

Present: Councillor Ric Metcalfe (*in the Chair*),
Councillor Chris Burke, Councillor Sue Burke, Councillor
Bob Bushell and Councillor Neil Murray

Apologies for Absence: Councillor Donald Nannestad

63. Confirmation of Minutes -13 December 2021

RESOLVED that the minutes of the meeting held on 13 December 2021 be confirmed.

64. Declarations of Interest

No declarations of interest were received.

65. Transfer of Land at Jasmin Green to Birchwood Area Community Land Trust

Purpose of Report

The report provided the Executive with an update on the position with the Jasmin Green land transfer and housing project last considered by Executive in October 2019.

Decision

- (1) That, subject to the revision set out in (2), the decisions by the Executive in July 2017 and in October 2019 to support in principle the transfer of land to Birchwood Area Community Land Trust be reaffirmed.
- (2) That the area of land to be transferred on a freehold interest to Birchwood Area Community Land Trust be revised to that set out in Appendix 3 to the report, at the nominal value of £1.
- (3) That the intended disposal at an undervalue, set out in (2) above, would help to secure the promotion or improvement of the economic, social, or environmental wellbeing of the area.
- (4) That decisions on the final terms and details of the transfer of the land, including any nomination rights to the new affordable housing, be delegated to the Director of Housing and Investment, in consultation with the Portfolio Holder for Quality Housing, the Monitoring Officer, and the Section 151 Officer, subject to the provision of the business case and a successful bid for funding, with the agreement being conditional upon the provision, by Birchwood Area Community Land Trust, of a viable business case which included all known development costs and a successful bid to Homes England to support the housing development.
- (5) That the Executive agree, ahead of any transfer, to give notice of intention to dispose of public open space as per section 6.4 above and report back any objections raised for consideration.

Alternative Options Considered and Rejected

None.

Reasons for the Decision

There had been several reports to the Executive on the potential transfer of a significant piece of housing revenue account land at Jasmin Green in the Birchwood area to the Birchwood Area Community Land Trust, which had originally been established with the intention of developing play and recreation facilities for young people in the area.

The basic concept would see the development of community affordable housing on a proportion of the site to be transferred. Income from which would fund the ongoing maintenance, in perpetuity of recreation and play facilities adjacent to the housing. These would mainly take the form of a skate park the capital costs of which would be funded by Birchwood Big Local.

To protect the Council's long-term position and the public purse, the Council had been seeking a definitive business plan/proposal that would demonstrate that a viable development could be delivered, which would complement the Council's existing vision and strategies and in turn meet the stated outcomes of Birchwood Area Community Land Trust.

66. Exclusion of the Press and Public

RESOLVED that the press and public be excluded from the meeting during consideration of Minute 67 only 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.

No representations had been received in relation to the proposal to consider this item in private.

67. Transfer of Land at Jasmin Green to Birchwood Area Community Land Trust

Purpose of Report

As detailed in the exempt report to the Executive.

Decision

That the recommendations to the Executive, as set out in the exempt report, be approved.

Alternative Options Considered and Rejected

As detailed in the exempt report to the Executive.

Reasons for the Decision

As detailed in the exempt report to the Executive.

NOTE: At this point in the proceedings, the Executive resolved to move back into Part A – open forum.

68. Council Tax Base 2022-2023

Purpose of Report

To seek the Executive's recommendation to the City Council of the Council Tax Base for the financial year 2022/23.

Decision

That it be recommended to the City of Lincoln Council that:

- a) it be noted that there were no special items as defined in Section 35 of the Local Government Finance Act 1992 (as amended) applicable to any part or parts of the City of Lincoln local authority area;
- b) the Chief Finance Officer's calculation of the Council Tax Base for the financial year commencing 1 April 2022 and ending 31 March 2023, as set out in Appendix B of this report be approved; and
- c) in accordance with the Chief Finance Officer's calculation, and pursuant to the Local Authorities (Calculation of Council Tax Base) Regulations 1992 (as amended), that the Council Tax Base for the 2022/23 financial year be 25,310.01.

Alternative Options Considered and Rejected

None. There was a requirement to set the Council Tax base for the City of Lincoln area for each ensuing financial year, in accordance with the Local Government Finance Act 1992 and Local Authorities (Calculation of Council Tax Base) Regulations 1992.

Reasons for the Decision

Special items of expenditure were defined as items of expenditure that related to one part of the local authority area. Expenditure on any special items could be levied on those residents in that area and not on others. In line with the Chief Finance Officer's advice, the Executive concluded that there were no special items of expenditure.

Appendix B to the report detailed the Chief Finance Officer's calculation of the council tax base, which took into account the number of chargeable dwellings in each council tax valuation band; the effects of discounts; and levies on empty properties. This showed the number of Band D equivalent chargeable dwellings as 25,310.01, which was based on the above regulations and assumed that 98.25% of the council tax due for 2022/23 would be collected.

69. Statement of Accounts 2020/2021

Purpose of Report

To consider for information the statement of accounts for the financial year ended 31 March 2021, following completion of the audit opinion.

Decision

That following scrutiny of the statement of accounts for the financial year ended on 31 March 2021, the statement of accounts be recommended to Council on 18 January 2022 for approval.

Alternative Options Considered and Rejected

None. The Council was required to publish its statement of accounts for the financial year 2020/21 with an audit opinion and certificate by no later than 30 November 2021. This date had been extended from the usual deadline of 31 July owing to Covid-19.

Reasons for the Decision

The statement of accounts for 2020/21 provided a comprehensive picture of the Council's financial circumstances and had been compiled to demonstrate probity and stewardship of public funds. It was noted that the Statement of Accounts for 2020/21 was subject to final verification by the external auditor, Mazars, who had commenced their audit in July 2021. Any material changes to be necessary as a result of this final external audit work, these would be reported back to the Executive.

The Council made the statement of accounts available for public inspection for the required ten working days, between 2 and 13 August 2021, during which time, the external auditor received no questions.

During the completion of the external audit there were five misstatements above the threshold level of £49,000; and two of these had been amended in the final version of the statement of Accounts.

The Council was also required to review of the effectiveness of its governance arrangements and the overall level of assurance provided in 2020/21 was substantial (green) and was in line with the Council's code of corporate governance.

70. Collection Fund Surplus/Deficit - Council Tax

Purpose of Report

To consider the estimated balance for the council tax element of the collection fund; and to confirm the declaration of the surplus for 2021/22.

Decision

- 1) That the Chief Finance Officer's declaration of a council tax surplus of £261,027 for 2021/22, to be distributed in 2022/23, be confirmed.
- 2) That the spreading adjustment of a £297,589 deficit to be distributed in 2022/23 be noted.

Alternative Options Considered and Rejected

None. Prior to setting the Council Tax for 2022/23, the City Council was required to estimate whether there was to be a surplus or deficit on the council tax element of the collection fund for the current financial year, 2021/22.

Reasons for the Decision

The Chief Finance Officer had declared a surplus on council tax collection of £261,027 for the financial year 2021/22, with the City Council's share being £38,883.

Under normal circumstances a surplus or deficit recorded for a given year was carried forward into the collection fund for the following financial year, for distribution and consequential impacts on the general fund budgets. However, regulations issued in 2020 had enabled the Council to spread any deficit arising during 2020/21 over the following three years, rather than the usual period of one year. Thus, a decision had been previously made to spread the deficit of £892,766 for 2020/21 over the following three years, in effect a sum of £297,589 each financial year: 2021/22, 2022/23 and 2023/24. The City Council's share of this deficit was £133,784 (£45,595 in each of the three financial years). When the surplus of £38,883 was offset against the £45,595, a total deficit of £5,712 was calculated.