

CABINET

3 DECEMBER 2024

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GREENWAY PROJECT

1. Decision:

The Cabinet:

- 1.1. Noted the progress made to-date.
- 1.2. Supported the continuation of works to both clear the route and the identification and mitigation of risks.

2. Statement of Reasons:

The report provides an update on progress to open up a wild Greenway along a disused rail track connecting Lichfield to Chasewater linking in the villages of Hammerwich and Wall.

A 50-year lease has been provided by Network Rail on a take it or leave it basis which is the standard approach by Network Rail for any 3rd parties wanting to adopt or work on part of their asset.

The lease will include a requirement for the adoption of the full asset that includes bridges, embankments, structures (fences, barriers etc), cuttings, buildings, culverts, trees and sidings together with any associated risks.

Preparation work (vegetation clearance) is underway to make the route accessible should the council wish to adopt the route.

The council has engaged with 'Back the Track,' a volunteer group to undertake preparation works to make the route accessible. They have made great progress since they started on site in December 2023. The ambition is that LDC can 'step out of the way' and enable community groups such as Back the Track to take on as much of the ongoing management of the route as possible.

3. Any Alternative Options:

The council could choose to not sign the lease with Network Rail and not adopt the route for the benefit of its residents.

Network Rail will not allow public access without a lease being in place.

LICHFIELD DISTRICT 2050 STRATEGY Q2 PERFORMANCE REPORT

1. Decision:

The Cabinet:

- 1.1. Discussed and approved the Q2 Year 1 Delivery Plan outturn of the Lichfield District 2050 Strategy and Q2 2024/25 Key performance indicators (KPI's) report as set out in Appendix A and Appendix B of the Cabinet report.
- 1.1. Noted the most recent position of 'off track' Delivery Plan actions and KPIs at 20 November 2024 as set out in Appendix C of the Cabinet report.
- 1.3 Approved the changes to Delivery Plan actions as set out in paragraphs 3.14 and 3.15 of the Cabinet report.

2. Statement of Reasons:

The report provides a six month performance update on the Lichfield District 2050 Year 1 (2024/25) Delivery Plan and our performance against our corporate key performance indicators (KPIs). It provides a snapshot of performance at the end of September 2024.

In the Year 1 Delivery Plan, (89%) are either 'on track' or have been completed. 64% of our corporate KPIs are, as at quarter 2 'on track' to meet their 2024/25 targets.

3. Any Alternative Options:

Cabinet can choose to approve a different approach to performance reporting, however this would delay approval and adoption.

MINI NATURE RESERVES

1. Decision:

The Cabinet:

- 1.1. Agreed in principle two, forty-year, arrangements (leases or management agreements) on sections of Beacon Park and Redwood Park, for the delivery of biodiversity enhancement works.
- 1.2. Delegated the final decision to the Cabinet Member for Operational Services, Parks & Waste in consultation with the Director for Resident and Business Services and Monitoring Officer following the relevant consultation process and consideration of any objections.
 - In the event that the arrangements are leases, authority be delegated to the Cabinet Member for Operational Services, Parks & Waste and Cabinet Member for Visitor Economy, Ecology & Climate Change in consultation with the Director for Resident and Business Services to agree the content subject to any financial implications being funded from Approved Budgets.

2. Statement of Reasons:

The report proposes the introduction of two mini nature reserves in our district, hopefully the first of several that we will seek to introduce over the coming years. It is proposed the two mini nature reserves be established in Beacon Park, Lichfield, and in Redwood Park, Burntwood.

There are a number of reasons for the proposal:

- a) To enhance biodiversity and residents' access to more natural spaces, in line with the objectives of our Lichfield District 2050 Strategy.
- b) To offset / replace biodiversity lost as a result of housing growth and development in the district.
- c) To enable income to be generated through a new Ecology Brokerage service established in the council's wholly owned company, LWMTS Limited (known as LWM) that will be reinvested to fund site specific long-term maintenance and other Council priorities in line with our Lichfield District 2050 Strategy.

LWM will be given the responsibility to establish and provide long-term maintenance such as weeding, litter picking and any remedial works for the two mini nature reserves. The company will also work with developers, developing the habitats to give biodiversity benefits to compensate for losses on development sites, ensuring that when a development damages nature (and this damage cannot be avoided or mitigated) new nature sites will be created.

The council will either enter into a management agreement or, if that is not possible, lease the land to LWM, over a 40-year period as required to fully implement the mini nature reserves' Habitat Management and Monitoring Plan (HMMP).

The council will retain an important role in the long-term management of the areas; as the HMMP requires regular (annually at first, then every 5 years) monitoring reports to be submitted to the council as the enforcement body. The council will be able to review these monitoring reports,

delivery against the plan, and the company will need to agree any remedial works required to bring the plan back on track.

3. Any Alternative Options:

Do nothing. This will result in the council not achieving the ambitions set out in Lichfield District 2050, and potentially an overall loss of biodiversity in the district as a result of development.

MONEY MATTERS 2024/25

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.

2. Statement of Reasons:

The report covers the financial performance from April to June (Quarter Two) for 2024/25.

The Medium Term Financial Strategy projected general reserves at 31 March 2025 would be £5,835,224. At this stage, general reserves are forecast to be £5,690,575, a decrease of (£144,649) related to:

- A lower than budgeted contribution in 2023/24 of (£34,969).
- Projected use in 2024/25 of (£109,680) as summarised in APPENDIX A of the Cabinet report. This is the same projected level as the 3 month projection.

Leisure centre expenditure and income is projected to be (£31,470) lower than the budget and the additional income will be retained in the reserve for future use.

At the six month's stage, there are no significant financial risks that need to be highlighted to the Council as shareholder in relation to LWMTS financial performance.

The Capital Programme is projected to be £19,633,000 which is £650,000 more than the Approved Budget due to updated profiling of expenditure being provided for several key projects.

Capital Receipts are projected to be (£1,288,000) which is higher than the approved budget of (£1,196,000). This is due to an estimate that has been provided for Right To Buy Sales this year.

In terms of Council Tax, Business Rates, Sundry Debtors and Supplier Performance:

- Council Tax collection in year performance was 56.40% (56.60% in 2023/24) and total arrears were £5,160,487 and the Council's share is £606,165 (£4,876,570 and £572,815 in 2023/24).
- The Council Tax Collection Fund is projected to be in surplus, with the Council's c12% share being (£1,370) compared to the Approved Budget of £0. This higher income of (£1,370) will be included in the 2025/26 budget.
- Housing Supply - there have been 212 new Council Tax properties (228 Band Ds) compared to the Budget of 419 (419 Band Ds). There were 493 new properties (516 Band Ds) in scope for New Homes Bonus compared to the Budget of 419 (417 Band Ds). There was an increase of 13 Band D equivalent long term empty properties compared to the Budget of 0. There have been 147 affordable homes delivered compared to the Budget of 84.
- Sundry Debt - income to be collected in 2024/25 has increased by £1,472,736 or 48% compared to 2023/24 due to a large invoice of £1.2m being raised to Staffordshire CC, and the value outstanding at 30 September 2024 has increased by £1,250,821 or 53% for the same reason.
- Business Rates collection in year performance was 57.80% (58.60% in 2023/24) and total arrears were £862,447 and the Council's share is £344,979 (£795,645 and £318,258 in 2023/24).

- The Business Rates Collection Fund is projected to be in surplus, with the Council's 40% share being (£1,547,950) compared to the Approved Budget of £0. This additional income of (£1,547,950) will be included in the 2025/26 budget. Council on 14 May 2024 committed £888,000 of the Council's share of this projected surplus from 2023/24 to funding the additional costs of the leisure centre.
- Retained Business Rate Income is projected to be (£3,771,000) in line with the Approved Budget.
- The payment of suppliers within 30 days was 93.40%, which is above our 90% target.

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

3. Any Alternative Options:

These are considered as part of the ongoing development of the Strategic Plan and the Medium Term Financial Strategy.

CALCULATION OF BUSINESS RATES 2025/26

1. Decision:

The Cabinet:

- 1.1. Approved in accordance with the relevant legislation and regulations, the Council Taxbase (Band D residential properties) for Lichfield District for the financial year 2025/26 of 41,522.7.
- 1.2. Noted the estimated Council Tax Collection Fund Surplus of (£11,780) (LDC Share £1,370) and the estimated Business Rates Collection Fund Surplus of (£3,869,880) (LDC Share £1,547,950) for 2024/25.
- 1.3. Delegated authority to the Cabinet Member for Finance & Commissioning and the Chief Financial Officer (Section 151) to:
 - Complete and certify the NNDR1 for 2025/26 on behalf of the Council.
 - Update the Council Taxbase for 2025/26 and Collection Fund projections for 2024/25 in the event of changes to guidance or the need for significant changes to underlying assumptions.

2. Statement of Reasons:

To approve 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.

The timetable for MTFS development is summarised at paragraph 1.2 of the Cabinet report.

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 2024/25 the relevant date will be 15 January 2024.
- 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 for 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 & Commissioning and the Chief Financial Officer is recommended.

A further report on the introduction of the 2nd homes premium and the empty homes premium will be provided to Cabinet on 14 January 2025.

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.

LICHFIELD DISTRICT DESIGN CODE SUPPLEMENTARY PLANNING DOCUMENT

1. Decision:

The Cabinet:

- 1.1. Recommend to Full Council the adoption of the Lichfield District Design Code SPD at Appendix A of the Cabinet report.
- 1.2. Noted the response to consultation responses and officer comments and approve the Consultation Statement (Appendix B of the Cabinet report) and Adoption Statement (Appendix C of the Cabinet report) for publication.
- 1.3. Approved to delegate authority to the Cabinet Member for Housing & Local Plan, in consultation with the Policy & Strategy Manager to make any minor typographical and visual amendments to the SPD ahead of adoption, and once adopted make minor non-material changes to the SPD.

2. Statement of Reasons:

We have been working with consultants BDP to develop a district wide Design Code to provide guidance on new development across the district. The Design Code is a tool that will provide clear rules for new development to adhere to, including building heights, conservation, and sustainability, among other topics. Following significant stakeholder engagement throughout 2023 and formal consultation earlier this year, the final version of the Lichfield District Design Code Supplementary Planning Document (SPD) (Appendix A of the Cabinet report) has now been prepared.

The draft Design Code was the subject of a six-week public consultation between 22 April and 3 June 2024. A schedule of the representations received and the Officer responses to these, including any amendments which have made are set out within the Consultation Statement at Appendix B of the Cabinet report. The report seeks approval for the adoption of the amended Lichfield District Design Code SPD attached at Appendix A of the Cabinet report.

3. Any Alternative Options:

Cabinet does not recommend that the Lichfield District Design Code SPD is adopted. This would result in the document remaining at a draft stage and could not be used by the council when determining planning applications.

Cabinet recommends further amendments to the SPD. Should any amendments be proposed, the Council may be required to undertake further formal consultation on the draft document prior to it being reported for adoption.

