

Birmingham City Council

Report to Cabinet

27 February 2024



Subject: Report under Section 25 of the Local Government Act 2003

Report of: Fiona Greenway, Director of Finance and Section 151 Officer

Relevant Cabinet Member: Leader, Councillor John Cotton
Cabinet Member for Finance & Resources, Councillor Brigid Jones

Relevant O&S Chair(s): Chair of Finance & Resources Overview & Scrutiny, Councillor Jack Deakin

Report author: Fiona Greenway, Director of Finance and Section 151 Officer

Are specific wards affected?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No – All wards affected
If yes, name(s) of ward(s):		
Is this a key decision?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If relevant, add Forward Plan Reference:		
Is the decision eligible for call-in?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If relevant, state which appendix is exempt, and provide exempt information paragraph number or reason if confidential: N/A		

1. Executive Summary

1.1 This report provides the professional opinion of the Council's Section 151 Officer, under Section 25 of the Local Government Act 2003, and advises Cabinet, and subsequently Full Council, of the recommendations when considering the 2024/25 budget and Council Tax calculations. Cabinet and all Councillors must be fully mindful of the contents and conclusions set out in this report.

2. Recommendation(s)

2.1 Cabinet is recommended to:

- a) Note the report under Section 25 of the Local Government Act 2003, in relation to the budget for the 2024/25 financial year.

3. Background

3.1 The detail of this report can be found at Appendix 1 of this cover report.

4. Public Consultation and Engagement

4.1 This report has been written in consultation with Statutory Officers, Commissioners, and the Leader, Deputy Leader, and Cabinet Member for Finance & Resources.

4.2 The 2024/25 budget will be subject to legal advice and guidance regarding the Council's legal duties including on the duty to consult and other statutory obligations under the Equality Act 2010.

5. Risk Management

5.1 Risks and mitigations are contained within the Section 25 report at Appendix 1.

6. Compliance issues

6.1 **How are the recommended decisions consistent with the City Council's priorities, plans and strategies?** This report supports the budget presented for the 2024/25 financial year.

6.2 **Legal Implications:** Where the Council is making budget and council tax calculations in accordance with the Local Government Finance Act 1992, the chief finance officer must report to it on the following matters:

- (a) the robustness of the estimates made for the purposes of the calculations, and
- (b) the adequacy of the proposed financial reserves.

The Council must have regard to the report when making decisions about the calculations in connection with which it is made.

6.3 **Financial Implications:** Financial implications are laid out within the Section 25 report at Appendix 1.

6.4 **Public Sector Equality Duty:** The Council will ensure that all actions taken in response to these recommendations are in line with the Public Sector Equality Duty.

7. Appendices

7.1 Appendix 1 – Draft Report under Section 25 of the Local Government Act 2003

7.2 Appendix 2 – Council Tax Letter to DLUHC_090124

7.3 Appendix 3 – EFS letter to DLUHC_230124