

## **CABINET**

**12 NOVEMBER 2019**

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<b>STRATEGIC PLAN 2020 - 2024</b>
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<b>1. Decision:</b>
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The Cabinet agreed:

- 1.1 To endorse the draft Strategic Plan 2020- 2024 and begin formal consultation.
- 1.2 To approve the consultation approach and draft timeline as set out in the Cabinet report.

<b>2. Statement of Reasons:</b>
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The Council's current strategic plan period ends in April 2020.

The Cabinet report sets out a draft of the Council's new strategic plan ready for formal consultation.

The report also provides details of public consultation for the new Plan before it is finalised and formally adopted in spring 2020.

<b>3. Any Alternative Options:</b>
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- 3.1 Alternative wording or layouts of the priorities could be considered as part of the consultation process.
- 3.2 Cabinet could choose to adopt an alternative consultation process and timeline but this may delay publication and adoption in time for the next financial year.
- 3.3 Cabinet could choose not to adopt or update a Strategic Plan but this may render the current objective irrelevant.

## THE ESTABLISHMENT OF A SHARED LEGAL SERVICE

### 1. Decision:

The Cabinet:

- 1.1 Approved the establishment of a shared legal service with South Staffordshire District Council and Tamworth Borough Council, with South Staffordshire District Council being the 'Host Authority'.
- 1.2 Delegated authority to the Cabinet Member for Legal and Regulatory and the Director of Transformation and Resources or the Head of Corporate Services to approve the Strategic Partnership Agreement.

### 2. Statement of Reasons:

The Council requires reliable access to legal advice that is available when the Council needs it and at a cost that represents value for money.

Until April 2019 the council employed its own in-house solicitor as the Head of Legal, Property and Democratic Services, who, as well as providing advice, also oversaw the instruction of external lawyers including barristers.

The Head of Service position has been vacant since April. Since then the council has obtained legal advice on an interim basis from South Staffordshire Council's legal team as well as from external lawyers. South Staffordshire is also providing a similar service to Tamworth Borough Council.

In the meantime the Council has reviewed the way in which it obtains legal advice.

There are a number of ways in which the council can obtain legal advice. The Council could, for instance: employ its own in-house legal team; allow officers to obtain their own advice as required; procure and retain on a corporate basis its own principal lawyers or panel of lawyers; or collaborate with other councils to share legal services.

Over the last few months the three councils have been exploring whether a shared legal service for the three partners is the best option.

Lichfield and Tamworth are currently without in-house legal support, whilst South Staffordshire has grown its legal team in recent months.

All three councils have similar requirements for legal support and all three incur similar levels of annual spend on law.

This report proposes the establishment of a formal shared service with South Staffordshire and Tamworth councils and describes how the partnership will work with particular reference to the way in which key officers can get legal advice quickly and effectively.

### 3. Any Alternative Options:

Five separate options for retaining legal advice have been assessed. The advantages and disadvantages of each can be found in the background papers.

<b>COMMUNITY LOTTERY</b>
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<b>1. Decision:</b>
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The Cabinet:

- 1.1 Approved the establishment of a local lottery for Lichfield District and the attached Business Case.
- 1.2 Approved the preferred option to appoint an External Lottery Management (ELM), approve a waiver of the contract procedure rules and authorise the Cabinet Member Housing and Communities, in consultation with the Head of Regulatory Services Housing and Wellbeing to appoint Gatherwell Ltd as the ELM for a period of 3 years.
- 1.3 Agreed that the Head of Regulatory Services Housing and Wellbeing and the Partnerships, Community Safety & Licensing Manager be appointed to be responsible for holding the licence and submitting the necessary application to the Gambling Commission and to approve good causes applications to raise funds through the lottery.
- 1.4 Agreed that Authority be delegated to the Cabinet Member for Communities and Housing and the Head of Regulatory Services, Housing and Wellbeing to determine a name for the Lottery.
- 1.5 Recommended that Council approve the policies listed below to govern the operation of the lottery and that the Cabinet Member for Housing and Communities, in consultation with the Head of Regulatory Services Housing and Wellbeing be authorised to make any minor amendments that may be required to the policies in the future:
  - Social Responsibility in Gambling
  - Protection from Crime and Disorder
  - Implementation Procedures
  - Fair and Open Gambling
  - Children and Vulnerable Person Protection
- 1.6 Agreed that the Cabinet Member for Housing and Communities, in consultation with one of the license holders, is authorised to determine if any good cause should be removed or rejected from being a member of the lottery.
- 1.7 Appointed We Love Lichfield (administered/governed by the Community Foundation for Staffordshire) to distribute the share of the proceeds the Council is allocated to distribute (10%) received from the lottery on the same basis as they administer the Council's Small Grants Fund.

<b>2. Statement of Reasons:</b>
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The Cabinet report considers setting up a local community lottery scheme to directly benefit local community groups and charities that play an essential role in reducing the demand on statutory services. They also provide support for some of the most vulnerable in our communities. There are also numerous local community groups and charities that were unsuccessful in bidding for our funds or didn't apply, which could benefit from this opportunity.

The report details the proposal including the performance of other Lotteries of this type and the social/economic profile of the individuals who play. The lottery will be used to create additional funding for the Community and Voluntary Sector. Attached to the report are a number of policies that are required by the Gambling Commission to support any application for a licence.

### **3. Any Alternative Options:**

The funding the lottery creates could be used to offset possible reductions in the Council's funding of the Community and Voluntary Sector.

In essence the options for delivery of a lottery are either in house or through an External Lottery Manager (ELM).

**In-house** - This option would see the setting up of the necessary posts and systems to run a lottery in-house. This has not been fully costed, but it is considered somewhere in the region of a £80-100k for set-up costs alone. This would include a lottery manager and the necessary development of software systems to enable the lottery to run.

**External Lottery Manager (ELM)**- This option would see a partnership with an existing deliverer of lotteries in the market place. This in effect means 'buying in' the skills and expertise of an existing provider and sharing the risk with them to deliver the lottery. The ELM will deliver all aspects of running the lottery, from ticket payments, prize management and licensing, and share with LDC and the good causes the role of marketing.

Balancing the set up costs, unknown player numbers and the skills base needed to run a lottery effectively, the preferred option is to use an ELM.

**LOCAL PLAN REVIEW - PREFERRED OPTIONS CONSULTATION**

**1. Decision:**

The Cabinet:

- 1.1 Approved the Local Plan Review: Preferred Options and policy maps for public consultation.
- 1.2 Agreed that delegated authority be given to the Cabinet Member for Investment, Economic Growth and Tourism in consultation with the Head of Economic Growth and Development to make any minor changes to the appearance, format and text of the Local Plan Review: Preferred Options document or the supporting documents in the interests of clarity and accuracy prior to their publication for consultation.

**2. Statement of Reasons:**

The purpose of the Cabinet report is to agree a period of public consultation on the next stage of the review of the Council's Local Plan. This is an additional stage that has been inserted following Cabinet's approval of a revised Local Development Scheme (September 2019).

The Preferred Options stage represents an emerging stage in the plan's preparation.

Consultation on a Preferred Options document provides the opportunity to receive comments from interested parties that can inform the Regulation 19 consultation, which is programmed for May 2020.

The Cabinet report sets out the proposed level of growth and how this could be distributed across the District as part of the Local plan. In addition, other spatial themes of the plan are identified along with the accompanying evidence base.

**3. Any Alternative Options:**

Cabinet could identify changes to policies contained within the draft plan. This is not recommended because the current set of policies have been established based on evidence collected to date. The consultation provides the opportunity for interested parties to engage in the process. The outcome of consultation will then be reported to Members.

An alternative level of growth could be considered. This could be linked to the local housing need or in excess of what is being proposed as part of this consultation. The consultation provides the opportunity for interested parties to consider the level of growth being proposed. Officers will consider these responses ahead of the consultation.

Cabinet could identify other consultation methods to inform the November consultation. These can be considered as part of any consultation exercise.

<b>DISCRETIONARY HOUSING PAYMENTS</b>
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<b>1. Decision:</b>
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The Cabinet:

- 1.1 Approved the Discretionary Housing Payments Policy.
- 1.2 Delegated authority to amend the Discretionary Housing Payments policy to the Cabinet Member for Customer Services and Innovation and the Head of Customer Services, Revenues and Benefits.

<b>2. Statement of Reasons:</b>
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Discretionary Housing Payments (DHP) provide additional financial assistance for recipients of housing benefit or housing costs within universal credit (UC).

Regulations provide a framework to operate within but this gives councils a very broad discretion; however the council should use this funding to help the most vulnerable people to maintain their tenancies, alleviating poverty and preventing homelessness.

Grant funding for DHPs is provided by the Department for Work and Pensions (DWP) and councils are encouraged to have a policy to distribute the funding in fair and consistent manner.

The funding is administered and distributed by the housing benefit team.

The last version of the DHP policy has been in place since 2017 and has improved take up; however, due to the roll out of UC, it is the appropriate time to conduct a further review.

The policy revision aims to make it simpler for applicants to understand and encourage more people to access it. The evidence required to support the application has been reduced making it easier for applicants and the officers making the decision. Overall the changes should assist a greater number of customers and distribute more of the grant funding.

<b>3. Any Alternative Options:</b>
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Not to have a policy, but this would go against Department for Work and Pensions guidance.

To continue with the existing policy but this is more complex for applicants to understand.

**REVIEW OF HACKNEY CARRIAGE FARES**

**1. Decision:**

The Cabinet:

- 1.1 Considered the maximum tariff rates to be consulted on for Hackney Carriages in Lichfield District, taking account of the trade request, officer recommendations (as set out in the Cabinet report) and feedback from Community, Housing and Heath Overview & Scrutiny.
- 1.2 Authorised the Cabinet Member for Legal and Regulatory and Head of Regulatory Services Housing and Wellbeing to consider the consultation responses and set the tariffs in accordance with those recommended.

**2. Statement of Reasons:**

The Cabinet report advised Overview & Scrutiny of the taxi trade's application for a Hackney Carriage tariff increase.

The report detailed:

- The current tariff and the background to the proposed changes
- Information to support Overview and Scrutiny's consideration of the proposal

**3. Any Alternative Options:**

- Cease regulating fares. Hackney carriages are unique in that they can be hailed from the street or picked up from a rank. Where a journey is pre booked the hirer has the opportunity to compare and negotiate a price. This opportunity does not exist in the same way when picking up a taxi from a rank and increases the risk of confusion and dispute. Vulnerable customers are more exposed to exploitation. Currently only four Local Authorities in England choose this option.
- Leave fares unchanged. Currently fares in Lichfield are low compared to others and whilst there is not a shortage of supply at this stage it is likely that this will occur at some point and realise the associated problems. Any fare set is a maximum fare and is open to downward negotiation.
- Agree a tariff increase but not the addition of a waiting time charge
- Agree the addition of waiting time but not the increase in tariff
- Agree both a tariff increase and the addition of a waiting time but at a level lower than proposed by the trade.