

Setting the Council Tax, (Amanda Fahey, Assistant Chief Executive)

Synopsis of report:

Following consideration of its own budget, the Council is required by statute to formally set the level of Council Tax to be levied in Runnymede Borough on behalf of itself and its preceptors (Surrey County Council and the Police and Crime Commissioner for Surrey).

Appendix A sets out the draft Council Tax Resolution subject to confirmation by the precepting bodies following their own tax setting meetings.

At the full Council meeting of 9 February 2023, Runnymede Borough Council was unable to approve the Council Tax Resolution and set the Council Tax for the area, as formal notification had not yet been received from the Office of the Police and Crime Commissioner on behalf of Surrey Police. Full Council therefore delegated this function to a special committee (the Council Tax Setting Committee) to make the final Resolution.

Recommendation:

To approve the Council Tax Resolution as set out at Appendix A

1. Context and background of report

- 1.1 Once the Council has considered and formally set its own budget and Council Tax requirement for the year ahead, it is required under the Local Government Finance Act 1992 to set the Council Tax for its area, including the amounts to be levied on behalf of its local precepting bodies (in Runnymede Borough Council's case, the other precepting bodies are Surrey County Council (SCC) and the Police and Crime Commissioner for Surrey (PCC)).
- 1.2 This is delivered via the Council Tax Resolution which provides the formal approval of the figures to be used for the billing of Council Tax for the coming year.

2 Report and options considered

- 2.1 The Council Tax must be set before 11th March in the financial year preceding the year to which the tax relates and cannot be set before the earlier of:
 - 1st March in the financial year preceding the year to which the tax relates
 - The date of issue to the authority of the last precept from its major precepting authorities for the relevant year
- 2.2 Full Council approved Runnymede Borough Council's Council Tax element at its meeting on 9 February 2023. However, it was unable to proceed to the setting of the Council Tax, via the approval of the Council Tax Resolution, as the formal notice of its tax setting amounts had not been received from the PCC.
- 2.3 While much of the budget setting process is a function of the Full Council and cannot be delegated to a committee, the passing of the Council Tax Resolution is one function that may be exercised by a committee of the authority appointed by it for that

purpose. The Council must determine the number of members of the committee, who must be members of the Council and not external appointments, and the term of office.

- 2.4 At its meeting 9 February 2023, Full Council therefore agreed the Terms of Reference for a special Committee (the Council Tax Setting Committee) to which it delegated authority for the formal approval of the Council Tax Resolution. The special Committee to meet on 23 February, by which time it was expected that the requisite notification would have been received from the PCC.
- 2.5 The option of deferring the Resolution to the next scheduled meeting of Full Council, 2 March 2023, was considered, but rejected, as this would leave insufficient time to complete the annual billing process, including the printing of Council Tax demands and the provision of sufficient notice to residents ahead of the first direct debit collections for the year.
- 2.6 Bringing the March Full Council meeting forward was also rejected as an option due to its already close proximity to the February Council meeting and the need to allow for recommendations from February committee meetings to be considered, where necessary, in a suitable timescale.

3 The Council Tax Resolution

- 3.1 The Council Tax Resolution for 2023/24 is set out at Appendix A, in its prescribed format, based on the budget requirements of the Council and each preceptor.
- 3.2 The Resolution simply brings together the Council Tax levels agreed by each body and does not affect the decisions made by each, including this Council, on the amount of tax to be levied. These decisions have already been taken as part of the budget setting process at each of Runnymede Borough Council, the County Council and the PCC.

4 Policy framework implications

- 4.1 The approval of the Council Tax Resolution is a key element of the statutory framework for setting the Council Tax in Runnymede. It flows out of the decisions taken under the budget policy framework of the Council, and that of the other major precepting bodies. While the policy framework, including the Council's budget proposals, are required to be considered by full Council, the Resolution is allowed under statute to be delegated to a committee as set out in the body of the report.

5 Resource implications/Value for Money

- 5.1 The Council's budget sets out the resources required to deliver its objectives for the year ahead, including its Council Tax requirement, which drive the figures in the Resolution relating to Runnymede Borough Council. There are no additional resource implications contained in the report, other than an additional meeting, which is being held on the same evening as a scheduled meeting, to reduce the draw on Member and officer time.

6 Legal Implications

- 6.1 Under the Local Government Finance Act 1992, the Council is required to determine the level of Council Tax for the Borough for 2023/24 by 11 March 2023. The Act prescribes the calculations to be set out in the Resolution while s67 of the Act allows

for the Resolution to be considered by a committee of the Council following confirmation of the precepts.

7 Equality Implications

- 7.1 There are no equality implications of this report.

8 Environmental, Sustainability, Bio-diversity implications

- 8.1 The delegation of the approval of the Council Tax Resolution to the Council Tax Setting Committee, to be constituted from the membership of the Corporate Management Committee and meet on the same date as an existing meeting, reduces the potential for additional environmental impacts from holding a separate meeting by reducing travel requirements.

9 Conclusions

- 9.1 Appendix A of this report sets out the draft Council Tax Resolution for 2023/24, including the Council Tax base for the Borough and the gross income and expenditure, Council Tax Requirement and Band D Council Tax level for Runnymede, as set out in the budget report which was approved by Full Council 9 February 2023. In addition, it sets out the Council Tax by valuation bands A – H for Runnymede Borough Council, Surrey County Council and Surrey Police and Crime Commissioner along with the total Council Tax due for each band, before any discounts or premiums are awarded.
- 9.2 If the Council has received formal notification of the preceptors' Council Tax amounts by the time of the meeting, then the Resolution can be approved. At the time of writing this report, such formal notification has been received from SCC but is awaited from the PCC.

(To resolve)