

Draft Regulations laid before Parliament under section 52ZQ(7) of the Local Government Finance Act 1992, for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2013 No.

COUNCIL TAX, ENGLAND

The Local Authorities (Conduct of Referendums) (Council Tax Increases) (England) (Amendment) Regulations 2013

*Made - - - - - ****
Coming into force in accordance with regulation 1

The Secretary of State makes the following Regulations, in exercise of the powers conferred by sections 52ZQ and 113(2) of the Local Government Finance Act 1992⁽¹⁾.

The Secretary of State has consulted the Electoral Commission about these Regulations in accordance with section 52ZQ(6) of that Act.

In accordance with section 52ZQ(7) of that Act, a draft of this instrument has been laid before and approved by resolution of each House of Parliament.

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Local Authorities (Conduct of Referendums) (Council Tax Increases) (England) (Amendment) Regulations 2013 and come into force on the day after the day on which they are made.

(2) In these Regulations a reference to “the Conduct of Referendums Regulations” is to the Local Authorities (Conduct of Referendums) (Council Tax Increases) (England) Regulations 2012⁽²⁾.

Amendments to question to be asked in a referendum

2. For Schedule 1 to the Conduct of Referendums Regulations (question to be asked in a referendum), substitute Schedule 1 to these Regulations.

(1) [1992 c.14](#). Section 52ZQ was inserted into the Local Government Finance Act 1992 by Schedule 5 to the Localism Act 2011 ([c.20](#)). Section 113(2) was amended by paragraph 52 of Schedule 7 to the Local Government Act 2003 ([c.26](#)) and section 80 of the Localism Act 2011.

(2) [S.I. 2012/444](#)

Amendments to form of ballot papers

3. In the Appendix of Forms in Part 8 of Schedule 3 (the Local Government Finance Act Referendums Rules) and Part 8 of Schedule 5 (the Local Government Finance Act Referendums (Combination of Polls) Rules) to the Conduct of Referendums Regulations, for the Form of Ballot Paper substitute the Form of Ballot Paper set out in Schedule 2 to these Regulations.

Signed by authority of the Secretary of State for Communities and Local Government

Date

Name
Parliamentary Under Secretary of State
Department for Communities and Local
Government

SCHEDULE 1

Regulation 2

QUESTION TO BE ASKED IN A REFERENDUM

Part of the council tax in your area goes to *[insert name of authority in respect of which the referendum is held]*.

For the financial year beginning on 1st April *[insert relevant financial year]* *[insert name of authority in respect of which referendum is held]* has set an increase of *[insert percentage change in relevant basic amount of council tax from preceding financial year to the relevant financial year expressed to one decimal place]* in the amount it charges.

If most voters choose ‘yes’, the increase will be *[insert percentage change in the authority’s relevant basic amount of council tax from the preceding financial year to the relevant financial year expressed to one decimal place]*.

If most voters choose ‘no’, the increase will be *[insert what the percentage change in the authority’s relevant basic amount of council tax from the preceding financial year to the relevant financial year expressed to one decimal place will be if the authority’s relevant basic amount of council tax is not approved]* instead.

Do you want *[insert name of authority in respect of which referendum is held]* to increase the amount it charges by *[insert percentage change in authority’s relevant basic amount of council tax from the preceding financial year to the relevant financial year expressed to one decimal place]*?

SCHEDULE 2

Regulation 3

FORM OF BALLOT PAPER

Form of Ballot Paper: Question in referendum as specified in Schedule 1

Front of ballot paper

Part of the council tax in your area goes to _____.	
For the financial year beginning on 1st April ____ _____ has set an increase of ____ in the amount it charges.	
If most voters choose 'yes', the increase will be _____.	
If most voters choose 'no', the increase will be _____ instead.	
Do you want _____ to increase the amount it charges by _____?	
Vote only once by marking a cross (X) in the box next to your choice	
Yes	<input type="checkbox"/>
No	<input type="checkbox"/>

Back of ballot paper

Ballot Paper Number

Other Unique Identifying Mark

Council referendum on *[insert date]* *[name of voting area]*.....

EXPLANATORY NOTE

(This note is not part of the Regulations)

In accordance with Chapter 4ZA of Part 1 of the Local Government Finance Act 1992, a referendum must be held where a local authority in England sets an excessive increase in its relevant basic amount of council tax for a financial year. These Regulations amend the Local Authorities (Conduct of Referendums) (Council Tax Increases) (England) Regulations 2012 (the Conduct of Referendums Regulations) to make changes to the question to be asked in the referendum.

Regulation 2 provides that the wording of the question to be asked in the referendum set out in Schedule 1 to the Conduct of Referendums Regulations is to be substituted with the wording set in Schedule 1 to these Regulations.

Regulation 3 provides that the form of ballot paper to be used in the referendum is to be substituted with the form of ballot paper set out in Schedule 2 to these Regulations to reflect the revised wording of the referendum question.

A full impact assessment has not been produced for these Regulations as no impact on the private or voluntary sectors is foreseen.