

COUNCIL

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

on Monday, 4th March, 2024 at 7.00 pm

Present: Councillor Dale Grounds in the Chair;

Councillors Kier Barsby, Ian Briggs,
Jodine Cronshaw, Samantha Deakin, Anna Ellis,
Julie Gregory, Arnie Hankin, Oliver Hay,
Vicki Heslop, Tom Hollis, Dawn Justice,
Sarah Lewsey, Trevor Locke, Rachel Madden,
Sarah Madigan, Gordon Mann, Warren Nuttall,
Nicholas Parvin, Matthew Relf, Phil Rostance,
Dave Shaw, John Smallridge, Helen-Ann Smith,
David Walters, Lee Waters, John Wilmott and
Jason Zadrozny.

Apologies for Absence: Councillors Jamie Bell, Will Bostock,
Andy Gascoyne, Paul Grafton,
Christopher Huskinson, Cathy Mason and
Andy Meakin.

Officers Present: John Bennett, Lynn Cain, Louise Ellis,
Theresa Hodgkinson, Peter Hudson, Mike Joy,
Andrew Page and Shane Wright.

C.81 Declarations of Disclosable Pecuniary or Personal Interests and/or Non-Registrable Interests

The Assistant Director for Democracy, 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 2024/2025.

(In accordance with Council Procedure Rule 30.1, it was moved by Councillor Jason Zadrozny and seconded by Councillor Helen-Ann Smith that Procedure Rule 16.4, in relation to the "Content and Length of Speeches", be suspended for this item only to enable Councillor Rachel Madden (as mover) to deliver her budget speech without a time restriction. Having been put to the vote, the Council agreed with this course of action.)

C.82 Chairman's Announcement

The Chairman took the opportunity to advise the Chamber that the town of Sutton in Ashfield had recently been shortlisted for the national 'Let's Celebrate Towns 2024' award. 'Let's Celebrate Towns' was a national showcase, celebrating hundreds of towns across the UK that were helping

businesses and communities to thrive. The awards ceremony was taking place the following week at the House of Lords and the Chairman would be in attendance to represent the Council.

C.83 Joint Statement from the Chief Executive and the Corporate Resources Director (and Section 151 Officer)

“Recently there have been references in both the press and on social media about the level of borrowing at Ashfield District Council.

These messages deliberately ‘paint one side of the story’ and unfairly damage the reputation of the Council, causing unnecessary unrest for our staff and residents.

For this reason, this joint message from myself and the Council’s Chief Finance Officer is to reassure our staff and residents that the Council’s finances are robust and in excellent order. We have a healthy financial position, and our future financial sustainability is not something anyone should be concerned about. Unlike other Councils we are not having to withdraw from our reserves to balance our budget.

Last Thursday evening our 2022/23 Accounts were signed off with an ‘Unqualified Audit Opinion’ which means that the Council’s accounts have been prepared correctly and give a true and fair view. The independent External Auditors report also confirms that Ashfield District Council is a ‘Going Concern’ and that they are satisfied that we have proper arrangements in place for securing economy, efficiency and effectiveness – the test used for determining Value for Money. This is something we consistently achieve year on year.

This is the most recent independent financial assessment of the Council assessment and aligns with the independent Financial Health Check undertaken by the Local Government Association (LGA) in December 2021 which confirmed that: ‘The Council is well managed financially and has consistently spent within its budget’.

Specifically in respect of Ashfield’s debt, our borrowing actually decreased by £6.5m (6.6%) from the end of March 2022 to the end of March 2023, and our level of borrowing is in line with other comparable Nottinghamshire District and Borough Councils of Bassetlaw, Broxtowe, and Newark and Sherwood.

Some of our borrowing is due to the investment properties we own. What is not stated in the press articles is that this borrowing, after paying interest costs, brings in a hugely significant amount of income for the Council to fund local services. In 2024/2025 this net income will bring in £3 million pounds. Without the investment properties we would not have this income, which would mean we would have to cut discretionary and non-essential services by £3 million pounds. This would be a huge loss to our residents. So, we are in an incredibly fortunate position, thanks to the forward-thinking approach of this Council investing, in a business-like manner, to make income which helps to run our services.

It is concerning that in recent months a number of Councils have found themselves issuing a Section 114 notice – essentially declaring themselves bankrupt – being forced to limit service provision to the statutory minimum. Furthermore, it is concerning that an even larger number of Councils have indicated that they too are on the brink of issuing a Section 114 notice.

Please be assured that Ashfield is not one of the Councils who need to consider issuing a Section 114 notice. This Council's financial position is strong, as evidenced by 2 completely independent organisations – the Local Government Association (LGA) and Mazars, our External Auditors, as previously mentioned.

For years the Government has said it will introduce Local Government Funding Reform which we expect will result in some of our funding, (predominantly the growth in business rates which we have enjoyed in recent years due to our success of attracting businesses into the District) being diverted elsewhere to meet the huge national increase in costs of Social Care and Education, services which District Councils do not provide. To date this Funding Reform has not been implemented. It is now expected that 2026 will be the earliest this will happen. We know that Funding Reform is going to happen, and we have been responsibly planning for it. We have healthy reserves which we can draw on to cushion the loss of funding in the short term, but we do need to be on the front foot and forward plan for when the funding reductions are implemented.

This forward planning includes our:

- *Ongoing Service Review Programme (including consideration of alternative delivery models)*
- *Identification of efficiencies from investment in our Digital Services Transformation Programme*
- *Delivery of procurement efficiencies*
- *Review of our Fees and Charges and the identification of additional income generation opportunities*
- *Rationalisation of our assets, where it is appropriate to do so; and Use of reserves in the short term to smooth the loss of funding as we identify and implement savings into the medium and longer term.*

We will also look forward to the new opportunities, both financial and non-financial, which will come from the newly formed East Midlands Combined Authority.

We hope the above provides some reassurance regarding the Council's healthy financial position; we are not one of those Councils who risk having to issue a Section 114 Notice. Our financial position is positive, unlike other local Councils we are not having to withdraw from reserves to balance our budget.

As a Council, we don't want to settle for just providing statutory services, so alongside our recently approved ambitious Corporate Plan, we have secured over £100m of external funding to transform the District. This will allow us to

create physical change by building even more social housing, investing in Community Safety initiatives, and regenerating our town centres, as well as a cultural shift by investing in skills development, creating employment, and inspiring the next generation. We have a vision of creating a great Ashfield, an Ashfield everyone can be proud of, and the future really is looking bright for residents, businesses, visitors, and this Council.”

C.84 Annual Budget and Council Tax 2024/25 and Medium Term Financial Strategy Update

Council was requested to approve the recommendations from the Cabinet meeting held on 19 February 2024 in relation to the Annual Budget and Council Tax Setting for 2024/25 and an update for the Medium Term Financial Strategy (MTFS).

RESOLVED that

- a) a £5.92 annual increase in the level of the District’s own Council Tax for 2024/25, setting the Band D equivalent at £207.13 (representing a 2.94% increase compared with 2023/24), be approved;
- b) the proposed 2024/25 Revenue (General Fund) and HRA Budgets as set out in this report (Sections 3 and 4), be approved;
- c) the proposed Capital Programme and associated borrowing 2023/24 to 2027/28 as set out in this report (Section 5 and Appendix 1), be approved;
- d) the 2023/24 Revised HRA and Capital Budgets as set out in this report (Sections 4 and 5 and Appendix 1), be approved;
- e) the estimated financial challenge in the Medium-Term Financial Strategy (MTFS) for 2025/2026 to 2026/27 and the planned approach to address the challenge (Section 6), be noted;
- f) the proposed use of reserves as set out in this report (Table 6 [General Fund] and Table 9 [HRA]), be approved;
- g) the comments and advice of the Corporate Resources Director (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 2024/25 Budget and the adequacy of the reserves for which this budget provides (Section 7), be received and accepted;
- h) the proposed 2024/25 budgets reflecting the agreed changes to Fees and Charges approved by Cabinet on 29th January 2024, be noted;
- i) the proposed 2024/25 Capital Strategy (Appendix 2), be noted and approved;
- j) the proposed 2024/25 Treasury Management Strategy (Appendix 3), be noted and approved.

Voting Results			
Councillor:		Councillor:	
Kier Barsby	For	Trevor Locke	For
Jamie Bell	<i>Absent</i>	Rachel Madden	For
Will Bostock	<i>Absent</i>	Sarah Madigan	For
Ian Briggs	For	Gordon Mann	For
Jodine Cronshaw	For	Cathy Mason	<i>Absent</i>
Samantha Deakin	For	Andy Meakin	<i>Absent</i>
Anna Ellis	For	Warren Nuttall	For
Andy Gascoyne	<i>Absent</i>	Nicholas Parvin	For
Paul Grafton	<i>Absent</i>	Matthew Relf	For
Julie Gregory	For	Phil Rostance	For
Dale Grounds	For	Dave Shaw	For
Arnie Hankin	For	John Smallridge	For
Oliver Hay	For	Helen-Ann Smith	For
Vicki Heslop	For	David Walters	For
Tom Hollis	For	Lee Waters	For
Christopher Huskinson	<i>Absent</i>	John Wilmott	For
Dawn Justice	For	Jason Zadrozny	For
Sarah Lewsey	For		

C.85 Formal Setting of Council Tax 2024/25

RESOLVED

that the Council Tax levels for 2024/25 on the basis of a Band “D” tax level for the District Council’s own expenditure of £207.13 (2.94% increase), be approved as follows:-

1. That it be noted that on 11 December 2023 the Council calculated the Council Tax Base for 2024/25
 - a. for the whole Council area: **34,524.5**
 - b. for dwellings in those parts of its area to which a Parish precept relates –

The Parish of Annesley and Felley: **570.6**
The Parish of Selston: **3,714.0**
2. That the calculation of the Council Tax requirement for the Council’s own purposes for 2024/25 (excluding Parish precepts) is **£7,151,060.**
3. That the following amounts be calculated for the year 2024/25 in accordance with Sections 31 to 36 of the Act:

- (a) **£66,443,149** 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) **£58,903,946** being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3) of the Act.
- (c) **£7,539,203** 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) **£218.37** 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) **£388,143** 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) **£207.13** 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 2024/25 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	34,524.5	2023/24 Band D Council Tax	£201.21
Council Tax Amount	£7,151,060	Percentage increase	2.94%

2024/25 Council Tax amounts by band:

A	B	C	D	E	F	G	H
£138.09	£161.10	£184.12	£207.13	£253.16	£299.19	£345.22	£414.26

Nottinghamshire County Council

Council Tax Base	34,524.5	2023/24 Band D Council Tax	£1,723.66
Council Tax Amount	£62,388,533	Percentage increase	4.84%

2024/25 Council Tax amounts by band:

A	B	C	D	E	F	G	H
£1,204.72	£1,405.51	£1,606.29	£1,807.08	£2,208.65	£2,610.23	£3,011.80	£3,614.16

Nottinghamshire Police and Crime Commissioner

Council Tax Base	34,524.5	2023/24 Band D Council Tax	£269.19
Council Tax Amount	£9,741,088	Percentage increase	4.81%

2024/25 Council Tax amounts by band:

A	B	C	D	E	F	G	H
£188.10	£219.45	£250.80	£282.15	£344.85	£407.55	£470.25	£564.30

Nottinghamshire Fire and Rescue Authority

Council Tax Base	34,524.5	2023/24 Band D Council Tax	£89.57
Council Tax Amount	£3,183,504	Percentage increase	2.95%

2024/25 Council Tax amounts by band:

A	B	C	D	E	F	G	H
£61.47	£71.72	£81.96	£92.21	£112.70	£133.19	£153.68	£184.42

Annesley and Felley Parish Council

Council Tax Base	570.6	2023/24 Band D Council Tax	£106.33
Council Tax Amount	£62,500	Percentage increase	3.01%

2023/24 Council Tax amounts by band:

A	B	C	D	E	F	G	H
£73.02	£85.19	£97.36	£109.53	£133.87	£158.21	£182.55	£219.06

Selston Parish Council

Council Tax Base	3,714.0	2023/24 Band D Council Tax	£76.25
Council Tax Amount	£325,643	Percentage increase	14.99%

2024/25 Council Tax amounts by band:

A	B	C	D	E	F	G	H
£58.45	£68.20	£77.94	£87.68	£107.16	£126.65	£146.13	£175.36

Aggregate of Council Tax Requirements for residents of Annesley and Felley

Equivalent Council Tax in 2023/24	£2,389.96
Percentage increase	4.52%

2024/25 Council Tax amounts by band:

A	B	C	D	E	F	G	H
£1,665.40	£1,942.97	£2,220.53	£2,498.10	£3,053.23	£3,608.37	£4,163.50	£4,996.20

Aggregate of Council Tax Requirements for residents of Selston

Equivalent Council Tax in 2023/24	£2,359.88
Percentage increase	4.93%

2024/25 Council Tax amounts by band:

A	B	C	D	E	F	G	H
£1,650.83	£1,925.98	£2,201.11	£2,476.25	£3,026.52	£3,576.81	£4,127.08	£4,952.50

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

Equivalent Council Tax in 2023/24	£2,283.63
Percentage increase	4.60%

2024/25 Council Tax amounts by band:

A	B	C	D	E	F	G	H
£1,592.38	£1,857.78	£2,123.17	£2,388.57	£2,919.36	£3,450.16	£3,980.95	£4,777.14

6. That the Council determine whether the Council's basic amount of Council Tax for 2024/25 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 2024/25" (published on 8 February 2024), 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 52ZX of the amended Local Government Finance Act 1992.

The principles relating to 2024/25 state that:

Principles for 2024-25 for authorities belonging to the category of Shire district councils (Paragraphs 22 and 23)

22. For shire district councils their relevant basic amount of council tax in 24-25 will require a referendum if it is both

(a) 3%, or more than 3%, above its 2023-24 level; and

(b) more than £5 above its 2023-24 level.

23. 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 £201.21 in 2023/24, and is proposed to be £207.13 in 2024/25, represents a £5.92 (2.94%) increase at Band D. Therefore, it can be determined that the Council would **not** be increasing the Council Tax by an excessive amount.

The meeting closed at 8.10 pm

Chairman.

