

Present: Councillor Ric Metcalfe (*in the Chair*),
Councillor Donald Nannestad, Councillor Rosanne Kirk,
Councillor Neil Murray, Councillor Fay Smith and
Councillor Peter West

Apologies for Absence: None.

107. Confirmation of Minutes - 14 December 2015

RESOLVED that the minutes of the meeting held on 14 December 2015 be confirmed.

108. Declarations of Interest

Councillor Donald Nannestad declared a Disclosable Pecuniary Interest with regard to the agenda item titled 'Allotments - Application to Department for Communities and Local Government'. He was the tenant of an allotment site and thereby had a disclosable pecuniary interest. He therefore left the room during the consideration of this item.

109. Change to the Order of Business

RESOLVED that the order of business be amended to consider the item titled 'Allotments - Application to Department for Communities and Local Government' as the next item.

110. Allotments - Application to Department for Communities and Local Government

Purpose of Report

1. To consider the details of an application to the Department of Communities and Local Government (DCLG) for the de-statutorisation of the Ermine Allotment site.
2. To consult on, consider, and agree which parcel(s) of land would be included in the application as replacement land for the lost allotment provision resulting from the 'disposal'.

Decision

1. That the principle of replacing the Ermine allotment site following any sale on a like-for-like basis in terms of size be confirmed.
2. That, following the determination of the proposals regarding the Birchwood Big Local project, any requirements in respect of proposed changes of land use be referred back to the Executive for consideration.

Alternative Options Considered and Rejected

None.

Reason for Decision

On 13 July 2015, the Executive agreed to pursue an application to the Department for Communities and Local Government (DCLG) to de-statutorise the Ermine allotment site. Any de-statutorisation was likely to be dependent upon the provision of alternative allotment sites equivalent in size to the de-statutorised area. As such, members committed the Council to the principle that the total amount of allotment land lost through any sale of the Ermine allotment site would be met through the allocation of land of equivalent size elsewhere. A number of suitable sites were available and these would be selected having particular regard to factors including:

- The number of allotment sites extant in different parts of the city and the demand for additional space in those areas.
- The ownership of the land and the likely cost to the Council of acquiring the land for Council use.
- The alternative uses available for any of the alternative land.

The ultimate decision regarding the allocation of land would be dependent on a separate decision to be taken by the Executive regarding the Birchwood Big Local project. The Birchwood Big Local project had developed plans to re-develop an area of Council land on Melbourne Road into a multi-use community park. These plans included allotment gardens as well as 'community gardening space'. If this were approved by the Executive, it was intended to provide the Council with an area of approximately 0.48 hectares to be identified as statutory allotment land. However, if these plans were not approved it would be possible to use an increased amount of land at the site.

111. Council Tax Base 2016/17

Purpose of Report

To seek members' recommendation of the Council Tax Base for the financial year 2016/17.

Decision

That Council be recommended to

1. Note that there were no special items as defined in Section 35 of the Local Government Finance Act 1992 applicable to any part or parts of the City of Lincoln's local authority area.
2. Approve the Director of Resources' calculation of the Council Tax Base for the financial year commencing on 1 April 2016 and ending on 31 March 2017.
3. Approve, in accordance with the Director of Resources' calculation and pursuant to the Local Authorities (Calculation of Council Tax Base) Regulations 1992, that the Council Tax Base for the 2016/17 financial year be 23,244.

Alternative Options Considered and Rejected

None.

Reason for Decision

The Local Government Finance Act 1992 and Local Authorities (Calculation of Council Tax Base) Regulations 1992 required the Council to formally set its Tax Base as the first stage of the Council Tax setting process.

The calculation of the Council Tax base, as detailed in Appendix B to the report provided, showed the number of Band D equivalent chargeable dwellings as being 23,244. This was based on the Regulations outlined and assumed that 98.25% of the Council Tax due for 2016/2017 would be collected. This was therefore recommended to Council for approval.

112. Collection Fund Surplus or Deficit – Council Tax

Purpose of Report

To inform members of the estimated balance for the Council Tax element of the Collection Fund and the surplus or deficit to be declared for 2015/16.

Decision

That the action of the Assistant Director of Resources (Business Development & Finance) in declaring a Council Tax surplus of £879,300 be confirmed.

Alternative Options Considered and Rejected

None.

Reason for Decision

The Council was required to declare any surplus or deficit during January of each financial year and, once approved, had an obligation to notify its major precepting authorities of their share of the estimated surplus or deficit. The Council would declare a surplus on Council Tax of £879,300 for the financial year 2015/16. A report on the estimated balance on the Collection Fund for National Non-Domestic Rates (NNDR) would be reported to the Executive on 25 January 2016 alongside the estimated NNDR base ahead of the submission of the NNDR 1 return by 31 January 2016.

113. Localised Council Tax Support Scheme 2016/17

Purpose of Report

For Executive to review consultation responses and consider City of Lincoln Council's proposed Localised Council Tax Support scheme for 2016/17, and refer to Full Council for approval.

Decision

That Council be recommended to:

1. Review consultation responses relating to the Localised Council Tax Support scheme for 2016/17.

2. Approve the proposed City of Lincoln Council's Localised Council Tax Support scheme for 2016/17.
3. Approve continuation of an Exceptional Hardship Fund of £10,000 for 2016/17 to top-up Council Tax Support awards in appropriate cases.

Alternative Options Considered and Rejected

None.

Reason for Decision

Every billing authority had to consider whether it would revise its Council Tax Support scheme each year by 31 January. The Council therefore had to decide whether it wished to amend any elements of its scheme. In previous years the Council adopted a scheme that did not change entitlement rules from the previous Council Tax Benefit system.

Any alternative schemes would require significant changes, which would impact on all groups, including those with lower incomes such as working age groups out of work and those in receipt of Jobseekers' Allowance or income support. In view of the Council's strategic priority to reduce poverty and disadvantage, it was to be recommended that no changes be made to the core elements of the scheme for 2016/17. While members noted the objections of the other precepting authorities, the Executive concluded that it appeared unlikely that changes to the scheme to limit the support currently available would either act as an incentive to work or would be affordable for vulnerable people.

The decision to maintain the amount available in the hardship fund was taken as a result of the high demand for support in the current financial year.

114. Council Tax Section 13A Policy

Purpose of Report

For Executive to consider a Council Tax policy for Section 13A Relief, and refer to Full Council for approval.

Decision

That Council be recommended to approve a Council Tax policy for Section 13A Relief.

Alternative Options Considered and Rejected

None.

Reason for Decision

Section 13A of the Local Government Finance Act 1992, provided the Council with discretionary powers to reduce council tax liability where statutory discounts, exemptions and reductions did not apply. These discretionary awards could be given to:

- Individual Council Tax payers;

- Groups of Council Tax payers defined by a common set of circumstances;
- Council Tax payers within a defined area; or
- To all Council Tax payers within the Council's area.

The proposed policy set out how the Council would administer applications under these discretionary powers. Members recommended that Council approve the policy in order to ensure scope was afforded to apply awards to Council Tax payers on a discretionary basis.

115. Review of Fraud Sanction Policy

Purpose of Report

For Executive to consider and approve a revised Fraud Sanction Policy, in respect of the shared Revenues and Benefits service between City of Lincoln Council and North Kesteven District Council.

Decision

That the Fraud Sanction Policy be approved.

Alternative Options Considered and Rejected

None.

Reason for Decision

A Fraud Sanction Policy was in place affecting both of the councils within the shared revenues and benefits service. On 1 October 2014, responsibility for investigation of Housing Benefit fraud in respect of City of Lincoln and North Kesteven had transferred to the Single Fraud Investigation Service (SFIS) under the Department for Work and Pensions. However, numerous functions remained with the local authorities, including;

- the provision of data to SFIS
- consideration of Administrative Penalties
- investigation of Council Tax Support fraud

Noting that no objections to the proposed policy had been raised by the Policy Scrutiny Committee, revisions to the Fraud Sanction Policy were approved to reflect work now being undertaken by SFIS and the different levels of overpayment value being considered for prosecution.

116. Advertising Policy

Purpose of Report

To seek approval from the Committee on the Advertising Policy.

Decision

That the Advertising Policy be approved.

Alternative Options Considered and Rejected

None.

Reason for Decision

The Council welcomed the opportunity to publicise information and products that could be of interest to its residents. As more opportunities arose to benefit from advertising revenue, the policy summarised what was suitable in terms of advertising and outlined the processes that needed to take place before any form of advertising could be accepted. Noting the overall endorsement of the Policy Scrutiny Committee, the policy was approved.

117. ICT Structure

Purpose of Report

To propose a change to the ICT team structure.

Decision

That the revised structure of the ICT Team be approved.

Alternative Options Considered and Rejected

None.

Reason for Decision

The ICT Team had been unable to recruit a suitable apprentice officer to the team, causing resourcing issues. It had therefore been proposed that the apprentice post be made into a permanent post at a cost of £3,830 per annum rising to £5,300 over five years. This could be funded from existing budgets.

Members noted the efforts undertaken by officers to appoint an apprentice to the post, which, having failed, had left the service lacking in suitable support. The proposals had also been considered and endorsed by the City of Lincoln Council and Employee Joint Consultative Committee. As such, the relevant apprentice post would be changed into a post for a full-time officer in order to ensure the service was appropriately staffed.

118. Proposed Amendment to the Lincoln Tenants' Panel Constitution

Purpose of Report

To seek approval from the Executive to make changes to the Lincoln Tenants' Panel constitution.

Decision

That the proposed amendments to the Lincoln Tenants' Panel constitution be approved.

Alternative Options Considered and Rejected

None.

Reason for Decision

The Lincoln Tenants' Panel's (LTP) constitution was reviewed on an annual basis to establish whether any changes needed to be made. Following this review, a number of changes had been approved for the consideration of the Executive.

The proposed changes included parts of the code of conduct applying to outside meetings, the option to withdraw resignations within a specified timescale and a requirement for LTP members to serve a continuous period of 12 months before being eligible to stand for the position of chair or vice-chair. Noting that the proposals had the support of the LTP and that the changes did not appear to undermine its fundamental purpose, the changes were approved.

119. Exclusion of the Press and Public

RESOLVED that the press and public be excluded from the meeting during consideration of the following items of business because it was likely that if members of the public were present there would be a disclosure to them of 'exempt information' as defined by Section 100I and Schedule 12A to the Local Government Act 1972.

Management Structure. This item was considered in private as it was likely to disclose exempt information, as defined in Schedule 12A of the Local Government Act 1972. No representations had been received in relation to the proposals to consider this item in private.

120. Management Structure

Purpose of Report

To present a management re-structure for consideration and approval.

Decision

That the proposed revisions to the management structure be approved.

Alternative Options Considered and Rejected

None.

Reason for Decision

Proposed changes to the management structure of the Council had been issued to staff and trade unions for a consultation, which concluded on 13 November 2015. The proposed changes sought to meet the following objectives:

- To address weaknesses in the previous structure;
- To resource the delivery of the Council's priorities;
- To be flexible and focussed on realising the Council's vision and serving the public;
- To minimise changes to achieve some stability;
- To make some savings for investment in priorities and to the savings target, albeit without the generation of savings being a determinant factor.

Following the receipt of consultation responses, a revised proposal had been developed which aimed to address some of the comments received from those affected by the re-structure while still meeting the set objectives for the review.

Members noted that the re-structure had been endorsed by the City of Lincoln Council and Employee Joint Consultative Committee. Having considered the value of the set objectives for the re-structure, with particular regard to the focus upon the delivery of the Council's objectives and the releasing of funds to support key projects, training and development, the revised management structure was approved. However, it was further noted that the level of savings which would be required in the coming years would make a further review of the management structure necessary after a period of 12-18 months.