

COUNCIL

16 APRIL 2019

PRESENT:

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

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

40 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Ball, Houlton, Miss Shepherd and Mrs Stanhope MBE.

41 DECLARATIONS OF INTEREST

There were no declarations of interest.

42 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 19 February 2019 as printed and previously circulated be taken as read, and approved as a correct record subject to the non-emergency police telephone number at Minute 25(27) being amended to read 101.

43 CHAIRMAN'S ANNOUNCEMENTS

(a) Shrovetide Pancake Races

The Chairman reported that he had joined the Mayor of Lichfield and his guests for the annual Shrovetide Races held in Bore Street, Lichfield and the traditional opening of the annual Shrovetide Fair.

(b) St Mary's Church, Lichfield

The Chairman advised that he had attended the official opening by the novelist Salley Vickers of St Mary's, Lichfield Library and the Tourist Information Centre.

(c) Beacon Park Wheelchair Accessible Swing

The Chairman said he was privileged to join fundraisers from Lichfield Round Table, Lichfield Ladies and other groups, together with family and friends at the opening of a wheelchair accessible swing dedicated to the memory of Isla Elizabeth Hufton. Isla suffered from Mitochondrial DNA Depletion Syndrome and sadly died in 2016 when she was just 18 months old. He noted the swing would be a wonderful addition to the play area in Beacon Park.

(d) Community Church Chase Terrace

The Chairman reported that he had attended a surprise retirement party for Ms Kathy Coe MBE in honour of her long service and dedicated work on the Pathway Project.

44 DESIGNATION OF INTERIM MONITORING OFFICER

It was report that the Local Government and Housing Act (1989) obliged the Council to designate an officer as Monitoring Officer.

The previous Monitoring Officer had now left the employment of the Council and pending a review of the management team structure it was recommended that Ms Christie Tims be designated interim Monitoring Officer.

Councillor Mrs Woodward welcomed the recommendation. She said the Council was fortunate to have the statutory officers it did (S151 officer, Head of Paid Service and proposed new Monitoring Officer), and would like to thank them for the work they did for the Authority and for Members.

The proposal was moved by Councillor Spruce, seconded by Councillor Wilcox and it was

RESOLVED: That Ms Christie Tims, Head of Corporate Services be designated as the Interim Monitoring Officer.

45 REPORT OF THE LEADER OF THE COUNCIL ON CABINET DECISIONS FROM THE MEETINGS HELD ON 12 MARCH AND 9 APRIL 2019 AND CABINET MEMBER DECISIONS.

5 – Allocation of Strategic Community Infrastructure Levy (CIL) Funding

Councillor Mrs Woodward said a lot had been learned during the first award of CIL funding and the criteria had been tightened. She noted that applicants were required to have proper governance structures and milestones within their business plans.

The criteria would be shared with future bidders and Councillor Mrs Woodward hoped organisations would come forward and see what they could do for the District via the infrastructure levy.

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

Councillor Mrs Evans congratulated Councillor Yeates, Cabinet Member for Regulatory Services, for his work in connection with this issue. Councillor Yeates said it was very much a team effort and thanked those involved.

46 MINUTES OF THE MEETINGS OF THE ECONOMIC GROWTH, ENVIRONMENT AND DEVELOPMENT (OVERVIEW & SCRUTINY) COMMITTEE HELD ON 19 MARCH AND 1 APRIL 2019

Councillor Cox submitted the Minutes of the Economic Growth, Environment and Development (Overview and Scrutiny) Committee meetings held on 19 March and 1 April 2019.

54 - Local Plan and Related Spatial Policy Matters Update

Councillor Mrs Banevicius asked what guarantees could be given about the greenbelt in Burntwood. Councillor Cox advised that he couldn't personally give any guarantees, but he was aware that a review would be undertaken and the Committee would be involved. Councillor Pritchard confirmed that the Local Plan review would include a review of the greenbelt.

Councillor Drinkwater said the greenbelt should be sacrosanct and not developed unless there was absolutely no choice.

Councillor Mrs Evans expressed concern about the lack of progress on the Burntwood Neighbourhood Plan and said the Town Council was missing out as a result. Councillor Pullen outlined the steps that were being taken by the Town Council.

Councillor Cox advised that the District Council would facilitate Neighbourhood Plans but could not direct the process.

56 - BRS Working Group Update

Councillor Mrs Woodward said there had been much reference to cross party working but she was aware information shared with the Conservative Group had not been provided to other Members of the Council including two members of the Working Group.

Councillor Mrs Woodward said she had accepted an apology for this but would ask the Chairman of the Scrutiny Committee and the BRS Working Group to ensure that information is shared with all members of the working group in future. Councillor Marshall confirmed that it had been an oversight.

60 – Call-In of Cabinet Decision – Multi-Storey Car Park Refurbishment Project

Councillor Mrs Woodward thanked Councillor Cox for his effort in ensuring proper scrutiny. She raised concern that a paper produced prior to the meeting had not been circulated to Committee members until the meeting itself.

Councillor Mrs Woodward stressed the importance of asking and answering questions in a public forum. She said every Member of the Council had a right to information and a right to ask questions.

Councillor Mrs Evans said Councillor Mrs Woodward had validated the reason for the call-in. She commended Councillor Cox for the way he had chaired the meeting.

Councillor Pritchard explained that the additional information prepared for the meeting had been provided purely to help inform the Committee, address the reasons given for the call-in and ensure the smooth running of the meeting. He noted that overview and scrutiny committees were able to put items on their work programmes.

Councillor Cox said lessons could be learned in relation to the call-in process. He emphasised the importance of scrutiny, noting that it should be apolitical.

47 MINUTES OF THE MEETING OF THE COMMUNITY, HOUSING AND HEALTH (OVERVIEW & SCRUTINY) COMMITTEE HELD ON 25 MARCH 2019

Councillor Mrs Baker submitted the Minutes of the Community, Housing and Health (Overview and Scrutiny) Committee held on 25 March 2019.

34 – Standing Items – Lichfield District Health Provision

Councillor Mrs Woodward noted that the planning permission for the Health Centre adjacent to Burntwood Leisure Centre was due to expire in September and there were no formal plans for provision at other locations. She asked for assurance that this would be looked at since residents needed certainty for the future.

35 – Together We're Better (TWB) Consultation

Councillor Mrs Woodward drew attention to the intention to realise 4% savings. She said this was the context for the provision of primary health care and asked that health provision be kept on the work programme in the future.

Councillor Mrs Baker confirmed that the work programme was being developed and if she remained Chairman she would ensure that it was included. Councillor Mrs Baker noted the importance of co-operation between health service providers and highlighted appointment booking as an area that was currently unsatisfactory and in need of improvement.

(COUNCILLOR WHITE DELCARED AN INTEREST IN THIS ITEM AS CO-CHAIRMAN OF THE STAFFORDSHIRE HEALTH AND WELL BEING BOARD)

37 – Vote of Thanks

Councillor Mrs Baker thanked her Vice-Chairmen for their support.

48 MINUTES OF THE MEETING OF THE LEISURE, PARKS AND WASTE MANAGEMENT (OVERVIEW & SCRUTINY) COMMITTEE HELD ON 26 MARCH 2019

Councillor Matthews submitted the Minutes of the Leisure, Parks and Waste Management (Overview and Scrutiny) Committee held on 26 March 2019.

19 – Leisure Management Outsourcing – Presentation by Freedom Leisure

In response to a question from Councillor Ray it was confirmed that communication issues in connection with the closure of Friary Grange Leisure Centre were considered at the meeting.

20 – Burntwood Parks

It was confirmed that the letter of thanks referred to in the Minutes would be sent to residents after the election.

21 – Review of Parks Events Portfolio

Councillor Rayner said there should be recognition of the action taken during the 'drive in' movies event when officers successfully intervened to amend the schedule.

Councillor Ray emphasised the importance of events and said it was good to see that lessons were being learned and further events were being considered.

22 – Vote of Thanks

Councillor Matthews thanked his Vice-Chairmen for their support.

49 COMMITTEE MINUTES

(a) Planning Committee – 4 March 2019

It was proposed by Councillor Marshall “that the Minutes of the Meeting of the Planning Committee held on 4 March 2019 be approved and adopted.”

Councillor Marshall thanked all Members of Planning Committee for their work.

RESOLVED: That the Minutes of the Meeting of the Planning Committee held on 4 March 2019 be approved and adopted.

(d) Audit and Member Standards Committee – 27 March 2019

It was proposed by Councillor Tittley “that the Minutes of the Meeting of the Audit and Member Standards Committee held on 27 March 2019 be approved and adopted.”

Councillor Spruce thanked Councillor Tittley for his work as Chairman of the Committee, noting that it had been a dynamic and useful Committee.

Councillor Tittley thanked his Vice-Chairman and commented on the high calibre of the officers supporting the Committee. He thanked Mr A Thomas for his work as Section 151 Officer, the Audit Manager Mrs A Struthers and the Clerk of the Committee Mrs W Johnson.

RESOLVED: That the Minutes of the Meeting of the Audit and Member Standards Committee held on 27 March 2019 be approved and adopted.

50 MULTI-STOREY CAR PARK REFURBISHMENT

Councillor Pritchard proposed that the Cabinet recommendations made at the meeting held on 12 March 2019 and considered by the Economic Growth, Environment and Development (Overview & Scrutiny) Committee on 1 April 2019 be approved.

It was duly seconded and

RESOLVED: (1) That a new project be included in the Capital Programme with a total cost of up to £300,000 (including £50,000 of contingency) funded by the restricted earmarked reserve entitled ‘Birmingham Road Car Park Repairs and Renewals’.

(2) That the revenue budget be changed to reflect the savings identified in the Cabinet report.

51 SUSTAINABLE DESIGN SPD APPENDIX A UPDATE

Consideration was given to the recommendation of Cabinet to adopt revised guidance contained within Appendix A of the Sustainable Design Supplementary Planning Document (SPD) entitled ‘Space about Dwellings and Amenity Standards for all Development’ following public consultation on the revisions.

Councillor Mrs Woodward said the document provided a clear exposition of design principles that would help in the future. She noted that Lichfield City Council had commented that applications were not always determined in the same way and she sought assurance that the principles would be consistently applied.

Councillor Pritchard confirmed that the document represented guidance and each application would be considered individually.

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

RESOLVED: That the revised Appendix A of the Sustainable Design SPD – ‘Space about Dwellings and Amenity Standards for all Development’ with additional wording identified following the public consultation be adopted.

52 QUESTIONS

Q1. Question from Councillor Mrs Evans to the Chairman of Employment Committee

“At the Council Meeting on the 19th February 2019, I asked Councillor Salter, who was moving the minutes of the Employment Committee of the 7th February 2019, when there was going to be a review of the terms and conditions of the essential car user allowance, reportedly in the region of £80,000, which appears to be an excessive amount. I am now asking again when it is anticipated the review will take place and when it will be reported to Council?”

Response from the Chairman of Employment Committee

“As discussed at the Employment Committee, essential car allowances are one of the terms and conditions that would be considered as part of the people strategy. The strategy runs for the next 5 years and we are currently identifying resources to complete an action plan to support its delivery alongside the review of HR that is underway.

It is unlikely that the essential car user allowances would be considered in isolation but will be part of a review of all staff terms and conditions of service necessary to drive change and increase attraction and retention for professional posts in the long term.

The focus of the people strategy action plan and priorities for this year is the review of HR, efficiency of HR processes, the development of flexible working and employee health and wellbeing. The review of terms and conditions could begin by the end of the year but any amendments to terms and conditions will require consultation and negotiation with the trade unions. Such changes are normally reported through the Employment Committee and I anticipate this will not be until sometime in 2020.

As previously outlined to members, essential car user allowance covers all employees who are required to use a car to carry out council business based on a set criteria. The focus of the review is likely to be the criteria used, not the wholesale removal of the allowance, so whilst the cost for the 80 or so essential cars users is around £80,000, it is unlikely that these costs could be removed.

Once we have completed the review of HR and the people strategy action plan in the summer it will be possible to be more specific.”

In response Councillor Mrs Evans said she hoped the new Council would be kept informed of progress and clarified that she had never suggested that essential car user allowances should be removed.

Q2 Question from Councillor Mrs Woodward to the Cabinet Member for Finance and Democracy

“Can you tell me, please, what you now understand by the term ‘opportunity costs’?”

Response from the Cabinet Member for Finance and Democracy

“The answer is the same as I gave at the call in special scrutiny meeting - it is not a term that I recognise and have never used in my professional life.”

Q3 Question from Councillor Mrs Woodward to the Cabinet Member for Operational Services, Leisure and Waste

“You acknowledged at the last Council meeting (Minute 94, Page 18) that your statement to the Leisure Parks & Waste (Overview & Scrutiny) Committee, that the Garrick would be ‘self-sufficient’ after two years and would not receive financial support from LDC after that, was ‘a personal view’. Can you tell me, please, is your personal view different from that of your Cabinet colleagues?”

Response from the Cabinet Member for Operational Services, Leisure and Waste

“As a Cabinet we would obviously like to see the Garrick becoming financially self-sufficient. Whilst this cannot be guaranteed the new Concessionary Services Agreement we have entered into should give financial benefits to the Theatre that will help towards this objective and also gives us more opportunity to monitor this.”

Councillor Mrs Woodward asked the following supplementary question

“The Cabinet Member told the Scrutiny Committee that the Garrick would be self-sufficient in two years. Does he, on reflection, think he misled the Committee?”

The Cabinet Member for Operational Services, Leisure and Waste responded:

“I gave an honest personal opinion”

53 TRIBUTE TO MEMBERS NOT STANDING FOR RE-ELECTION

Councillor Wilcox advised that the service completed by Members not seeking re-election totalled 243 years. He said all Members shared a desire to make their wards and district a better place, where crime is low, anti-social behaviour contained and people can live, bring up their families and value the place they call home.

Councillor Wilcox spoke of the contribution the fourteen Councillors who were not standing had made over many years. He paid tribute to Councillor Mrs Stanhope who had served on the Council for almost half a century and Councillors Constable and Mrs Constable who had completed in excess of thirty years together.

Councillor Wilcox said colleagues had decided to stand down for a number of reasons and for Councillor Drinkwater it had been particularly painful following the illness affecting his wife, which had brought a premature end to his service after some 28 years. On behalf of the Council he passed on his best wishes to Councillor Drinkwater’s wife.

He noted that many friendships had been borne out of working collectively together, and these crossed the political divides. Councillor Wilcox then listed the Members who would not be standing for re-election.

Councillor Wilcox said Councillor Mrs Woodward had been a formidable councillor representing Burntwood, and noted that her scrutiny work had been recognised by the Local Government Association. Although there had been clashes from time to time and differences of opinion he hoped she would agree that they had been able to work well together for the good of Burntwood and the wider District. He said her knowledge and experience would be missed in the Chamber.

Councillor Wilcox then paid tribute to Councillor Pritchard, Deputy Leader and Cabinet Member for Economic Growth, Environment and Development who had served on the Council for 16 years. He spoke of the support and advice he had received from Councillor Pritchard and said he would be greatly missed.

Concluding, Councillor Wilcox thanked Members for their work. He wished those not standing the very best for the future and those seeking re-election all the best in May.

Councillor Mrs Woodward thanked Councillor Wilcox and paid tribute to Councillor Drinkwater who she had worked with on the District Council, County Council and Burntwood Town Council. She referred to his activity in the trade union movement and work representing the interests of young people and said he would be missed in Chase Terrace and Burntwood as a whole.

Councillor Mrs Woodward said being in opposition was not about being awkward since all Members had the same aspirations for the people they represented. However, too many people still considered the opposition as outsiders and she hoped the new Council would bring a new culture and attitude.

Councillor Mrs Woodward thanked Councillors Wilcox and Pritchard for a good working relationship and thanked Councillor Awty for his work as Chairman. She said she would like to pay tribute to Councillor Mrs Stanhope, who unfortunately was unable to attend the meeting, and Councillors Constable and Mrs Constable. She recalled their good grace when she stood against them in the 1990s and said they had become friends.

Councillor Mrs Woodward thanked the Chief Executive for treating her, as Leader of the Opposition, with openness, fairness and courtesy, noting that the Council was fortunate to have Ms Tilley as Chief Executive. She then wished the Council and residents of the District well for the future.

Councillor Mrs Evans paid tribute to Councillor Mrs Woodward for the way in which she had led the Labour Group. She referred to her hard work, preparation and effectiveness in expressing the Labour point of view. She said the District and the Council would be poorer for her not being there.

Councillor Mrs Evans also thanked Councillor Drinkwater for his dedicated service over many years and wished all those leaving the Council the best for the future.

Councillor Cox paid tribute to Councillor Tittley noting that he was also standing down from Armitage with Handsacre Parish Council.

Councillor Cox said he had always had a good working relationship with Councillor Mrs Woodward and Councillor Drinkwater as his Vice-Chairman. He also spoke of his good working relationship with Councillor Pritchard and his ward colleague Councillor Rayner, announcing that Councillor Rayner was standing down as he was soon to become a father.

Councillor Cox thanked the Chairman and wished Councillors Constable and Mrs Constable and all other Members leaving the authority well in the future.

Councillor Spruce said he would like to pay particular tribute to Councillor Pritchard for his work as deputy leader, noting that he had worked incredibly hard and was a major part of the Conservative Group and the Council owed him a great debt.

Councillor Mrs Constable thanked everyone for their kind words recalling that she had first been elected together with Councillor Constable in 1976. She spoke of the friendships that had been formed and the support and help that had always been available. She recalled there had been arguments across the chamber but differences had always been set aside afterwards. Councillor Mrs Constable said she would miss everyone and hoped that the friendships would continue.

54 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

55 CONFIDENTIAL MINUTES OF THE AUDIT AND MEMBER STANDARDS COMMITTEE

It was proposed by Councillor Tittley “that the Confidential Minutes of the Meeting of the Audit and Member Standards Committee held on 27 March 2019 be approved and adopted.”

RESOLVED: That the Confidential Minutes of the Meeting of the Audit and Member Standards Committee held on 27 March 2019 be approved and adopted.

In closing the Meeting the Chairman thanked the Chief Executive and her staff for their work through what had sometimes been stressful and difficult times. He also endorsed the thanks and good wishes to Members who were not seeking re-election.

(The Meeting closed at 7.15 p.m.)

CHAIRMAN