

COUNCIL

15 DECEMBER 2020

PRESENT:

Councillors Powell (Chairman), Cross (Vice-Chair), Anketell, Baker, Ball, Banevicius, Barnett, Binney, Birch, Checkland, Cox, Eadie, Eagland, D Ennis, L Ennis, Evans, Grange, Greatorex, Gwilt, Ho, Humphreys, Leytham, A Little, E Little, Marshall, Matthews, Norman, Parton-Hughes, Pullen, Ray, Robertson, Salter, Silvester-Hall, Spruce, Strachan, Tapper, Warburton, Warfield, Westwood, White, A Yeates and B Yeates

121 APOLOGIES FOR ABSENCE

Apologies were received from Councillors Lax, Smith, M Wilcox and S Wilcox.

122 DECLARATIONS OF INTEREST

There were no declarations of interest.

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

RESOLVED: That the Minutes of the Meeting held on 13 October 2020 were approved as a correct record subject to the penultimate line of Minute 117 (B) being amended to read 'Councillor Gwilt and *Councillor Robertson* spoke in favour of the Motion as amended.'

124 CHAIRMAN'S ANNOUNCEMENTS

The Chairman advised that, as in previous years, donations to the Chairman's Charity were invited in lieu of Christmas cards. He wished everyone a Merry Christmas and a Happy New Year and hoped 2021 would be a better year.

125 REPORT OF THE LEADER OF THE COUNCIL ON CABINET DECISIONS FROM THE MEETINGS HELD ON 10 NOVEMBER AND 1 DECEMBER AND CABINET MEMBER DECISIONS

Councillor Pullen submitted his report on Cabinet Decisions from the meetings held on 10 November and 1 December and Cabinet Member Decisions.

Councillor Pullen answered questions on the report and Councillor Ball said thanks should be recorded for the team implementing the Additional Restrictions Grant for moving so quickly and consulting with the Economic Growth, Environment and Development (O&S) Committee before submitting the emergency report to Cabinet.

126 MINUTES OF THE STRATEGIC (OVERVIEW AND SCRUTINY) COMMITTEE

Councillor Spruce submitted the Minutes of the meeting held on 19 November 2020.

Councillor Strachan thanked the Committee for its efforts in challenging and testing the draft procurement strategy. He noted that rather than buying in support, procurement would be done in house with a newly appointed team. This should raise the profile of procurement and

lead to better contract management. He confirmed that local procurement was high on the agenda.

In response to a question on the track and trace scheme, Councillor Strachan undertook to advise Councillor Ball if there had been any significant change in the funding situation.

Councillor Pullen advised he would be contacting Councillor Ball in response to his query about the review of the sports and leisure service.

Reference was made to the importance of the environmental impact section of reports and the digital innovation and procurement strategy reports were commended as good examples.

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

Councillor Leytham submitted the Minutes of the meeting held on 24 November 2020.

In response to a question about the Events and Festival Policy and the role of Regulatory & Licensing Committee, Cllr Eadie confirmed that the Street Trading Policy would still apply but it was proposed that the evaluation and approval of expressions of interest would be undertaken by an officer group and the relevant Cabinet Member.

128 MINUTES OF AUDIT & MEMBER STANDARDS COMMITTEE

Councillor Greateorex moved that the proceedings of the Committee be received and, where necessary, approved and adopted. Attention was drawn to the Committee's approval of updated Treasury Management Practices and it was proposed in submitting the Minutes that these practices, as previously circulated to all Members, be adopted by the Council.

Referring to the wording of the Minutes, Councillor Robertson said he had sought to emphasise that climate change was a strategic risk that should be considered as part of SR2. Councillor Greateorex said he was happy for the minutes to reflect that climate change had been identified as a strategic risk.

Councillor Norman said he would like to apologise for not having submitted his apologies in time for the meeting.

It was then seconded by Councillor Ho and

RESOLVED: That the Minutes of the meeting held on 12 November 2020 be approved and adopted.

129 MINUTES OF PLANNING COMMITTEE

Councillor Marshall submitted the Minutes of Planning Committee held on 16 November 2020 and thanked his Vice-Chairman for taking the meeting.

It was then seconded by Councillor Baker and

RESOLVED: That the Minutes of the meetings held on 16 November 2020 be approved and adopted.

130 EVENTS & FESTIVALS POLICY

Councillor Eadie outlined the importance of events and festivals to the District and, following a period of consultation, submitted the recommendations of Cabinet made on 6 October 2020 in connection with the Events and Festivals Policy.

Issues discussed during the debate included the way the decisions would be made, the desire to protect historic and successful events that occurred the same time each year, the adverse effects that events had on some businesses and the need to be cognisant of the organisers of the various events and festivals and to work with them to facilitate their events.

In his responses Councillor Eadie advised that the guide that accompanied the policy should enable applications to be evaluated on an impartial basis but the policy would be kept under review. He noted that all applicants would be considered at the same time and it might also be possible to run different events on the same day. Councillor Eadie said it was important to ensure that local businesses benefited and the Council would work with event organisers to see how that could be achieved.

The recommendations were seconded by Councillor Humphreys and it was

RESOLVED: (1) That the Council's constitution be amended to formally acknowledge the formation of a cross-service officer panel for determining an annual events programme in consultation with the Cabinet Member for Visitor Economy and the Local Plan.

(2) That the Medium Term Financial Strategy be updated to include a supplementary budget of £20,000 per annum to help meet the costs of new events intended to support local communities across the District.

131 REVISION OF STREET TRADING POLICY

Councillor Eadie submitted revisions to the Street Trading Policy on behalf of the Cabinet Member for Regulatory, Housing and Health.

It was noted that the Council's Street Trading Policy included a section on special events and festivals that overlapped with the recently approved Events and Festivals Policy. These areas of overlap had been removed and clarification provided on where the Street Trading Policy still applied. It was advised that some aspects of the policy had been removed and included in the Street Trading Procedure. A further review of the Policy would be undertaken in 2021.

Reference was made to the Environmental Impact section of reports and the need to ensure outcomes and benefits were set out.

It was seconded by Councillor Humphreys and

RESOLVED: That the amended Street Trading Policy be approved and the delegation in the constitution for Regulatory and Licensing Committee to determine expressions of interest be removed.

132 STATEMENT OF LICENSING POLICY - LICENSING ACT 2003

Cllr B Yeates submitted the Council's Statement of Licensing Policy 2021 – 2026 for approval.

It was noted that on 28th September 2020 Regulatory & Licensing Committee recommended the retention and extension of the current Licensing Policy due to the impact of the

Coronavirus pandemic. A full policy review would be carried out during the extension period once the relevant licensing activity was resumed and a period of stability established.

Cllr Pullen seconded the proposal and it was

RESOLVED: That the Statement of Licensing Policy 2021 – 2026 as submitted be adopted.

133 MEMBERSHIP OF OUTSIDE BODIES

It was proposed by Councillor Pullen and seconded by Councillor E Little that Councillor Eadie be appointed to the Cannock Chase Special Area of Conservation Partnership.

RESOLVED: That Councillor Eadie be appointed to the Cannock Chase Special Area of Conservation Partnership.

134 MOTIONS ON NOTICE

(A) Councillor Ho submitted the following Motion having obtained the consent of Council for amendments to the originally submitted text:

That Lichfield District Council:

(i) Notes the Slow Ways project and its goal to create a network of walking routes that connect all of Great Britain's towns and cities as well as thousands of villages.

(ii) Further recognises that safely walking local routes and public footpaths:

- can improve the health and wellbeing of the residents in the district of Lichfield.
- can help reduce carbon emissions in the district of Lichfield.
- can help tackle the climate change emergency that the council declared last year.

(iii) Will therefore encourage residents to:

- walk safely to their place of work.
- use safe and established public footpaths when visiting neighbouring settlements.
- review routes that have been drafted by the project.

Councillor Baker seconded the Motion.

Councillor Norman proposed the following amendment to the third bullet point of the Motion:

- can help tackle the climate change emergency that the council declared last year *and so we will offer appropriate financial and other support such as encouraging the County Council to provide safe footway improvements.*

The amendment was seconded by Councillor Evans.

Following a debate Councillor Norman withdrew his Amendment and submitted the following Amendment to the third bullet point of the Motion:

- can help tackle the climate change emergency that the council declared last year and so we will *explore financial and other support such as encouraging the County Council to provide safe footway improvements.*

The Amendment was seconded by Councillor Evans.

Following a vote **the Amendment was approved.**

Members then voted on the Motion as amended.

RESOLVED: That the Motion as Amended be approved.

(B) Councillor Pullen proposed the following Motion:

"This Council acknowledges the extraordinary efforts made by employees of Lichfield District Council in 2020, and notes that many will have their pay frozen in the year 2021-2022. In light of this pay freeze, it resolves that all Councillor Allowances are also frozen until May 2022 at the earliest".

The Motion was seconded by Councillor Barnett.

In supporting the Motion Councillor Norman said it was a pity there had not been consultation since it was not a party political matter and represented a continuation of existing policy.

Following a vote **the Motion was approved.**

RESOLVED: That the Motion as submitted be approved.

(C) Councillor Ball proposed the following Motion:

"This Council deplores the very poor performance of the two Clinical Commissioning Groups (CCGs) covering our District, with South East Staffordshire CCG, recorded as "Inadequate" for the past three years, and East Staffordshire CCG performing slightly better, moving from "Good" to "Requires Improvement" over the last year, and resolves to write to our two local MPs, asking them what they personally have done over that period to push for improvements and what else they will do personally in the future.

In addition, this Council resolves to write to Staffordshire County Council, to ask what they have done over that period to push for improvements and what else they will do in the future. Finally, this Council agrees that the appropriate CCG representatives from both CCGs should be invited to the Community, Health and Housing Overview and Scrutiny Committee, to inform members about both CCGs' performance and asked what plans they have to improve the situation."

The Motion was second by Councillor Evans.

During the debate, Councillor Norman proposed that the first sentence of the Motion be amended to read:

This Council *is saddened* by the very poor performance of the two Clinical Commissioning Groups (CCGs) covering our District, with South East Staffordshire CCG, recorded as "Inadequate" for the past three years, and East Staffordshire CCG performing slightly better, moving from "Good" to "Requires Improvement" over the last year, and resolves to write to our two local MPs, asking them what they personally have done over that period to push for improvements and what else they will do personally in the future.

The amendment was seconded by Councillor Anketell and Councillor Ball offered to withdraw his motion in favour of the amended Motion.

Members debated the Amendment and following a vote **the amendment was defeated.**

Members then voted on the Motion as submitted and **the Motion was defeated.**

(Councillor Greatorex declared a personal interest in Motion C as a Member of Staffordshire County Council)

135 QUESTIONS

Q1. Question from Councillor Ball to the Cabinet Member for Major Projects and Economic Development

Can the Cabinet Member tell us, please, how she feels the collapse of Debenhams, Edinburgh Woollen Mill (owners of Peacocks) and the Arcadia Group will affect plans for Lichfield City Centre?

Response from the Cabinet Member for Major Projects and Economic Development:

The sad news of the closures of well-known High Street brands, including Debenhams and the Arcadia Group, will no doubt have an impact on High Streets throughout the UK. The enthusiasm for online shopping, an inability or unwillingness to respond to changing patterns of demand on the part of certain retail groups and the effects of the CV19 pandemic has no doubt accelerated the changes which have been taking place in town and city centres for several years.

In October the Council endorsed the Lichfield City Centre Masterplan as a blueprint for the development and regeneration of Lichfield City Centre. This puts Lichfield ahead of the curve in terms of its plans to rejuvenate the city centre, with proposals in place for a mixture of uses and experiences for visitors and residents alike. Work has been ongoing in respect of commissioning detailed plans and strategies to inform the developments to come forward, with the start of the implementation of projects to take place in 2021. The Council is also working closely with the owners of Three Spires shopping centre to understand the impacts on the centre itself and the work that is being done to maintain a vibrant and active destination now and for the longer term.

Councillor Ball asked the following supplementary question:

Would the Cabinet Member agree to use some of the money agreed at the last Council meeting to have the Masterplan reviewed in the light of the collapse of Debenhams, Arcadia Group and Edinburgh Woollen Mill and work with the cross party working group set up by the Economic Growth, Environment and Development (Overview & Scrutiny) Committee as was the practice in drawing up the original Masterplan, using Members from the original working group in order to benefit from their experience on this.

The Cabinet Member for Major Projects and Economic Development responded:

The cross party working group has already been set up for the Masterplan and will be meeting in the new year. We are already commissioning in connection with some of the strategies in the report presented last month and as part of the Birmingham Road viability work we are having conversations with Railpen and Three Spires about the Debenhams building.

Q2. Question from Councillor Ball to the Cabinet Member for Visitor Economy and Local Plan

Can the Cabinet Member, please, tell us whether he agrees with me that, in light of the increasing need for decent, genuinely affordable housing across Lichfield District, that, in our new Local Plan, we must insist of developers providing an absolute minimum of 20% affordable housing, ideally at social rents, on all Previously Developed Land sites and on all Strategic Development Allocations on greenfield land, and an absolute minimum of 30% affordable homes on all greenfield sites of from 10 to 500 dwellings, as I suggested at a recent meeting of the Local Plan Subcommittee and was agreed on at that meeting?

Response from the Cabinet Member for Visitor Economy and Local Plan:

The Local Plan & CIL Viability Assessment that has been prepared as part of the evidence base for our emerging local plan, which Councillor Ball has seen as a Member of the Local Plan Sub-committee and the sub-committee agreed should be added to our published evidence base, indicates that Lichfield District Council should consider;

- 20% Affordable Housing on Previously Developed Land,
- 30% Affordable Housing on Greenfield land where sites provide between 10 and 500 dwellings,
- 20% Affordable Housing on larger allocated sites accommodating more than 500 dwellings

I would expect our emerging local plan and policies going forward to reflect this, as to do otherwise would not be in keeping with our own evidence base.

Councillor Ball asked the following supplementary question:

Can the Cabinet Member give assurance that the percentages given will be minimum percentages and whether he would consider looking at 35% affordable homes at some of the locations with between 10 and 500 dwellings as a minimum figure?

Councillor Eadie responded:

This would be a matter to go through scrutiny and the proper decision making processes of Council, it not being within my gift to give that undertaking.

Q3. Question from Councillor Ball to the Cabinet Member for Regulatory, Housing and Health

Can the Cabinet Member, please, tells us how much of the £20 billion in multi-year investment, announced in the Spending Review, to underpin the Government's long-term housing strategy does she expect to come to Lichfield and also how much of the £254 million to support rough sleepers and those at risk of homelessness during Covid-19 does she expect to come here?

Response from the Cabinet Member for Regulatory, Housing and Health:

We have had confirmation that the general homelessness funding (flexible homelessness support grant and homelessness reduction grant) will be at least the same as this year and probably higher, although we will not have confirmation until January.

We will also have the opportunity to bid for additional funding through the RSI funding and the Rough Sleeper Accommodation Fund.

The Protect programme (£15 million) will not be open to us, as it is targeted funding for those with more complex rough sleeper problems e.g. Birmingham, Manchester Bristol and London.

Councillor Ball asked the following supplementary question:

Could the Cabinet Member look at making a bid to the LGA housing advisors programme for some ideas on developing possible projects to use any funding that comes our way.

The Leader of the Council responded:

That is a very good idea and where we can learn best practice from other authorities we ought to be open to doing so.

Q4. Question from Councillor Ball to the Leader of the Council

Will the Leader of the Council tell us, please, how much he feels that we should bid for from the so-called Levelling Up Fund of £4 billion, which is to support investment in town centre regeneration and better transport infrastructure?

Response from the Leader of the Council:

The full details of this scheme are still not announced so this is difficult to answer - however, earlier this year we created a new officer role to focus specifically on accessing funding, and I know that she will, quite rightly, be incredibly ambitious in the bids which we submit.

Councillor Ball asked the following supplementary question:

I commend the fact that we will be ambitious in bids, have we any idea what percentage of any funding will go to Lichfield, what percentage to Burntwood and what percentage to the villages?

The Leader of the Council responded:

That is a good question but I think it approaches from the wrong angle; we will not be looking at setting aside various percentages for Burntwood and Lichfield but we will be looking across the District for opportunities for investment, wherever they are.

Q5. Question from Councillor Anketell to the Cabinet Member for Regulatory, Housing and Health

I and other members have been contacted by residents concerned over the stress caused to their pets, wildlife and farm animals from fireworks.

The RSPCA wants the regulations on fireworks to be amended to reduce the stress to pets, other animals and vulnerable people namely:

- to require all public firework displays within the local authority boundaries to be advertised in advance of the event, allowing residents to take precautions for their animals and vulnerable people
- to actively promote a public awareness campaign about the impact of fireworks on animal welfare and vulnerable people — including the precautions that can be taken to mitigate risks
- to write to the UK government urging them to introduce legislation to limit the maximum noise level to 90 dB for those sold to the public for private displays
- to encourage local suppliers of fireworks to stock 'quieter' fireworks for public display

Would the Cabinet Member for Regulatory, Housing and Health write to our two Members of Parliament urging them to use their influence to get a change in the law?

Response from the Cabinet Member for Regulatory, Housing and Health:

Together with many of my fellow councillors I was contacted by concerned residents highlighting the campaign of the RSPCA over the issues around fireworks. The regulation of fireworks is governed by national legislation.

The local authority for the control of fireworks is Staffordshire County Council and their trading standards team works with retailers to ensure that the fireworks sold are safe, and they have powers to enforce against those who place non-compliant fireworks on the market, including those imported illegally or via the internet.

The regulation of fireworks, their sale and public displays is not something which comes under the remit of LDC. However, public displays for Bonfire Night are well advertised in advance locally, which is one of the aims of the RSPCA campaign.

With regard to the many and complex issues raised around fireworks I can do no better than refer members to the following report published on 20 March 2020 setting out the Government's response to the Petitions Committee's First Report of the Session 2019-21.

<https://committees.parliament.uk/publications/421/documents/1566/default/>

This was debated before the petitions committee on 2 November 2020 and has cross party support. The following update was given by the Parliamentary Under Secretary of State for Business, Energy and Industrial Strategy in which he advised that he had commissioned a report by the Office for Product Safety (OPPS) to consider decibel levels and obtain evidence on the impact of fireworks on animal health to inform any changes in legislation. Separately the OPSS has commissioned a programme on the decibel levels of fireworks on sale to the public.

Many of our residents are concerned about animal welfare and vulnerable people being affected by fireworks. It is good to see Government will use the pending report to drive changes to the existing legislation. Therefore it makes sense to ask for our MP's support for a safe environment for the enjoyment of fireworks and address all the issues raised around fireworks once the report is published.

Q6. Question from Councillor Anketell to the Cabinet Member for Visitor Economy and Local Plan

Given the acknowledged Climate Emergency, would the Cabinet Member make it mandatory that:

- photovoltaic cells are fitted on all pitched roofs and that electric vehicle charging points are fitted on all new housing and other buildings, including alterations and extensions to existing buildings, and that this is included in the new Local Plan?

Response from the Cabinet Member for Visitor Economy and Local Plan:

I would confirm to Councillor Anketell that our emerging local plan will recognise the need for appropriate provision of electric vehicle charging points. Lichfield District Council will not however mandate charging points are provided on all new housing and other buildings, including alterations and extensions to existing buildings, as such a policy would be disproportionate and take no account of the choice motorists may make in the future in terms of alternative fuels such as hydrogen.

As there are many forms of renewable energy available, for the same reasons Lichfield District Council does not expect to mandate that photovoltaic cells are fitted to pitched roofs of all new housing and other buildings, including alterations and extensions to existing buildings. The choice of renewable energy source should be one for the person(s) living in the dwelling.

(The Meeting closed at 8.28 pm)

CHAIRMAN