

CABINET

12 FEBRUARY 2019

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ADOPTION OF REVISED CCTV CODE OF PRACTICE

1. Decision:

1.1 The Cabinet approved the CCTV Code of Practice.

2. Statement of Reasons:

2.1 The Council operates a number of CCTV systems including the Public Static Scheme run in partnership with the Three Spires Shopping Centre, fixed systems at the council house and the depot, the waste and streetscene fleet system, cameras worn by environmental health officers, and fly-tipping surveillance cameras.

2.2 In operating these systems, the council is required to observe the Government's Surveillance Camera Code of Practice which provides guidance on the appropriate use of cameras.

2.3 To demonstrate compliance, Cabinet approved its own Code of Practice in March 2017 which described why and how it uses CCTV systems.

2.4 The Code of Practice has been reviewed – and redrafted - to ensure that it allows the council to implement the Joint Waste Service's Improvement Plan and this report seeks Cabinet approval to re-adopt the Code.

2.5 The revised Code of Practice 2019 is attached at Appendix A of the Cabinet report.

2.6 Revisions have been included to allow the following:

- To describe additional purposes for having a CCTV system on its waste fleet. These additional purposes will allow footage to be used to help enhance customer care and to investigate service complaints; to help improve productivity; and for training purposes;
- To make it easier to request viewings;
- To update job titles;
- Removal of reference to systems in leisure centres and in Beacon Park;
- To clarify meaning and remove duplication and contradiction;
- To correct grammatical and other errors.

3. Any Alternative Options:

3.1 The council is expected to have a Code of Practice for the operation of its CCTV systems but the Code could be drafted in a number of ways.

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

1. Decision:

The Cabinet:

- 1.1 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
- 1.2 Approved an update to the Capital Programme expenditure budget for Disabled Facilities Grants in 2018/19 to £1,193,000, funded by £22,000 of council resources, £100,000 from Housing Grant Monies, £906,000 of Better Care Fund (BCF) and £165,000 of MHCLG Grant.
- 1.3 Delegated to the Cabinet Member for Finance and Democratic Services and the Cabinet Member for Regulatory Services, Housing & Wellbeing to update the Capital Programme expenditure budget for Disabled Facilities Grants to reflect any further receipt of external grant.
- 1.4 Approved an update to the Capital Programme expenditure budget for City Centre Strategy and Interpretation in 2018/19 to £23,500, funded by £1,000 of council resources, £1,500 of Section 106, £7,000 from city centre sinking fund and £14,000 contribution from Lichfield City Council.
- 1.5 Noted the successful net claim for repayment of leisure VAT of (£896,940) for the Council from HMRC with this sum recommended to be transferred to an earmarked reserve pending a decision on its use.

2. Statement of Reasons:

- 2.1 The Cabinet report covers the financial performance from April to November (eight Months) for 2018/19.
- 2.2 At the eight month stage it is projected that a contribution of £642,570 will be made to general reserves.
- 2.3 The Capital Programme is projected to be below budget by (£3,670,000) resulting in profiling updates.
- 2.4 Capital receipts are projected to be (£347,000) compared to the Approved Budget of (£482,000).
- 2.5 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 76.08% and this is consistent with previous years.

- There is a projected surplus for Council Tax and the Council's share of (£29,490) with (£29,000) included in the draft 2019/20 budget.
- Income raised has increased by £976,027 due to the issue of a high value invoice for Disabled Facilities Grants during November 2018 in addition to CIL and Section 106 as development triggers are reached.
- Invoices outstanding have increased by £389,244 mainly due to CIL and Section 106 due as development triggers are reached.
- The Council is projected to be paying gross Business Rate levy (including the volatility allowance) of £1,733,000 to the GBS pool and will receive (£422,000) of returned levy. Therefore the projected 'net levy allowance' is £1,311,000.
- Retained Business Rate Income is currently projected to be (£3,082,000) compared to the Approved Budget of (£2,732,000), an increase of (£350,000). This is because a volatility allowance to manage inherent risks such as higher levy or lower Section 31 grants is included in the budget. Projections indicate that a significant element of this allowance will not be required in 2018/19.
- The Council's collection performance on Business Rates based on debt covering all years is 72.08%. 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. The impact on performance will be resolved by March.
- There is a projected surplus for Business Rates and the Council's share of (£212,700) with (£213,000) included in the draft 2019/20 budget.
- The payment of suppliers within 30 days in 2018/19 is 81.93% and this is consistent with previous years.

2.6 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:

3.0 There were no alternative options

MEDIUM TERM FINANCIAL STRATEGY (REVENUE AND CAPITAL) 2018-23

1. Decision:

Cabinet recommended to Council for approval:

- 1.1 The 2019/20 Revenue Budget, including the Amount to be met from Government Grants and Local Taxpayers of £11,371,400 and a proposed level of Council Tax (the District Council element) for 2019/20 of £175.07 (an increase of £5.08 or 2.99%) for a Band D equivalent property.
- 1.2 The Medium Term Financial Strategy 2018-23 (MTFS 2018-23) Revenue Budgets set out in Appendix A of the report including the results of the Budget Consultation.
- 1.3 The MTFS 2018-23 Capital Strategy and Capital Programme (appendices B & C of the report).
- 1.4 The Minimum Revenue Provision Statement 2019/20, at Appendix D of the report, which sets out the Council's policy of using the asset life method as the basis for making prudent provision for debt redemption.
- 1.5 Treasury Management Strategy Statement for 2019/20 including proposed changes (Appendix E of the report).
- 1.6 The Investment Strategy Report (Appendix F of the report) including the proposed limits for 2019/20.
- 1.7 The Capital and Treasury Prudential Indicators for 2018-23 in the financial implications section of the report.
- 1.8 The Authorised Limit Prudential Indicator shown within the financial implications section of the report.
- 1.9 The requirements and duties that the Local Government Act 2003 places on the Authority on how it sets and monitors its Budgets, including the CFO's report on the robustness of the Budget and adequacy of Reserves shown in Appendix G of the report.

2. Statement of Reasons:

The Medium Term Financial Strategy (MTFS)

- 2.1 The ability to deliver the outcomes set out in the Lichfield District Council Strategic Plan 2016-20 and beyond is dependent on the resources available in the MTFS.
- 2.2 The Council has a statutory duty to set a balanced budget and to calculate the level of Council Tax for its area. The Chief Financial Officer (CFO) has a statutory duty to ensure the figures provided for estimating and financial planning are robust and will stand up to Audit scrutiny.

- 2.3 The Local Government Act 2003 places duties and requirements on the Authority on how it sets and monitors its budgets, including the CFO's report on the Robustness of the Budget and adequacy of Reserves and this report forms part of the MTFS.

The Revenue Budget

- 2.4 The Revenue Budget with a transfer to general reserves in 2019/20 and Funding Gaps (shown in red in the graph below) in later years is shown in detail at APPENDIX A of the Cabinet report.
- 2.5 The Council is legally required to balance the budget in the first year (2019/20) of the MTFS and to set out its proposals to balance the further financial years - 2020/21, 2021/22 and 2022/23.
- 2.6 The MTFS proposes a transfer to General Reserves of £38,860 plus £110,000 of New Homes Bonus in excess of the 'cap' for 2019/20 and in later years a projected Funding Gap has been identified. The Council would have £3,880,710 of general reserves available (after taking account of the Minimum Level of Reserves) after this contribution to assist with balancing the budget in future years, if needed.
- 2.7 The Council will need to make savings or achieve additional income to close the Funding Gap by 2022/23.

Treasury Management, the Capital Strategy and the Capital Programme

- 2.8 The Treasury Management Strategy Statement incorporates the Annual Investment Strategy and it covers the financing and investment strategy for the forthcoming financial year.
- 2.9 The purpose of the Cabinet report is, therefore, to review:
- The Capital Strategy and Capital Programme, outlined in APPENDICES B & C of the Cabinet report.
 - Minimum Revenue Provision Statement 2019/20 (APPENDIX D of the report).
 - Treasury Management Strategy Statement for 2019/20 (APPENDIX E of the report).
 - Treasury Investments and their Limits (APPENDIX E of the report).
 - The Investment Strategy Report for 2019/20 (APPENDIX F of the report) as required under Statutory Guidance in January 2018.
 - The Capital and Treasury Prudential Indicators 2018-23 in the financial implications section.
- 2.10 All treasury activity will comply with relevant statute, guidance and accounting standards.

The CFO's Report on the Robustness of the Budget and the Adequacy of Reserves

- 2.11 In accordance with the Local Government Act 2003 (Sections 25-27) and to comply with CIPFA Guidance on Local Authority Reserves and Balances, the CFO is required to formally report to Members on the robustness of the Budget and the adequacy of Reserves (APPENDIX G of the report).

3. Any Alternative Options:

- 3.0 There were no alternative options.

FRADLEY NEIGHBOURHOOD PLAN FINAL DECISION STATEMENT

1. Decision:

The Cabinet:

- 1.1 Noted the results of the referendum for the Fradley Neighbourhood Plan.
- 1.2 Agreed to the making of the Fradley Neighbourhood Plan and that this decision be reported to Full Council.

2. Statement of Reasons:

- 2.1 The Cabinet report related to the preparation of a Neighbourhood Plan covering Fradley which had recently been subject to referendum. The Fradley Neighbourhood Plan received a majority Yes vote at its referendum held on 31 January 2019.
- 2.2 The District Council now has to formally 'make' the Fradley Neighbourhood Plan, following which it will form a part of the Development Plan in Lichfield District.

3. Any Alternative Options:

- 3.1 The Lichfield District Council refuses to make the Neighbourhood Plan. The Council can only do this if it considers this would breach, or be incompatible with any EU Obligation or any of the Convention Rights.
- 3.2 Following the making of the Neighbourhood Plan, Lichfield District Council can decide to modify or revoke the Neighbourhood Plan, in line with the Regulations.

(COUNCILLOR WILCOX DECLARED AN INTEREST IN THIS ITEM AS A MEMBER OF FRADLEY AND STREETHAY PARISH COUNCIL)

(COUNCILLOR LEYTHAM DECLARED AN INTEREST IN THIS ITEM AS A RESIDENT OF FRADLEY)

TRANSFER OF PUBLIC OPEN SPACE TO ARMITAGE WITH HANDSACRE PARISH COUNCIL

1. Decision:

The Cabinet

- 1.1 Agreed to the transfer of District Council assets in the Parish of Armitage with Handsacre to the parish council.
- 1.2 Agreed that covenants are placed on the land to protect the council's financial position from future sale and or development of the sites, in particular where an asset has a potential capital receipt value.
- 1.3 Agreed that the S106 Agreement Commuted Sum of £185,913 and all its obligations for its intended use of the management and maintenance of Hawksyard play area, be transferred to the parish council.
- 1.4 Acknowledged that a license to operate at the war memorial car park has been granted to support the parish council's ambitions of improvement works to the War Memorial.

2. Statement of Reasons:

- 2.1 Lichfield District Council owns and manages several small areas of open space within the parish of Armitage with Handsacre.
- 2.2 Armitage with Handsacre Parish council also own and manage open space within its parish.
- 2.3 It would make sense to consolidate the management and ownership and an opportunity has now been presented on the basis that the parish council has indicated that it would prefer to be in control of local assets for its local community. This supports the principle of devolvement, community ownership and is an approach that has been successfully developed previously by LDC with Chasewater to Staffordshire County Council, POS in Whittington to the parish council and POS at Gentleshaw to Longdon PC.

3. Any Alternative Options:

- 3.1 There are a number of options that have been considered.
- 3.2 The council could retain all or some of these sites but that would be contrary to the Fit for the Future Review's objectives for reducing the size of the estate.
- 3.3 The council could seek to remove the protection that these sites enjoy and promote them for development. Enquiries have been made of all of these sites and they are protected by designations like Green Belt, planning obligations, covenants, or are popular and valued open spaces where there is a requirement for good quality parks.

3.4 The council could seek to sell these sites to 3rd parties for a capital receipt but a sale is unlikely given their restrictions.