

Draft Order laid before the House of Commons under section 52F(7)(a) of the Local Government Finance Act 1992, for approval by resolution of the House of Commons.

DRAFT STATUTORY INSTRUMENTS

2004 No.

COUNCIL TAX, ENGLAND

**The Council Tax Limitation (England)
(Maximum Amounts) Order 2004**

Made - - - - *July 2004*
Coming into force - - *July 2004*

Whereas the First Secretary of State has, pursuant to subsection (2)(a) of section 52D of the Local Government Finance Act 1992(1), designated each of the authorities listed in the Schedule to this Order as regards the financial year beginning in 2004;

And whereas the First Secretary of State has notified each of those authorities in writing pursuant to section 52E(2) of that Act of his decision to so designate it, the principles determined under section 52B of that Act in relation to it, the category in which it falls for the purposes of section 52B, the amount which he proposed should be the maximum for the amount calculated by it as its budget requirement for the year, the target amount for the year (that is the maximum amount which he proposed it could calculate as its budget requirement for the year without the amount calculated being excessive), and the financial year as regards which he expected the amount calculated by it as its budget requirement for that year to be equal or less than the target amount for that year;

And whereas each of the authorities listed in the Schedule to this Order has informed the First Secretary of State by notice in writing under section 52E(5)(a) of that Act that, for the reasons stated in the notice, it believes the maximum amount stated under section 52E(2)(d) of that Act should be such as is stated in its notice;

And whereas a draft of this Order has been laid before and approved by resolution of the House of Commons;

Now, therefore, the First Secretary of State, after considering, as regards each authority, the information supplied by it (being information of a kind, and provided in a form specified by the Secretary of State for the purposes of section 52F of that Act), and such other information as he thinks is relevant, in exercise of the powers conferred upon him by section 52F(4) and (7) of the Local Government Finance Act 1992, hereby makes the following Order:

(1) 1992 c. 14. Sections 52A to 52Z of the Local Government Finance Act 1992 were inserted by section 30 of and Schedule 1 to the Local Government Act 1999 (c. 27).

Citation, commencement and application

1.—(1) This Order may be cited as the Council Tax Limitation (England) (Maximum Amounts) Order 2004 and shall come into force on the day after the day on which it is made.

(2) This Order applies to authorities in England only(2).

Maximum amounts

2. The amount which the amount calculated by an authority listed in the Schedule to this Order as its budget requirement for the financial year beginning in 2004 is not to exceed is the amount shown against the name of the authority in the Schedule, which amount does not in the case of any such authority exceed the amount already calculated by the authority as its budget requirement for that year.

Signed by authority of the First Secretary of State

July 2004

Minister of State,
Office of the Deputy Prime Minister

(2) Functions under Chapter IVA of the Local Government Finance Act 1992 are exercisable by the Secretary of State only in relation to authorities in England: in relation to authorities in Wales, the functions are exercisable by the National Assembly for Wales: *see* section 52Z of that Act.

SCHEDULE

Article 2

Maximum Amounts

<i>Authority</i>	<i>Maximum amount</i>
The council of the district of Fenland	£12,223,000
The council of the district of Herefordshire	£175,320,000
The council of the city of Nottingham	£331,055,000
The council of the district of Shepway	£15,494,000
The council of the borough of Torbay	£138,815,000
The Hereford and Worcester Fire Authority	£25,798,000

EXPLANATORY NOTE

(This note is not part of the Order)

This Order applies to Nottingham City Council, Torbay Borough Council, Fenland, Herefordshire and Shepway district councils and the Hereford and Worcester Fire Authority. It states the amount which the amount calculated by each of those authorities as its budget requirement for the financial year beginning in 2004 is not to exceed.

A regulatory impact assessment has not been prepared for this instrument as the Secretary of State cannot make assumptions as to which services and activities may be affected when authorities calculate lower budget requirements.