

**COUNCIL
24 FEBRUARY 2021**

COUNCIL TAX RESOLUTION 2021/22

Cabinet Member: Cllr Andrew Moore
Responsible Officer: Andrew Jarrett – Deputy Chief Executive (S151)

Reason for Report: The Council as a billing authority is required to set the Council Tax for 2021/22.

RECOMMENDATION: To approve the formal Council Tax Resolution.

Relationship to Corporate Plan: The 2021/22 budget shows the costs of delivering the key priorities of the Council's Corporate Plan.

Financial Implications: This report sets out the Council's Council Tax Requirement for 2021/22 which is derived from its aggregate budget requirement which was finally recommended by Cabinet on the 04 February 2021.

Legal Implications: The Council has a statutory duty to approve a Council Tax Requirement.

Risk Assessment: The Council is required under the Local Government Finance Act 1992 to set a Council Tax.

Equality Impact Assessment: It is considered that the impact of this report on equality related issues will be nil.

Impact on Climate Change: Budgetary provision has been included for a Climate Change Coordinator who will be responsible for delivery of the Councils Carbon reduction action.

1.0 Introduction

- 1.1 The introduction of the Localism Act has seen some minor amendments to the legislative process of approving a Council Tax Requirement and has removed the formal capping rules. These capping rules have now been replaced by a range of maximum percentage increases based upon the relevant precepting body, which if exceeded, would result in the need for a local referendum (this limit was confirmed as part of the overall grant settlement announcement made in late December 2020), the flexibility this gives means the council can approve an increase up to 2% or a £5 cash increase, whichever is higher, on a Band D bill for District Councils.
- 1.2 In addition to the Council Tax levels permissible for a District Council, Central Government has confirmed the referendum limit for County Councils as 2% with the additional flexibility for those with Adult Social Care responsibilities to allow a further increase of 3%. These additional funds have to be ring-fenced for Adult Social Care

costs. Fire Authorities also have a 2% referendum limit, whereas Police and Crime Commissioners are able to increase a Band D bill by £15.

- 1.3 Within this Resolution the billing authority has to indicate whether any of the major precepting bodies have exceeded their specified limit (see Appendix A paragraph 6.0).

2.0 2021/22 Council Tax Resolution

- 2.1 Since the meeting of the Cabinet on the 04 February 2021 the precept levels of other precepting bodies have been received. These are detailed below:

Town and Parish Councils

The Town and Parish Councils precepts for 2021/22 are detailed in Appendix A, paragraph 3.1, and total £1,983,943.74. The increase in the average Band D Council Tax for Town and Parish Councils is 9.66% and results in an average Band D Council Tax figure of £69.38 for 2021/22 (£63.27 for 2020/21).

Devon County Council

Devon County Council met on the 18 February 2021 and set their precept at £43,214,114.61 adjusted by a Collection Fund deficit of £608,918 (note the total Collection Fund Deficit will be spread over 3 years from 21/22 to 23/24; this element relates to 21/22 and is part of the total projected deficit of £1,269,114, however this will be spread over 3 years in line with statutory guidance). This results in a Band D Council Tax of £1,511.28, a 4.99% increase on the previous year. This precept includes an additional 3% Adult Social Care premium.

Devon & Cornwall Police & Crime Commissioner

Devon & Cornwall Police & Crime Commissioner met on the 05 February 2021 and set their precept at £6,764,286.53 adjusted by a Collection Fund deficit of £93,758 (note the total Collection Fund Deficit will be spread over 3 years from 21/22 to 23/24; this element relates to 21/22 and is part of the total projected deficit of £195,411, however this will be spread over 3 years in line with statutory guidance). This results in a Band D Council Tax of £236.56, being a 6.73% increase on the previous year.

Devon and Somerset Fire & Rescue Authority

Devon and Somerset Fire & Rescue Authority met on the 19 February 2021 and set their precept at £2,573,494.20 adjusted by a Collection Fund deficit of £37,327 (note the total Collection Fund Deficit will be spread over 3 years from 21/22 to 23/24; this element relates to 21/22 and is part of the total projected deficit of £77,798, however this will be spread over 3 years in line with statutory guidance). This results in a Band D Council Tax of £90.00, being a 1.99% increase on the previous year.

- 2.2 The recommendations of the Cabinet are set out in the formal Council Tax Resolution in Appendix A. If the formal Council Tax Resolution at Appendix A is approved, the total Band D Council Tax will be as follows:

Table 1 – Council Tax Levies in Mid Devon

Council Tax Levies	2020/21 £	2021/22 £	Variation % (1)
Mid Devon District Council	208.84	213.84	2.39
Parish & Town Councils (Average)	63.27	69.38	9.66
Sub Total	272.11	283.22	
Devon County Council	1,439.46	1,511.28	(includes 3% for ASC) 4.99
Devon & Cornwall Police & Crime Commissioner	221.64	236.56	6.73
Devon & Somerset Fire & Rescue Authority	88.24	90.00	1.99
TOTAL	2,021.45	2121.06	

(1) Note - rounded to 2 decimal places. MDDC increase is 2.394%

3.0 2021/22 General Fund Budget

- 3.1 On the 04 February 2021 the Cabinet considered the budget for the financial year 2021/22 which included our final settlement for Formula Grant as confirmed by the Secretary of State. This meeting recommended a balanced General Fund budget and a 2.394% (£5) increase in Council Tax (as detailed in table 1 in para 2.2 above).
- 3.2 Precepts from the Town and Parish Councils within Mid Devon have now all been received and their total is confirmed as £1,983,943.74 (£1,837,470.89 for 2020/21).
- 3.3 In making decisions in relation to the setting of Council Tax, the Local Government Act 2003 requires the Chief Financial Officer of the Council to report to it on the robustness of the estimates and the adequacy of the financial reserves. This statement is presented in the following sections of this report.

4.0 Section 151 Officer's Report

- 4.1 The Local Government Act 2003 imposes a duty on the Council's Section 151 Officer to comment, as part of the budget setting process, on:
- The robustness of the estimates, and
 - The adequacy of reserves

5.0 Robustness of the estimates

- 5.1 The estimate process adopted by the Council for 2021/22 is concerned with the mitigation of risk when approving the budget.
- 5.2 Construction of the estimates for 2021/22 has taken full account of the following:
- a. Previous years outturn
 - b. Current year revised estimates
 - c. Regular budget monitoring up to and including December 2020
 - d. Inflation levels
 - e. Current income levels
 - f. Changes in legislation
 - g. Service prioritisation linked to the current Corporate Plan
 - h. Feedback from Budget Consultation
 - i. Potential changes to NHB and Business Rates following the impending Central Government Fair Funding Review and Business rates Baseline reset.
 - j. Consideration of ongoing COVID19 implications (both cost & income related)
- 5.3 Budget monitoring throughout 2020/21 has informed the forward year budget process. In particular, regular reviews of income streams and expenditure patterns and variance with profiles of expected activity are identified at the earliest opportunity to Members and officers so that corrective action can be initiated.
- 5.4 The Council has sought to involve all Members throughout the budget setting process. The first round of PDG and Cabinet meetings in October/November took place and an initial budget gap of circa £3.0m was estimated for 2021/22. This was as a result of a number of factors including inflation; pay increases, provisional business rates, and council tax income and made further assumptions around ongoing COVID19 pressures. Further savings were proposed and following the receipt of the Final Settlement from Central Government and the completion of our Business Rates estimates (NNDR1), the budget gap was reduced to £386k. This is proposed to be closed by a temporary transfer from the New Homes Bonus Reserve.
- 5.5 All budgets were compiled on a prudent basis, bearing in mind the level of risk associated with certain income sources (e.g. car parking, planning, leisure and interest receipts). We also have increased volatility and risk in the Council's overall budget (i.e. the Council Tax Reduction scheme (CTR), the localisation of Business Rates and our commercial rental portfolio). These budgets have been carefully monitored during 2020/21 and this process will continue during 2021/22.
- 5.6 The Finance Team have liaised with all Service Managers, Senior Management and Members during this process and have ensured a robust challenge process of all proposed budgets. In addition to this, a meeting with the Business Rates Consultative Committee was held in January.
- 5.7 In all respects the estimates are prepared on the best information available. We review current experience, for example, the estimates of income have been rebased, especially where the income stream is demand led. In a similar way all salary estimates have been

constructed on an individual officer basis because this element of the budget is such a significant expenditure heading.

- 5.8 Finally, in preparing the detailed estimates the Council takes advice from third party organisations concerning a number of discrete areas. In particular, Treasury Management decisions are informed with reference to interest rate movements forecast by Link Asset Services and similarly external guidance on insurance and pension contributions is also used.
- 5.9 Once the draft budget has been reviewed by the four PDGs and the Cabinet it is then taken to the Scrutiny Committee for further review and challenge, prior to a final Cabinet meeting, which has recommended the budget for approval, by Full Council on 24 February 2021.
- 5.10 The key component for ensuring the estimates are reviewed and deliver the priorities of the Council is the budget monitoring process. The ability to manage and control spending within the approved budgets during the course of the forward year mitigates the Council's level of financial risk.

6.0 Adequacy of Reserves

- 6.1 Reserves are held for three main purposes:
- a. A contingency to cushion the impact of unexpected events
 - b. As a cushion against uneven cash flows
 - c. As a means of building up funds to meet known or predicted liabilities (earmarked reserves)
- 6.2 CIPFA makes it clear that the level of reserves for each Council cannot be decided by the application of a formula. Each Council must assess their own reserve levels based on the specific risks and pressures they face.
- 6.3 The General Fund balance brought forward into 2020/21 amounted to £2.251m. The 2020/21 budget monitoring reports are predicting a year-end deficit of approximately £89k, giving a forecast General Fund balance of £2.162m.
- 6.4 We received the Final Grant Settlement on 4 February 2021. There continues to remain a great deal of uncertainty over the levels of Government funding as this was again a one-year only settlement and the Fair Funding Review and Business Rates Baseline reset has been postponed until at least 2022/23. It continues to remain Government policy to phase out New Homes Bonus Grant.
- 6.5 When the 20/21 General Fund & HRA budgets were set, we undertook an extensive review of minimum reserve levels and decided to reduce our General Fund reserve balance to a minimum of £2.0m and left the HRA also at a £2.0m minimum. As part of the detailed budget setting process we also reviewed all of our other Earmarked Reserves to ensure they provided for known future financial pressures. Therefore, it is my strong recommendation that the Council aims to maintain its level of reserves at £2m.

6.6 In addition to the above considerations, increased provision has been made for lower levels of Council Tax, Business Rate collection and revenue from fees and charges. However, the S151 officer has made assumptions with regard to ongoing government financial support to mitigate these potential losses. Clearly, the unprecedented financial impact of COVID 19 has had significant financial implications on a number of council services and robust financial monitoring during 2021/22 will be required to ensure their continued viability.

7.0 Conclusion

7.1 As noted above a great deal of work has been carried out to ensure the robustness of the estimates. Because of this work, combined with the increased awareness by Members and officers of the Council's financial position, and the availability of reserves, it is my considered opinion as Section 151 Officer that the budget for 2021/22 has been set within a robust framework and the impact of this resolution will maintain an adequate level of the financial reserves held by the Council.

Contact for more information: Andrew Jarrett, Deputy Chief Executive (S151)
01884 234242 (ajarrett@middevon.gov.uk)

Background Papers: Cabinet Report – 04 February 2021

Circulation of Report: Full Council