

 <p>CITY OF YORK COUNCIL</p>		Agenda Item
Executive		28 April 2009
Report of the Assistant Director of Resources (Customer Service and Governance)		

Petition from Sovereign Park Residents

Summary

1. The purpose of this report is to present the details of a petition received from the residents of the Sovereign Park development and the officer response. As the basis of council tax is prescribed by legislation this report is for information only and to address the public interest in the subject matter.
2. This report is being brought before the Executive as a result of the ending of the EMAP (Executive Member Advisory Panel) meetings for Corporate Services.

Background

Reason for the Petition

3. On 22nd January 2009, a petition was presented to full Council which was signed by 224 residents (87%) of the Sovereign Park development in Acomb, York.
4. The residents are requesting a rebate and reduction in council tax, "based on the premise that the charge paid covers services that are not being received in the local neighbourhood of the Sovereign Park development, these being:
 - maintenance of the highway and footpaths
 - maintenance of communal open spaces and the play area
 - maintenance of the street furniture including street lighting
 - electricity for the street lighting
 - cleaning of the streets, footpaths and open spaces."

Response

5. The setting of council tax is specifically referred to in the Local Government Finance Act 1992 which requires that council tax is levied based on a valuation banding for chargeable dwellings. The valuation for each chargeable dwelling is carried out by the Valuation Office and not by the council. There is, therefore, no basis on which the council can set council tax for services not received.

6. Council tax covers a range of services many of which individual residents may never actually need or use. A large proportion of the tax provides funding for education and social care services, for example, and a large proportion of York's residents could state they are using only one or none of these services, but the council cannot lawfully provide a reduced bill on this basis.
7. There are a range of discounts and/or benefits available to residents for a range of other circumstances which are listed on the Council website at http://www.york.gov.uk/advice/Council_tax/Council_tax_discount/ but none relate to the reduction of council tax for non-use of services.

Consultation

8. No consultation has been necessary in relation to the content of this report

Options

9. Not relevant for the purpose of the report.

Analysis

10. Not relevant for the purpose of the report.

Corporate Priorities

11. Council Tax contributes to the funding of the council's services and its priorities contained within its Corporate Strategy.

Implications

12. The implications are:
 - **Financial** – there are no financial implications to this report.
 - **Human Resources (HR)** – there are no HR implications to this report.
 - **Equalities** – there are no equalities implications to this report.
 - **Legal** – there are no legal implications to this report other than compliance with the Local Government Finance Act 1992.
 - **Crime and Disorder** – there are no crime and disorder implications to this report.
 - **Information Technology (IT)** – there are no IT implications to this report.
 - **Property** – there are no property implications to this report.

Risk Management

13. The council will fail to comply with legislative requirements if it does not carry out its duty to levy taxes in line with council tax bandings based on property valuations.

Recommendations

14. Executive members are asked to note the reasons for the petition and the council's response.

Reason

To enable a petition received from residents in York to be presented in public together with the appropriate officer response.

Contact Details

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Report Approved

Date 7 April 2009

Specialist Implications Officers

Not applicable

Wards Affected: Acomb

All

For further information please contact the author of the report

Background Papers:

Petition received from residents of Sovereign Park, York – January 2009
Local Government Finance Act 1992.