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West Devon
Borough
Council

WEST DEVON COUNCIL - THURSDAY, 23RD FEBRUARY, 2012

Agenda, Reports and Minutes for the meeting

Agenda No Item

1. **Summons Letter (Pages 1 - 2)**

2. **Reports**
 Reports to Council:
 - a) Item 8 - Council Tax Resolution for 2012/2013 (Pages 3 - 16)
 - b) Item 9 - Calendar of Meetings 2012/2013 (Pages 17 - 18)

3. **Minutes - 23 February 2012 (Pages 19 - 22)**

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PART TWO – ITEMS WHICH MAY BE TAKEN IN THE ABSENCE OF THE PRESS AND PUBLIC ON THE GROUNDS THAT EXEMPT INFORMATION MAY BE DISCLOSED (if any).

If any, the Council is recommended to pass the following resolution:

“RESOLVED that under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the Meeting on the grounds that exempt information may be disclosed as defined in Part I of Schedule 12(A) to the Act.”

Dated this 15th day of February 2012

A handwritten signature in black ink, appearing to read "R. Heard". The signature is written in a cursive style with a large initial "R".

Chief Executive

AGENDA
ITEM

8

WEST DEVON BOROUGH COUNCIL

AGENDA
ITEM

8

NAME OF COMMITTEE	Council
DATE	23rd February, 2012
REPORT TITLE	Council Tax 2012/13
REPORT OF	Head of Finance & Audit
WARDS AFFECTED	All

Summary of report:

This report is to enable the Council to calculate and approve the Council Tax requirement for 2012/13.

Financial implications:

This report shows how the Council Tax is prepared and set for 2012/13.

RECOMMENDATIONS:

That the Council approves the formal council tax resolutions as detailed below:

1. That it be noted that on 21 December 2011 the Chief Executive and Strategic Directors, under delegated authority from full Council, approved the Council Tax Base for the year 2012/13
 - (a) for the whole Council area as 21,019.39 [Item T in the formula in Section 31B of the Local Government Finance Act 1992, as amended (the Act)]; and
 - (b) for dwellings in those parts of its area to which a Parish precept relates as in the attached **Appendix A**.

2. That the Council Tax requirement for West Devon Borough Council's own purposes for 2012/13 (excluding Parish precepts) is calculated at £4,139,769 (**Appendix B**).
3. That the following amounts are calculated by the Council for the year 2012/13 in accordance with Sections 31 to 36 of the Local Government Finance Act 1992 and the Localism Act 2011 (**Appendix B**):
 - (a) £27,875,966 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/Town Councils (**Gross expenditure including parish precepts**).
 - (b) £22,596,181 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A (3) of the Act (**Total income including formula grant and council tax surplus**).
 - (c) £5,279,785 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. (Item R in the formula in Section 31B of the Act) (**Council tax requirement including parish precepts**).
 - (d) £251.19 being the amount at 3(c) above (Item R), all divided by Item T (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 (**Average band D council tax for West Devon Borough Council and parishes**).
 - (e) £1,140,016 being the aggregate amount of all special items (Parish precepts) referred to in Section 34(1) of the Act (as per the attached **Appendix C – parish precepts**).

- (f) £196.95 being the amount at 3(d) above less the result given by dividing the amount at 3(e) above by Item T (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 (**Band D council tax for West Devon Borough Council only**).

4. That it be noted the County Council, the Police Authority and the Fire Authority have issued precepts to the Council in accordance with Section 40 of the Local Government Finance Act 1992 for each of the categories of dwellings as shown below:

Precepting authority	Valuation Bands							
	A £	B £	C £	D £	E £	F £	G £	H £
Devon County Council's tax requirements	744.24	868.28	992.32	1,116.36	1,364.44	1,612.52	1,860.60	2,232.72
Devon & Cornwall Police Authority's tax requirements	106.49	124.23	141.98	159.73	195.23	230.72	266.22	319.46
Devon & Somerset Fire & Rescue Authority's tax requirements	49.28	57.49	65.71	73.92	90.35	106.77	123.20	147.84

5. That the Council, in accordance with Sections 30 and 36 of the Local Government Finance Act 1992, hereby sets the amounts of Council Tax for the year 2012/13 for each of the categories of dwellings shown at **Appendix D (total of all valuation band council taxes for West Devon Borough Council including parishes, county, police and fire authorities)**.
6. That the Council has concluded that the basic amount of Council Tax for West Devon Borough Council for 2012/13 is not excessive in accordance with principles approved under Section 52ZB Local Government Finance Act 1992. (see calculation at **Appendix B**).

Officer contact:

Lisa Buckle, Head of Finance
01822 813644 lisa.buckle@swdevon.gov.uk

1. BACKGROUND

1.1 The Localism Act 2011 has made significant changes to the Local Government Finance Act 1992, and now requires the billing authority to calculate a council tax requirement for the year, not a budget requirement as previously. West Devon Borough Council is a billing authority.

1.2 Precepts have been notified to us from the Parish and Town Councils, Devon County Council, Devon and Cornwall Police Authority and Devon and Somerset Fire and Rescue Authority. These are detailed below:

(i) Town & Parish Councils

The Town & Parish Council Precepts for 2012/13 are detailed in Appendix C and total £1,140,016. The increase in the average Band D Council Tax for Town and Parish Councils is 14.77% and results in an average Band D Council Tax figure of £54.24 for 2012/13.

(ii) Devon County Council

Devon County Council met on 16th February 2012 and set their precept at £23,465,206.22 adjusted by a Collection Fund contribution of £528,558.08. This results in a Band D Council Tax of £1,116.36

(iii) Devon and Cornwall Police Authority

Devon and Cornwall Police Authority met on 17th February 2012 and set their precept at £3,357,427.16, adjusted by a Collection Fund contribution of £73,730.40. This results in a Band D Council Tax of £159.73.

(iv) Devon and Somerset Fire and Rescue Authority

Devon & Somerset Fire & Rescue Service met on 17th February 2012 and set their precept at £1,553,753 adjusted by a Collection Fund contribution of £33,867. This results in a Band D Council Tax of £73.92.

2. LEGAL IMPLICATIONS

2.1 The Council is required by law to approve the Council Tax taking into account the requirements of our precepting bodies.

2.2 The Localism Act 2011 has made significant changes to the Local Government Finance Act 1992 and now requires the billing authority to calculate a council tax requirement for the year, not its budget requirement as previously.

2.3 As billing authority, the Council must determine whether the Council's basic amount of Council Tax for 2012/13 is excessive in accordance with principles approved under Section 52ZB Local Government Finance Act 1992. These principles are set by the Secretary of State each year.

Where the amount of council tax for a financial year is “excessive” within the meaning of the principles, it will place the authority under a duty to hold a referendum. For the financial year 2012/13, according to the current principles the basic amount of council tax will not be excessive if it is less than 3.5%. Within those terms, the proposed increase in the billing authority’s council tax is not excessive and will not trigger a referendum.

3. FINANCIAL IMPLICATIONS

- 3.1 The Council is required to calculate and approve the Council Tax requirement for 2012/13.
- 3.2 The table below shows how an average Band D council bill is made up for West Devon Borough Council:

Precepting Authority	Band D Council Tax 2011/12	Band D Council Tax 2012/13	£ Increase	% Increase	Date Approved
Devon County Council	£1,116.36	£1,116.36	Nil	Nil	16 Feb 2012
West Devon Borough Council	£192.15	£196.95	£4.80	2.5%	14 Feb 2012
Devon & Cornwall Police	£156.60	£159.73	£3.13	2%	17 Feb 2012
Devon & Somerset Fire & Rescue	£71.77	£73.92	£2.15	3%	17 Feb 2012
Average Parish /Town Council	£47.26	£54.24	£6.98	14.77%	Various
TOTAL	£1,584.14	£1,601.20	£17.06	1.08%	

4. RISK MANAGEMENT

- 4.1 The risk management implications are:

Opportunities	Benefits
To explain the Council Tax setting process.	Members are given a breakdown on how an average Council Tax bill is made up between the various precepting bodies
Issues/Obstacles/Threats	Control measures/mitigation
The way in which the Council Tax Resolutions are made is set out very precisely and the	The Council must set the Council Tax by 11 March 2012. The timetable for the budget setting process takes this into

Council must adhere to the various Acts and Regulations.	account and allows sufficient time for the significant amount of work involved.
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5. OTHER CONSIDERATIONS

Corporate priorities engaged:	All
Statutory powers:	Local Government Finance Act 1992 Localism Act 2011
Considerations of equality and human rights:	None directly related to this report
Biodiversity considerations:	None directly related to this report
Sustainability considerations:	None directly related to this report
Crime and disorder implications:	None directly related to this report
Background papers:	SMT 21 Dec 11 - Declaration of Council Tax Base Council 14 Feb 2012 – Budget Proposals 2012/13
Appendices attached:	Appendix A - Parish and Town Council Tax Bases 2012/13 Appendix B - Calculations relating to recommendations Appendix C - Parish and Town Council Precepts 2012/13 Appendix D – County, Police Authority, Fire Authority, District and Parish/Town Requirements 2012/13

PARISH AND TOWN COUNCIL TAX BASES 2012/2013

<u>Parish/Town</u>	<u>Council Tax Base</u>	<u>Parish/Town</u>	<u>Council Tax Base</u>
	Number of Band D Equivalent Properties		Number of Band D Equivalent Properties
Beaworthy	83.64	Lamerton	308.02
Belstone	120.81	Lewdown	335.03
Bere Ferrers	1,160.61	Lifton	434.13
Bondleigh	59.54	Lydford	185.80
Bratton Clovelly	176.78	Mary Tavy	365.19
Brentor	191.00	Meeth	64.48
Bridestowe	225.85	Milton Abbot	372.04
Broadwoodkelly	102.07	Monkokehampton	53.26
Buckland Monachorum	1,692.87	Northlew	296.19
Burrator	679.22	North Tawton	681.28
Chagford	741.74	Okehampton Hamlets	230.26
Dartmoor Forest	399.87	Okehampton Town	2,558.91
Drewsteignton	367.67	Peter Tavy	134.89
Exbourne & Jacobstowe	212.55	Plasterdown	283.75
Germansweek	74.67	Sampford Courtenay	244.21
Gidleigh	61.87	Sourton	169.66
Gulworthy	194.94	South Tawton	478.28
Hatherleigh	624.28	Spreyton	177.33
Highampton	114.19	Sticklepath	165.20
Horrabridge	785.62	Stowford	119.26
Iddesleigh	90.67	Sydenham Damerel	110.93
Inwardleigh	179.96	Tavistock	4,703.62
Kelly	54.00	Throwleigh	153.25
		Total	21,019.39

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Recommendation 2

Calculation of Council Tax Requirement

Council Tax Base x Average Band D Council Tax

21019.39 x 196.95 **4,139,769**

Recommendation 3

Calculation of figures relating to sub sections (a) to (f)

	£000's	£000's	
Revenue Expenditure			
Gross revenue expenditure 2012/13 estimate	26,735,950		
<u>Add</u> Total town/parish precepts 2012/13	1,140,016		
		27,875,966	3(a)
Revenue Income			
<u>Less</u> Total income 2012/13 estimate (including contributions from reserves)	19,406,845		
<u>Less</u> Formula Grant	3,074,762		
<u>Less</u> Estimated surplus on Collection Fund in respect of Council Tax (WDBC share)	114,574		
		22,596,181	3(b)
Council Tax Requirement (including parish precepts)		5,279,785	3(c)
Band D Council Tax for District & Parish/town requirements			
Council Tax Requirement above	5,279,785		
Tax base	21,019.39	251.19	3(d)
Total Parish/Town Council Precepts (as per attached Appendix C)		1,140,016	3(e)
Band D Council Tax for District requirement			
Council Tax Requirement (excluding parish precepts)	4,139,769		
Tax base	21,019.39	196.95	3(f)

Recommendation 6

Comparison of Average Band D Council Tax

	2011/12	2012/13
Council tax requirement excluding parish precepts (£'s)	4,006,481	4,139,769
Council tax base	20,850.8	21,019.39
Average Band D equivalent (£'s)	192.15	196.95
Increase in average Band D council tax	2.50%	

Nb. A referendum is required if the Council Tax increase is over 3.5%

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PARISH AND TOWN COUNCIL PRECEPTS 2012/2013

<u>Parish/Town</u>	<u>Precept</u>	<u>Parish/Town</u>	<u>Precept</u>
	£		£
Beaworthy	1,166	Lamerton	5,000
Belstone	1,137	Lewdown	3,100
Bere Ferrers	62,639	Lifton	11,000
Bondleigh	200	Lydford	6,300
Bratton Clovelly	3,300	Mary Tavy	14,740
Brentor	10,773	Meeth	1,000
Bridestowe	5,640	Milton Abbot & Bradstone	4,200
Broadwoodkelly	2,250	Monkokehampton	1,300
Buckland Monachorum	37,932	Northlew	7,800
Burrator	4,250	North Tawton	64,187
Chagford	32,000	Okehampton Hamlets	7,350
Dartmoor Forest	17,725	Okehampton Town	198,736
Drewsteignton	13,100	Peter Tavy	7,500
Exbourne & Jacobstowe	5,145	Plasterdown	2,375
Germansweek	1,383	Sampford Courtenay	6,758
Gidleigh	0	Sourton	4,250
Gulworthy	3,900	South Tawton	12,000
Hatherleigh	20,500	Spreyton	1,800
Highampton	2,700	Sticklepath	3,352
Horrabridge	23,160	Stowford	1,850
Iddesleigh	1,400	Sydenham Damerel	450
Inwardleigh	2,700	Tavistock	518,200
Kelly	450	Throwleigh	3,318
		Total Precepts	<u><u>1,140,016</u></u>

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**TOTAL COUNCIL TAX INCORPORATING COUNTY, POLICE AUTHORITY, FIRE AUTHORITY, DISTRICT & PARISH/TOWN
REQUIREMENTS 2012/2013**

BAND	A £	B £	C £	D £	E £	F £	G £	H £
Beaworthy	1,040.60	1,214.02	1,387.47	1,560.90	1,907.78	2,254.63	2,601.50	3,121.80
Belstone	1,037.58	1,210.50	1,383.44	1,556.37	1,902.24	2,248.08	2,593.95	3,112.74
Bere Ferrers	1,067.29	1,245.16	1,423.05	1,600.93	1,956.70	2,312.45	2,668.22	3,201.86
Bondleigh	1,033.55	1,205.79	1,378.07	1,550.32	1,894.85	2,239.34	2,583.87	3,100.64
Bratton Clovelly	1,043.76	1,217.70	1,391.68	1,565.63	1,913.56	2,261.46	2,609.39	3,131.26
Brentor	1,068.91	1,247.05	1,425.21	1,603.36	1,959.67	2,315.96	2,672.27	3,206.72
Bridestowe	1,047.96	1,222.60	1,397.28	1,571.93	1,921.26	2,270.56	2,619.89	3,143.86
Broadwoodkelly	1,046.00	1,220.32	1,394.67	1,569.00	1,917.68	2,266.33	2,615.00	3,138.00
Buckland Monachorum	1,046.25	1,220.61	1,395.00	1,569.37	1,918.13	2,266.86	2,615.62	3,138.74
Burrator	1,035.48	1,208.05	1,380.64	1,553.22	1,898.39	2,243.53	2,588.70	3,106.44
Chagford	1,060.07	1,236.73	1,413.43	1,590.10	1,943.47	2,296.80	2,650.17	3,180.20
Dartmoor Forest	1,060.86	1,237.66	1,414.48	1,591.29	1,944.92	2,298.52	2,652.15	3,182.58
Drewsteignton	1,055.06	1,230.89	1,406.75	1,582.59	1,934.29	2,285.96	2,637.65	3,165.18
Exbourne & Jacobstowe	1,047.45	1,222.01	1,396.60	1,571.17	1,920.33	2,269.46	2,618.62	3,142.34
Germansweek	1,043.66	1,217.58	1,391.54	1,565.48	1,913.38	2,261.24	2,609.14	3,130.96
Gidleigh	1,031.31	1,203.18	1,375.08	1,546.96	1,890.74	2,234.49	2,578.27	3,093.92
Gulworthy	1,044.65	1,218.74	1,392.87	1,566.97	1,915.20	2,263.39	2,611.62	3,133.94
Hatherleigh	1,053.20	1,228.72	1,404.27	1,579.80	1,930.88	2,281.93	2,633.00	3,159.60
Highampton	1,047.07	1,221.57	1,396.09	1,570.60	1,919.63	2,268.64	2,617.67	3,141.20
Horrabridge	1,050.96	1,226.11	1,401.28	1,576.44	1,926.77	2,277.07	2,627.40	3,152.88
Iddesleigh	1,041.60	1,215.19	1,388.80	1,562.40	1,909.61	2,256.79	2,604.00	3,124.80
Inwardleigh	1,041.31	1,214.85	1,388.41	1,561.96	1,909.07	2,256.16	2,603.27	3,123.92
Kelly	1,036.86	1,209.66	1,382.48	1,555.29	1,900.92	2,246.52	2,592.15	3,110.58
Lamerton	1,042.13	1,215.80	1,389.51	1,563.19	1,910.58	2,257.93	2,605.32	3,126.38
Lewdown	1,037.48	1,210.37	1,383.30	1,556.21	1,902.05	2,247.85	2,593.69	3,112.42
Lifton	1,048.20	1,222.89	1,397.60	1,572.30	1,921.71	2,271.09	2,620.50	3,144.60
Lydford	1,053.92	1,229.55	1,405.22	1,580.87	1,932.19	2,283.47	2,634.79	3,161.74
Mary Tavy	1,058.22	1,234.57	1,410.96	1,587.32	1,940.07	2,292.79	2,645.54	3,174.64
Meeth	1,041.65	1,215.24	1,388.87	1,562.47	1,909.70	2,256.89	2,604.12	3,124.94
Milton Abbot	1,038.84	1,211.96	1,385.12	1,558.25	1,904.54	2,250.80	2,597.09	3,116.50
Monkokehampton	1,047.58	1,222.17	1,396.78	1,571.37	1,920.57	2,269.75	2,618.95	3,142.74
Northlew	1,048.86	1,223.66	1,398.48	1,573.29	1,922.92	2,272.52	2,622.15	3,146.58
North Tawton	1,094.12	1,276.46	1,458.83	1,641.18	2,005.90	2,370.59	2,735.30	3,282.36
Okehampton Hamlets	1,052.59	1,228.01	1,403.45	1,578.88	1,929.75	2,280.60	2,631.47	3,157.76
Okehampton Town	1,083.08	1,263.58	1,444.41	1,644.52	1,985.66	2,346.67	2,707.70	3,249.24

**TOTAL COUNCIL TAX INCORPORATING COUNTY, POLICE AUTHORITY, FIRE AUTHORITY, DISTRICT & PARISH/TOWN
REQUIREMENTS 2012/2013**

BAND	A £	B £	C £	D £	E £	F £	G £	H £
Peter Tavy	1,068.38	1,246.42	1,424.50	1,602.56	1,958.70	2,314.80	2,670.94	3,205.12
Plasterdown	1,036.89	1,209.69	1,382.52	1,555.33	1,900.97	2,246.58	2,592.22	3,110.66
Sampford Courtenay	1,049.76	1,224.70	1,399.68	1,574.63	1,924.56	2,274.46	2,624.39	3,149.26
Sourton	1,048.01	1,222.66	1,397.35	1,572.01	1,921.36	2,270.67	2,620.02	3,144.02
South Tawton	1,048.04	1,222.69	1,397.38	1,572.05	1,921.41	2,270.73	2,620.09	3,144.10
Spreyton	1,038.08	1,211.07	1,384.10	1,557.11	1,903.15	2,249.15	2,595.19	3,114.22
Sticklepath	1,044.84	1,218.96	1,393.12	1,567.25	1,915.54	2,263.80	2,612.09	3,134.50
Stowford	1,041.65	1,215.24	1,388.87	1,562.47	1,909.70	2,256.89	2,604.12	3,124.94
Sydenham Damerel	1,034.02	1,206.34	1,378.69	1,551.02	1,895.70	2,240.35	2,585.04	3,102.04
Tavistock	1,104.76	1,288.87	1,473.01	1,657.13	2,025.39	2,393.62	2,761.89	3,314.26
Throwleigh	1,045.74	1,220.02	1,394.32	1,568.61	1,917.20	2,265.76	2,614.35	3,137.22

WEST DEVON BOROUGH COUNCIL DRAFT SCHEDULE OF MEETINGS FOR 2012/2013

All meetings to be held in the Council Chamber at the West Devon Borough Council Offices,
Kilworthy Park, Tavistock PL19 0BZ

MAY 2012			
Monday	7	Bank Holiday	
Tuesday	15	Annual Meeting	11.00am
Tuesday	22	Planning & Licensing Committee	10.00am
JUNE			
Monday	4	Bank Holiday	
Tuesday	5	Bank Holiday	
Tuesday	12	Standards Committee	10.00am
		Overview & Scrutiny Committee	2.00pm
Tuesday	19	Planning & Licensing Committee	10.00am
Tuesday	26	Community Services Committee	2.00pm
JULY			
Monday	2	Reserved for Special Meetings (if required)	
Tuesday	17	Planning & Licensing Committee	10.00am
Tuesday	24	Resources Committee	2.00pm
Tuesday	31	Audit Committee	11.00am
	31	Council Meeting	4.30pm
AUGUST			
Tuesday	6	Reserved for Special Meetings (if required)	
Tuesday	14	Planning & Licensing Committee	10.00am
Monday	27	Bank Holiday	
Tuesday	28	Community Services Committee	2.00pm
SEPTEMBER			
Monday	3	Reserved for Special Meetings (if required)	
Tuesday	4	Standards Committee	10.00am
Tuesday	11	Planning & Licensing Committee	10.00am
Tuesday	18	Resources Committee	2.00pm
Tuesday	25	Audit Committee	2.00pm
OCTOBER			
Monday	1	Reserved for Special Meetings (if required)	
Tuesday	2	Council Meeting	4.30pm
Tuesday	9	Planning & Licensing Committee	10.00am
Tuesday	16	Overview & Scrutiny Committee	2.00pm
Tuesday	30	Community Services Committee	2.00pm
NOVEMBER			
Monday	5	Reserved for Special Meetings (if required)	
Tuesday	6	Planning & Licensing Committee	10.00am
Tuesday	13	Audit Committee	2.00pm
Tuesday	20	Resources Committee	2.00pm
Tuesday	27	Standards Committee	10.00am

DECEMBER

Monday	3	Reserved for Special Meetings (if required)	
Tuesday	4	Planning & Licensing Committee	10.00am
Tuesday	11	Council Meeting	4.30pm
Tuesday	25	Christmas Day	
Wednesday	26	Boxing Day	

**JANUARY
2013**

Tuesday	1	Bank Holiday	
Tuesday	8	Planning & Licensing Committee	10.00am
Tuesday	15	Overview & Scrutiny Committee	2.00pm
Tuesday	22	Community Services Committee	2.00pm
Tuesday	29	Resources Committee	2.00pm

FEBRUARY

Monday	4	Reserved for Special Meetings (if required)	
Tuesday	5	Planning & Licensing Committee	10.00am
Tuesday	12	Audit Committee	11.00am
	12	Council Meeting	4.30pm
Thursday	21	Council Meeting	4.30pm
Tuesday	26	Community Services Committee	2.00pm

MARCH

Monday	4	Reserved for Special Meetings (if required)	
Tuesday	5	Planning & Licensing Committee	10.00am
Tuesday	12	Overview & Scrutiny Committee	2.00pm
Tuesday	19	Standards Committee	10.00am
Tuesday	26	Resources Committee	2.00pm
Friday	29	Good Friday	

APRIL

Monday	1	Easter Monday	
Monday	8	Reserved for Special Meetings (if required)	
Tuesday	9	Planning & Licensing Committee	10.00am
Tuesday	16	Council Meeting	4.30pm
Tuesday	23	Audit Committee	2.00pm
Tuesday	30	Community Services Committee	2.00pm

MAY

Monday	6	Bank Holiday	
Tuesday	7	Resources Committee	2.00pm
Tuesday	14	Planning & Licensing Committee	10.00pm
Tuesday	21	Annual Meeting	11.00am
Monday	27	Bank Holiday	

To confirm any meeting date, please contact Committee Services on 01822 813662

All meetings are open to the public

Agenda Item 3

At a Meeting of the **WEST DEVON BOROUGH COUNCIL** held in the **COUNCIL CHAMBER, KILWORTHY PARK, TAVISTOCK** on **TUESDAY** the **23RD** day of **FEBRUARY 2012** at **4.30pm** pursuant to Notice given and Summons duly served.

Present

Mr D Horn – Mayor	
Mr R Musgrave – Deputy Mayor	
Mrs S Bailey	Mr R Baldwin
Mr K Ball	Mr M Benson
Mr W Cann OBE	Mrs A Clish-Green
Mr D Cloke	Mrs M Ewings
Mrs M Harper	Mr T Hill
Mr J Hockridge	Mr A Leech
Mr J McInnes	Mr N Morgan
Mr M Morse	Mr R Oxborough
Mr T Pearce	Mrs L Rose
Mr R Sampson	Mr P Sanders
Mrs D Sellis	Mr E Sherrell
Mr D Whitcomb	Mr D Wilde

Chief Executive
Head of Finance and Audit
Deputy Monitoring Officer
Democratic Services Manager

CM 62 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Mrs C Hall, Mrs C Marsh, Miss D Moyse and Mr P Ridgers.

CM 63 DECLARATIONS OF INTEREST

There were no declarations of interest made.

CM 64 COMMUNICATIONS FROM THE MAYOR

The Mayor stated that he had three matters which he wished to highlight.

Firstly, the Mayor made reference to the recent announcement that for the second year running, the Council had won the National Local Land Charges Award for Excellence – Customer Satisfaction. On behalf of the Council, the Mayor wished to congratulate Claire Fryer and Louise Sykes on this excellent achievement.

Secondly, the Mayor advised the Council that he was in the process of sending a card to Her Majesty, The Queen to congratulate her on her Diamond Jubilee.

Thirdly, the Mayor made reference to his upcoming Civic Dinner and reminded any Members who still wished to attend to let Cllr Bailey know before Friday, 24 February 2012.

CM 65 COUNCIL TAX RESOLUTION 2012/13

The Head of Finance and Audit presented a report which had been circulated separately to the agenda and which sought to enable the Council to calculate and approve the Council Tax requirement for 2012/13.

The calculations and setting of the Council Tax had taken account of the precepts notified from Devon County Council, Devon & Cornwall Police Authority, Devon & Somerset Fire & Rescue Authority and the Town & Parish Councils, together with the Borough Council.

It was then moved by Councillor Mr P Sanders and seconded by Councillor Mr J McInnes and upon the motion being submitted to the meeting was declared to be **CARRIED** and **“RESOLVED** that the formal council tax resolutions (as detailed below) be approved:-

1. That it be noted that on 21 December 2011, the Chief Executive and Strategic Directors, under delegated authority from full Council, approved the Council Tax Base for the year 2012/13.
 - (a) For the whole Council area as 21,019.39 (item T in the formula in Section 31B of the Local Government Finance Act 1992, as amended (the Act)); and
 - (b) For dwellings in those parts of its area to which a Parish precept relates, as in Appendix A to the presented agenda report.
2. That the Council Tax requirement for West Devon Borough Council's own purposes for 2012/13 (excluding Parish precepts) is calculated at £4,139,769 (Appendix B of the presented agenda report refers);
3. That the following amounts are calculated by the Council for the year 2012/13 in accordance with Sections 31 to 36 of the Local Government Finance Act 1992 and the Localism Act 2011 (Appendix B of the presented agenda report refers):
 - (a) £27,875,966 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/Town Councils (Gross expenditure including parish precepts).
 - (b) £22,596,181 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A (3) of the Act (Total income including formula grant and council tax surplus).

- (c) £5,279,785 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 (Item R in the formula in Section 31B of the Act) (Council Tax requirement including parish precepts).
- (d) £251.19 being the amount at 3(c) above (Item R), all divided by Item T (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 (Average band D council tax for West Devon Borough Council and parishes).
- (e) £1,140,016 being the aggregate amount of all special items (Parish precepts) referred to in Section 34(1) of the Act (as per the attached Appendix C of the presented agenda refers).
- (f) £196.95 being the amount at 3(d) above less the result given by dividing the amount at 3(e) above by Item T (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 Council Tax for the year for dwellings in those parts of its area to which no Parish precept relates (Band D council tax for West Devon Borough Council only).

4. That it be noted the County Council, the Police Authority and the Fire Authority have issued precepts to the Council in accordance with Section 40 of the Local Government Finance Act 1992 for each of the categories of dwellings as shown below:

Precepting authority	Valuation Bands							
	A £	B £	C £	D £	E £	F £	G £	H £
Devon County Council's tax requirements	744.24	868.28	992.32	1,116.36	1,364.44	1,612.52	1,860.60	2,232.72
Devon & Cornwall Police Authority's tax requirements	106.49	124.23	141.98	159.73	195.23	230.72	266.22	319.46
Devon & Somerset Fire & Rescue Authority's tax requirements	49.28	57.49	65.71	73.92	90.35	106.77	123.20	147.84

5. That the Council, in accordance with Sections 30 and 36 of the Local Government Finance Act 1992, hereby sets the amounts of Council Tax for the year 2012/13 for each of the categories of dwellings shown at Appendix D of the presented agenda report (total of all valuation band council taxes for West Devon Borough Council including parishes, county, police and fire authorities).
6. That the Council has concluded that the basic amount of Council Tax for West Devon Borough Council for 2012/13 is not excessive in accordance with principles approved under Section 52ZB Local Government Finance Act 1992. (the calculation at Appendix B of the presented agenda report refers).

CM 66 CALENDAR OF MEETINGS 2012/2013

The proposed Calendar of Meetings for 2012/2013 was attached to the agenda at page 1.

It was moved by Councillor Mr P Sanders, seconded by Councillor Mr J McInnes and upon the motion being submitted to the Meeting was declared to be **CARRIED** and “**RESOLVED** that the Calendar of Meetings for 2012/2013 be adopted”.

CM 67 COMMON SEAL

A copy of the documents signed by the Mayor during the period between 1 February 2012 and 14 February 2012 was attached to the agenda (page 3 refers) and noted by the Meeting.

It was then moved by Councillor Mr E Sherrell, seconded by Councillor Mr P Sanders and upon the motion being submitted to the Meeting was declared to be **CARRIED** and “**RESOLVED** that the Mayor and the Chief Executive (or deputies appointed by them) be authorised to witness the fixing of the seal on documents”.

(The Meeting terminated at 4.50 pm)

Dated this 27th March 2012

Mayor