

**REPORT TO:** Council 20 February 2020

**LEAD CABINET MEMBER:** Councillor John Williams,  
Lead Cabinet Member for Finance

**LEAD OFFICER:** Peter Maddock – Head of Finance

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## Council Tax Resolution - 2020/2021

### Executive Summary

1. The Council is scheduled to agree its budget and level of Council Tax for 2020/2021 at this meeting, following consideration of the proposals by Cabinet at its meeting on 5 February 2020. The Council is required to formally approve the total Council Tax for the residents of South Cambridgeshire District, including the Council Tax requirements of precepting organisations.

### Recommendation

2. That the Council Tax Resolution, detailed at Appendix A, be approved.

### Reason for Recommendation

3. To enable Full Council to comply with the Local Government Finance Act 1992 and the Localism Act 2011 in respect of setting Council Tax.

### Details

4. The proposed Council Tax Resolution for the financial year 2020/2021 is attached at Appendix A.
5. The precepting authorities have agreed the following requirements:
  - (1) Cambridgeshire County Council agreed their precept on 11 February 2020. Their element of the Council Tax will be £1,359.18 an increase of 3.59% (2% social care, 1.59% general) on the 2019/20 level of £1,312.11 this is in line with the referendum limit of 1.99% General Precept, 2% Adult Social Care Precept. This provides for an increased precept of 5.3%.
  - (2) The Cambridge Police & Crime Commissioner agreed their precept on 6 February 2020 Their element of the Council Tax will be £232.65 an increase of 4.49% on the 2019/20 level of £222.66 this is in line with the referendum limit of £10. This provides for an increased precept of 6.2%.
  - (3) The Cambridgeshire Fire & Rescue Authority agreed the precept on 6 February 2020 Their element of the Council Tax will be £72.09 an increase of

1.91% on the 2019/20 level of £70.74 this is in line with the referendum limit of 1.99%. This provides for an increased precept of 3.6%.

6. The Resolution, detailed at **Appendix A**, is based on the Notice of Precepts submitted to the Council.
7. The following points should be considered by Members before approving the Resolution:

**(1) Council Tax Requirements – District and Parishes**

**(a) District Requirement for Own Needs**

Based on the budget presented to Council at this meeting, the proposed District level Council Tax average Band D requirement for 2020/2021 is £150.31 which represents a £5 per dwelling increase year on year, in line with the threshold set by the Secretary of State.

**(b) Parish Precepts**

Parish Council Precepts total £5,882,406 for 2020/2021. This is an increase of £264,617 (4.71%) in comparison to the total Parish Council Precepts of £5,617,789 for 2019/2020. Due to the increase in Council Tax base for 2020/2021, this has resulted in an increase in the average Band D Council Tax for parishes from £89.78 in 2019/2020 to £92.47 for 2020/2021 (equal to 2.99%).

Parish precepts are made on this Council's own Council Tax Requirement on the Collection Fund. Expressed, therefore, in terms of an **Average Band D Council Tax for the whole District**, it amounts to £92.47 in 2020/2021 compared to £89.78 in 2019/2020 representing a 2.99% increase.

**(c) District including Parishes Requirement – Band D Council Tax**

The average Band D Council Tax in 2020/2021 for the District (including parish precepts) is £242.78. This may be compared to the Council Tax requirement for 2019/2020 of £235.09. The average Band D Council Tax has increased year on year by 3.27%.

**(2) Summary Council Tax Requirements – Collection Fund Precepts 2020/2021**

It is this Council's responsibility, as the billing authority, to set a Council Tax each year that comprises all precepts on the Collection Fund.

Following the requirements of the other precepting bodies on the Collection Fund, the average Band D Council Tax for 2020/2021 is:

Major Preceptor	Proposed Council Tax		
	2020/2021 £	2019/2020 £	Change %
SCDC including Parish Councils	242.78	235.09	3.27
Cambridgeshire County Council	1,359.18	1,312.11	3.59
Cambridgeshire Fire Authority	72.09	70.74	1.91
Cambridge Police & Crime Commissioner	<u>232.65</u>	<u>222.66</u>	<u>4.49</u>
<b>Total average Band D Council Tax</b>	<b><u>1,906.70</u></b>	<b><u>1,840.60</u></b>	<b><u>3.59</u></b>

**(3) Clarification of Figures in the Resolution**

The following narrative is provided in order to clarify the technical nature of section 3 of the resolution attached at **Appendix A**.

Proposed Resolution	Details
3(a) £115,260,298	This represents the gross expenditure of the Council including Parish precepts.
3(b) £99,815,531	This represents the total income to the Council, including Government support and share of Council Tax surplus.
3(c) £15,444,767	This represents the balance to be raised by Council Tax including Parish precepts.
3(d) £242.78	This represents the average Band D Council Tax for the year (including Parish precepts).
3(e) £5,882,406	This represents the amount reappropriated under Special Area Charges and Parish precepts.
3(f) £150.31	This represents the average Band D Council Tax excluding the amounts covered by Special Area Charges and Parish precepts.

8. The Council is also required to determine that the Council's basic amount of Council Tax for 2020/2021 is not excessive in accordance with principles approved under Section 52ZB and 52ZY Local Government Finance Act 1992 and Section 4ZA Local Government Finance Act 1992: Referendums relating to Council Tax Increases.
9. For 2020/2021 the level deemed to be excessive, as determined by the Government in its Referendums Relating to Council Tax Increases (Principles) Report (England) 2019/2020, is an increase of 1.99% or more, or £5 per dwelling whichever is the greater. As such, the Council can determine, for its portion of the Council Tax that the level of Council Tax increase for 2020/2021 is not excessive or requiring a local referendum.

10. The total Council Tax to be paid by residents in 2020/2021 by Council Tax band, including all precepting authorities, is detailed in **Appendix C**.

## **Implications**

11. In the writing of this report, taking into account the financial, legal, staffing, risk management, equality and diversity, climate change, community safety and any other key issues, the following implications have been considered:

### ***Legal***

12. It is a requirement that each major precepting authority approves its Council Tax Requirement before 1 March each year, for the forthcoming financial year. The billing authority (i.e. this Council) is required to set the Council Tax for its area by 11 March each year, for the forthcoming financial year. However, the billing authority cannot set the Council Tax before the earlier of the following:
- 1 March in the financial year preceding that for which the amount is set;
  - The last date of issue of precepts by a major precepting authority (i.e. Cambridgeshire County Council, Cambridge Police & Crime Commissioner and the Cambridgeshire Fire Authority).
13. These requirements are set out in the Local Government Finance Act 1992, subsequently updated by the Localism Act 2011, and require the billing authority to calculate a Council Tax Requirement for the year.
14. The Council is also required to determine that the Council's basic amount of Council Tax for 2020/2021 is not excessive in accordance with principles approved under Section 52ZB of the Local Government Finance Act 1992 and Section 4ZA of the Local Government Finance Act 1992: Referendums relating to Council Tax Increases (as inserted by the Localism Act 2011).
15. Section 72 of the Localism Act 2011 introduces the requirement for referendums to approve or veto council tax increases that exceed the limits set out by the Secretary of State (approved by Parliament). For 2020/2021, all local authorities and Fire and Rescue authorities cannot raise Council Tax by the higher of 1.99%, or £5 without a referendum. For Police and Crime Commissioners the referendum limit has been set at £10 per Band D Property. Adult social care authorities have been given additional flexibility on their current council tax referendum threshold to be used entirely for adult social care, but this provision does not apply to South Cambridgeshire District Council.
16. In the event of the Council, or a Major Preceptor, setting a budget above the Council Tax threshold the Council is required to make substitute calculations to be adopted if the result of the Referendum vetoes the proposed Council Tax. The 11 March deadline for calculating the budget in section 31A (11) of the Local Government Finance Act 1992 is disapplied for the purposes of a substitute calculation.
17. Where a new parish council is to be formed the District Council, as the Council Tax billing authority, may anticipate a precept that will be issued by the new parish council. In order to do so it must specify an amount to be shown in the establishment order made under section 86 of the Local Government and Public Involvement in Health Act 2007. Specifying an anticipated precept allows the amount to be

incorporated into the Council Tax bills for the new parish area to ensure that the new parish has the necessary funds to fulfil its responsibilities.

### ***Policy***

18. Council Tax is a result of the decisions taken in setting the Council's budget requirement after taking into account income sources and the Council Tax Base. The Council has agreed a local Council Tax Reduction Scheme for the 2020/2021 financial year and the effect of the Scheme, in particular the effect on the Council Tax Base, is taken into account in determining the District's Council Tax.
19. The Council Tax Requirement of this Council includes the impact of Parish/Town Council precepts, although the Council does not have any role in the setting of these, other than determining the Tax Base for each parish.
20. The Council does not have any role in the setting of Council Tax for Cambridgeshire County Council, The Cambridge Police & Crime Commissioner and the Cambridgeshire Fire Authority. Their decisions do, however, feed into the overall Council Tax Resolutions, set out in **Appendix A**.

### ***Financial***

21. Failure to agree the Council Tax Resolution would delay the preparation of Council Tax bills and the collection of the payments from residents. The cost of such a delay would be borne solely by the Council.

### ***Risk***

22. There is a risk that one of the precepting bodies may amend their precept requirement after the issue of this report and that the figures quoted may differ from the provisional figures provided. Should this happen revised appendices will be circulated for approval.

### ***Environmental***

23. There are no environmental implications arising directly from the report.

### ***Equality Analysis***

24. In preparing this report, due consideration has been given to the Council's statutory Equality Duty to eliminate unlawful discrimination, advance equality of opportunity and foster good relations, as set out in Section 149(1) of the Equality Act 2010.
25. The relevance test for equality has determined that the report has no relevance to the Council's statutory equality duty to eliminate unlawful discrimination, advance equality of opportunity and foster good relation. An equality analysis is not needed.

## **Background Papers**

Where the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 require documents to be open to inspection by members of the public, they must be available for inspection:

- (a) at all reasonable hours at the offices of South Cambridgeshire District Council;

(b) on the Council's website; and

(c) in the case of documents to be available for inspection pursuant to regulation 15, on payment of a reasonable fee required by the Council by the person seeking to inspect the documents at the offices of South Cambridgeshire District Council.

The following documents are relevant to this report:

- Budget Report – Report to Cabinet: 5 February 2020
- General Fund Medium Term Financial Strategy – Report to Cabinet: 4 December 2019
- Council Tax Base – Report of Chief Finance Officer – 26 November 2019

## Appendices

- A Council Tax Resolution 2020/2021
- B Council Tax Base figures for Parish Councils 2020/21
- C Parish Council Special Expenses per Dwelling 2020/21
- D Council Tax per Dwelling All Preceptors 2020/21
- E Estimated Income and Expenditure Statement 2020/21

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**South Cambridgeshire District Council  
Council Tax Resolution 2020/2021**

1. That it be noted that on 26<sup>th</sup> November 2019 the Council calculated the Council Tax Base 2020/2021:
  - (a) for the whole Council area as 63,617.60 [Item T in the formula in Section 31B(3) of the Local Government Finance Act 1992, as amended (the "Act")] and,
  - (b) for dwellings in those parts of its area to which a Parish precept relates as in Appendix B.
2. That the Council Tax requirement for the Council's own purposes for 2020/2021 (excluding Parish precepts) is calculated as £9,562,361.
3. That the following amounts be calculated for the year 2020/2021 in accordance with Sections 31 to 36 of the Act:
  - (a) £115,260,298 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) (a) to (f) of the Act (gross expenditure including parish precepts, the Housing Revenue Account and additions to reserves).
  - (b) £99,815,531 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3) (a) to (d) of the Act (gross income including the Housing Revenue Account and use of reserves).
  - (c) £15,444,767 being the amount by which the aggregate at 3(a) above exceeds the aggregate at 3(b) above, calculated by the Council in accordance with Section 31A(4) of the Act as its Council Tax requirement for the year (net expenditure to be met from Council Tax) being the District amount of £9,562,361 and the Parish precepts of £5,882,406).
  - (d) £242.78 being the amount calculated by the Council, in accordance with Section 31B of the Act, as the basic amount of its Council Tax for the year (average Council Tax for a Band D property for the District including Parishes).
  - (e) £5,882,406 being the aggregate amount of all special items referred to in Section 34(1) of the Act (parish precepts).

- (f) £150.31 being the amount calculated by the Council, in accordance with Section 34(2) of the Act, as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which no special item relates (average Council Tax for a Band D property for the District excluding parishes), the amounts being for each of the categories of dwellings shown in **Table 1**.
- (g) In accordance with Section 34(3) of the Act, the basic amounts of Council Tax for the year for dwellings in those parts of its area to which a special item relates are shown by addition of the amounts for Band D for the District Council in **Table 1** and **Appendix C**.
- (h) In accordance with Section 36(1) of the Act, the amounts to be taken into account for the year in respect of the categories of dwellings listed in different valuation bands are shown by adding the amounts for each band in **Table 1** and **Appendix C**.
4. That it be noted that for the year 2020/2021 Cambridgeshire County Council, Cambridgeshire Police & Crime Commissioner, Cambridgeshire and Peterborough Fire Authority and the Cambridgeshire and Peterborough Combined Authority have stated the following amounts in precepts to the Council, in accordance with Section 40 of the Local Government Finance Act 1992, for each category of dwellings in the Council's area indicated in the **Table 1**:

<b>Table 1</b>	<b>Band A</b> £	<b>Band B</b> £	<b>Band C</b> £	<b>Band D</b> £	<b>Band E</b> £	<b>Band F</b> £	<b>Band G</b> £	<b>Band H</b> £
County Council	906.12	1,057.14	1,208.16	1,359.18	1,661.22	1,963.26	2,265.30	2,718.36
Police & Crime Commissioner	155.10	180.95	206.80	232.65	284.35	336.05	387.75	465.30
District Council	100.21	116.91	133.61	150.31	183.71	217.11	250.52	300.62
Fire Authority	48.06	56.07	64.08	72.09	88.11	104.13	120.15	144.18
Cambridgeshire and Peterborough Combined Authority	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

5. That the Council, in accordance with Sections 30(2) of the Local Government Finance Act 1992, hereby sets the amounts shown in **Appendix D** as the amounts of Council Tax for 2020/2021 for each of the categories of dwellings shown in **Appendix D**.
6. Determine that the Council's basic amount of Council Tax for 2020/2021 is not excessive in accordance with principles approved under Section 52ZB and 52ZY Local Government Finance Act 1992 and Section 4ZA Local Government Finance Act 1992: Referendums relating to Council Tax Increases.