

	<p style="text-align: center;"><b>Full Council</b> <b>21<sup>st</sup> January 2008</b></p> <p style="text-align: center;"><b>Report from the Director of Finance and Corporate resources</b></p>
For Action	Wards Affected: ALL
<p style="text-align: center;"><b>Calculation of Council Tax Base 2008/09</b></p>	

## 1. SUMMARY

- 1.1 This report sets out Council Tax base calculations to be used for 2008/09. The level of Council Tax base set is used in the calculation of the Council Tax for 2008/09. Regulations require that the Council Tax base is set by 31<sup>st</sup> January prior to the start of the financial year.

## 2. RECOMMENDATIONS

- 2.1 To agree that:
- (i) The collection rate for the Council Tax for 2008/09 is set at 97.5%.
  - (ii) In accordance with the Local Authorities (Calculation of Council Tax Base) Regulations 1992, the amount calculated by the Council as its Council Tax Base for 2008/09 is set at **94,585**.
  - (iii) The 10% discount currently granted for long term empty unfurnished properties (see para 3.3.3.below) should be removed, so that such properties pay 100% of the bill due from 2008/09 onwards.

## 3. DETAIL

### 3.1. Background

- 3.1.1. The calculation of the tax base is one of the main stages in the process of setting the council tax, which is scheduled for the Council meeting on 3<sup>rd</sup> March 2008. Under regulations issued in 1992, the calculation must be carried out by 31<sup>st</sup> January prior to the start of the financial year

- 3.1.2. The calculation is based on the Council Tax Base return submitted to the Department of Communities and Local Government (CLG) in October 2007 (attached as Appendix A). For 2008/09 this shows **96,538** Band D equivalent properties.
- 3.1.3 This tax base assumes 100% collection of council tax. In practice, councils collect less than 100% for a variety of reasons including non-collection of council tax and changes to the council tax base during the year. The council tax base set by the council takes account of likely collection rates, based on what is expected to be collected eventually, not just by the end of the financial year in question.

## **3.2 Council Tax Collection Rate**

- 3.2.1 Assumed collection rates have varied in previous years. Members agreed collection rates of 95% in 1993/94, 97% in 1994/95, 99% in 1995/96, 98% from 1996/97 to 2000/01, and 97.5% from 2001/02 onwards. The estimated level of collection was reduced from 2001/02 because levels set for previous years were not being achieved.
- 3.2.2 The revised figure of 97.5% set in recent years is a more realistic assessment of the amount that is likely to be collected for the relevant year, although the Council has still not achieved this level of collection for previous years. Whilst rates for the late 1990's are over 97%, little is now being collected for these years, and rates for earlier years were lower. For more recent years, collection rates still fall short of 97.5%, although more will be collected in future years. For example, Council Tax collected by the end of November 2007 in respect of 2003/04 Council Tax is 94.9%, 2004/05 is 95.5%, 2005/06 is 96.0%, and 2006/07 is 94.7%. Whilst further amounts will be collected over several years, it is not expected that overall collection will exceed 97.5%.
- 3.2.3 Collection levels have improved in recent years. In year collection rose from 89.5% in 2002/03 (percentage of debts collected by the end of the financial year in question) to 90.6% in 2003/04 and 92.7% in 2004/05, but remained at 92.7% in 2005/06. However it increased again to 93.2% in 2006/07. By the end of November 2007, 74.1% of 2007/08 debts had been collected compared to 66.8% of 2006/07 debts being collected by the end of November 2006. The increase is mainly due to a change in direct debit payers, who are now paying over ten months rather than twelve, thereby altering the payment profile. Taking account of this, the figure is broadly comparable to last year. It is expected that the final figure will at least equal last year's, but hopefully there will be a small improvement.
- 3.2.4 Levels of collection are not only affected by non-payment but also by changes to the collectable amount during the course of the financial year (and after). These changes are due to fluctuations in the number of single person households (which receive a 25% discount) and exemptions, as well as valuation reductions due to appeals. The total collectable has tended to fall during the course of most years, due to additional exemptions and discounts, and this possibility needs to be taken in to account when setting the tax base.

- 3.2.5 If an over-optimistic assumption of the achievable collection rate is made, at some later stage a deficit in the Collection Fund will have to be declared, resulting in the need to increase the level of Council Tax in that year. For example a deficit of £1.5m was agreed by the Executive in 2007/08, and a further £1.5m has been recommended to the Executive for 2008/09. The Council's external auditors have paid close attention to collection assumptions in the past, and would be unlikely to accept an over-optimistic assumption for 2008/09.
- 3.2.6 It is therefore recommended that the Council Tax collection rate be set at 97.5%.

### **3.3 Discounts for Second Homes and Long-Term Empty Properties**

- 3.3.1 Empty properties are fully exempt from Council Tax for six months. After this period they are classified as long-term empty. Local authorities have the power to reduce the discount for long term empty furnished properties and second homes from 50% to 10%. For these properties, the Council can keep the additional income raised (shared with the GLA as preceptor).
- 3.3.2 At Full Council on 26<sup>th</sup> January 2004, Members agreed to set the discount for these properties in Brent at 10%. The difference between the 50% discount assumed in the council tax base return for these properties and the 10% discount set by Members can be added to the overall council tax base. There are currently 889 such properties (908 Band D equivalent). The overall impact on the number of Band D equivalent properties in 2008/09 is to increase it by 363 (40% of 908), which is equivalent to £472,000 at 2007/08 Band D levels.
- 3.3.3 For long term empty unfurnished properties, the discount can be reduced to zero, but in the past government grant has been reduced accordingly, by a notional amount per property, and a discount of 10% has been given on these properties as well. The current discount of 10% on long term empty unfurnished homes has been taken into account in the council tax base return to CLG (Appendix A). However, Brent is now "at the floor" in terms of grant, meaning that an increase in the tax base figure will not affect the grant figure. There is therefore no longer any financial reason to grant a 10% discount on these properties. In addition, eliminating the 10% discount would provide an incentive for property owners to furnish their properties, thereby making them available for occupation. This would support implementation of the homelessness strategy. Members are therefore recommended to remove the 10% discount on long term empty unfurnished properties.

### **3.4 Setting the Council Tax Base**

- 3.4.1 The tax base for 2008/09 is as follows:
- Band D equivalent properties on the return to CLG (attached as Appendix A = 96,538);
  - Plus

- The impact of the 40% discount on second and long term empty furnished properties on the number of Band D equivalent properties (= 363); and  
The impact of reducing the 10% discount for long-term empty unfurnished properties (= 109)  
multiplied by:
- The estimated rate of collection (97.5%)

3.4.2 This produces the following calculation:

$$(96,538 + 363 + 109) \times 97.5\% = 94,585$$

This compares to a figure of 93,900 in 2007/08. The increase is due to a combination of an increase of 1,161 in the number of dwellings on the valuation list, which has been partly offset by an increase in the number of exemptions.

#### **4. FINANCIAL IMPLICATIONS**

4.1 These are included in the detail above

#### **5. LEGAL IMPLICATIONS**

5.1. The Council Tax Base is the equivalent number of Band D dwellings (after taking account of discounts and exemptions) which would raise the same amount of tax as the actual number of liable dwellings in the borough, with their actual spread of bands. The Band D equivalent total is then multiplied by the estimated collection rate for the year, to give the Council Tax Base figure. In the Council Tax calculation process to be undertaken at Full Council on 3<sup>rd</sup> March 2008, this figure will be used to calculate the amount of tax to be levied for a Band D dwelling. The Council Tax level for each valuation band is then calculated by a fixed ratio which each band bears to the Band D figure. The Council's Constitution currently requires that the calculation of the Council Tax Base be carried out by the General Purposes Committee.

5.2 Section 11A of the 1992 Local Government Finance Act enables the Secretary of State to designate by regulations:

- (i) Categories of properties in respect of which the discount available in respect of empty properties may be reduced to a percentage of at least 10% (section 11A(3)); and
- (ii) categories of properties in respect of which the discount may be reduced to any percentage or eliminated entirely (section 11A(4)).

In the Council Tax (Prescribed Classes of Dwellings) (England) Regulations 2003 the Secretary of State has designated furnished dwellings which are not the sole or main residence of an individual for the purposes of section 11A(3) (except caravan pitches and boat moorings) and unfurnished unoccupied properties for the purposes of section 11A(4).

5.3 The determination the Council made on 26<sup>th</sup> January 2004 to set the discount for second and long term empty properties at 10% was in accordance with these regulations. In relation to long term empty properties the recommendation which Full Council will be asked to agree is that the discount be reduced to 0%.

5.4 S67 of the Local Government Finance Act 1992 provides that determinations under section 11A(4) must be made by Full Council.

## **6. DIVERSITY IMPLICATIONS**

6.1 The proposals in this report have been subject to screening and officers believe that there are no diversity implications arising from it.

## **7. STAFFING IMPLICATIONS**

7.1 None arising directly from this report.

## **8. BACKGROUND INFORMATION**

Local Government Finance Act 1992.

The Local Authorities (Calculation of Council Tax Base) Regulations 1992

Council Tax (Prescribed Classes of Dwellings) (England) Regulations 2003

Council Tax Valuation List.

## **9. CONTACT OFFICERS**

Anyone wishing to inspect the above documents should contact David Huberman, Finance Manager, Finance and Corporate Resources, Brent Town Hall, Forty Lane, Wembley, Middlesex HA9 9HD.  
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