

COUNCIL

19 FEBRUARY 2019

PRESENT:

R. J. Awty (Chairman)
Mrs N. Bacon (Vice-Chairman)

Baker, Mrs D. F.	Lax, Mrs A. C.	Stanhope MBE, Mrs M.
Bamborough, R. A. J.	Leytham, D. J.	Spruce, C. J.
Banevicius, Mrs S. W.	Little, Mrs E. A.	Strachan, R. W.
Barnett, Mrs S. A.	Matthews, T. R.	Tittley, M. C.
Cox, R. E.	O'Hagan, J. P.	Tranter, Mrs E. H.
Eadie, I.M.	Powell, J. J. R.	Warfield, M. A.
Eagland, Mrs J. M.	Pritchard, I. M. P.	White, A. G.
Evans, Mrs C. D.	Pullen, D.R.	Wilcox, M. J.
Fisher, Miss B.	Pullen, Mrs N. I.	Woodward, Mrs S. E.
Fisher Mrs H. E.	Ray, P. W. W.	Yeates, A.
Greatorex, C.	Rayner, B. L.	Yeates, B. W.
Hoult, B. E.	Salter, D. F.	
Humphreys, K. P.	Shepherd, Miss O. J.	

76 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Ball, Mrs Boyle, Constable, Mrs Constable, Drinkwater and Marshall.

77 DECLARATIONS OF INTEREST

Councillor A Yeates and Councillor B W Yeates declared an interest in Lichfield Garrick.

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

It was proposed and duly seconded "that the Minutes of the Meeting of the Council held on 18 December 2018 as printed and previously circulated be taken as read, and approved as a correct record."

79 CHAIRMAN'S ANNOUNCEMENTS

(a) Crown Court Opening

The Chairman advised that he had attended the opening of the Crown Court in Stafford with other civic dignitaries including the High Sheriff of Stafford.

(b) Dementia Friendly Communities

The Chairman reported that he had attended a lecture on dementia friendly communities at the Lichfield Methodist Church. He reminded Members that his chosen charity, the Memory Café, provided a drop in centre for people with dementia and their carers at the Methodist Church and thanked everyone who had made a donation at Christmas.

(c) Burntwood Leisure Centre

The Chairman reported that he had cut the ribbon to the newly refurbished Burntwood Leisure Centre which, in partnership with Freedom Leisure, provided a complex with much to offer local residents and residents of the District.

(d) Councillor Steven Claymore

The Chairman advised that together with the leader, deputy leader and chief executive he would be representing the Council at the funeral of Councillor Steven Claymore of Tamworth Borough Council.

80 REPORT OF THE LEADER OF THE COUNCIL ON CABINET DECISIONS FROM THE MEETINGS HELD ON 15 JANUARY AND 12 FEBRUARY AND CABINET MEMBER DECISIONS

9 - Transfer of Public Open Space to Armitage with Handsacre Parish Council

Councillor Cox welcomed the decision to transfer assets in the Parish of Armitage with Handsacre to the Parish Council and noted that the War Memorial was in need of refurbishment.

81 MINUTES OF THE COMMUNITY, HOUSING AND HEALTH (OVERVIEW & SCRUTINY) COMMITTEE

Councillor Mrs Baker submitted the Minutes of the Community, Housing and Health (Overview and Scrutiny) Committee held on 10 January 2019.

24 – Minutes of the Previous Meeting

It was confirmed that representatives from the NHS Trust present at the meeting had advised that there would not be a reduction in the operating hours of the Minor Injury Units.

(COUNCILLOR WHITE DECLARED AN INTEREST IN THIS ITEM AS THE STAFFORDSHIRE COUNTY COUNCIL CABINET MEMBER FOR HEALTH CARE AND WELL BEING)

26 – Homelessness and Rough Sleeper Housing Pathway Proposals and Potential Use of S106 Commuted Sums

Councillor Mrs Woodward commended the work of the Council's officers, working in partnership with other agencies, in supporting vulnerable people.

Councillor Mrs Banevicius asked about progress on rent to buy and Councillor Mrs Baker advised that an answer would be provided.

27 – Community Safety Delivery Plan – Mid-Year Progress Report

Councillor Mrs Evans questioned the statement that the Police had not received any reports of anti-social behaviour following the decision to stop locking park gates in Burntwood. She said this did not appear to be accurate since she had attended public meetings where people had reported calling 111.

82 MINUTES OF THE LEISURE, PARKS AND WASTE MANAGEMENT (OVERVIEW & SCRUTINY) COMMITTEE

Councillor Matthews submitted the Minutes of the Leisure, Parks and Waste Management (Overview and Scrutiny) Committee held on 16 January 2019.

11 – Work Programme

Councillor Mrs Woodward said anti-social behaviour had spiked after the park gates were left unlocked and she had previously asked for details about how the decision came to be made. Noting that the issue was on the work programme for March she said it was unacceptable to have to wait 12 months to consider why £9,000 funding was withdrawn without consultation.

12 – Friary Grange Leisure Centre

In response to a question from Councillor Mrs Evans, Councillor Leytham advised that the Centre would re-open after problems with the heating and fire alarm had been resolved. It was noted that the long term strategy for the Centre would be considered at the next meeting of the Committee.

(COUNCILLOR WHITE DECLARED AN INTEREST IN THIS ITEM AS DEPUTY LEADER OF STAFFORDSHIRE COUNTY COUNCIL)

83 MINUTES OF THE ECONOMIC GROWTH, ENVIRONMENT AND DEVELOPMENT (OVERVIEW AND SCRUTINY) COMMITTEE

Councillor Cox submitted the Minutes of the Economic Growth, Environment and Development (Overview and Scrutiny) Committee held on 22 January 2019.

46 – Local Plan and Related Spatial Policy Matters Update

Councillor Mrs Evans noted that Councillor Ball had referred to the lack of progress on neighbourhood planning in Burntwood.

Councillor Cox advised that this issue had been raised in connection with the Burntwood Neighbourhood Plan, which was a matter for Burntwood Town Council rather than the District Council.

47 – Local Enterprise Partnerships Review

In response to a question from Councillor Ray, Councillor Cox confirmed that the government review of LEPS included their geographic boundaries.

Councillor Wilcox said he felt the review was unnecessary and understood that the issue of borders was still under discussion. He said he would share any information when it became available.

Councillor Mrs Stanhope noted a grammatical error in the report.

84 MINUTES OF THE STRATEGIC (OVERVIEW & SCRUTINY) COMMITTEE

Councillor Strachan submitted the Minutes of the Strategic (Overview & Scrutiny) Committee held on 29 January 2019.

30 – Medium Term Financial Strategy (Revenue and Capital) 2018-23

In response to a question from Councillor Ray about the Property Investment Strategy, Councillor Strachan advised that investment opportunities would be considered on a case by case basis and the governance arrangements for the strategy would be considered later in the agenda.

85 COMMITTEE MINUTES

(a) Planning Committee – 17 December 2018

It was proposed by Councillor Powell “that the Minutes of the Meeting of the Planning Committee held on 17 December 2018 be approved and adopted.”

RESOLVED: That the Minutes of the Meeting of the Planning Committee held on 17 December 2018 be approved and adopted.

(b) Planning Committee – 14 January 2019

It was proposed by Councillor Powell “that the Minutes of the Meeting of the Planning Committee held on 14 January 2019 be approved and adopted.”

RESOLVED: That the Minutes of the Meeting of the Planning Committee held on 14 January 2019 be approved and adopted.

(c) Regulatory & Licensing Committee – 5 February 2019

It was proposed by Councillor B Yeates that “the Minutes of the Meeting of the Regulatory and Licensing Committee held on 5 February 2019 be approved and adopted subject to his inclusion on the list of those present.”

RESOLVED: That the Minutes of the Meeting of the Regulatory and Licensing Committee held on 5 February 2019 be approved and adopted subject to Councillor B Yeates being included on the list of those present.

(d) Audit and Member Standards Committee – 6 February 2019

It was proposed by Councillor Tittley “that the Minutes of the Meeting of the Audit and Member Standards Committee held on 6 February 2019 be approved and adopted.”

Councillor Mrs Banevicius asked about the recommendation on project management governance procedures and Councillor Tittley advised that the governance procedures were project specific and set out in the relevant project initiation document. He said he would provide Councillor Mrs Banevicius with further details following the meeting.

Councillor Tittley referred to the Certification letter from Grant Thornton in connection with the housing benefit subsidy claim and thanked Mrs P Leybourne, Head of Customer Services, Revenues and Benefits and her team for their performance, noting that their very substantial budget had only been out by £7 which was an excellent result.

RESOLVED: That the Minutes of the Meeting of the Audit and Member Standards Committee held on 6 February 2019 be approved and adopted.

(e) Employment Committee – 7 February 2019

It was proposed by Councillor Salter “that the Minutes of the Meeting of the Employment Committee held on 7 February 2019 be approved and adopted.”

Councillor Mrs Evans said she understood that the essential car user allowance represented an excessive cost in the region of £80,000 and Members had expressed their concern. She questioned when the review would take place and when it would be reported to Council.

Council Salter said there were quite a few members of staff who required mobility to undertake their role, but there would be a review of terms and conditions as part of the people strategy, including essential car user allowance, and he would look into the timescale.

Councillor Mrs Woodward sought assurance that as part of their understanding of Member’s roles, staff understood the role of the opposition and its importance in ensuring democratic accountability.

Councillor Salter noted that the responses received in the employee survey reflected the fact that many staff were not directly involved with Members and the next survey would be structured to account for this.

Councillor Wilcox said he concurred with Councillor Mrs Woodward that the opposition played an important role. He noted that workshops had been arranged through the LGA to help inform people about the role of a Councillor and he would always ensure there was opportunity for all Members to have their voice heard.

RESOLVED: That the Minutes of the Meeting of the Employment Committee held on 7 February 2019 be approved and adopted.

(f) Planning Committee – 11 February 2019

It was proposed by Councillor Powell “that the Minutes of the Meeting of the Planning Committee held on 11 February 2019 be approved and adopted.”

Councillor Strachan advised that he had submitted his apologies for the meeting and asked that it be recorded.

RESOLVED: That the Minutes of the Meeting of the Planning Committee held on 11 February 2019 be approved and adopted subject to the addition of Councillor Strachan to the list of apologies for absence.

86 MEDIUM TERM FINANCIAL STRATEGY

Councillor Spruce presented the Medium Term Financial Strategy for 2019/20 to 2022/23 with the updated projections for 2018/19.

He said the Strategy was markedly different from the one presented 12 months ago and was likely to be different again the following year. This was because council funding was largely decided annually which made financial modelling four years ahead difficult.

Councillor Spruce advised that Fair Funding Base/Business Rate Retention and New Homes Bonus were all scheduled for review in the coming year with implementation from 2020/21 onwards. Meanwhile the settlement for 2019/20 enabled the Council to have a small surplus but no surety thereafter.

The revenue budget was predicated on maintaining current services and income streams. The positive news was that the funding gaps for 2020/21 onwards were approximately half of those projected the previous year.

The capital budget was dominated by the new Property Investment Strategy with the aim of raising an additional income stream via investment in property up to £45 million, largely by borrowing. This would see a major change in the balance sheet. Councillor Spruce noted that the details of the strategy were given in the report and he was confident that the proposals were robust and minimised risk as far as possible.

In terms of Treasury Management, Councillor Spruce said there was no change to the strategy and prudence was key. He noted the assurance given by the Council's S151 Officer on the robustness and adequacy of reserves.

Councillor Wilcox said the Council needed robust finances to move forward. He noted New Homes Bonus and Business Rates funding represented grey areas but lobbying against the negative revenue support grant had been successful. He said a prudent approach was being taken to the New Homes Bonus in preparation for the cessation of funding

Councillor Mrs Woodward said there had been cross party lobbying to try and ensure the Government was listening to the pressures local government was operating under.

Councillor Mrs Woodard advised that she would like to table an amendment noting that she had long argued for equitable funding across the District and specifically in Burntwood.

Councillor Mrs Woodward said she had raised the issue of equitable funding at Council in June 2018 and at the Strategic (Overview & Scrutiny) Committee. In November 2018 the Leader confirmed that he would look at any projects submitted. She duly sent an email on 20 November that included projects relating to Burntwood Town Deal priorities. On 10 January 2019 she had asked for an update which led to a positive meeting.

However, at the Strategic (Overview & Scrutiny) Committee on 29 January the Cabinet Member for Finance and Democratic Services indicated that he had not been party to discussions and following a further email to the Leader, Deputy Leader and Cabinet Member for Finance and Democratic Services she was informed that the Leader would consider the proposals on 21 February.

Councillor Mrs Woodward said there had been 8 months to consider this matter and she was now proposing the following amendment to address some of the needs across the District and ensure greater equity:

'The Medium Term Financial Strategy 2018/23 Capital Strategy and Capital Programme as highlighted in Appendices B and C be amended for the total sum of £1.7 million (as broken down below) to be spread to the Lichfield geographical area.'

£696,000 Allocated for the Birmingham Road Site
£38,860 General transfer from reserves
£110,000 New Homes Bonus
£896,940 VAT refund

Total sum £1,741,800

Councillor Mrs Woodward said she proposed that £1 million be committed to capital projects in Burntwood to support the Town Deal priorities and £741,800 for rural areas that were not included in the draft capital programme such as Colton and Fazeley. She explained that the money would be made up of the £696,000 that was proposed as additional funding for short term redevelopment of the Birmingham Road site, £38,860 from general reserves, £110,000 New Homes Bonus in excess of the cap for 2019/20 and £896,940 from the successful VAT claim that was as yet unallocated. This totalled £1,741,800.

Councillor Mrs Evans seconded the amendment and called for a named vote.

Councillor White said the leader of the opposition had expressed a clear view of her aspirations for the Burntwood area as she had done for many years and said it was regrettable some of the items had not been addressed beforehand. Nevertheless, £1,741,800 should not be allocated on the hoof when determining the budget. He said when spending public money it was necessary to do so in the full view of the public with the appropriate level of democratic oversight.

Councillor White advised that he was not questioning that due diligence had been undertaken but the amendment needed to go through the democratic process and be discussed.

Councillor Wilcox said it was not prudent to invest on a geographical basis, but rather on specific criteria including needs, impact on the community and the contribution to the Strategic Plan. Furthermore there should be a solid business plan.

Councillor Wilcox added that it was necessary to recognise that tourism was important for the District and Lichfield was an important tourist centre, with the proceeds being invested in services across the District. He said before making any changes to the Medium Term Financial Strategy it was essential to assess any proposals against the relevant criteria.

Councillor Pullen said it was not good practice to remove something positive from one area of the District to appease another. There were opportunities in Burntwood but it was not necessary to remove funding from Lichfield to realise these. Councillor Pullen said there were better ways to allocate funding, and it should be done in the proper democratic way.

Councillor Strachan said imbalances may have occurred but the Council must ensure it invests in the right projects not purely on the basis of geography, noting that the Council had ownership of the Birmingham Road site where there were health and safety concerns.

Councillor Strachan underlined the importance of ensuring the Council acted responsibly with public money, stating that the Medium Term Financial Strategy did this. He said the amendment sought to earmark funds, but if proposals were brought forward they could be considered as part of the capital programme.

Councillor Strachan noted that the Council had not allocated New Homes Bonus to the capital programme in line with its prudent approach.

Councillor Mrs Fisher spoke in support of earmarking funding. She noted that the Burntwood Town Deal had been a great success and had identified five priorities for funding.

While agreeing with the sentiment of the amendment, Councillor Ray said further scrutiny was needed to understand the impact the diversion of funds would have.

Councillor Pritchard stressed that the Council never intended to financially support the development of the Birmingham Road site, but the scheme had collapsed and as owner of the land it had to do something. Taking this project out of the equation, Burntwood had received more funding, including £1.6 million for Burntwood Leisure Centre which was a fantastic facility and £30,000 to help remove a covenant restricting development on a site in Burntwood. Therefore, saying Burntwood was neglected in any way was simply wrong.

Councillor Spruce recalled that in his seven years as Cabinet Member projects had never been assessed on a geographical basis. With regard to the VAT windfall, he said the prudent course of action would be to put it in ear marked reserves for the next twelve months rather than immediately spend it as part of a knee jerk reaction.

Councillor Mrs Woodward said she was acting in a proper and democratic way in proposing the amendment. She noted that the allocation of £696,000 for the Birmingham Road Site was a decision for the meeting that evening and therefore the amendment was not removing money from any existing project since it was yet to be allocated.

Councillor Mrs Woodward said reserves were more than adequate and the amendment represented a modest proposal to bring greater equity to areas outside the city.

A named vote was then taken on the amendment and recorded as follows:-

FOR (4)

Bamborough, R. A. J.
Banevicius Mrs S. W.
Evans, Mrs C. D.
Woodward, Mrs S. E.

AGAINST (30)

Awty, R. J.
Bacon, Mrs N.
Baker, Mrs D. F.
Barnett, Mrs S. A.
Cox, R. E.
Eagland, Mrs J. M.
Greatorex, C.
Hoult, B. E.
Humphreys, K. P.
Lax, Mrs A. C.
Leytham, D. J.
Little, Mrs E. A.
Matthews, T. R.
O'Hagan, J. P.
Powell, J. J. R.
Pritchard, I. M. P.
Pullen, Mrs N. I.
Ray, P. W. W.
Rayner, B. L.
Salter, D. F.
Shepherd, Miss O. J.
Spruce, C. J.
Stanhope, Mrs M.
Strachan, R. W.
Tittley, M. C.
Warfield, M. A.
White, A. G.
Wilcox, M. J.
Yeates, A.
Yeates, B. W.

ABSTAIN (5)

Eadie, I.M.
Fisher, Miss B
Fisher, Mrs H. E.
Pullen, D. R.
Tranter, Mrs E. H.

The Amendment was defeated.

A named vote was then taken on the Medium Term Financial Strategy and recommendations as submitted in the Council report:

FOR (29)

Awty, R. J.
Bacon, Mrs N.
Baker, Mrs D. F.
Barnett, Mrs S. A.
Cox, R. E.
Eadie, I.M.
Eagland, Mrs J. M.
Greatorex, C.
Hoult, B. E.
Humphreys, K. P.
Lax, Mrs A. C.
Leytham, D. J.
Little, Mrs E. A.
Matthews, T. R.
O'Hagan, J. P.
Powell, J. J. R.
Pritchard, I. M. P.
Rayner, B. L.
Salter, D. F.
Shepherd, Miss O. J.
Spruce, C. J.
Stanhope, Mrs M.
Strachan, R. W.
Tittley, M. C.
Warfield, M. A.
White, A. G.
Wilcox, M. J.
Yeates, A.
Yeates, B. W.

AGAINST (3)

Banevicius Mrs S. W.
Evans, Mrs C. D.
Woodward, Mrs S. E.

ABSTAIN (7)

Bamborough, R. A. J.
Fisher, Miss B
Fisher, Mrs H. E.
Pullen, D. R.
Pullen, Mrs N. I.
Ray, P. W. W.
Tranter, Mrs E. H.

RESOLVED: That the Medium Term Financial Strategy (Revenue and Capital) 2018-23 as submitted be approved.

Councillor Spruce then proposed the Council Tax Resolution 2019/20 as set out in the Council report. He advised that the Local Government Association was lobbying for the lifting of the Council Tax cap through the spending review to allow Councils to set their own precepts and let the electorate decide if it supports increases. With the other uncertainties council funding would in large part be down to the ability to raise local taxes to support local services.

Councillor Mrs Woodward said it was a sad day that the current administration that had fought previous elections on keeping council tax low was proposing the maximum increase permissible under the current regulations. Councillor Mrs Woodward said she had stated before that it was a regressive form of taxation that does not take account of people's income, simply the capital in their property.

Councillor Mrs Woodward advised that the Labour Group would be voting against the proposal. She said it was ironic that lifting the cap, and shifting ever more taxation onto those with low and modest incomes, was central to the lobbying undertaken by councils. She said the Government should be properly funding local services.

Councillor White noted there had always been a desire for council's to have more control of their finances but while the Revenue Support Grant had been removed the retention of business rates had not happened and he called upon parliamentary colleagues to get on with passing the necessary primary legislation.

Councillor White said the District Council had historically been a low council tax authority and to some extent was now paying the price for that. He said it was an efficient council and the provision of local services was critically important. He therefore supported the motion and urged cabinet to keep lobbying to achieve the changes that were needed.

In order to comply with Statutory Regulations a named vote was then taken on the Council tax resolution 2019/20, as submitted, and recorded as follows:-

FOR (35)	AGAINST (3)	ABSTAIN (1)
Awty, R. J.	Banevicius Mrs S. W.	Ray, P. W. W.
Bacon, Mrs N.	Evans, Mrs C. D.	
Baker, Mrs D. F.	Woodward, Mrs S. E.	
Bamborough, R. A. J.		
Barnett, Mrs S. A.		
Cox, R. E.		
Eadie, I.M.		
Eagland, Mrs J. M.		
Fisher, Miss B		
Fisher, Mrs H. E.		
Greatorex, C.		
Hoult, B. E.		
Humphreys, K. P.		
Lax, Mrs A. C.		
Leytham, D. J.		
Little, Mrs E. A.		
Matthews, T. R.		
O'Hagan, J. P.		
Powell, J. J. R.		
Pritchard, I. M. P		
Pullen, D. R.		
Pullen, Mrs N. I.		
Rayner, B. L.		
Salter, D. F.		
Shepherd, Miss O. J.		
Spruce, C. J.		
Stanhope, Mrs M.		
Strachan, R. W.		
Tittley, M. C.		
Tranter, Mrs E. H.		
Warfield, M. A.		
White, A. G.		
Wilcox, M. J.		
Yeates, A.		
Yeates, B. W.		

RESOLVED: That the Council Tax Resolution 2019/20 as submitted be approved

Further to Council's decision to approve the Property Investment Strategy on 16 October 2018 and delegate the next steps to the Leader of the Council and Chief Executive, details were given of changes to the constitution.

Councillor Spruce advised that these changes would replace the Asset Strategy Group with a new Strategic Asset Management Committee which would oversee the management of the existing property estate, the delivery of the Council's investment ambitions and act as the Shareholder Committee for the Council's Development Company.

In response to a question from Councillor Mrs Evans, Councillor Wilcox advised that the first meeting would be held once everything was in place.

It was then duly proposed, seconded and

RESOLVED: (1) Article 9, Panels and Forums, section 9.1 be amended to delete the reference to the Asset Strategy Group.

(2) Section 8.2, Standing Committees, be amended to incorporate reference to the Strategic Asset Management Committee, and the text to read:

Strategic Asset Management Committee

The role of the Strategic Asset Management Committee is to have a monitoring and advisory function with regards to the effective and efficient use of strategic assets (land and property) and other related matters as set out in Part 3 of the Constitution, while acting as the Shareholder Committee for any, and all Local Authority Development and Housing Companies

The Strategic Asset Management Committee shall comprise 5 members of the Council including at least one member of Cabinet and one opposition member.

The quorum for a meeting of the Strategic Asset Management Committee shall be 3 voting members of the Committee including at least one member of Cabinet.

(3) Part 3, Responsibility for Functions, Section 2, Responsibility for Council Functions, be amended to incorporate reference to the Strategic Asset Management Committee, and the text to read:

Council/ Committee/Panel	Functions
Strategic Asset Management Committee	To provide advice and support on the development and implementation of strategies, plans and policies relating to strategic assets.
	To monitor the financial and operational performance of strategic assets to ensure they meet the strategic ambitions and operational requirements of the council
	To provide advice and guidance in regards to the potential acquisition, disposal and development of strategic assets, including community asset transfers
	To provide assurance as to the effective and efficient use and governance of our strategic assets
	To act as Shareholder Committee for any and all Local Authority Development and Housing Companies

88 MEMBERSHIP OF THE STRATEGIC ASSET MANAGEMENT COMMITTEE

It was proposed by Councillor Wilcox, seconded by Councillor Pritchard and

RESOLVED: That the Membership of the Strategic Asset Management Committee be as follows:

Strategic Asset Management Committee Composition		
Conservative 4	Labour 1	Liberal Democrat 0
Cllr. C. J. Spruce (Chairman)	Cllr. C. Ball	
Cllr. Mrs A. C. Lax		
Cllr. B. E. Hoult		
Cllr. A. Yeates		

89 HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING POLICY

Consideration was given to a Hackney Carriage and Private Hire Licensing Policy which outlined the decision making framework the Council would apply when exercising its responsibilities for licensing hackney carriages and private hire vehicles, drivers and operators.

Councillor Mrs Woodward suggested that a link to the Policy could have been provided to save paper.

It was proposed by Councillor B W Yeates, seconded by Councillor Wilcox and

RESOLVED: (1) That the draft Hackney Carriage and Private Hire Licensing Policy be approved for adoption to commence 1st April 2019.

(2) That the Chairman of Regulatory and Licensing Committee together with the Head of Regulatory Services, Housing & Wellbeing be delegated authority to make any minor amendments to the Policy.

90 CALENDAR OF MEETINGS

It was proposed, duly seconded and

RESOLVED: That the Calendar of Meeting for 2019/2020 as circulated prior to the meeting be approved.

91 QUESTIONS

Q1. Question from Councillor Mrs Woodward to the Leader of the Council

'In a statement issued by Cllr Wilcox following the warning he received regarding a breach of policy over the use of his LDC email address for business purposes, he said "I have

apologised for this infringement". Can he tell me please to whom he has apologised and whether he feels he should also now apologise to the Council and to local residents?'

Response from Leader of the Council

'I can confirm that following my warning for this breach of policy, I apologised to our Head of Legal Services Bal Nahal for this infringement, and stated that at the time back in 2011 a web page was created which should not have quoted my council email address alongside my personal email details which I did not at the time realise was a breach of policy.

The page has remained dormant since 2011 and I was only reminded of this by a tweet appearing on a local social media platform recently, once I was made aware of this the site was suspended and I am endeavouring to get this page removed.

Out of interest the property is now not advertised for rental anywhere (as far as I'm aware).

I do not feel that this minor infringement requires any further apology than the one I have already issued to the Council.'

Councillor Mrs Woodward asked the following supplementary question:

'The Leader said in his response that he has apologised to Council. I was not aware of this and wonder if he could take the opportunity to reinforce the apology to Council and also to residents of Lichfield District who are concerned about this.'

The Leader of the Council responded:

'I took legal advice from the Monitoring Officer in relation to the indiscretion that took place some 8 years ago and apologised to her. The site has been withdrawn and cannot be accessed but I did apologise to the Monitoring Officer and was assured that was all that needed to happen, but I am happy to take direction from the Monitoring Officer if anything else is required.'

The Monitoring Officer confirmed that an apology had been received and advised that this was not a formal complaint made through the complaints procedure and was therefore dealt with informally.

Q2. Question from Councillor Mrs Woodward to the Leader of the Council

'Would the Leader of the Council please explain to me how the proposed spending of almost three quarters of a million pounds on short-term cosmetic improvements to the Birmingham Road Site (BRS) site can be classed as a "do-minimum" scheme, as described in the Minutes of the BRS Working Group?'

The Leader of the Council responded:

'The proposed short term improvements and enabling works are essential for health and safety reasons. The bus station buildings are in a poor condition and as such have been boarded up for this very reason. Maintenance expenditure on the bus station during the period whilst Friarsgate was being finalised was minimal such that there are defects in the surfacing used by buses, coaches and cars and the facilities used by pedestrians and customers.

Given the above estate management issues facing the District Council as land owner it is felt appropriate to address these now.

Also it should be borne in mind that whilst the Council has commenced a cross party working group to determine the long term future of the whole of the BRS, it is unlikely that any agreed development would take place within twelve to eighteen months.

It therefore seems sensible to bring forward a scheme of works which enables the Council to address the immediate health and safety issues and in doing so provide improved facilities, enhanced environment and better aesthetic appearance to the site for an interim period.'

Councillor Mrs Woodward asked the following supplementary question:

'In the light of the decision just taken on the Medium Term Financial Strategy with £693,000 going to the Birmingham Road site on top of £2.299 million, which is a significant amount of money, will the Leader undertake to ensure further consideration of the proposals put to him on investment in Burntwood.'

The Leader of the Council responded:

'We will look at all schemes irrespective of where they fall within the District.'

Q3. Question from Councillor Mrs Evans to the Leader of the Council

'Can the leader tell me what are the totals that have been paid in grant funding to The Garrick, in the years 2015 to the present and what has been the total annual spending for other arts activities in the District during this period?'

Response from the Leader of the Council

'The expenditure relating to the Lichfield Garrick and other arts activities is set out below.

	2015/16 Actual	2016/17 Actual	2017/18 Actual	2018/19 Budget
Garrick - grant subsidy	460,000	310,000	310,000	250,000
<u>Arts Development</u>				
Direct Expenditure	21,748	19,878	19,583	17,010
Direct Income	(3,600)	(750)	0.00	0.00
Net Direct	18,148	19,128	19,583	17,010

In addition funding was given following the sale of the statue gifted to the people of Lichfield by Swinfen Broun:

- St Chad's £50,000
- Erasmus Darwin £25,000
- St Mary's £44,979
- Puppetry and Community arts website £13,000.'

Q4 Question from Councillor Mrs Banevicius to Cabinet Member for Leisure, Parks & Waste

'Could the Cabinet Member for Leisure, Parks & Waste update me on the progress to date on the transfer of parks within the District.'

Response from Cabinet Member for Leisure, Parks & Waste

Public Open Space transfers since 2014:

Site	Party Involved	Position
Gentleshaw Common	Staffordshire Wildlife Trust	Transferred on 25 year lease
POS by Gentleshaw School	Longdon Parish Council	In progress with solicitors – freehold transfer
Hospital Road Playing Fields	Burntwood Dragons and Burntwood Phoenix FC	Transferred on 25 year lease
Lichfield canal route land	Lichfield and Hatherton Canal Restoration Trust	Transferred with freehold
POS in Whittington	Whittington Parish Council	Transferred with freehold
POS at Armitage with Handsacre	Armitage with Handsacre Parish council	Decision made to arrange transfer in Feb 2019
Ongoing discussions		
Bowling greens in Beacon Park	Museum Bowls Club and Lichfield Crown Green Bowls Club	Potential 5 -25 year lease being discussed
Chase Terrace Park (Burntwood)	St John's Community Church	Potential 25 year lease being discussed
Beacon Park tennis courts	Lichfield Tennis CIO	Potential 25 year lease being discussed
POS at Fradley and Streethay	Initial discussions have taken place	
POS at Burntwood	Ongoing discussions regarding what a transfer might look like	
Land at Albutts Road (Walsall)	Potential transfer to WMBC or sale	

92 EXCLUSION OF PUBLIC AND PRESS

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

93 REPORT OF THE LEADER OF THE COUNCIL ON CONFIDENTIAL CABINET DECISIONS FROM THE MEETING HELD ON 12 FEBRUARY 1 – Lichfield Garrick Theatre

Councillor Mrs Evans questioned why the Garrick still required support. She said arts facilities were needed across the District and had been promised but not delivered and yet in the meantime the Council had committed half a million pounds over two years to the Garrick.

94 CONFIDENTIAL MINUTES OF THE LEISURE, PARKS AND WASTE MANAGEMENT (OVERVIEW & SCRUTINY) COMMITTEE

Councillor Matthews submitted the confidential Minutes of the Leisure, Parks and Waste Management (Overview and Scrutiny) Committee held on 16 January 2019.

14 – Lichfield Garrick Theatre

Councillor Mrs Woodward said the scrutiny had been robust and some good suggestions had been made. She noted that the City benefited from the Garrick and it had been raised previously that perhaps it should be contributing.

Councillor Mrs Woodward said Councillor Leytham had indicated that he fully expects the Garrick to be self-sufficient after two years and would not be supported after that. She asked if that could be reiterated.

Councillor Ray said the Garrick was important and needed support but said it needed to be more pro-active and it appeared to be dismissive of new ideas. He asked why the Council was not putting more pressure on the Garrick and attaching conditions to the funding.

Councillor Leytham advised that conditions were attached to the concession agreement and there were links to performance. He also noted that financial support for the Garrick had been reducing. Councillor Leytham said he had expressed his personal view that the Garrick should be able to support itself in due course although this could not be guaranteed.

95 CONFIDENTIAL MINUTES OF THE AUDIT AND MEMBER STANDARDS COMMITTEE

(d) Audit and Member Standards Committee – 6 February 2019

It was proposed by Councillor Tittley “that the Confidential Minutes of the Meeting of the Audit and Member Standards Committee held on 6 February 2019 be approved and adopted.”

RESOLVED: That the Confidential Minutes of the Meeting of the Audit and Member Standards Committee held on 6 February 2019 be approved and adopted.

(The Meeting closed at 7.47 pm)

CHAIRMAN