

STAFFORDSHIRE MOORLANDS DISTRICT COUNCIL

CABINET DECISIONS

TUESDAY, 11 FEBRUARY 2020

PRESENT: Councillor S E Ralphs MBE (Chair)

Councillors M Bowen, M A Deaville, T Hall, J Porter and S Scalise

IN ATTENDANCE: Councillors Bentley, Cawley, Gledhill, Hoptroff, Malyon, Plant, Roberts and Swindlehurst

APOLOGIES: Councillor E Wain

43 **MR NEIL RODGERS**

Mr Neil Rodgers was welcomed by councillors having recently been appointed as Executive Director (Place).

44 **MINUTES OF THE PREVIOUS MEETING (PREVIOUSLY CIRCULATED)**

The Minutes of the meeting held on 3 December 2019 were approved.

45 **DECLARATIONS OF INTEREST, IF ANY**

The following declaration was made:-

Agenda Item	Member Declaring Interest	Nature of Interest
8.5 Business Rate Relief Policy & Council Tax Discounts Policy	Cllr. M. Deaville	Other interest – Business Rate Payer in the District

46 **FORWARD PLAN**

DECISION:

That the Forward Plan be approved for publication.

47 **THIRD QUARTER FINANCIAL, PROCUREMENT & PERFORMANCE REVIEW 2019/20**

The purpose of the report was to inform members of the Council's overall performance and financial position for the period ended 31st December ("Third Quarter 2019/20"). The report was considered by the Resources Overview and Scrutiny Panel on 5 February 2020. The position was summarised as follows:

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Subject	Headline
Finance	<p>Headlines for the third quarter were:</p> <p><i>Performance against Budget</i></p> <ul style="list-style-type: none"> • At the third quarter stage the General Fund projected outturn for 2019/20 was an underspend of £143,480. <p><i>Efficiency Programme</i></p> <ul style="list-style-type: none"> • The 2019/20 general fund efficiency target of £842,000 had been exceeded with £860,250 of savings achieved to date. <p><i>Capital Programme</i></p> <ul style="list-style-type: none"> • The revised Capital Programme budget for 2019/20 was £5.8 million and included the carry forward of capital underspends from 2018/19. The projected outturn for the year was £3.3 million – majority of the variance due to re-profiling asset management projects and fleet purchases <p><i>Treasury Management</i></p> <ul style="list-style-type: none"> • Cash investments held at 31st December 2019 totalled £13.8 million. The Ascent loan and debenture currently stands at £19 million. • Council borrowing at 31st December 2019 totalled £10 million (relates to the Ascent loan) • The Council’s net interest income receipts were projected to be £64,310 above budget. <p><i>Revenue Collection</i></p> <ul style="list-style-type: none"> • 83.92% of Council Tax was collected by 31st December 2019 compared to 84.33% for the same period last year. • 80.45% of Business Rates was collected by 31st December 2019 compared with 80.92% for the same period last year. <p><i>Variances in payments plans are contributing to the above year-on-year difference</i></p> <ul style="list-style-type: none"> • At the end of the third quarter debt that was over 60 days old was £70,430 which compares with £133,450 at 31st December 2018
Procurement	<p>Headlines for the third quarter were:</p> <ul style="list-style-type: none"> • 9 procurement activities were completed • The Procurement forward plan included 44 procurement activities for completion in 2019/20 (either SMDC only or joint) • At the 31st December 2019, 63% of procurement activity undertaken was on the forward plan and the Council paid 97% of its invoices within 30 days during the year • The Council’s procurement rules had been updated to reflect the updated EU procurement thresholds
Performance	<p>The headlines for the third quarter were:</p> <ul style="list-style-type: none"> • 73% of the key performance indicators were on target • The Council received 52 complaints and 46 compliments in the Third Quarter. Repeat complaints and response times were both on track

Options considered:

Detailed analysis is contained within the main body of the Report.

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DECISION:

1. Note the Third Quarter 2019/20 financial, procurement and performance position detailed in Appendices A, B and C and summarised at 3.3 of the report be noted.
2. That the update to the Council's procurement rules as a result of the revised EU procurement thresholds be noted.

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BUDGET & MEDIUM TERM FINANCIAL PLAN 2020/21 - 2022/23

The purpose of the report was to present the proposed Budget for 2020/21, updated Medium-Term Financial Plan 2020/21 – 2023/24, Capital Strategy 2020/21, proposed Fees and Charges for 2020/21 and Procurement Forward Plan 2020/21.

The report was considered by the Resources Overview and Scrutiny Panel on 5 February 2020 which recommended Cabinet to remove the proposed increase in car parking charges for 2020/21. It was proposed to accept this proposal by the scrutiny panel. The recommendation to Council would now be that the implementation of the increases be delayed until 2021/22. Before this decision is finalised in February 2021 there would be a review of the Council's Car Parking Strategy early in the new financial year.

Options considered:

There were no options to consider at this stage.

RECOMMENDATION

That the following recommendations be made to Council:

1. Approves the General Fund Budget for 2020/21 as detailed in Appendix A (section 8)
2. Approves the revised Medium-Term Financial Plan (2020/21 to 2023/24) as detailed in Appendix A, including the revised Capital Programme (attached at Annex A)
3. Approves the Capital Strategy 2020/21 as set out in Appendix B
4. Approves the proposed Fees and Charges for 2020/21 as detailed in Appendix C
5. Approves the proposed Procurement Forward Plan for 2020/21, providing the authority to procure based on procurement activity detailed in Appendix D
6. Approves a Band D Council Tax of £153.40 for 2020/21 (an increase of 1.9% from 2019/20)
7. Approves a Band D Council Tax of £52.92 for Leek and £10.64 for Biddulph for 2020/21 (an increase of 1.9% from 2019/20) in respect of Special District Expenses

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8. Notes the Chief Finance Officer's view that the level of reserves are adequate for the Council based on this budget and the circumstances in place at the time of preparing it (Appendix A Annex E)

49 NEW PERFORMANCE FRAMEWORK

The purpose of the report was to provide members with an opportunity to scrutinise the draft Performance Framework and associated targets for 2020/23 and to share the findings from the recent online consultation, which sought feedback from a range of stakeholders on the Council's new corporate plan priorities for 2019-2023. The report was considered by the Resources Overview and Scrutiny Panel on 5 February 2020.

Options considered:

Members were asked to consider the proposed targets and to make amendments if they considered that they were necessary.

DECISION:

That the Performance Framework 2020/23 be approved.

50 BUSINESS RATE RELIEF POLICY & COUNCIL TAX DISCOUNTS POLICY

The purpose of the report was to review and update the Business Rate Reliefs Policy and formally present the Council Tax Reductions and Levies Policy. The report was considered by the Resources Overview and Scrutiny Panel on 5 February 2020.

Options considered:

No options in regard to mandatory reliefs and discounts available as set by Government. However, where Government allows local authorities to make discretionary decisions in respect of the amount of business rates and council tax due, Members needed to consider the proposals.

DECISION:

1. That the updated Business Rates Reliefs Policy be approved.
2. That the Council Tax Reductions and Levies Policy be approved.

51 HOME REPAIRS ASSISTANCE GRANT SCHEME

To make members aware of the Home Repairs Assistance Grant Scheme and to consider the opportunity for funding presented by related income from a previous Home Repair Scheme.

Options considered:

As detailed in the report.

DECISION:

That the recommendations at section 6.1.1 to 6.1.3 of the report be approved.

52 **DOG FOULING ORDER**

To review four Orders that would cease to have effect on 20th October 2020 and to consider the need for these to be extended or replaced if the Council wished to continue to have the power to take action in respect of dog fouling and nuisance behaviour.

The report was considered by the Community Overview and Scrutiny Panel on 3 February 2020 that supported the recommendations for the Dog Fouling Order, subject to the following points referred to in the report not being removed:

- keep a dog on a lead in specified areas
- stop a dog from entering a specified area

Although these aspects had not been used, Committee members thought that it was important to maintain those two Orders because of their deterrent value. Committee members suggested that there was strong community support for excluding dogs from children's play area, sports pitches, etc.

Options considered:

1. The Council could choose to extend the current Orders in the current format. However, this would not provide an opportunity to (i) address the issue of failure of those under the age of 16 to remove faeces, or (ii) make it an offence for a suspected offender to fail to provide an Authorised Officer with their correct name and address.
2. The Council could choose to extend/replace the Dog Exclusion and Dogs on a Lead Orders but it would be difficult to demonstrate the need to do so given that the powers have not been used.
3. Alternatively, the Council could choose to not replace the current Orders when they expire and no longer take enforcement action in respect of dog fouling.

DECISION:

1. That it be agreed to carry out public consultation on the draft Order appended to this report subject to the inclusion of the following:
 - keep a dog on a lead in specified areas
 - stop a dog from entering a specified area
2. That the subsequent draft Order be approved by Delegated Decision unless the responses from the consultation necessitate material changes to the draft Order.
3. In the event of a new order being approved prior to 20th October 2020, formal notice of discharge of the existing Orders should be published simultaneously with the introduction of the replacement Order.

53 **BROUGH PARK AND JOHN HALL GARDENS IMPROVEMENT PLAN**

The report informed Cabinet of revised plans and budget requirements needed to improve Brough Park and John Hall Gardens in line with the new Corporate Plan objective.

Options considered:

There were two principle options:-

- To agree to the new proposed plan for Brough Park and John Hall Gardens as set out in the report and deliver the schedule of works with additional capital and revenue funds as requested. (Recommended)
- Do nothing (Not recommended)

A further option which Officers considered but discounted would have involved relocating the children's play area to the existing tennis court area but not relocating the MUGA. It is viewed that this would create a fractured offering, leaving the tennis courts located in different areas of the park.

DECISION:

That the new plan for improvements to Brough Park and John Hall Gardens and allocation of funding towards delivery of the plan, which focuses on developing new play and sport facilities as well as work to the lake and creation of access from the park into John Hall Gardens, be approved.

54 **LEEKFRITH NEIGHBOURHOOD PLAN**

Cabinet were asked to consider the findings of the examiner's report of the independent examination of the Leekfrith Neighbourhood Development Plan and to determine if the plan had met the "basic conditions" required for the plan to proceed to referendum.

Options considered:

Option 1 (recommended) – that the Council agrees with the recommendations set out in Section 2 of the report. This option was recommended as the Neighbourhood Plan (as modified) was considered to meet the necessary requirements in order to proceed to referendum. This would enable the community to determine whether the Neighbourhood Plan should be used to determine relevant planning applications in the Parish.

Option 2 (not recommended) – that the Council does not concur with the recommendations set out in Section 2 of this report or the Examiner's report. This was not recommended as the Neighbourhood Plan (as modified) was considered to have met the relevant requirements to proceed to the referendum stage. If the Council were to pursue this option and not follow the advice of the Examiner, it must notify the Parish Council, previous consultation bodies and parties which had submitted representations to the Examiner to invite further representations.

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DECISION:

1. That the Examiner's modifications in respect of the Leekfrith Neighbourhood Plan be accepted and that it be noted that the basic conditions as required by Paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 had been met.
2. That the Examiner's recommendation that the Leekfrith Neighbourhood Plan, as modified by recommendation a), be submitted to a referendum in the Parish of Leekfrith on 7th May 2020 be approved.

The meeting closed at 3.05 pm

Chairman