council land, could you clarify why, nearly six months later, this project remains incomplete. Can you provide assurances on the timeline for its completion, given its significance to local residents and young people?”

### **Response from the Cabinet Member for Leisure & Major Projects**

“Microsport were engaged in April 2024 to deliver a new skatepark at Burntwood Leisure Centre. In September 2024 the procurement exercise was completed and contracts awarded in early October 2024 with the first payment being made to the contractor so they could start the manufacturing process for the new skatepark, which is expected to take around 8 weeks. Installation will start in January 2025 and be finished by the end of January 2025.

6 months may sound like a long timeframe from approval to proceed to issuing of a the contract but there are a number of actions that need to take place for us to get to awarding of contracts.

1. Engaging with suppliers to ensure we draw up an appropriate design for the site is key and can take a number of weeks to complete.
2. Once we then have a suitable design for the site we have to engage with local users to see if the site will be useable to them. Engagement can take a number of weeks, and whilst we always try to deliver all users want, location and budget does not always allow this.
3. A redesign then takes place
4. The final scheme is put out to tender, the tender is then evaluated and awarded to the winning bidder.
5. Contracts are awarded and then works can be scheduled in.

The above is a high level process of what is happened to date and has taken place to ensure we deliver a fit for purpose and safe new skatepark for the residents of Burntwood to enjoy using.”

### **Councillor D. Ennis asked the following supplementary question:**

Why did the council choose to go down the rout of Micro-Sports rather than looking internally or using LWMTS?

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### **The Cabinet Member for Leisure & Major Projects responded:**

There are shared frustrations on the timescales involved. Micro-Sports have delivered a number of projects for the council. They have a proven track record of working with the council and he has full faith in them.

### **Q2. Question from Councillor Ashton to the Leader of the Council**

“In the LWMTS annual report, we see in the section headed Directors’ Report, ‘Following the Council’s Internal Audit review of the company this year, we will engage with the Council over whether additional representation on the board should be introduced’. Can the Leader please

provide a concrete schedule and define the form this engagement will take, together with the current thinking on this matter by the Leader and Cabinet?"

### **Response from the Leader of the Council**

"The Cabinet and I welcome the September 2024 internal audit findings into LWM governance arrangements, which concluded there was reasonable assurance and made four recommendations, one medium priority and three low priority. Cllr Andy Smith, the Shareholder Representative is engaging with the Chair of LWM, Cllr Alex Farrell regarding the recommendations. Initial discussions are positive, and it is envisaged that any changes will be actioned by the end of the financial year. In my view, the board membership should be as small as possible, while ensuring it is broad enough to be robust, and I know that is what both Cllr Farrell and Cllr Smith are looking into."

### **Q3. Question from Councillor Galvin to the Cabinet Member for Operational Services, Parks & Waste**

"I am pleased to see investments already made in the parks of Burntwood and the plans to invest further. As you are aware in Burntwood Park £14500 has been invested in the netting to prevent stray balls, £6500 has been spent improving the car parking facilities and a further £2500 is allocated for the goal posts. I would like to ask what the timescale is that this football pitch at Burntwood Park be ready for the people to use? This is a valuable resource and as you know we have recently lost designated football pitches like this can I also ask reassurance that this money already spent will not be wasted due to the work not being completed?"

### **Response from the Cabinet Member for Operational Services, Parks & Waste**

"Thank you for your question Cllr Galvin and I know we have spoken about this matter several times and been on site together at Burntwood Park as we share concern about the possible unintended consequences that the usage of this football pitch may have on residents, especially elderly people.

We also understand local concerns about possible anti-social behaviour and I therefore visited the Park on several occasions and also met with residents and also been in touch regularly by telephone with some of them and I also appreciate that you have informed me that you have increased your visits to the park too.

The council received a local petition in relation to this new proposed football pitch at Burntwood Park from nearby residents.

They are concerned about potential additional noise, balls being kicked against the walls of their homes and balls going into their gardens causing likely damage, and potential anti-social behaviour from youths congregating around the pitch on none match days.

In line with the council's petitions policy, this has been considered by myself as Cabinet Member for Operational Services, Parks & Waste.

Clearly as a caring council, we have listened to these concerns and our ambition is to therefore put in place a series of mitigating measures including additional planting, the moving of benches and a slight amendment to the location of the pitch lines, in order to address neighbour concerns.

The pitch size is designed for younger teams and we are engaging with local teams who we are confident should operate the use of the pitch to a very high standard.

We also plan to monitor the use of the pitch initially to ensure concerns about potential anti-social behaviour are addressed and the community is reassured.

Our next planned visit to explain all this to the residents is set for Thursday 17 October.”

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**Q4. Question from Councillor Bennion to the Cabinet Member for Housing & Local Plan and the Cabinet Member for Visitor Economy, Ecology & Climate Change**

“Residents of all three parishes of Mease Valley Ward and Elford face the prospect of the construction of a sewage pipeline from Packington in Northwest Leicestershire to the River Tame near Elford. Disruption to farm businesses and landowners (I declare an interest as the proposed route crosses my land) and for some, the uncertainty regarding future access to irrigation water, is likely to result in economic loss. For residents, both the disruption and the future likelihood of an increase in flooding events, as a major driver of the project is the unlocking of development upstream in the catchment of the River Mease in Leicestershire, are major causes of anxiety. Can the portfolio holder assure me that this Council will act in support of residents and businesses in the affected parishes, by pressing for a review of the decision by the Secretary of State, or if the project does go ahead using all its available power and influence to defend the interests of local businesses and to oppose further development upstream where that is likely to exacerbate flooding downstream in Lichfield District?”

**Response from the Cabinet Member for Housing & Local Plan and the Cabinet Member for Visitor Economy, Ecology & Climate Change**

“Unfortunately Local Planning Authorities have no direct jurisdiction over the laying of sewage pipe networks, as no planning permission is required for these works. As Cabinet Member, I'm happy to meet with you to discuss this situation in more detail.”

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**Councillor Bennion asked the following supplementary question:**

Will councillors be willing attend an upcoming meeting that is being organised to discuss this issue?

**The Cabinet Member for Housing & Local Plan responded:**

He confirmed he would be there.

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**Q5. Question from Councillor Bragger to the Cabinet Member for High Street & Economic Development**

“What has been the impact of introducing parking charges in the evening on:

- Use of the car parks
- Local hospitality business trade and staff parking
- Organisation that use evening volunteers

Has the Council had any discussions with the current owners of the precinct about returning to the Council managing their car parks with the same charges regime as Council car parks? This would be easier for visitors and residents.”

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**Response from the Cabinet Member for High Street & Economic Development**

“The council introduced evening charges into the city in January 2024. We track footfall in the city on a monthly basis and in general footfall has been increasing month on month, with an average 5% increase overall since the charges were introduced, and a 7% increase in evening footfall when compared to the previous year.

Whilst these figures are not an absolute indicator, when you consider the recent new businesses, openings including Ricco and Loren, The Quill and Scholar, and The Beacon, all of whom rely on evening trade and staffing, together these would suggest that the evening parking charges we introduced are not a significant issue for their trade or their staff.

Whilst we had a couple of concerns raised when the charges were first introduced, we’ve not had any recent feedback in relation to the impact of the charges on voluntary organisations. If however, Councillor Bragger or any other councillor has any specific concerns they would like to share with us, we will happily feed these into any future review of car park charges we carry out. We regularly review car park charges to ensure we support local businesses, organisations and residents who use our city car parks, as well as bring in sufficient income to support the car parks’ ongoing maintenance.

I can confirm that the council has not been in any discussions regarding managing the Three Spires Shopping Centre car parks.”

**Councillor Bragger asked the following supplementary question:**

Could you please talk to Three Spires Shopping Centre car parks?

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**The Cabinet Member for High Street & Economic Development responded:**

He confirmed he would.

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**Q6. Question from Councillor Bragger to The Leader of the Council and the Cabinet Member for Visitor Economy, Ecology & Climate Change**

“As the UK Shared Prosperity Fund comes to an end in April 2025, I understand there is a risk not all the money will be spent as planned. I also understand that under current rules any unspent money will have to be returned. What plans have been made to ensure any unspent money is redirected to projects in the district?”

**Response from The Leader of the Council and the Cabinet Member for Visitor Economy, Ecology & Climate Change**

“The Cabinet is committed to ensuring that all UKSPF funds are spent by the end of the financial year. Funds are fully allocated, project leads are submitting monthly updates, and the project board, chaired by Cllr Silvester-Hall, is closely monitoring delivery. In the event that a project will not be able to spend its full allocation, the project board will redirect the monies to other projects in-line with the agreed outcomes in our Investment Plan.”

**Q7. Question from Councillor Taylor to Cabinet Member for Community Engagement**

“With the recent news that Karen Green is moving on from the role of Commander of Lichfield Police, could the cabinet member give us his thoughts about the lack of stability in the senior leadership of our force?”

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

“We are of course hugely disappointed that Karen Green is moving onto new challenges at the police headquarters, however we wish her the very best of luck in her new role and look forward to seeing her excel at helping the force to drive forward positive transformation and change. Karen is being replaced by Paul Finlayson who is a hugely experienced officer who has worked alongside Karen to support Lichfield District for many years, including playing an active role in the district’s community safety partnership. We look forwards to continuing our already positive relationship with Paul and his team into the future.”

**Q8. Question from Councillor Norman to the Cabinet Member for Housing & Local Plan**

“When an applying is granted “temporary planning permission” in order to safeguard the character of a site, in accordance with Policy BE1 of the Local Plan Strategy and the National Planning Practice Guidance, how many times can this temporary permission be further granted, and can he give me three examples where this has happened more than twice for an application in Lichfield District?”

**Response from the Cabinet Member for Housing & Local Plan**

There is no statutory limit on the renewal of temporary permissions for developments. However, in terms of enforceability a development without the benefit of planning permission may become immune from formal action if it has been in situ for more than 4 or 10 years – dependent upon the type of development (i.e. if it is a domestic dwelling or a commercial/business use). In consideration of the merits of assessing a renewal of a permission, the expediency of repeated renewal versus finding a permanent solution is always sought and encouraged.

Applications given temporary permission more than twice are listed below. Significantly, there are only another 2 instances where temporary permission has been granted twice.

<b>Site Address</b>	
Marketing Suite, Wellington Crescent Fradley Park Lichfield	
<b>Reference</b>	<b>Proposal</b>
02/00969/FUL	Erection of a temporary marketing suite and security cabin
07/01090/FUL	Renewal of permission 02/00969/FUL: Erection of a temporary marketing suite and security cabin
12/01098/FUL	Renewal of permission 07/01090/FUL: Erection of a temporary marketing suite and security cabin



17/01526/FUL	Renewal of permission 12/01098/FUL: Erection of a temporary marketing suite and security cabin
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Site Address	
Haselour Hall Haselour Lane Harlaston Tamworth Staffordshire B79 9JT	
Reference	Proposal
11/00789/FUL	Change of use of stables and land for use as stud farm; erection of temporary agricultural and equine workers dwelling and retention of small stable block
15/00019/FUL	Retention of temporary mobile home for agricultural and equine worker (approved under planning permission 11/00789/FUL)
18/00417/FUL	Retention of temporary mobile home for agricultural and equine worker (three years) and continued equestrian use of land
20/00515/FUL	Permanent retention of a three bedroom equestrian/agricultural worker's dwelling (mobile home)

Site Address	
Land For Parking At Units 14 & 15, Gorse Lane	
Reference	Proposal
98/00497/FUL	Renew temporary permission for the storage of vehicles using runways and adjacent land
00/00968/FUL	Storage of vehicles using runways and adjacent land
02/00021/FUL	Renew permission 00/00968/FUL - Storage of vehicles using runways and adjacent land

Site Address	
Longson Hall School Longdon, Rugeley WS15 4PT	
Reference	Proposal
L900115	Temporary permission for portacabin for classroom
L920295	Renew permission L900115 temporary classroom
L930500	Renewal of permission L920295 temporary classroom

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**Councillor Norman asked the following supplementary question:**

Is the cabinet member aware that another case is the Burntwood Health & Wellbeing centre which was granted planning permission in 2008 for 3 years, in 2011 for another 1 year and in 2019 for a further 5 years, ending on 30 September 2024?

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**The Cabinet Member for Housing & Local Plan:**

Confirmed this would be looked into.

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**Q9. Question from Councillor Evans to the Leader of the Council**

“The pavilion at Redwood Park, owned by Lichfield District Council and leased by Platinum Boxing is, in my view, a building that has great potential as a much-needed community space in Burntwood. I commend Platinum Boxing for the work they do with young people in particular, so I would like to ask the Leader if he will look at Redwood as an under-utilised asset, with a view to maximising its potential?”

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**Response from The Cabinet Member for Operational Services, Parks & Waste**

“As the cabinet member responsible for parks, I have, together with Cllr Andy Smith, commissioned vision statements for each council-owned park across the district, setting out their potential and opportunities, as well as identifying funding options.

These statements will be developed through engagement with local ward councillors, clubs, user groups and local residents.

A first vision statement has recently been completed for Beacon Park, and Redwood Park will be the second vision statement we prepare, with work kicking off this week.

The vision statement will aim to address the recognised issues with the Pavilion and ensure the potential of the park and Pavilion are maximised.”

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**Councillor Evans asked the following supplementary question:**

Do we have a rough timescale of when this might happen?

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**The Cabinet Member for Operational Services, Parks & Waste responded:**

We want to get this right and Beacon Park is the first of our objectives. We are working to see how that rolls out before commencing with the model that we have anticipated. I cannot give a definite time, but it is in our interests to make this as quick as feasibly possible.

**30 SALE OF LAND ON BIRMINGHAM ROAD / ST JOHN STREET, LICHFIELD**

Councillor A. Smith proposed the Sale of Land on Birmingham Road / St John Street, Lichfield to Council. This was seconded by Councillor Pullen.

Councillor Ball suggested involving Councillor D. Ennis in finalising the heads of heads of terms.

Councillor Ashton asked if the parking arrangements could be further examined. Councillors Trent and Ray expressed reservations about the density and layout of the site to include a gated community, however Councillor Strachan noted that these would likely be matters for Planning Committee to discuss.

Councillor Bragger hoped that future phases of development would see the contract of sale include requirements for high quality affordable/social/essential worker housing.

*(Following a discussion in confidential session, members elected to return to public session for the final vote on this report)*

**RESOLVED:** That

1.1. Council approved the sale of the land (zone 1) it owns on the corner of Birmingham Road/St John Street, Lichfield to CB Collier, and delegated authority to the Deputy Leader and Chief Executive in consultation with the Monitoring Officer and Section 151 Officer to conclude legals etc. subject to the financial implications being within the Approved Budget. This delegation is based on the Head of Terms included in this report and is subject to no material issues occurring with the Head of Terms or through Due Diligence of the bidder or their proposed scheme.

1.2. Council noted that on 16 April 2024 it approved a project being added to the Capital Programme for the anchor Food and Beverage Tenant for the cinema complex of £1,700,000 funded by the capital receipt for this site. Therefore, the balance available to allocate from the net capital receipt of £4,936,000 is £3,236,000.

1.3. Council approved an update to the Medium Term Financial Strategy:

- To add a new project to the Capital Programme of £2,000,000 funded by the capital receipt for Public Realm works, including a Linear Park, on the Birmingham Road Site.
- To add a new project to the Capital Programme of £1,236,000 funded by the capital receipt for capital investment in Burntwood, for projects emanating from the Burntwood Masterplan

### **31 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 4 of Part 1 of Schedule 12A of the Local Government Act 1972"

IN PRIVATE

### **32 SALE OF LAND ON BIRMINGHAM ROAD / ST JOHN STREET, LICHFIELD - CONFIDENTIAL**

This item of business is restricted due to the likely disclosure of exempt information as defined in Paragraph 4 of Part 1 of Schedule 12A of the Local Government Act 1972.

(The Meeting closed at 8.09 pm)

CHAIR