

## **EXTRAORDINARY COUNCIL (TAX SETTING)**

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

**on Thursday, 3rd March, 2022 at 7.00 pm**

**Present:** Councillor Arnie Hankin in the Chair;

Councillors Chris Baron, Kier Barsby, Jamie Bell, Jim Blagden, Will Bostock, Melanie Darrington, Samantha Deakin, Andy Gascoyne, Dale Grounds, Andrew Harding, David Hennigan, Tom Hollis, Trevor Locke, Rachel Madden, Sarah Madigan, David Martin, Andy Meakin, Lauren Mitchell, Keir Morrison, 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.

**Apology for Absence:** Councillor John Baird.

**Officers Present:** Lynn Cain, Ruth Dennis, Theresa Hodgkinson, Peter Hudson, Mike Joy, Paul Parkinson, Abbie Smith and Shane Wright.

### **C.71 Declarations of Disclosable Pecuniary or Personal Interests and/or Non-Registrable Interests**

The Director of Legal and Governance (and Monitoring Officer), on behalf of all Members and officers' present at the meeting, declared a general Non-Registrable Interest in respect of items related to the setting of the Council Tax for 2022/2023.

### **C.72 Leader's Announcement**

The Leader of the Council, with the consent of the Chairman, took the opportunity to make a statement to Council regarding the current conflict between Russia and the Ukraine. He spoke about the unfolding situation and how many Ukrainian people had already been made refugees with others suffering and losses to life increasing by the day. A local Ashfield business, Taylors Transport, had already responded to the situation and were currently shipping collections of clothes and aid to the war-torn areas of Ukraine.

He concluded by stating that the Council were standing side by side with the Ukrainians and would do whatever it could to offer support as needed.

(At this point in the proceedings and in accordance with Council Procedure Rule 30.1, Councillor Helen-Ann Smith moved suspension of Council Procedure Rule 16.4, in relation to the "Content and Length of Speeches", to enable the mover and seconder of agenda item 3(a) (Annual Budget and Council Tax 2022/23 and Medium Term Financial Strategy Update) to speak on the matter with no time limit imposed. Having been seconded by Councillor Daniel Williamson, the motion was duly carried.)

**C.73 Annual Budget and Council Tax 2022/23 and Medium Term Financial Strategy (MTFS) Update**

Council was requested to approve the recommendations from the Cabinet meeting held on 22 February 2022 in relation to the Annual Budget and Council Tax Setting for 2022/23 and an update for the Medium Term Financial Strategy (MTFS).

(In accordance with Council Procedure Rule 30, it was moved by Councillor Helen-Ann Smith and seconded by Councillor Tom Hollis that Procedure Rules 10 (Duration of Meeting) and 23 (Conclusion of Proceedings) be suspended, for the duration of the meeting, to enable all matters on the agenda to be satisfactorily concluded. Having been put to the vote, the Council agreed with this course of action.)

RESOLVED that

- a) a £5 annual increase in the level of the District's own Council Tax for 2022/23, setting the Band D equivalent at £195.46, be approved;
- b) the proposed 2022/23 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 2021/22 to 2025/26 as set out in the report (Section 5), be approved;
- d) the 2021/22 Revised HRA and Capital Budgets as set out in the report (Sections 4 and 5), be approved;
- e) the estimated financial challenge in the Medium-Term Financial Strategy (MTFS) for 2023/2024 and 2024/25 and the planned approach to address the challenge (Section 8 and Appendix 2), be noted;
- f) the proposed use of reserves as set out in the report (Table 5 (General Fund) and Table 9 (HRA)), be approved;
- g) the comments and 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 2022/23 Budget and the adequacy of the reserves for which this budget provides (Section 9), be received and accepted;
- h) the proposed 2022/23 budgets reflecting the agreed changes to Fees and Charges approved by Cabinet on 25th January 2022, be noted;

- i) a potential call of up to £250k from the Corporate Transformation Reserve required to further progress the Digital Service Transformation (DST) programme at a quicker pace than had previously been planned (Section 3.7), be noted;
- j) the Local Government Association's Finance Health Check report (Appendix 3), be noted;
- k) the proposed 2022/23 Capital Strategy (Appendix 4), be noted and approved;
- l) the proposed 2022/23 Treasury Management Strategy (Appendix 5), be noted and approved;
- m) the recently notified successful bid for funding of up to £1.203m from the BEIS Social Housing Decarbonisation Fund and its addition to the Capital Programme (Paragraph 5.9), be approved.

<b>Voting Results</b>			
<b>Councillor:</b>		<b>Councillor:</b>	
John Baird	<i>Absent</i>	David Martin	For
Chris Baron	Abstain	Andy Meakin	For
Kier Barsby	For	Lauren Mitchell	Against
Jamie Bell	For	Keir Morrison	Against
Jim Blagden	For	Warren Nuttall	For
Will Bostock	For	Matthew Relf	For
Christian Chapman	<i>Absent</i>	Kevin Rostance	Abstain
Melanie Darrington	Abstain	Phil Rostance	Abstain
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	For		

#### **C.74 Formal Setting of Council Tax 2022/23**

##### **RESOLVED**

that the Council Tax levels for 2022/23 on the basis of a Band "D" tax level for the District Council's own expenditure of £195.46 (£5 increase), be approved as follows:-

1. That it be noted that on 8 December 2021 the Council calculated the Council Tax Base for 2022/23

- a. for the whole Council area: **34,052.7**
- b. for dwellings in those parts of its area to which a Parish precept relates –

The Parish of Annesley and Felley: **547.6**

The Parish of Selston: **3,713.0**

2. That the calculation of the Council Tax requirement for the Council's own purposes for 2021/22 (excluding Parish precepts) is **£6,655,941**.

3. That the following amounts be calculated for the year 2022/23 in accordance with Sections 31 to 36 of the Act:

(a) **£61,486,158** 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) **£54,517,382** being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3) of the Act.

(c) **£6,968,776** 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) **£204.65** 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) **£312,835** 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)

**£195.46**

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 2022/23 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	34,052.7	2021/22 Band D Council Tax	<b>£190.46</b>
Council Tax Amount	£6,655,941	Percentage increase	2.63%

2022/23 Council Tax amounts by band:

A	B	C	D	E	F	G	H
£130.31	£152.02	£173.74	<b>£195.46</b>	£238.90	£282.33	£325.77	£390.92

**Nottinghamshire County Council**

Council Tax Base	34,052.7	2021/22 Band D Council Tax	£1,580.85
Council Tax Amount	£55,985,704	Percentage increase	4.00%

2022/23 Council Tax amounts by band:

A	B	C	D	E	F	G	H
£1,096.06	£1,278.74	£1,461.41	<b>£1,644.09</b>	£2,009.44	£2,374.80	£2,740.15	£3,288.18

## **Nottinghamshire Police and Crime Commissioner**

Council Tax Base	34,052.7	2021/22 Band D Council Tax	£244.26
Council Tax Amount	£8,657,899	Percentage increase	4.09%

2022/23 Council Tax amounts by band:

A	B	C	D	E	F	G	H
£169.50	£197.75	£266.00	£254.25	£310.75	£367.25	£423.75	£508.50

## **Nottinghamshire Fire and Rescue Authority**

Council Tax Base	34,052.7	2021/22 Band D Council Tax	£82.95
Council Tax Amount	£2,879,837	Percentage increase	1.95%

2022/23 Council Tax amounts by band:

A	B	C	D	E	F	G	H
£56.38	£65.78	£75.17	£84.57	£103.36	£122.16	£140.95	£169.14

## **Annesley and Felley Parish Council**

Council Tax Base	547.6	2021/22 Band D Council Tax	£101.26
Council Tax Amount	£55,450	Percentage increase	0.00%

2022/23 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	3,713.0	2021/22 Band D Council Tax	£63.02
Council Tax Amount	£257,385	Percentage increase	10.00%

2022/23 Council Tax amounts by band:

A	B	C	D	E	F	G	H
£46.21	£53.92	£61.62	£69.32	£84.72	£100.13	£115.53	£138.64

## **Aggregate of Council Tax Requirements for residents of Annesley and Felley**

Equivalent Council Tax in 2021/22	£2,199.78
Percentage increase	3.63%

2022/23 Council Tax amounts by band:

A	B	C	D	E	F	G	H
£1,519.76	£1,773.05	£2,026.33	£2,279.63	£2,786.21	£3,292.80	£3,799.39	£4,559.26

## **Aggregate of Council Tax Requirements for residents of Selston**

Equivalent Council Tax in 2021/22	£2,161.54
Percentage increase	3.99%

2022/23 Council Tax amounts by band:

A	B	C	D	E	F	G	H
£1,498.46	£1,748.21	£1,997.94	£2,247.69	£2,747.17	£3,246.67	£3,746.15	£4,495.38

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

Equivalent Council Tax in 2021/22	£2,098.52
Percentage increase	3.81%

2022/23 Council Tax amounts by band:

A	B	C	D	E	F	G	H
£1,452.25	£1,694.29	£1,936.32	£2,178.37	£2,662.45	£3,146.54	£3,630.62	£4,356.74

6. That the Council determine whether the Council's basic amount of Council Tax for 2022/23 is excessive in accordance with principles approved under Section 52ZB Local Government Finance Act 1992.

In the Department for Levelling Up, Housing and Communities report "The Referendums Relating To Council Tax Increases (Principles) (England) Report 2022/23" (published on 11 February 2022), 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 2022/23 state that:

### ***Principles for 2022-23 for authorities belonging to the category of Shire district councils (Paragraph 23)***

*23. For 2022-23, the relevant basic amount of council tax of an authority which belongs to the category mentioned in paragraph 23 is excessive if the authority's relevant basic amount of council tax for 2022-23 is*

*(a) 2%, or more than 2%, above its 2021-22; and*

*(b) more than £5 above its 2021-22 level.*

This means the authority would need to exceed **both** the percentage and cash 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 £190.46 in 2021/22, and is proposed to be £195.46 in 2022/23, represents a £5 increase at Band D. Therefore, it can be determined that the Council would **not** be increasing the Council Tax by an excessive amount.

#### **C.75 Appointment of External Auditors from 2023/24**

Council was requested to consider the recommendations from the Audit Committee meeting held on 31 January 2022.

RESOLVED

that the Public Sector Audit Appointments' invitation to opt into the sector-led option for the appointment of external auditors for five financial years from 1 April 2023, be accepted.

#### **C.76 Pay Policy Statement 2022-2023**

Council was requested to approve and adopt the Pay Policy Statement for 2022/23.

RESOLVED

that the Council's Pay Policy Statement for 2022/23, as presented, be received and approved.

The meeting closed at 9.37 pm

Chairman.