

Council (Council Tax)

SUPPLEMENTAL SUMMONS

DATE: Thursday 28 February 2013

**9. FINAL REVENUE BUDGET AND MEDIUM TERM FINANCIAL STRATEGY
2013/14 TO 2016/17 (Pages 1 - 6)**

Following the publication of the Council Summons, minor drafting changes were made to the Model Tax Resolution. The amended version enclosed is the Resolution for Council decision making purposes.

13. RECOMMENDED CONSTITUTIONAL CHANGES (Pages 7 - 14)

Report of the Constitution Review Working Group.

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COUNCIL
28 FEBRUARY 2013

CABINET RECOMMENDATION
(14 FEBRUARY 2013)

**RECOMMENDATION II: FINAL REVENUE BUDGET
AND MEDIUM TERM
FINANCIAL STRATEGY**

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Following the publication of the Council Summons, minor drafting changes were made to the Model Tax Resolution. The amended version below is the Resolution for Council decision making purposes.

Model Council Tax Resolution

Harrow Council

Council Tax Resolution 2013-2014

To approve the model budget and Council Tax resolutions reflecting the recommendations of Cabinet and the GLA precept.

Council is requested to determine the level of the Council Tax for 2013-2014 in the light of the information on the precept and make the calculations set out in the resolution shown below.

- (1) To note that at its meeting on 22 January 2013 Cabinet calculated the amount of 76,874 as its Council Tax Base for the year 2013-2014 in accordance with Regulation 3 of the Local Authorities (Calculation of Council Tax Base) Regulations 2012 made under Section 31B(3) of the Local Government Finance Act 1992.

- (2) That the following amounts be now calculated by the Council for the year 2013-2014, in accordance with Sections 31A and 31B and 34 to 36 of the Local Government Finance Act 1992:
 - (i) Being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) [(a) to (f)] of the Act. **(Gross expenditure)**
[£586,864,067]

 - (ii) Being the aggregate of the amounts which the Council estimates for the items set out in Section 31A (3)[(a) to (d)] of the Act. **(Gross income including use of reserves)**
[£420,516,542]

 - (iii) Being the amount by which the aggregate at (i) above exceeds the aggregate at (ii) above, calculated by the Council, in accordance with Section 31A(4) of the Act, **as its budget requirement for the year.**
[£166,347,525]

(iv) Being the aggregate of the sums which the Council estimates will be payable for the year into its General Fund in respect of revenue support grant, increased by the amount of the sums which the Council estimates will be transferred in the year from its Collection Fund in accordance with Section 97(4) of the Local Government Finance Act 1988 (Collection Fund Surplus)

[£73,308,460]

(v) Being **the amount to be raised from Council Taxes**

Calculated as the amount at 2 (iii) above less the amount at 2 (iv.) above.

[£93,039,065]

(vi) Being the amount at (v) divided by the Council Tax Base, calculated by the Council at its meeting on 22 January 2013 in accordance with Section 31B(1) of the Local Government Finance Act 1992, as the basic amount of its Council tax for the year. **(The average Band D Council Tax)**

£1,210.28

(vii) Valuation Bands

	A	B	C	D	E	F	G	H
£	806.85	941.33	1075.80	1210.28	1479.23	1748.18	2017.13	2420.56

Being the amounts given by multiplying the amount at (vi.) above by the number which, in the proportion set out in Section 5(1) of the Local Government Finance Act 1992, 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 band D, calculated by the Council, in accordance with Section 36(1) of the Local Government Finance Act 1992, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different valuation bands.

(3) That it be noted that for 2013-2014 the Greater London Authority stated the following amount in precept issued to the Council, in accordance with section 40 of the Local Government Finance Act 1992, for each of the categories of dwellings shown below

Valuation Bands

	A	B	C	D	E	F	G	H
£	202.00	235.67	269.33	303.00	370.33	437.67	505.00	606.00

(4)

That, having calculated the aggregate in each case of the amounts at (2)(vii) and (3) above, the Council, in accordance with Section 30(2) of the Local Government Finance Act 1992, hereby sets the following amounts as the amounts of Council Tax for the year 2013-2014 for each of the categories of dwellings shown below

Valuation Bands

	A	B	C	D	E	F	G	H
£	1,008.85	1,177.00	1,345.14	1,513.280	1,849.56	2,185.85	2,522.13	3,026.56

(5)

Determine for the purposes of 52ZB and Section 52ZC of the Local Government Finance Act that the Council's basic amount of Council Tax for 2013/14 is not excessive in accordance with principles approved under Section 52ZB and 52ZC of the Local Government Finance Act 1992, the Referendums Relating to Council Tax Increases (Principles) Report (England) 2013/2014 and Referendums Relating to Council Tax Increases (Alternative Notional Amounts) Report (England) 2013/2014.

COUNCIL
28 FEBRUARY 2013

RECOMMENDED
CONSTITUTIONAL CHANGES

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REPORT FOR: COUNCIL

Date of Meeting: 28 February 2013

Subject: **Recommended
Constitutional Changes**

Exempt: No

Enclosures: None

Section 1 - Summary & Recommendations

This report details proposed constitutional changes in respect of the operating arrangements for various matters, following consideration by the Constitution Review Working Group.

Recommendations:

That Council consider and decide whether to approve the proposed constitutional changes outlined in the report for adoption and addition to the Constitution where appropriate.

Section 2 - Report

1. The Constitution Review Working Group is an informal body established by agreement between the Group Leaders to receive proposals for alterations or updates to Authority's Constitution for formal submission to Council.
2. The following are proposed changes by the Constitution Review Working Group which comprises members from the two political groups represented on Council:

(A) Leader's Announcements

Currently at Council Procedure Rule 4.3, there is a procedure for the Leader of the Council to address Full Council meetings and make announcements in relation to current achievements and issues involving the Council. The Group considered amendments to this rule to ensure that all Portfolio Holders could speak under this provision, if they wished. This would ensure that Full Council meetings may be provided with a range of information from all different areas of the Council. Set out below is the Working Group's suggested amendment to the Rule for Council to consider.

4.3 Leader and Portfolio Holders' Announcements

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4.3.1 Announcements by the Leader and Portfolio Holders submitted in accordance with Rule 4.2 will be dealt with at ordinary meetings of the Council in the following way:

4.3.1.1 A Leader and Portfolio Holders' Announcements item will appear on the Council's order of business paper as a separate item and the Leader and / or Portfolio Holders may give a short summary statement updating the Council on matters of interest and relevant issues which have come to the fore since the previous meeting of the Council;

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4.3.1.2 The Leader and Portfolio Holders' Announcements will last not more than twenty minutes. Up to 10 minutes will be allowed for the announcements and the remainder of the time will be allowed for questions from Members;

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4.3.1.3 Members will be permitted to ask questions in relation to the announcements on a "first called, first answered" basis;

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4.3.1.4 A Councillor asking a question under Rule 4.3.1.3 may ask one supplementary question at the Council meeting at which the Leader's answer is given. The supplementary question must arise directly out of the original question or the reply.

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4.3.1.5 Leader's Announcements does not apply to Annual, Extraordinary, Council Tax or adjourned meetings of the Council.

RECOMMENDATION TO COUNCIL: That the amendments to the Council's Constitution be agreed.

(B) Reference from the Overview and Scrutiny Committee – 20 September 2012

The Working Group received a reference from the Overview and Scrutiny Committee held on 20 September 2012 which set out amendments to the Performance and Finance Scrutiny Sub-Committee's Terms of Reference as follows:

PROPOSED REVISED TERMS OF REFERENCE

PERFORMANCE & FINANCE SUB-COMMITTEE

The Performance and Finance Sub-Committee has the following powers and duties:

1. To be the key driver of the scrutiny function's work programme and the body responsible for monitoring the performance of the council and partners in relation to their stated priorities;
2. To consider/monitor, on an exception basis, the financial and service performance of the organisation;
3. To consider/monitor the performance of the council's partners;
4. To undertake specific investigation of identified 'hot spots' through Q&A, reports or challenge panels – subject to endorsement by the Overview and Scrutiny Committee;
5. To refer 'hot spots' to the Overview and Scrutiny Committee for more detailed investigation where necessary;
6. To consider such urgent items

RECOMMENDATION TO COUNCIL: That the revised Terms of Reference for the Performance and Finance Scrutiny Sub-Committee be incorporated into the Council's Constitution.

(C) Sealing of Documents

The Contract Procedure Rules (at para. 30.6) referred to contract sealing being the responsibility of the 'Director of Legal Services'. To ensure that there was full clarity that this also related to land deeds it has been proposed that the group proposed that a further delegation be added for the Director of Legal and Governance Services in part 3b of the constitution, page 75, as follows:

<p>Director of Legal and Governance Services</p> <p>1. To institute, defend or participate in any legal proceedings, in any Court or Tribunal and in any case where such action is necessary to give effect to decisions of the Council, or in any case where he or she considers that such action is necessary to protect the Council's interests.</p>	<p>▲ Council</p>
<p>2. To delegate to any officer authority to institute defend or participate in any legal proceedings, in any Court or Tribunal and in any case where such action is necessary to give effect to decisions of the Council, or in any case where he or she considers that such action is necessary to protect the Council's interests.</p>	<p>▲ Council</p>
<p>3. To authorise officers to appear in Court on the Council's behalf.</p>	<p>▲ Council</p>
<p>4. To act as the proper officer for the purposes of Births, Deaths and Marriages</p>	<p>▲ Council</p>
<p>5. To undertake any action necessary to ensure the effective development and implementation of the Council's Corporate Governance Framework.</p>	<p>▲ Council and Executive</p>

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6. <u>To authorise the affixing of the Council's seal and execution of deeds</u>	<u>Council and Executive</u>
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RECOMMENDATION TO COUNCIL: That the amendments to the Council's Constitution be agreed.

Section 3 - Legal, Risk and Financial Implications

There are no risks to the Council in approving changes to the Constitution as this serves as the framework for decision making processes for matters falling within its remit.

The legal implications are addressed within the report.

There are no financial implications associated with this report.

Section 4 - Contact Details and Background Papers

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Background Papers:

Council's Constitution

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