

CABINET

4 DECEMBER 2018

Index

Calculation of Business Rates 2019/20, Council Tax Base for 2019/20 and the Projected Collection Funded Surplus / Deficit for 2018/19	2
Money Matters 2018/19: Review of Financial Performance against the Financial Strategy April to September 2018.....	4
Brownfield Land Register 2018	6
Statement of Community Involvement - Revision	7
Update for Appendix A of Sustainable Design Supplementary Planning Document.....	8
Conservation Area Appraisals and Management Plans for Wall and Wigginton	9
Designation of a New Conservation Area for Drayton Bassett	10
Decision Statement Regarding Fradley Neighbourhood Plan proceeding to Referendum....	11

CALCULATION OF BUSINESS RATES 2019/20, COUNCIL TAX BASE FOR 2019/20 AND THE PROJECTED COLLECTION FUNDED SURPLUS / DEFICIT FOR 2018/19

1. Decision:

- 1.1 That Council be recommended to approve an update to Council Tax discounts:
- To remove the 2 month period for unoccupied and unfurnished domestic property from 1 April 2019.
 - To update the discounts on long term empty properties of 2 years or more:
 1. From 1 April 2019 an increase up to 200% (currently 150%).
 2. From 1 April 2020 for properties empty for less than 5 years up to 200% and at least 5 years up to 300%.
 3. From 1 April 2021 for properties empty for less than 5 years up to 200%, at least 5 years but less than 10 years up to 300% and at least 10 years up to 400%.
- 1.2 That Council be recommended to approve in accordance with the relevant legislation and regulations, the Council Taxbase (Band D residential properties) for Lichfield District for the financial year 2019/20 of 38,010.8 (non-approval of 2.1 would reduce the Taxbase by 171.5 to 37,839.3).
- 1.3 That the estimated Council Tax Collection fund Surplus of (£230,300) and the estimated Business Rates Collection Fund surplus of (£529,800) for 2018/19 be noted.
- 1.4 That Authority be delegated to the Cabinet Member for Finance and Democracy and the Chief Financial Officer (Section 151) to complete and certify the NNDR1 for 2019/20 on behalf of the Council.

2. Statement of Reasons:

Approval is sought for the calculation of the Council Taxbase (Band D residential properties) for Lichfield District, as required under Section 67 of the Local Government Finance Act (LGFA) 1992.

In accordance with the LGFA 1992, the Council is required to estimate the surplus/deficit on the Collection Fund for both Council Tax and Business Rates. The dates these estimates must be made are:

- Council Tax – 15 January (or in the event this a Saturday, Sunday or Bank Holiday, the next working day). In 2018/19 the relevant date will be 15 January 2019.
- Business Rates (NNDR) – 31 January using the NNDR1 Form.

The Council as the Billing Authority must then notify each relevant major Precepting Authority of their share of any estimated surplus or deficit within seven days of making the estimate.

The Council must submit its estimates for Business Rates to the Ministry of Housing, Communities and Local Government (MHCLG) using the NNDR1 form. This form includes:

- An estimate of the Business Rates Collection Fund surplus/deficit for the current year.
- Estimates of the level of Business Rates to be collected for the forthcoming financial year.

The timing of the NNDR1 form is uncertain. To enable completion by the statutory deadline, a delegation to the Cabinet Member for Finance and Democracy and the Chief Financial Officer is recommended.

There is an opportunity to update the Council Tax discounts policy to reflect recent legislative changes.

3. Any Alternative Options:

The calculation of the Council Taxbase and Collection Fund surpluses and deficits must be undertaken in line with statutory requirements and therefore there are no alternative options.

MONEY MATTERS 2018/19: REVIEW OF FINANCIAL PERFORMANCE AGAINST THE FINANCIAL STRATEGY APRIL TO SEPTEMBER 2018

1. Decision:

- 1.1 The Cabinet noted the report and issues raised within and that Leadership Team with Cabinet Members will continue to closely monitor and manage the Medium Term Financial Strategy 2017-22.

2. Statement of Reasons:

- 1.1 The report covers the financial performance from April to September (Quarter Two) for 2018/19.
- 1.2 The Net Cost of Services is projected to be below budget by (£9,530) and Corporate Budgets (Treasury) are projected to be below budget by (£40,150), a total of (£49,680).
- 1.3 The Efficiency Plan target has now been achieved; the surplus identified budget (£38,020) has been transferred to General Reserves in 2018/19 and reduces the funding gap in the later years.
- 1.4 The Council on 4 September 2018 approved a transfer to general reserves of £6,180.
- 1.5 The Capital Programme is projected to be below budget by (£3,544,000) resulting in profiling updates.
- 1.6 Capital receipts are projected to be (£482,000) compared to the Approved Budget of (£300,000).
- 1.7 In terms of Council Tax, Business Rates, Sundry Debtors and Supplier Payment Performance:
- The Council's collection performance on Council Tax based on debt covering all years is 57.29% and this is consistent with previous years.
 - There is a projected surplus for Council Tax and the Council's share of (£29,490) with £0 included in the 2019/20 budget.
 - Income raised has decreased by (£148,663) due to the outsourcing of the leisure centres earlier in the year.
 - In addition Invoices Outstanding have reduced by (£190,881) due once again to the outsourcing of the leisure centres to Freedom Leisure.
 - The Council is projected to be paying net Business Rate levy (including the volatility allowance) of £1,664,000 to the GBS pool and this is currently in line with the Approved Budget.
 - Retained Business Rate Income is currently projected to be in line with the Approved Budget.
 - The Council's collection performance on Business Rates based on debt covering all years is 54.52%. This is due primarily to the award of local discretionary relief resulting in some payers being one month behind the statutory scheme (paying May to February rather than April to January) and this has had a negative effect on the collection rates. It is anticipated that by February/March the annual collection rate will not be impacted by this temporary issue.

- There is a projected surplus for Business Rates and the Council's share of (£211,900) with £0 included in the 2019/20 budget.
- The payment of suppliers within 30 days in 2018/19 is 82.41% and this is consistent with previous years.

2.8 The Council's investments achieved a risk status that was more secure than the aim of A- and yield exceeded all four of the industry standard LIBID yield benchmarks.

3. Any Alternative Options:

There are no alternative options.

BROWNFIELD LAND REGISTER 2018

1. Decision:

- 1.1 The Cabinet approved the Lichfield District Council Brownfield Land Register (Part 1) 2018 for publication.

2. Statement of Reasons:

- 2.1 The Town and Country Planning (Brownfield Land Register) Regulations 2017 came into force in 2017 and required all Local Planning Authorities to produce and publish a 'Part 1' Brownfield Land Register (BLR) by the end of 2017. The BLR is split into two parts. 'Part 1' being a register of all brownfield sites considered to be 'suitable' for residential development. 'Part 2' identifying any such sites which are to be granted Permission in Principle (PiP). Presently authorities are not obliged to produce a 'Part 2' BLR.
- 2.2 Lichfield District Council published its BLR Part 1 in December 2017. BLR's are required to be updated annually in line with the date on which they were previously published. As such the district council is required to update its BLR before the end of 2018.
- 2.3 An update of the BLR Part 1 for Lichfield District has now been prepared for consideration prior to its publication on the District Councils website. As part of this update officers have considered whether it would be appropriate to prepare a BLR Part 2 register. At this time no BLR Part 2 is proposed to be produced, officers will continue to maintain the BLR and review whether a Part 2 BLR should be produced in future years.

3. Any Alternative Options:

- 3.1 Cabinet declines to publish the BLR Part 1 document. However, legislation requires all Local Planning Authorities to publish an annual update to their BLR. For Lichfield District this will need to be published before the end of 2018.
- 3.2 Cabinet decide that a Part 2 Register should be produced.

STATEMENT OF COMMUNITY INVOLVEMENT - REVISION

1. Decision:

- 1.2 The Cabinet agreed the Draft Statement of Community Involvement and that it be consulted upon from 2nd January to 1st February 2019.

2. Statement of Reasons:

- 2.1 Due to legislative changes there is a need to review the Council's existing Statement of Community Involvement (SCI). The document has been reviewed and found to be largely up to date however a number of changes are proposed to accord with the latest Regulations. A Draft SCI has been prepared at Appendix A of the report and it is necessary to undertake consultation on the draft. There is a requirement to consult on the draft for a minimum of four weeks.

3. Any Alternative Options:

- 3.1 The document is not updated – this would not provide our customers with the knowledge on how we will engage with them when preparing planning documents and decisions and would not comply with current regulations potentially leaving the authority open to legal challenge.

UPDATE FOR APPENDIX A OF SUSTAINABLE DESIGN SUPPLEMENTARY PLANNING DOCUMENT

1. Decision:

- 1.1 The Cabinet approved the updated Sustainable Design Supplementary Planning Document – ‘Space about Dwellings and Amenity Standards for all Development’ for the purposes of undertaking public consultation.
- 1.2 The Cabinet approved the consultation period and methods proposed at paragraphs 3.7 - 3.9 of the Cabinet report.
- 1.3 Authority was delegated to the Cabinet Member for Economic Growth, Environment & Development Services in consultation with the Head of Economic Growth to make any minor changes to the appearance, format and text prior to consultation in the interests of clarity and accuracy.

2. Statement of Reasons:

- 2.1 The report proposed an update to Appendix A of the Sustainable Design Supplementary Planning Document (SPD) entitled ‘Space about Dwellings and Amenity Standards for all Development’. The SPD and the standards included within have been utilised in determining planning applications since its adoption in December 2015. As part of service level improvements following complaints and appeal decisions, it is necessary to review its contents to add clarity and ensure a consistent and transparent approach.
- 2.2 It is necessary to consult on the update because the proposed change to the Appendix results in a material amendment to the SPD. The Cabinet report requests approval to consult for a minimum of 4 weeks.

3. Any Alternative Options:

- 3.1 None

CONSERVATION AREA APPRAISALS AND MANAGEMENT PLANS FOR WALL AND WIGGINTON

1. Decision:

- 1.1 The Cabinet noted the results of the consultation, supported the final appraisal and management plans and recommended them to be submitted to Council for approval.
- 1.2 The Cabinet supported the proposed boundary changes to the Conservation Areas as shown on the maps in Appendix B of the report and recommended them to be submitted to Council for approval.
- 1.3 That Cabinet supported the proposal to add the properties listed in Appendix C of the report to the Register of Buildings of Special Local Interest and recommends these additions to the Register, to be submitted to Council for approval.

2. Statement of Reasons:

- 2.1 The report informed Cabinet of the results of the consultation on the draft Conservation area Appraisals and Management Plans for Wall and Wigginton Conservation Areas; requested Cabinet's approval of the final appraisals and management plans; and requested Cabinet's approval for the proposed additions to the Register of Buildings of Special Local Interest for submission to Full Council for formal ratification.

3. Any Alternative Options:

- 3.1 The alternative option is not to undertake conservation area appraisals. This would weaken the local planning authority's ability to seek to preserve or enhance the special character and appearance of the area when considering planning applications.
- 3.2 An alternative would be not to carry out such robust public consultation. This is not considered to be best practise and the final documents would not carry the same amount of weight in the planning process.

DESIGNATION OF A NEW CONSERVATION AREA FOR DRAYTON BASSETT

1. Decision:

- 1.1 The Cabinet noted the results of the consultation and supported the designation of a new Conservation Area in Drayton Bassett as shown in Appendix B of the report and recommended submission to Council for approval.
- 1.2 The Cabinet supported the final appraisal and management plans and recommended submission to Council for approval.
- 1.3 The Cabinet noted the properties proposed for addition to the Register of Buildings of Special Local Interest and supported these additions to the Register, and recommended submission to Council for approval.

2. Statement of Reasons:

- 2.1 The report set out the results of the consultation on the proposed new conservation area at Drayton Bassett and requested Cabinet's approval of the designation of this new conservation area; requested Cabinet's approval of the final appraisal and management plan; and requested Cabinet's approval for the proposed additions to the Register of Buildings of Special Local Interest for submission to Full Council for formal ratification.

3. Any Alternative Options:

- 3.1 The alternative option is not to designate the conservation area. This would not allow the local planning authority to seek to preserve or enhance the special character and appearance of the area when considering planning applications.

DECISION STATEMENT REGARDING FRADLEY NEIGHBOURHOOD PLAN PROCEEDING TO REFERENDUM

1. Decision:

- 1.2 The Cabinet accepted and agreed to the making of modifications as set out in the 'Decision Statement regarding Fradley Neighbourhood Plan proceeding to referendum' hereby referred to as the Decision Statement. This will enable the Plan to be proceed to the referendum stage.
- 2.2 The Cabinet approved the publication of the Decision Statement for the Fradley neighbourhood plan.

2. Statement of Reasons:

- 2.1 The report relates to the preparation of a Neighbourhood Plan covering Fradley which has recently been the subject of formal examination by an Independent examiner.
- 2.2 The examiner of the Fradley neighbourhood plan is recommending that subject to a number of modifications being made to the plan that it can proceed to referendum. The District Council now has to consider the examiner's report and recommendations and if it so wishes resolve to progress the Fradley Neighbourhood Plan to referendum by way of issuing a Decision Statement.

3. Any Alternative Options:

- 3.1 Lichfield District Council declines to send the Fradley Neighbourhood Plans to referendum. This would mean the Neighbourhood Plan would retreat to an earlier stage of development.
- 3.2 The Qualifying Body withdraws the Neighbourhood Plan prior to Lichfield District Council making a formal decision as outlined within the Decision Statement. Again this would mean the Neighbourhood Plan would retreat to an earlier stage of development.