

GENERAL FUND REVENUE BUDGET, HOUSING REVENUE ACCOUNT AND CAPITAL PROGRAMME 2020/21

Council Tax Resolution 2020/21 – Cabinet Proposals

Summary

1. The purpose of this report is to enable the Council to calculate and approve the Council Tax Requirement for 2020/21, in accordance with the Local Government Finance Act 1992 as subsequently amended. In addition, the Act requires Council to determine whether any Council Tax increase is excessive (that is in excess of 4%) which would require a referendum to be held.
2. **Copies of the proposed budget have been made available in the Group Offices and the Council website.**
3. The background paper to this report sets out the Cabinet's proposals to Council on Hillingdon's General Fund revenue budget, Housing Revenue Account budget, Capital Programme, amendments to the approved schedule of Fees & Charges, Treasury Management Strategy, Investment Strategy, Capital Strategy, Minimum Revenue Position and Pay Policy Statement. In addition, this report also considers reasons for, and implications arising from, these proposals. The proposals result in a Band D Council Tax for Hillingdon of £1,182.94, which represents a 3.8% uplift on the Council's element of Council Tax at the 2019/20 level.
4. The report to Cabinet is available in the Group Offices, on request to the Head of Democratic Services or online at:
<https://modgov.hillingdon.gov.uk/ieListDocuments.aspx?CId=115&MID=3480#AI36587>
5. Greater London Authority (GLA) budget proposals add £332.07 to the amount payable by Hillingdon's Council Tax payers, which represents a 3.6% increase in the GLA portion of Council Tax compared to 2019/20.
6. Based on the Cabinet's proposals, and the GLA precept, the total Band D Council Tax for 2020/21 will be £1,515.01.

CABINET RECOMMENDS that:

- 1 **The General Fund revenue budget proposals made by Cabinet be approved, resulting in a Council Tax requirement for 2020/21 of £120,786,455;**
- 2 **Council note that at its meeting on 16 January 2020 the Council calculated the amount of 102,107 as its Council Tax Base for the year 2020/21. This was calculated in accordance with the Local Authorities (Calculation of Council Tax Base) (England) Regulations 2012, as its Council Tax Base for the year (*Item T in the formula in Section 31B (3) of the Local Government Finance Act 1992*);**
- 3 **The Hillingdon element of Council Tax be set at £1,182.94 for a Band D property. Taking into account the precept levied by the Greater London**

Authority, this results in an overall Band D Council Tax of £1,515.01 for the borough;

4 The following amounts have been calculated by the Council for the year 2020/21, in accordance with Sections 32 to 36 of the Local Government Finance Act 1992 (the Act):

a) £464,686,565 being the aggregate of the amounts that the Council estimates for the items set out in Section 31A (2) (a) to (f) of the Act. *(Gross Expenditure including the amount required for additions to working balances)*

b) £343,900,110 being the aggregate of the amounts that the Council estimates for the items set out in Section 31A (3) (a) to (d) of the Act. *(Gross Income including reserves to be used to meet Gross Expenditure)*

c) £120,786,455 being the amount by which the aggregate at 4 (a) above exceeds the aggregate at 4 (b) above. This is calculated by the Council in accordance with Section 31A (4) of the Act, as its Council Tax requirement for the year. *(Item R under Section 31B of the Act)*

d) £1,182.94 being the amount at 4 (c) above divided by Item T (2 above). This is, calculated by the Council in accordance with Section 31B of the Act, as the basic amount of its Council Tax for the year. *(Council Tax at Band D for the Council)*

e)

The London Borough of Hillingdon Council Tax			
Band A	Band B	Band C	Band D
788.62	920.06	1,051.50	1,182.94
Band E	Band F	Band G	Band H
1,445.81	1,708.70	1,971.56	2,365.88

being the amounts given by multiplying the amount at 4 (d) above by the number which, in the proportion set out in Section 5 (1) of the Act, is applicable to dwellings listed in a particular valuation band divided by the number which in that proportion is applicable to dwellings listed in valuation B and D. This is calculated by the Council in accordance with Section 36 (1) of the Act, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different valuation bands;

5 Council note that for the year 2020/21 the Greater London Authority and its functional bodies have stated the following amounts in precepts. These have been issued to the Council, in accordance with Section 40 of the Act, for each of the categories of dwellings shown below:

The Greater London Authority Precept			
Band A	Band B	Band C	Band D
221.38	258.28	295.17	332.07
Band E	Band F	Band G	Band H
405.86	479.66	553.45	664.14

- 6 The Council has calculated the aggregate in each case of the amounts at 4 (e) and 5 above. The Council in accordance with Section 30 and 36 of the Local Government Finance Act 1992 hereby sets the Council Tax for the year 2020/21 for each category of dwelling below:

Total Council Tax 2020/21			
Band A	Band B	Band C	Band D
1,010.00	1,178.34	1,346.67	1,515.01
Band E	Band F	Band G	Band H
1,851.67	2,188.36	2,525.01	3,030.02

- 7 The Council delegate authority to the Corporate Director of Finance, in consultation with the Leader of the Council and Cabinet Member for Finance, Property and Business Services, to approve amendments to the aggregate 2020/21 Council Tax set out in Recommendation 6 to reflect any late changes to Greater London Authority Precept.
- 8 The Council Tax Discount for Older People be retained for 2020/21 with a 1.74% discount on the Hillingdon's element of the Council Tax for those joining the scheme on or after 1 April 2020, 4.00% for those who joined the scheme before or on 31 March 2019 and 8.59% for those who joined before or on 31 March 2019;
- 9 The Capital Programme for 2020/21 to 2024/25 as set out in Appendix 9 of the background report to Cabinet be approved;
- 10 The Housing Revenue Account budget proposals and housing rents set out in Appendix 10 of the background report be approved;
- 11 The proposed amendments to Fees and Charges set out in Appendix 8 of the background report to Cabinet be approved;
- 12 The Treasury Management Strategy Statement, Annual Investment Strategy, Capital Strategy and Minimum Revenue Provision Statement for 2020/21 to 2024/25 as set out in Appendix 12 of the background report to Cabinet be approved;
- 13 The London Borough of Hillingdon Pay Policy Statement for 2020/21 as set out in Appendix 13 of the background report to Cabinet be approved;
- 14 Council note the Corporate Director of Finance's comments regarding his responsibilities under the Local Government Act 2003;
- 15 Council (as set out in Schedule G of the Constitution - Budget and Policy Framework Procedure Rules) resolves that Cabinet may utilise the general reserves or balances or approve virements between the General Fund

budget, Housing Revenue Account budget or Capital budgets during the MTF financial years 2020/21 to 2024/25 in respect of those functions which have been reserved to the Cabinet in Article 7 of the Constitution;

- 16 Council confirm that the Council's relevant basic amount of Council Tax for 2020/21 is not excessive in accordance with principles approved under Section 52ZB Local Government Finance Act 1992 and therefore a referendum will not be triggered.**

Greater London Authority Precept

7. As one of thirty three billing authorities across the capital, the London Borough of Hillingdon collects Council Tax on behalf of the Greater London Authority (GLA) which is paid over in full as the annual precept. While the Council has no control over the level of this precept or the resulting GLA share of Council Tax payable by residents of the borough, current regulations require that billing authorities calculate the total amount of Council Tax payable as part of the budget setting resolution. The level at which the GLA sets the precept for the forthcoming year does not impact upon the Council's own budgets or the Hillingdon share of Council Tax.
8. The Mayor of London published a proposed uplift of 3.6% in Council Tax from 2019/20 levels on 29 January 2020, following announcement of the Police Grant Settlement a week prior. Following a period of public consultation these proposals were reconfirmed by the Mayor in his draft consolidated budget. This draft consolidated budget was approved by London Assembly without amendment at its meeting on 29 January 2020, although the GLA's two stage budget setting process defers final approval of the budget by the London Assembly until a meeting scheduled for 24 February 2020.
9. This report has been drafted on the basis of the final budget proposals published by the Mayor of London on 17 February 2020, which remain unchanged from the proposals previously approved by the London Assembly on 29 January 2020. In the unlikely event that the Mayor's proposals are amended (which would require a two thirds majority of the London Assembly to support an alternative proposal), it would be necessary for the Council to update the aggregate Council Tax figures set out in Recommendation 6 following this meeting.
10. Given that any such amendment would not impact upon the Council's own budget proposals and level of Council Tax, it is recommended that authority is delegated to the Corporate Director of Finance, in consultation with the Leader of the Council and Cabinet Member for Finance, Property and Business Services, to reflect a revised level of GLA precept and GLA share of Council Tax in the final calculation for 2020/21.

Council Tax Referendums

11. Schedule 5 of the Localism Act 2011 inserted into the Local Government Finance Act 1992 Chapter 4ZA of Part 1 makes provision for a Council Tax referendum to be held if an authority increases its relevant basic amount of Council Tax in excess of principles determined by the Secretary of State for Communities and Local Government. Section 41 of the Local Audit and Accountability Act 2014

amended Chapter 4ZA of Part 1 of the Local Government Finance Act 1992 by imposing new obligations on the Council. These include a requirement that as soon as is reasonably practicable after determining that it is required to hold a referendum in relation to its relevant basic amount of Council Tax for the financial year, the Council must notify that fact in writing to any body that has issued a levy or a special levy to it for the financial year.

12. The Secretary of State has determined the principles for the year 2020/21 under section 52ZC (1) of the Local Government Act 1992 that a Council Tax increase will be excessive if the authority's relevant basic amount of Council Tax for 2020/21 is 4% or greater than its relevant basic amount of Council Tax for 2019/20. This 4% threshold for excessive increases includes the 2% additional flexibility available to local authorities with responsibility for providing adult social care.
13. The relevant basic amount of Council Tax as calculated is the same as the Band D Council Tax for Hillingdon and if the proposals within this report are approved there will be a 3.8% increase in the Council Tax level between 2019/20 and 2020/21 and is therefore not excessive.

Financial Implications

14. The comments of Corporate Finance are contained throughout the report.

Legal Implications

15. The Borough Solicitor can confirm that the calculations set out in this report fully accord with all necessary statutory requirements. As is mentioned in the body of the report, the Local Government Finance Act 1992 has been amended by both the Localism Act 2011 and section 41 of the Local Audit and Accountability Act 2014. Local authorities are now required to hold a referendum if there is an increase in the relevant basic amount of Council Tax of 4% or greater than its relevant amount of Council Tax for 2019/20.
16. The Cabinet's proposals for the 2020/21 Council Tax requirement, as set out in the attached report, do not require a referendum to be held and therefore the notification requirements as set out in section 41 of the Local Audit and Accountability Act do not apply.
17. Finally, Members must have regard to section 106 of the Local Government Finance Act 1992. This provides that a Member who has not paid an amount due in respect of Council Tax for at least two months after it becomes payable, may not vote on matters concerning the level of Council Tax or the administration of it. Therefore, any Council Members who are more than two months in arrears with their Council Tax payments must make a declaration to this effect at the beginning of the Council meeting.

Background Documents: The Council's Budget - Medium Term Financial Forecast 2020/21 - 2024/25 - Cabinet's Budget proposals approved on 13 February 2020