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Extraordinary Council

Tuesday, 1st March, 2022 at 5.00 pm
Park Suite, Parkside, Chart Way, Horsham

To: All Members of the Council

You are summoned to the meeting to transact the following business

Glen Chipp
Chief Executive

Agenda

	Page No.
GUIDANCE ON COUNCIL PROCEDURE	
1. Apologies for absence	
2. Declarations of Members' Interests To receive any declarations of interest from Members	
3. Announcements To receive any announcements from the Chairman of the Council, the Leader, Members of the Cabinet or the Chief Executive	
4. 2022-23 Council Tax Reduction Scheme - amendment to the regulations affecting the scheme To receive the report of the Cabinet Member for Finance	5 - 8
5. Urgent Business To consider matters certified by the Chairman as urgent	
a) Council Tax Resolution 2022/23 To receive the report of the Chief Executive	9 - 12

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GUIDANCE ON EXTRAORDINARY COUNCIL PROCEDURE

(Full details in Part 4a of the Council's Constitution)

Addressing the Council	<p>Members must address the meeting through the Chairman. When the Chairman wishes to speak during a debate, any Member speaking at the time must stop. The Chairman will decide whether he or she prefers Members to stand or sit when addressing the Council.</p>
Quorum	<p>Quorum is one quarter of the whole number of Members. If there is not a quorum present, the meeting will adjourn immediately. Remaining business will be considered at a time and date fixed by the Chairman. If a date is not fixed, the remaining business will be considered at the next ordinary meeting.</p>
Declarations of Interest	<p>Members should state clearly in which item they have an interest and the nature of the interest (i.e. personal; personal & prejudicial; or pecuniary). If in doubt, seek advice from the Monitoring Officer in advance of the meeting</p>
Announcements	<p>These should be brief and to the point and are for information only – no debate/decisions</p>
Rules of debate	<p>The Chairman controls debate and normally follows these rules but Chairman's interpretation, application or waiver is final.</p> <ul style="list-style-type: none"> - No speeches until a proposal has been moved (mover may explain purpose) and seconded - Chairman may require motion to be written down and handed to him/her before it is discussed - Secunder may speak immediately after mover or later in the debate - Speeches must relate to the question under discussion or a personal explanation or a point of order (max 5 minutes) - A Member may not speak again except: <ul style="list-style-type: none"> o On an amendment o To move a further amendment if the motion has been amended since he/she last spoke o If first speech was on an amendment, to speak on the main issue (whether or not the amendment was carried) o In exercise of a right of reply. Mover of motion at end of debate on original motion and any amendments (may not otherwise speak on amendment). Mover of amendment has no right of reply. o On a point of order – must relate to an alleged breach of Council Procedure Rules or law. Chairman must hear the point of order immediately. The ruling of the Chairman on the matter will be final. o Personal explanation – relating to part of an earlier speech by the Member which may appear to have been misunderstood. The Chairman's ruling on the admissibility of the personal explanation will be final. - Amendments to motions must be to: <ul style="list-style-type: none"> o Refer the matter to an appropriate body/individual for (re)consideration o Leave out and/or insert or add others (as long as this does not negate the motion) - One amendment at a time to be moved, discussed and decided upon. - Any amended motion becomes the substantive motion to which further amendments may be moved.

	<ul style="list-style-type: none"> - A Member may alter a motion that he/she has moved with the consent of the meeting and seconder (such consent to be signified without discussion). - A Member may withdraw a motion that he/she has moved with the consent of the meeting and seconder (such consent to be signified without discussion). - The mover of a motion has the right of reply at the end of the debate on the motion (unamended or amended).
Voting	<p>Any matter will be decided by a simple majority of those voting, by show of hands or if no dissent, by the affirmation of the meeting unless:</p> <ul style="list-style-type: none"> - Two Members request a recorded vote - A recorded vote is required by law. <p>Any Member may request their vote for, against or abstaining to be recorded in the minutes.</p> <p>In the case of equality of votes, the Chairman will have a second or casting vote (whether or not he or she has already voted on the issue).</p>

Report to Council

1 March 2022

By Cabinet Member for Finance

DECISION REQUIRED REPORT



**Horsham
District
Council**

Not Exempt

2022-23 Council Tax Reduction Scheme – amendment to the regulations affecting the scheme

Executive Summary

Council approved the 2022-23 Council Tax Reduction Scheme on 9 February 2022.

As a consequence of the £150 Energy Bills Rebate Scheme, the Council Tax (Demand Notices and Reduction Schemes) (England) (Amendment) Regulations 2022 were laid before Parliament and came into force on 12 February 2022. These regulations require all local council tax support schemes (including those for working age and pension age persons) from 1 April 2022 to disregard Energy Bills Rebate payments received by applicants.

An amendment to include this disregard is therefore required to our Council Tax Reduction Scheme and must be approved at a meeting of the full council no later than 11 March 2022.

Recommendations

That Council:

- i) approve the amendment to the 2022-23 Council Tax Reduction Scheme so that from 1 April 2022, Energy Bills Rebate payments received by applicants are disregarded.

Reasons for Recommendations

- i) To comply with the Regulations.

Background papers

- 2022-23 Council Tax Reduction Scheme (9 February 2022)
- Links to the regulations and the associated Explanatory Memorandum are below.

<https://www.legislation.gov.uk/ukxi/2022/127/contents/made>

https://www.legislation.gov.uk/ukxi/2022/127/pdfs/ukxiem_20220127_en.pdf

Wards affected: All

Contact: Beccy Salmon, R&B Operations Manager beccy.salmon@horsham.gov.uk

Dominic Bradley, Head of Finance and Performance 01403 215302

Background Information

1 Introduction and background

- 1.1 Council approved the 2022-23 Council Tax Reduction Scheme on 9 February 2022.
- 1.2 As a consequence of the £150 Energy Bills Rebate Scheme, the Council Tax (Demand Notices and Reduction Schemes) (England) (Amendment) Regulations 2022 were laid before Parliament and came into force on 12 February 2022.
- 1.3 These regulations require all local council tax support schemes (including those for working age and pension age persons) from 1 April 2022 to disregard Energy Bills Rebate payments received by applicants.

2 Relevant Council policy

- 2.1 The design and funding of the Council Tax Reduction scheme forms part of delivering a balanced budget in the medium term, as detailed in the Corporate Plan.

3 Details

- 3.1 This instrument requires local authorities in England responsible for the administration and collection of council tax (“billing authorities”) to provide information about the Energy Rebate Scheme 2022 to households in council tax bands A-D who receive a bill in respect of 1 April 2022. The instrument will also ensure that any reduction provided to council taxpayers under a local council tax support scheme is unaffected by payments received under the Energy Rebate Scheme.
- 3.2 The purpose of the Energy Rebate Scheme is to alleviate financial pressures on households. It is therefore essential to ensure that it does not create adverse financial consequences for people on low incomes who already receive support through income-based council tax support schemes.

4 Next steps

- 4.1 The Council Tax Reduction Scheme will be updated to include this amendment to disregard payments received under the Energy Rebate Scheme.

5 Views of the Policy Development Advisory Group and outcome of consultations

- 5.1 Due to timeframe and mandatory nature of the Regulations, it was not practicable to convene and consult the Finance Policy and Advisory Group. The Leader, the Cabinet Member for Finance and the Chairman were consulted.
- 5.2 The Monitoring Officer and the Director of Corporate Resources were consulted and confirmed that a full Council meeting should be convened to ensure legal and financial probity.

6 Other courses of action considered but rejected

6.1 None – the Regulations require this amendment.

7 Resource consequences

7.1 There are no resource consequences from this amendment to the policy.

8 Legal considerations and implications

8.1 Part 1 of the Local Government Finance Act 1992 (“the 1992 Act”) concerns council tax in England and Wales. Under the 1992 Act billing authorities are required to levy and collect council tax in respect of dwellings situated in their areas (see section 1(1) and (2) of that Act). Under powers in Schedule 2 to the 1992 Act, the Secretary of State may require billing authorities to serve a notice on a person before they are liable for council tax, and may specify matters that must be included in the notice. The requirement to serve a demand notice is included in regulation 18 of the Council Tax (Administration and Enforcement) Regulations 1992 (S.I. 1992/613). The Council Tax (Demand Notices) (England) Regulations 2011 (“the Demand Notice Regulations”) (S.I. 2011/3038) prescribe the information which must be contained in a notice (see regulation 5 of, and Schedule 1 to, those Regulations) and the information which must be provided with the notice (see regulation 6 of, and Schedule 2 to, those Regulations).

8.2 Section 13A of the Local Government Finance Act 1992 requires billing authorities to make a scheme reducing the amount of council tax payable by those whom the authority considers to be in financial need. Schedule 1A to that Act sets out the particular matters that a scheme must include and the process by which the scheme must be made. The Secretary of State may prescribe other matters that must be included in the scheme and has done so in the Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012 (“the Prescribed Requirements Regulations”) (S.I. 2012/2885).

9 Risk assessment

9.1 There are no risks associated with this change to the regulations.

10 Procurement implications

10.1 There are no procurement implications.

11. Equalities and Human Rights implications / Public Sector Equality Duty

11.1 The regulations have been put in place to ensure that it does not create adverse financial consequences for people on low incomes who already receive support through income-based council tax support schemes. No other impact is expected.

12 Environmental implications

12.1 There are no environmental implications from this change to the regulations.

13 Other considerations

13.1 There are no other considerations from this change to the regulations.

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Report to Council

Date of meeting 1st March 2022

By the Chief Executive

DECISION REQUIRED

Not exempt



COUNCIL TAX RESOLUTION 2022/23

Executive Summary

Full Council approved the Council Tax Resolution 2022/2023 at the Full Council Meeting of 9 February 2022. Since that report and Meeting there was an unexpected delay to the date for West Sussex County Council's formal approval and issue of the County's Council Tax precept due to storm Eunice. West Sussex County Council has now formally approved and issued the County's Council Tax precept at their Council meeting on 28 February 2022.

The previous report sought approval to the formal 2022/23 Council Tax resolution, setting out the Council Tax to be levied in each parish and for each property band. It was proposed to increase the District-wide Council Tax by £4.57 from £157.52 to £162.09 and to set the Special Charge in the unparished area at £26.83. This has not changed. Precepts from West Sussex Police and Crime Commissioner and parishes had been received and formed part of the overall Council Tax as shown in the previous report, it was West Sussex County Council's precept that was outstanding.

Recommendations

The Council is recommended to reaffirm approval of the Council Tax resolution 2022/2023 as shown in report to Full Council of the 9 February 2022 now that the County's Council precept has been formally approved and issued.

Reasons for Recommendations

To meet the Council's statutory requirement to set a Council Tax in accordance with the Local Government Finance Act 1992.

Background Papers

Report to Council 9 February 2022

Consultation

None

Wards Affected

All

Contact

**Jane Eaton, Director of Corporate Resources.
Dominic Bradley, Head of Finance and Performance
01403 215302**

Background Information

1 Introduction

- 1.1 The purpose of this report is to enable the Council to set the Council Tax for 2022/23.

Background / actions taken to date

- 1.2 The Cabinet met on 27 January 2022 and received a report from the Cabinet Member for Finance and the Director of Corporate Resources on the 2022/23 Budget and the Medium-Term Financial Strategy. The report was accepted and recommendations made to Council to agree the revenue and capital budgets for 2022/23 and the Special Expenses for the unparished area. The recommendation was to increase the District-wide Council Tax by £4.57 from £157.52 to £162.09 and set the Special Charge on the unparished area at £26.83.
- 1.3 Full Council approved the Council Tax Resolution 2022/2033 at the Meeting of 9 February 2022. Since that report and Meeting, there was an unexpected delay to the date for West Sussex County Council's formal approval and issue of the County's Council Tax precept due to storm Eunice. West Sussex County Council has now formally approved and issued the County's Council Tax precept at their Council meeting on 28 February 2022. This has not changed the Council Tax Resolution that was approved by Full Council. Precepts from West Sussex Police and Crime Commissioner and parishes had already been received and formed part of the overall Council Tax as shown in the previous report, it was West Sussex County Council's precept that was outstanding.

2 Statutory and Policy Background

- 2.1 The statutory requirements for the Council Tax resolution are contained in the Local Government Finance Act 1992 as amended by the Localism Act 2011. The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014 came into force on 25 February 2014 and require that immediately after any vote is taken at a budget decision meeting of an authority there must be recorded in the minutes of the proceedings of that meeting the names of the persons who cast a vote for the decision or against the decision or who abstained from voting.

3 Details

- 3.1 Precept requirements have been received from all the parishes within the district and from West Sussex County Council and the Sussex Police and Crime Commissioner.
- 3.2 The County Council's issued precept for each category of dwellings in the Council's area is indicated in the table below. There are no changes to what was originally reported:

Band	A	B	C	D	E	F	G	H
Authority								
West Sussex County Council	1,037.16	1,210.02	1,382.88	1,555.74	1,901.46	2,247.18	2,592.90	3,111.48

3.3 These figures, together with the proposed District tax and Special Charge are incorporated in the detailed tables included in the Council Tax resolution. That in accordance with Sections 30 and 36 of the Local Government Finance Act 1992, this hereby sets the aggregate amounts shown in the table below as the amounts of Council Tax for 2022/23 for each part of its area and for each of the categories of dwellings:

BAND	A	B	C	D	E	F	G	H
	£	£	£	£	£	£	£	£
Amberley	1,359.15	1,585.68	1,812.21	2,038.73	2,491.78	2,944.83	3,397.88	4,077.46
Ashington	1,354.30	1,580.02	1,805.73	2,031.45	2,482.88	2,934.32	3,385.75	4,062.90
Ashurst	1,356.06	1,582.07	1,808.08	2,034.09	2,486.11	2,938.13	3,390.15	4,068.18
Billingshurst	1,363.01	1,590.17	1,817.34	2,044.51	2,498.85	2,953.18	3,407.52	4,089.02
Bramber	1,340.17	1,563.53	1,786.90	2,010.26	2,456.98	2,903.71	3,350.43	4,020.52
Broadbridge Heath	1,331.62	1,553.56	1,775.49	1,997.43	2,441.30	2,885.18	3,329.05	3,994.86
Coldwaltham	1,318.44	1,538.18	1,757.92	1,977.66	2,417.14	2,856.62	3,296.10	3,955.32
Colgate	1,306.17	1,523.87	1,741.56	1,959.26	2,394.65	2,830.04	3,265.43	3,918.52
Cowfold	1,348.78	1,573.58	1,798.38	2,023.18	2,472.77	2,922.37	3,371.96	4,046.35
Henfield	1,362.62	1,589.72	1,816.82	2,043.93	2,498.13	2,952.34	3,406.55	4,087.86
Itchingfield	1,356.38	1,582.44	1,808.50	2,034.57	2,486.69	2,938.82	3,390.94	4,069.13
Lower Beeding	1,339.95	1,563.27	1,786.59	2,009.92	2,456.57	2,903.22	3,349.86	4,019.84
North Horsham	1,321.74	1,542.02	1,762.31	1,982.60	2,423.18	2,863.76	3,304.34	3,965.21
Nuthurst	1,327.53	1,548.78	1,770.04	1,991.29	2,433.80	2,876.31	3,318.82	3,982.58
Parham	1,323.49	1,544.07	1,764.65	1,985.23	2,426.39	2,867.55	3,308.71	3,970.46
Pulborough	1,361.31	1,588.20	1,815.08	2,041.97	2,495.74	2,949.51	3,403.28	4,083.94
Rudgwick	1,343.48	1,567.39	1,791.30	2,015.22	2,463.04	2,910.87	3,358.69	4,030.43
Rusper	1,324.68	1,545.46	1,766.24	1,987.02	2,428.58	2,870.14	3,311.70	3,974.04
Shermanbury	1,349.97	1,574.96	1,799.96	2,024.95	2,474.94	2,924.93	3,374.92	4,049.90
Shipley	1,325.32	1,546.21	1,767.10	1,987.99	2,429.76	2,871.54	3,313.31	3,975.97
Slinfold	1,339.59	1,562.86	1,786.12	2,009.39	2,455.92	2,902.45	3,348.98	4,018.78
Southwater	1,372.16	1,600.85	1,829.55	2,058.24	2,515.63	2,973.01	3,430.40	4,116.48
Steyning	1,380.31	1,610.36	1,840.41	2,070.46	2,530.56	2,990.67	3,450.77	4,140.92
Storrington & Sullington	1,345.41	1,569.64	1,793.88	2,018.11	2,466.58	2,915.05	3,363.52	4,036.22
Thakeham	1,333.84	1,556.15	1,778.46	2,000.76	2,445.38	2,889.99	3,334.60	4,001.52
Upper Beeding	1,392.50	1,624.58	1,856.66	2,088.75	2,552.91	3,017.08	3,481.25	4,177.50
Warnham	1,355.88	1,581.86	1,807.84	2,033.82	2,485.78	2,937.74	3,389.70	4,067.64
Washington	1,320.64	1,540.75	1,760.85	1,980.96	2,421.17	2,861.39	3,301.60	3,961.92
West Chiltington	1,340.57	1,564.00	1,787.43	2,010.86	2,457.72	2,904.58	3,351.43	4,021.72
West Grinstead	1,331.81	1,553.77	1,775.74	1,997.71	2,441.65	2,885.58	3,329.52	3,995.42
Wiston	1,321.57	1,541.83	1,762.10	1,982.36	2,422.88	2,863.41	3,303.93	3,964.72
Woodmancote	1,326.94	1,548.09	1,769.25	1,990.40	2,432.72	2,875.03	3,317.34	3,980.81
Horsham Town - Special charge	1,313.05	1,531.89	1,750.73	1,969.57	2,407.25	2,844.93	3,282.62	3,939.14

- 3.4 For completeness and in accordance with Section 30 (7) Local Government Finance Act 1992 reaffirming approval of the Council Tax Resolution 2022/2023 is needed now the County's precept has been formally issued.

4 Other courses of action considered but rejected

- 4.1 The Council is legally required to set a Council Tax. No other course of action has been considered.

5 Resource consequences

- 5.1 The financial consequences of the proposed budget have been included in the report to Cabinet. The staffing consequences of the proposed budget have been included in the report to Cabinet.

6 Legal consequences

- 6.1 The Council Tax in England and Wales is provided for and governed by the provisions of the Local Government Finance Act 1992. Within this Act, section 1(2) (a), the Council is designated as a "Billing Authority", responsible for the billing, collection and enforcement of Council Tax.

7 Risk assessment

- 7.1 The Council's reliance on central government-controlled funding and balancing the Medium-Term Financial Strategy is captured on the Corporate Risk Register at CRR01. This is regularly reviewed and updated and is monitored at every Audit Committee meeting.

8 Equalities and Human Rights implications / Public Sector Equality Duty

- 8.1 The Equality Act 2010 includes a public sector equality duty which requires Councils when exercising functions to have due regard to the need to eliminate discrimination, harassment and victimisation and other conduct prohibited under the Act and to advance equality of opportunity and foster good relations between those who share a "protected characteristic and those who do not share that protected characteristic". When a Budget proposal has implications for people covered by the Equality Act 2010, the Council must take account of the Equality Duty and any particular impact on the protected group. There are no equality implications in regards to this proposed budget.

9 Environmental implications

- 9.1 There are no environmental consequences from these decisions.

10 Other considerations

- 10.1 There are no other considerations arising from these decisions.