



**Meeting:** Council

**Date:** 4th December 2014

**Wards Affected:** All Wards

**Report Title:** Council Tax Base 2015/16

**Is the decision a key decision?** Yes

**When does the decision need to be implemented?**

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## **1. Purpose and Introduction**

- 1.1 The Council is required to determine its Tax Base for Council Tax purposes for 2015/16 during the period 1 December 2014 to 31 January 2015 and the level of Council Tax subsequently set must use this base figure. A Tax Base calculation is provided in Appendix 1 for an appropriate decision to be made.
- 1.2 The Council, as a billing authority, is required to calculate a separate Tax Base for the Brixham Town Council area. A Tax Base calculation for the area is provided in Appendix 2 for an appropriate decision to be made.

## **2. Proposed Decision**

- 2.1 **That the calculation of the Council Tax Base for the year 2015/16 be approved as shown in Appendix 1 to the submitted report.**
- 2.2 **That the calculation of the Brixham Town Council Tax Base for the year 2015/16 be approved as shown in Appendix 2 to the submitted report.**
- 2.3 **That, in accordance with the Local Authorities (Calculation of Tax base) (England) Regulations 2012, the amount calculated by Torbay Council as its Council Tax base for the year 2015/16 should be 42,370.75. (Dependant on approval of 2.1).**
- 2.4 **That, in accordance with the Local Authorities (Calculation of Tax base) (England) Regulations 2012, the amount calculated by Torbay Council as the Council Tax base for Brixham Town Council for the year 2015/16 should be 5,719.39. (Dependant on approval of 2.2).**

### **3. Reason for Decision**

- 3.1 The calculation of the Council Tax Base for both Torbay and Brixham Town Council is a statutory requirement in the budget setting process.

For more detailed information on this proposal please refer to the supporting information.

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## **Supporting Information**

### **4. Position**

#### **A1. Taxbase**

- A1.1 The Council is required by the 31<sup>st</sup> January to establish a base figure for the purpose of setting the level of Council Tax each year – the “Tax Base”. The calculation of this figure is prescribed by the Local Authorities (Calculation of Tax Base) (England) Regulations 2012.
- A1.2 The Regulations require this calculation to be made between 1<sup>st</sup> December 2014 and 31<sup>st</sup> January 2015 and for this figure to be notified to precepting authorities by the 31<sup>st</sup> January 2015. For the year commencing 1<sup>st</sup> April 2015 these will be the major precepting authorities of Police and Crime Commissioner for Devon and Cornwall, Devon and Somerset Fire and Rescue Authority and as a local precepting authority, Brixham Town Council.
- A1.3 Torbay Council, together with Police and Crime Commissioner for Devon and Cornwall, Devon and Somerset Fire and Rescue Authority and Brixham Town Council are required to use the tax base calculated by Torbay Council, as the billing authority, to determine their basic amounts of Council Tax for 2015/16.
- A1.4 The calculation of the tax base is prescribed by statute. It reflects the aggregate of the “relevant amounts” for each valuation band (including the impact from Council Tax Support Scheme) multiplied by the anticipated collection rate for the year. The calculation for the Council’s tax base is shown in Appendix 1 and the calculation for Brixham Town Council is shown in Appendix 2.
- A1.5 The calculation of the relevant amount begins with the actual number of dwellings on the “relevant date”. For 2015/16 this is the 30<sup>th</sup> November 2014 and this is the date that must be used. This number is adjusted to make allowance for estimated variations to the list in the course of the year and for the impact of allowed discounts to certain classes of dwellings.
- A1.6 The impact of the Council Tax Support Scheme including the impact of the exceptional hardship scheme, which is linked to claimants, is converted to an equivalent number of dwellings per band by dividing the estimated cost per band of the reductions divided by the estimated Council Tax for that band.

- A1.7 These are then converted into Band “D” equivalents to produce the “relevant” amounts prescribed by the Regulations.
- A1.8 The billing authority then estimates its Council Tax Collection Rate, which is the percentage of 2015/16 Council Tax demands which it predicts will be paid into the Collection Fund during 2015/16. The Collection rate estimated for 2015/16 is 96.0% and this is reflected in the Tax Base calculation.
- A1.9 The calculated Council's tax base for 2015/16 of 42,370.75 compares with the 2014/15 tax base of 41,713.28 a 1.6% increase. This increase reflects the growth in the number of properties, which may be either new build or older properties, adapted and brought back in to use offset by the number of dwellings subject to an exemption, discount or a reduction and the impact of the Council Tax Support Scheme.
- A1.10 To calculate the council tax due to Brixham Town Council a Tax Base must be determined by Torbay Council, as the billing authority. The tax base for Brixham Town Council is and the calculation is shown in Appendix 2.
- A1.11 The calculated Brixham Town Council's tax base for 2015/16 of 5,719.39 compares with the 2014/15 tax base of 5,633.38 a 1.5% increase.

## **A2 Technical Adjustments**

- A2.1 Within the Taxbase calculation there are a number of exemptions and discounts for certain categories of dwellings. Some of these are set by central government and some the Council has discretion over. There are no new options available for discretionary technical adjustments and therefore no changes are proposed.

## **A3 Estimation of Collection Fund Surplus/Deficit (Council Tax & NNDR)**

- A3.1 An estimate is to be made as of the surplus or deficit on the Council Tax part of the Collection Fund at year end from under or over achieving the estimated collection rate. As the Council sets a collection rate within its tax base equivalent to the amount collected in the 12 months of the next financial year, any surplus primarily represents the collection of sums due in respect of previous years. This indicates a level of success in collecting old year debts and raises the overall, longer term, collection rate to above the in year rate of 96.0%. The total value of Council Tax collected is also affected by changes in the number of dwellings, level and mix of discounts and exemptions and changes in the number of claimants for Local Council Tax Support.
- A3.2 The amount of any surplus or deficit which a billing authority, like Torbay, estimates on its collection fund at the end of the current year is to be shared and is taken into account by both the billing authorities and Major Precepting Authorities in calculating basic amounts of Council Tax for the subsequent year. As a local precepting authority, as defined in the Local Government Finance Act 2012, Brixham Town Council will not be entitled to a share of any surplus or deficit on the Collection fund.
- A3.3 An estimate is to be made as of the surplus or deficit on the NNDR part of the Collection Fund at year end from under or over achieving the estimated collection rate, in addition to the any changes in the actual NNDR raised compared to the

estimated levels of NNDR as detailed in the NNDR1 return set in the January prior to the start of the financial year.

- A3.4 The amount of any surplus or deficit which a billing authority, like Torbay, estimates on the NNDR part of its collection fund at the end of the current year is to be shared by both the billing authorities and Major Precepting Authorities. 49% of this falls to Torbay Council, 1% to Devon and Somerset Fire and Rescue Authority and 50% to Central Government.
- A3.5 In December 2013 Council approved that the “approval of the estimated distribution on the Collection Fund for both Council Tax and Non Domestic Rates for the next financial year and following years is delegated to the Chief Finance Officer and subsequently distributed to Members as part of the budget”.

## **5. Possibilities and Options**

- 5.1 None – calculation of taxbase is based on statute.

## **6. Fair Decision Making**

- 6.1 Not applicable

## **7. Public Services (Social Value) Act 2012**

- 7.1 Not applicable

## **8. Risks**

- 8.1 If taxbase not approved by end of January 2015 then the Council is unable to set a budget and this will impact on other precepting bodies.

## **8.1 Appendices**

Appendix 1 The calculation of Torbay Council Tax Base 2015/16

Appendix 2 The calculation of Brixham Town Council Tax Base 2015/16