

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

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

**on Monday, 27th February, 2017 at 7.00 pm**

**Present:** Councillor David Griffiths in the Chair;

Councillors Jim Aspinall, Chris Baron, Rachel Bissett, Ben Bradley, Tony Brewer, Amanda Brown, Tim Brown, Cheryl Butler, Steve Carroll, Christian Chapman, Don Davis, Helen Hollis, Tom Hollis, Jackie James, John Knight, Rachel Madden, Cathy Mason, Glenys Maxwell, Lauren Mitchell, Keir Morrison, Lachlan Morrison, Mick Murphy, Nicolle Ndiweni, Christine Quinn-Wilcox, Paul Roberts, Kevin Rostance, Phil Rostance, Helen-Ann Smith, Mike Smith, Sam Wilson and Jason Zadrozny.

**Apologies for Absence:** Councillors Lee Anderson and Robert Sears-Piccavey.

**Officers Present:** Lynn Cain, Ruth Dennis, David Greenwood, Robert Mitchell, Paul Parkinson, Julie Robinson and Carys Turner-Jones.

Prior to opening the meeting, the Chairman took the opportunity to speak of the recent passing of former Councillor Mr. Harry Toseland. Those present stood for a minute's silence as a mark of respect and Councillors Jason Zadrozny, Kevin Rostance, John Knight and Helen-Ann Smith paid tribute to his work as a Councillor and his dedicated service toward helping the residents of Hucknall.

### **C.61 Declarations of Disclosable Pecuniary and Non Disclosable Pecuniary/Other Interests**

The Chairman, on behalf of Members and 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 2017/2018.

(In accordance with Council Procedure Rule 30.1, Councillor Cheryl Butler moved suspension of Council Procedure Rule 23 [Conclusion of Proceedings] to enable the meeting to continue beyond 9.15 p.m. should this be necessary in order for the Council to give proper consideration to the determination of its budget. Having been duly seconded and voted upon, Council agreed with this course of action.)

## C.62 Capital Programme 2016/17 - 2019/20

Council was requested to approve the revised Capital Programme, as per the recommendation from the meeting of the Cabinet held on 20th February, 2017.

RESOLVED

that the revised Capital Programme, as appended to the agenda, be approved.

<b>Voting Results</b>			
<b>Councillor:</b>		<b>Councillor:</b>	
Lee Anderson	<i>Absent</i>	Rachel Madden	Abstain
Jim Aspinall	For	Cathy Mason	For
Chris Baron	For	Glenys Maxwell	For
Rachel Bissett	For	Lauren Mitchell	For
Ben Bradley	For	Keir Morrison	For
Tony Brewer	Abstain	Lachlan Morrison	For
Amanda Brown	For	Mick Murphy	For
Tim Brown	For	Nicolle Ndiweni	For
Cheryl Butler	For	Christine Quinn-Wilcox	Abstain
Steve Carroll	For	Paul Roberts	For
Christian Chapman	Abstain	Kevin Rostance	For
Don Davis	For	Phil Rostance	For
Joanne Donnelly	<i>Absent</i>	Robert Sears-Piccavey	<i>Absent</i>
David Griffiths	For	Helen-Ann Smith	Abstain
Helen Hollis	For	Mike Smith	For
Tom Hollis	Abstain	Sam Wilson	For
Jackie James	For	Jason Zadrozny	Abstain
John Knight	For		

## C.63 General Fund Revenue Budget 2016/17 and 2017/18

Council was requested to approve the General Fund Revenue Estimates for 2016/17 (Revised) and for 2017/18, as per the recommendation from the meeting of the Cabinet held on 20th February, 2017.

Councillor Jason Zadrozny, seconded by Councillor Ben Bradley, moved an amendment to the recommendation in the form of an alternative Revenue Budget for 2017/18 (as circulated). To enable Council Members to consider the amendment, the meeting was adjourned at 7.19 p.m. for a period of 15 minutes.

The meeting reconvened at 7.34 p.m.

(In accordance with Council Procedure Rule 30.1, Councillor Ben Bradley moved suspension of Council Procedure Rule 16.4 [Content and Length of Speeches] to enable Members to speak freely on the budget and tax setting items as presented. Having been duly seconded and voted upon, the proposed suspension was lost.)

Following a lengthy debate, the amendment to the recommendation was put to the vote and duly lost.

<b>Amendment to Revenue Budget Recommendation - Voting Results</b>			
<b>Councillor:</b>		<b>Councillor:</b>	
Lee Anderson	<i>Absent</i>	Rachel Madden	For
Jim Aspinall	Against	Cathy Mason	Against
Chris Baron	Against	Glenys Maxwell	Against
Rachel Bissett	Against	Lauren Mitchell	Against
Ben Bradley	For	Keir Morrison	Against
Tony Brewer	For	Lachlan Morrison	Against
Amanda Brown	Against	Mick Murphy	For
Tim Brown	Against	Nicolle Ndiweni	Against
Cheryl Butler	Against	Christine Quinn-Wilcox	For
Steve Carroll	Against	Paul Roberts	Against
Christian Chapman	For	Kevin Rostance	For
Don Davis	Against	Phil Rostance	For
Joanne Donnelly	<i>Absent</i>	Robert Sears-Piccavey	<i>Absent</i>
David Griffiths	Against	Helen-Ann Smith	For
Helen Hollis	Against	Mike Smith	Against
Tom Hollis	For	Sam Wilson	Abstain
Jackie James	Against	Jason Zadrozny	For
John Knight	Against		

The original recommendation was then further debated and having been put to the vote it was

**RESOLVED**

that the General Fund Revenue Estimates for 2016/17 (Revised) and for 2017/18, as appended to the agenda, be approved.

<b>Voting Results</b>			
<b>Councillor:</b>		<b>Councillor:</b>	
Lee Anderson	<i>Absent</i>	Rachel Madden	Against
Jim Aspinall	For	Cathy Mason	For
Chris Baron	For	Glenys Maxwell	For
Rachel Bissett	For	Lauren Mitchell	For
Ben Bradley	Against	Keir Morrison	For
Tony Brewer	Against	Lachlan Morrison	For
Amanda Brown	For	Mick Murphy	Against
Tim Brown	For	Nicolle Ndiweni	For
Cheryl Butler	For	Christine Quinn-Wilcox	Against
Steve Carroll	For	Paul Roberts	For
Christian Chapman	Against	Kevin Rostance	Against
Don Davis	For	Phil Rostance	Against
Joanne Donnelly	<i>Absent</i>	Robert Sears-Piccavey	<i>Absent</i>
David Griffiths	For	Helen-Ann Smith	Against
Helen Hollis	For	Mike Smith	For
Tom Hollis	Against	Sam Wilson	Abstain
Jackie James	For	Jason Zadrozny	Against
John Knight	For		

(During consideration of the item, Councillors Jim Aspinall, Chris Baron, Helen-Ann Smith, Cathy Mason and Christine Quinn-Wilcox left the room at 8.18 p.m., 8.24 p.m., 8.30 p.m., 8.32 p.m. and 8.35 p.m. and returned to the meeting at 8.21 p.m., 8.26 p.m., 8.32 p.m., 8.34 p.m. and 8.37 p.m. respectively.)

#### **C.64 Cabinet Minutes - Council Tax Setting 2017/18**

Council received the minutes (as circulated) from the Extraordinary Cabinet meeting which was held immediately prior to the Extraordinary Council meeting. In addition Members were also furnished with a copy of the 2017/18 Council Tax resolution document.

The Chairman adjourned the meeting at 8.42 p.m. to enable Members to read the documents as circulated.

The meeting reconvened at 8.44 p.m.

Having been fully debated, the recommendation was put to the vote and it was

#### **RESOLVED**

that the Council Tax levels for 2017/18 on the basis of a Band "D" tax level for the District Council's own expenditure of £180.46 (£5 increase), be approved as follows:-

1. That it be noted that on 13 January 2017 the Council calculated the Council Tax Base for 2017/18

- a. for the whole Council area: **32,546.2**
- b. for dwellings in those parts of its area to which a Parish precept relates –

The Parish of Annesley and Felley: **533.3**

The Parish of Selston: **3,661.5**

2. That the calculation of the Council Tax requirement for the Council's own purposes for 2017/18 (excluding Parish precepts) is **£5,873,287**
3. That the following amounts be calculated for the year 2017/18 in accordance with Sections 31 to 36 of the Act:

- (a) **£72,288,630** 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) **£66,130,593** being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3) of the Act.
- (c) **£6,158,037** 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) **£189.21** 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) **£284,750** 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) **£180.46** 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 2017/18 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	32,546.2	2016/17 Band D Council Tax	<b>£175.46</b>
Council Tax Amount	£5,873,287	Percentage increase	2.85%

2017/18 Council Tax amounts by band:

A	B	C	D	E	F	G	H
£120.31	£140.36	£160.41	<b>£180.46</b>	£220.56	£260.66	£300.77	£360.92

**Nottinghamshire County Council**

Council Tax Base	32,546.2	2016/17 Band D Council Tax	£1,290.66
Council Tax Amount	£44,001,486	Percentage increase	4.75%

2017/18 Council Tax amounts by band:

A	B	C	D	E	F	G	H
£901.31	£1,051.53	£1,201.75	<b>£1,351.97</b>	£1,652.41	£1,952.85	£2,253.28	£2,703.94

**Nottinghamshire Police and Crime Commissioner**

Council Tax Base	32,546.2	2016/17 Band D Council Tax	£179.91
Council Tax Amount	£5,969,624	Percentage increase	1.95%

2017/18 Council Tax amounts by band:

A	B	C	D	E	F	G	H
£122.28	£142.66	£163.04	<b>£183.42</b>	£224.18	£264.94	£305.70	£366.84

**Nottinghamshire Fire and Rescue Authority**

Council Tax Base	32,546.2	2016/17 Band D Council Tax	£73.85
Council Tax Amount	£2,450,403	Percentage increase	1.95%

2017/18 Council Tax amounts by band:

A	B	C	D	E	F	G	H
£50.19	£58.56	£66.92	<b>£75.29</b>	£92.02	£108.75	£125.48	£150.58

## **Annesley and Felley Parish Council**

Council Tax Base	533.3	2016/17 Band D Council Tax	£99.24
Council Tax Amount	£54,002	Percentage increase	2.04%

2017/18 Council Tax amounts by band:

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

## **Selston Parish Council**

Council Tax Base	3,661.5	2016/17 Band D Council Tax	£63.02
Council Tax Amount	£230,748	Percentage increase	0.00%

2017/18 Council Tax amounts by band:

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

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

Equivalent Council Tax in 2016/17	£1,819.12
Percentage increase	4.03%

A	B	C	D	E	F	G	H
£1,261.60	£1,471.87	£1,682.13	<b>£1,892.40</b>	£2,312.93	£2,733.46	£3,154.00	£3,784.80

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

Equivalent Council Tax in 2016/17	£1,782.90
Percentage increase	4.00%

A	B	C	D	E	F	G	H
£1,236.10	£1,442.13	£1,648.14	<b>£1,854.16</b>	£2,266.19	£2,678.23	£3,090.26	£3,708.32

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

Equivalent Council Tax in 2016/17	£1,719.88
Percentage increase	4.14%

A	B	C	D	E	F	G	H
£1,194.09	£1,393.11	£1,592.12	<b>£1,791.14</b>	£2,189.17	£2,587.20	£2,985.23	£3,582.28

6. That the Council determine whether the Council's basic amount of Council Tax for 2017/18 is excessive in accordance with principles approved under Section 52ZB Local Government Finance Act 1992.

In the Department for Communities and Local Government's report "The Referendums Relating To Council Tax Increases (Principles) (England) Report 2017 to 2018" (published on 20 February 2017), 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 2017/18 (Annexe A, Paragraph 5) state that:

***Principles for 2017-18 for authorities belonging to the category mentioned in paragraph 2(c) [Shire district councils]***

*5. 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 2017-18 is*

*(a) 2%, or more than 2%, greater than its relevant basic amount of council tax for 2016-17; and*

*(b) more than £5.00 greater than its relevant basic amount of council tax for 2016-17.*

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 £175.46 in 2016/17, and is proposed to be £180.46 in 2017/18, an increase of 2.850%, or £5 at Band D. Therefore it can be determined that the Council would **not** be increasing the Council Tax by an excessive amount.

<b><u>Voting Results</u></b>			
<b>Councillor:</b>		<b>Councillor:</b>	
Lee Anderson	Absent	Rachel Madden	Against
Jim Aspinall	For	Cathy Mason	For
Chris Baron	For	Glenys Maxwell	For
Rachel Bissett	For	Lauren Mitchell	For
Ben Bradley	Against	Keir Morrison	For
Tony Brewer	Against	Lachlan Morrison	For
Amanda Brown	For	Mick Murphy	Against
Tim Brown	For	Nicolle Ndiweni	For
Cheryl Butler	For	Christine Quinn-Wilcox	Against
Steve Carroll	For	Paul Roberts	For
Christian Chapman	Against	Kevin Rostance	Against
Don Davis	For	Phil Rostance	Against



Joanne Donnelly	<i>Absent</i>	Robert Sears-Piccavey	<i>Absent</i>
David Griffiths	For	Helen-Ann Smith	Against
Helen Hollis	For	Mike Smith	For
Tom Hollis	Against	Sam Wilson	Against
Jackie James	For	Jason Zadrozny	Against
John Knight	For		

(During consideration of this item, Councillors John Knight, Rachel Madden and Glenys Maxwell left the room at 8.47 p.m., 8.52 p.m. and 8.53 p.m. and returned to the meeting at 8.50 p.m., 8.55 p.m. and 8.56 p.m. respectively.)

#### **C.65 Commercialism in the Financial Regulations**

Council was requested to approve the proposed changes to the Financial Regulations of the Council as presented.

#### **RESOLVED**

that the changes to the Financial Regulations of the Council, as outlined in the report, be approved.

#### **Reason:**

The amendments will allow officers to progress the Commercial Enterprise Strategy with greater flexibility.

The meeting closed at 9.15 pm

Chairman.