

EXTRAORDINARY COUNCIL (TAX SETTING)

Meeting held in the Council Chamber, Council Offices, Urban Road, Kirkby-in-Ashfield,

on Thursday, 5th March, 2020 at 7.00 pm

Present: Councillor Tony Brewer in the Chair;

Councillors John Baird, Chris Baron,
Kier Barsby, Jim Blagden, Christian Chapman,
Ciaran Brown, Melanie Darrington,
Samantha Deakin, Andy Gascoyne,
Dale Grounds, Arnie Hankin, Andrew Harding,
David Hennigan, Tom Hollis, Trevor Locke,
Rachel Madden, David Martin, Andy Meakin,
Lauren Mitchell, Warren Nuttall, Matthew Relf,
Kevin Rostance, Phil Rostance, Dave Shaw,
John Smallridge, Helen-Ann Smith,
David Walters, Lee Waters, Caroline Wilkinson,
Daniel Williamson, John Wilmott and
Jason Zadrozny.

Apologies for Absence: Councillors Sarah Madigan and Keir Morrison.

Officers Present: Lynn Cain, Carol Cooper-Smith, Ruth Dennis,
Peter Hudson, Mike Joy and Shane Wright.

C.73 Declarations of Disclosable Pecuniary or Personal Interests and Non Disclosable Pecuniary/Other Interests

1. The Leader of the Council, on behalf of Members present at the meeting, declared a general Non Disclosable Pecuniary/Other Interest in respect of items related to the setting of the Council Tax for 2020/2021.
2. The Director of Legal and Governance (and Monitoring Officer), on behalf of officers present at the meeting, declared a general Non Disclosable Pecuniary/Other Interest in respect of items related to the setting of the Council Tax for 2020/2021.

At this point in the proceedings, the Leader of the Council gave a short update to Council in relation to the latest Government advice and information pertaining to the Covid-19 virus and the Council's preparations for dealing with the epidemic as it progresses.

In accordance with Council Procedure Rule 30.1, Councillor Jason Zadrozny moved suspension of Council Procedure Rule 16.4, in relation to the "Content and Length of Speeches", to enable the following:

- the Portfolio Holder for Finance to deliver her budget speech for an allocated total of 15 minutes at agenda item 3 rather than over the 3 budget agenda items in 5 minute slots;

- Councillor Chris Baron to have an allocated total of 15 minutes to speak on agenda item 5a only rather than 5 minute slots over the 3 budget items;
- the Leader of the Council and the Portfolio Holder for Finance to have unlimited time to deliver their rights of reply at the conclusion of agenda item 5a.

Agenda items 3, 4 and 5a would still be taken separately and the Portfolio Holder for Finance would still exercise her right of reply on each motion if required. All other Members wishing to speak would still utilise the 5 minute allocation as prescribed. Having been seconded by Councillor Helen-Ann Smith, the motion was duly carried.

C.74 Capital Strategy

Council was requested to approve the recommendations from the Cabinet meeting held on 24 February 2020 in relation to the Capital Strategy.

RESOLVED

that the Capital Strategy, Commercial Property Investment Strategy and the Commercial Property Indicators, as appended to the attached Cabinet report, be approved.

(During consideration of this item, Councillor Chris Baron left the room at 7.17pm and returned to the meeting at 7.20pm.)

<u>Voting Results</u>			
Councillor:		Councillor:	
John Baird	For	David Martin	For
Chris Baron	For	Andy Meakin	For
Kier Barsby	For	Lauren Mitchell	Against
Jim Blagden	For	Keir Morrison	<i>Absent</i>
Tony Brewer	For	Warren Nuttall	For
Ciaran Brown	For	Matthew Relf	For
Christian Chapman	For	Kevin Rostance	For
Melanie Darrington	For	Phil Rostance	For
Samantha Deakin	For	Dave Shaw	For
Andy Gascoyne	For	John Smallridge	For
Dale Grounds	For	Helen-Ann Smith	For
Arnie Hankin	For	David Walters	For
Andrew Harding	For	Lee Waters	For
David Hennigan	For	Caroline Wilkinson	For
Tom Hollis	For	Daniel Williamson	For
Trevor Locke	For	John Wilmott	For
Rachel Madden	For	Jason Zadrozny	For
Sarah Madigan	<i>Absent</i>		

C.75 Treasury Management Strategy

Council was requested to consider the Treasury Management Policy Statement and associated documents as presented.

RESOLVED

that the Treasury Management Policy Statement incorporating the undermentioned documents as presented, be approved:

- Treasury Management Strategy Statement (TMSS)
- Borrowing Strategy
- Annual Investment Strategy
- Minimum Revenue Provision (MRP) Policy
- Prudential Indicators and Treasury Management Indicators
- Treasury Management Practices: Risk Management.

(During consideration of the above item, Councillors Helen-Ann Smith, David Hennigan, Daniel Williamson and Dale Grounds left the room at 7.57pm, 7.57pm, 7.58pm and 8.02pm and returned to the meeting at 8.00pm, 8.02pm, 8.01pm and 8.02pm respectively.)

<u>Voting Results</u>			
Councillor:		Councillor:	
John Baird	For	David Martin	For
Chris Baron	For	Andy Meakin	For
Kier Barsby	For	Lauren Mitchell	Against
Jim Blagden	For	Keir Morrison	<i>Absent</i>
Tony Brewer	For	Warren Nuttall	For
Ciaran Brown	For	Matthew Relf	For
Christian Chapman	For	Kevin Rostance	For
Melanie Darrington	For	Phil Rostance	For
Samantha Deakin	For	Dave Shaw	For
Andy Gascoyne	For	John Smallridge	For
Dale Grounds	For	Helen-Ann Smith	For
Arnie Hankin	For	David Walters	For
Andrew Harding	For	Lee Waters	For
David Hennigan	For	Caroline Wilkinson	For
Tom Hollis	For	Daniel Williamson	For
Trevor Locke	For	John Wilmott	For
Rachel Madden	For	Jason Zadrozny	For
Sarah Madigan	<i>Absent</i>		

C.76 Annual Budget and Council Tax 2020/21 and Medium Term Financial Strategy (MTFS) Update

Council was requested to approve the recommendations from the Cabinet meeting held on 24 February 2020 in relation to the Annual Budget and Council Tax Setting for 2020/21 and an update for the Medium Term Financial Strategy (MTFS).

Councillor Chris Baron advised that he wished to move an amendment to the budget and circulated a document outlining his proposed changes.

The meeting adjourned at 8.30pm and reconvened at 8.51pm.

(At this point in the proceedings, Councillor Melanie Darrington declared a Non Disclosable Pecuniary/Other Interest in relation to her daughter's involvement with the NOVA Centurion Swimming Club who were currently using Edgewood Leisure Centre swimming pool for training purposes. Her interest was such that she left the room and took no part in the discussion or voting thereon.)

(In accordance with Council Procedure Rule 30.1, Councillor Jason Zadrozny moved suspension of Council Procedure Rule 23, Conclusion of Proceedings, to enable the meeting to continue past 9.30pm and finish at its natural conclusion, thus ensuring that Members gave proper consideration to the determination of the Council's budget. Having been seconded by Councillor Helen-Ann Smith, the motion was duly carried.)

The amendment as moved by Councillor Baron and seconded by Councillor Phil Rostance was as follows:-

"This Council revokes its decision to enforce closure of Edgewood leisure centre and includes the centre in the procurement process with a new leisure provider or establishes a partnership working programme to not only ensure that the centre remains open but will be protected for the future, whilst reviewing leisure facilities for Hucknall as a whole and the proposed expenditure based on need for the District of Ashfield.

This Council revokes the increase in parking charges and introduces two hours free parking across the District. Having received notification of financial help to regenerate our high streets this will be a positive step in working towards regeneration and not an adverse affect caused by increased charges. The Council should provide a comprehensive business case that incorporates future investment and the impact on future budgets and not a short term revenue gain of increasing charges and the probability of detracting the appeal of our town centres at a cost to business across the District and undoubtedly a reduction in revenue.

Financial amendments:-

- 1. Not renewing 1 of the current vacant posts (Technician) @ £27,000*
- 2. Increase vacancy factor by 0.75% @ £36,000*
- 3. Investigate parking charges at leisure facilities for none users to increase revenue*
- 4. Referral to the Independent Remuneration Panel to propose a % decrease in Members allowance to meet the shortfall."*

Having been fully debated, the amendment was put to the vote but not carried.

RESOLVED that

- a) a £5 (2.7%) increase in the level of the District's own Council Tax for 2020/21, setting the Band D equivalent at £190.46, be approved;
- b) the proposed 2020/21 Revenue (General Fund) and HRA Budgets as set out in the report (Sections 3 and 4), be approved;
- c) the proposed Capital Programme and associated borrowing 2019/20 to 2023/24 as set out in the report (Section 5), be approved;
- d) the 2019/20 Revised HRA and Capital Budgets as set out in the report (Sections 4 and 5), be approved;
- e) it be noted that the precept figures from Nottinghamshire County Council, Nottinghamshire Fire and Rescue Authority, Police and Crime Commissioner and the two Parish Council's within the District have been incorporated into the Council Tax recommendation to Council;
- f) the estimated financial challenge in the Medium Term Financial Strategy (MTFS) for 2021/2022 to 2024/25 and the planned approach to address the challenge (Section 6), be noted;
- g) it be noted that an updated MTFS be brought back to Cabinet after the 2019/20 Accounts have been closed and audited;
- h) the proposed use of reserves as set out in this report (Table 5 (General Fund) and Table 9 (HRA)) and the creation of 5 new reserves and the amalgamation of 2 existing reserves (set out in Section 3.6), be approved;
- i) the advice of the Corporate Finance Manager (Section 151 Officer), provided in compliance with Section 25 of the Local Government Act 2003, as to the robustness of the estimates included in the 2020/21 Budget and the adequacy of the reserves for which this budget provides (Section 7), be received and accepted;
- j) it be noted that the proposed 2020/21 budgets reflect the agreed changes to Fees and Charges approved by Cabinet on 27th January 2020;
- k) the use of in-year Capital Receipts up to 2020/21 to maximise capitalisation opportunities arising from service transformation to deliver efficiencies and improved services to residents and clients, and thereby minimise the impact of costs on the revenue budget as included in the Flexible Use of Capital Receipts Strategy 2018/19 approved by Council on 11th October 2018, be approved;
- l) it be noted that additional recurrent and non-recurrent costs of progressing the Digital Service Transformation (DST) programme at a quicker pace than had previously been planned are not included within the proposed 2020/21 budget, and that a separate report detailing the programme, costs and payback periods and how the programme will be funded will be brought for consideration through the appropriate channels in accordance with the Council's Financial Regulations.

During consideration of the item, Councillors temporarily left the Chamber as follows:-

Councillor:	Left:	Returned:
Cllr. Samantha Deakin	8.08pm left the meeting	
Cllr. Dave Shaw	8.08pm	8.11pm
Cllr. Helen-Ann Smith	8.21pm	8.23pm
Cllr. Kier Barsby	8.42pm left the meeting	
Cllr. Helen-Ann Smith	8.57pm	9.00pm
Cllr. Andy Meakin	9.17pm	9.20pm
Cllr. Dale Grounds	9.31pm	9.38pm
Cllr. Jim Blagden	9.43pm	9.47pm
Cllr. Dave Shaw	9.44pm	9.47pm
Cllr. Dale Grounds	9.43pm left the meeting	
Cllr. Daniel Williamson	9.43pm	9.47pm
Cllr. Helen-Ann Smith	9.49pm	9.51pm
Cllr. David Hennigan	9.50pm	9.51pm

Voting Results for Amendment			
Councillor:		Councillor:	
John Baird	Against	David Martin	Against
Chris Baron	For	Andy Meakin	Against
Kier Barsby	<i>Absent</i>	Lauren Mitchell	For
Jim Blagden	Abstain	Keir Morrison	<i>Absent</i>
Tony Brewer	Against	Warren Nuttall	Against
Ciaran Brown	Against	Matthew Relf	Against
Christian Chapman	Against	Kevin Rostance	For
Melanie Darrington	<i>Absent</i>	Phil Rostance	For
Samantha Deakin	<i>Absent</i>	Dave Shaw	For
Andy Gascoyne	Against	John Smallridge	Against
Dale Grounds	Against	Helen-Ann Smith	Against
Arnie Hankin	Against	David Walters	Against
Andrew Harding	Against	Lee Waters	Abstain
David Hennigan	Against	Caroline Wilkinson	Against
Tom Hollis	Against	Daniel Williamson	Against
Trevor Locke	Abstain	John Wilmott	For
Rachel Madden	Against	Jason Zadrozny	Against
Sarah Madigan	<i>Absent</i>		

<u>Voting Results for Resolution</u>			
Councillor:		Councillor:	
John Baird	For	David Martin	For
Chris Baron	Abstain	Andy Meakin	For
Kier Barsby	<i>Absent</i>	Lauren Mitchell	Against
Jim Blagden	For	Keir Morrison	<i>Absent</i>
Tony Brewer	For	Warren Nuttall	For
Ciaran Brown	For	Matthew Relf	For
Christian Chapman	For	Kevin Rostance	Abstain
Melanie Darrington	<i>Absent</i>	Phil Rostance	Abstain
Samantha Deakin	<i>Absent</i>	Dave Shaw	For
Andy Gascoyne	For	John Smallridge	For
Dale Grounds	<i>Absent</i>	Helen-Ann Smith	For
Arnie Hankin	For	David Walters	For
Andrew Harding	For	Lee Waters	For
David Hennigan	For	Caroline Wilkinson	For
Tom Hollis	For	Daniel Williamson	For
Trevor Locke	For	John Wilmott	For
Rachel Madden	For	Jason Zadrozny	For
Sarah Madigan	<i>Absent</i>		

C.77 Formal Setting of Council Tax 2020/21

RESOLVED

that the Council Tax levels for 2020/21 on the basis of a Band “D” tax level for the District Council’s own expenditure of £190.46 (£5 or 2.7% increase), be approved as follows:-

1. That it be noted that on 16th December 2019 the Council calculated the Council Tax Base for 2020/21

- a. for the whole Council area: **33,695.3**

- b. for dwellings in those parts of its area to which a Parish precept relates –

The Parish of Annesley and Felley: **545.1**

The Parish of Selston: **3,725.9**

2. That the calculation of the Council Tax requirement for the Council’s own purposes for 2019/20 (excluding Parish precepts) is **£6,417,607.**
3. That the following amounts be calculated for the year 2020/21 in accordance with Sections 31 to 36 of the Act:

- (a) **£58,025,736** being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) of the Act taking into account all precepts issued to it by Parish Councils.
- (b) **£51,318,126** being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3) of the Act.
- (c) **£6,707,610** 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.
- (d) **£199.07** being the amount at 3(c) above, divided by 1(a) above, calculated by the Council, in accordance with Section 31B of the Act, as the basic amount of its Council Tax for the year (including Parish precepts).
- (e) **£290,003** being the aggregate amount of all special items (Parish precepts) referred to in Section 34(1) of the Act (as per the tables below).
- (f) **£190.46** being the amount at 3(d) above less the result given by dividing the amount at 3(e) above 1(a) above), 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 Parish precept relates.

To note that Nottinghamshire County Council, the Nottinghamshire Police & Crime Commissioner and the Nottinghamshire Fire and Rescue Authority have issued 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 as indicated in the table below.

5. That the Council, in accordance with Sections 30 and 36 of the Local Government Finance Act 1992, hereby sets the aggregate amounts shown in the tables below as the amounts of Council Tax for 2020/21 for each part of its area and for each of the categories of dwellings.

**DETAILS OF INDIVIDUAL COUNCIL TAX AMOUNTS BY
PRECEPTOR AND VALUATION BAND**

Ashfield District Council

Council Tax Base	33,695.3	2019/20 Band D Council Tax	£185.46
Council Tax Amount	£6,417,607	Percentage increase	2.70%

2020/21 Council Tax amounts by band:

A	B	C	D	E	F	G	H
£126.97	£148.14	£169.30	£190.46	£232.78	£275.11	£317.43	£380.92

Nottinghamshire County Council

Council Tax Base	33,695.3	2019/20 Band D Council Tax	£1,476.06
Council Tax Amount	£51,720,601	Percentage increase	3.99%

2020/21 Council Tax amounts by band:

A	B	C	D	E	F	G	H
£1,023.30	£1,193.85	£1,364.40	£1,534.95	£1,876.05	£2,217.15	£2,558.25	£3,069.90

Nottinghamshire Police and Crime Commissioner

Council Tax Base	33,695.3	2019/20 Band D Council Tax	£219.33
Council Tax Amount	£7,727,006	Percentage increase	4.55%

2020/21 Council Tax amounts by band:

A	B	C	D	E	F	G	H
£152.88	£178.36	£203.84	£229.32	£280.28	£331.24	£382.20	£458.64

Nottinghamshire Fire and Rescue Authority

Council Tax Base	33,695.3	2019/20 Band D Council Tax	£79.80
Council Tax Amount	£2,741,450	Percentage increase	1.95%

2020/21 Council Tax amounts by band:

A	B	C	D	E	F	G	H
£54.24	£63.28	£72.32	£81.36	£99.44	£117.52	£135.60	£162.72

Annesley and Felley Parish Council

Council Tax Base	545.1	2019/20 Band D Council Tax	£101.26
Council Tax Amount	£55,197	Percentage increase	0.00%

2020/21 Council Tax amounts by band:

A	B	C	D	E	F	G	H
£67.51	£78.76	£90.01	£101.26	£123.76	£146.26	£168.77	£202.52

Selston Parish Council

Council Tax Base	3,725.9	2019/20 Band D Council Tax	£63.02
Council Tax Amount	£234,806	Percentage increase	0.00%

2020/21 Council Tax amounts by band:

A	B	C	D	E	F	G	H
£42.01	£49.02	£56.02	£63.02	£77.02	£91.03	£105.03	£126.04

Aggregate of Council Tax Requirements for residents of Annesley and Felley

Equivalent Council Tax in 2019/20	£2,061.91
Percentage increase	3.66%

2020/21 Council Tax amounts by band:

A	B	C	D	E	F	G	H
£1,424.90	£1,662.39	£1,899.87	£2,137.35	£2,612.31	£3,087.28	£3,562.25	£4,274.70

Aggregate of Council Tax Requirements for residents of Selston

Equivalent Council Tax in 2019/20	£2,023.67
Percentage increase	3.73%

2020/21 Council Tax amounts by band:

A	B	C	D	E	F	G	H
£1,399.40	£1,632.65	£1,865.88	£2,099.11	£2,565.57	£3,032.05	£3,498.51	£4,198.22

Aggregate of Council Tax Requirements for residents of all other parts of the Council's area

Equivalent Council Tax in 2019/20	£1,960.65
Percentage increase	3.85%

2020/21 Council Tax amounts by band:

A	B	C	D	E	F	G	H
£1,357.39	£1,583.63	£1,809.86	£2,036.09	£2,488.55	£2,941.02	£3,393.48	£4,072.18

6. That the Council determine whether the Council's basic amount of Council Tax for 2020/21 is excessive in accordance with principles approved under Section 52ZB Local Government Finance Act 1992.

In the Ministry for Housing, Communities and Local Government's report "The Referendums Relating To Council Tax Increases (Principles) (England) Report 2019/20" (published on 29 January 2019), it sets out the circumstances under which a council's Council Tax increase might be regarded as excessive, which would trigger a referendum. These principles have been approved under section 52ZB of the amended Local Government Finance Act 1992.

The principles relating to 2020/21 (Annexe A, Paragraph 5) state that:

Principles for 2020-21 for authorities belonging to the category mentioned in paragraph 2(c) [Shire district councils]

5. For 2020-21 the relevant basic amount of council tax of an authority which belongs to the category mentioned in paragraph 2(c) is excessive if the authority's relevant basic amount of council tax for 2020-21 is

(a) 2%, or more than 2%, greater than its relevant basic amount of council tax for 2019-20; and

(b) more than £5 greater than its relevant basic amount of council tax for 2019-20.

This means the authority would need to exceed **both** referendum principles in order to be subject to a referendum; exceeding one principle but not the other would not require a referendum.

Ashfield District Council's basic (Band D) level of Council Tax was £185.46 in 2019/20, and is proposed to be £190.46 in 2020/21, a 2.70% increase at Band D. Therefore it can be determined that the Council would **not** be increasing the Council Tax by an excessive amount.

(During consideration of this item, Councillor Trevor Locke left the meeting at 10.21pm.)

Voting Results			
Councillor:		Councillor:	
John Baird	For	David Martin	For
Chris Baron	For	Andy Meakin	For
Kier Barsby	<i>Absent</i>	Lauren Mitchell	Against
Jim Blagden	For	Keir Morrison	<i>Absent</i>
Tony Brewer	For	Warren Nuttall	For
Ciaran Brown	For	Matthew Relf	For
Christian Chapman	For	Kevin Rostance	For
Melanie Darrington	<i>Absent</i>	Phil Rostance	For
Samantha Deakin	<i>Absent</i>	Dave Shaw	For
Andy Gascoyne	For	John Smallridge	For
Dale Grounds	<i>Absent</i>	Helen-Ann Smith	For
Arnie Hankin	For	David Walters	For
Andrew Harding	For	Lee Waters	For
David Hennigan	For	Caroline Wilkinson	For
Tom Hollis	For	Daniel Williamson	For
Trevor Locke	<i>Absent</i>	John Wilmott	For
Rachel Madden	For	Jason Zadrozny	For
Sarah Madigan	<i>Absent</i>		

The meeting closed at 10.25 pm

Chairman.