

Appendix A

NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL

CABINET – TUESDAY, 10 JANUARY 2023



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| Title of Report | DRAFT CAPITAL STRATEGY, DRAFT TREASURY MANAGEMENT STRATEGY AND DRAFT PRUDENTIAL INDICATORS | |
| Presented by | Councillor Nicholas Rushton Corporate Portfolio Holder PH Briefed <input type="checkbox"/> Y | |
| Background Papers | <u>Prudential Indicators and Treasury Strategies 2022/23</u> – Council 24 February 2022 | Public Report: Yes Key Decision: Yes |
| Financial Implications | The report sets out the annual update of the core strategies which underpin the council's approach to managing its capital investment. There are a number of changes proposed to improve the governance and financial management of the capital programme. Signed off by the Section 151 Officer: Yes | |
| Legal Implications | Signed off by the Monitoring Officer: Yes/No | |
| Staffing and Corporate Implications | Signed off by the Head of Paid Service: Yes/No | |
| Purpose of Report | For Cabinet to approve the draft 2023/24 Capital Strategy, Treasury Management Strategy and Prudential Indicators for statutory consultation. | |
| Reason for Decision | Required as part of the 2023/24 budget setting process. | |
| Recommendations | CABINET IS RECOMMENDED TO AGREE THE DRAFT 2023/24 CAPITAL STRATEGY, TREASURY MANAGEMENT STRATEGY AND PRUDENTIAL INDICATORS FOR STATUTORY CONSULTATION. | |

1. BACKGROUND

- 1.1 The Local Government Act 2002 and supporting regulations require the Council to 'have regard to' the Chartered Institute of Public Finance and Accountancy (CIPFA) Prudential Code and the Treasury Management Code of Practice and to prepare, set and publish prudential indicators and treasury indicators that ensure the Council's capital expenditure plans are affordable, prudent and sustainable in the long- term.
- 1.2 The prudential indicators consider the affordability and impact of capital expenditure plans and set out the Council's overall capital framework. The prudential indicators summarise expected treasury activity, introduce limits upon that activity and reflect

the underlying capital programme. As a consequence, a Treasury Management Strategy is prepared which considers the effective funding of the capital expenditure decisions and complements the prudential indicators.

- 1.3 The Council is required to operate a balanced budget, which broadly means that cash raised during the year will meet cash expenditure. Part of the treasury management operation is to ensure that this cash flow is adequately planned, with cash being available when it is needed. Surplus monies are invested in low-risk counterparties commensurate with the Council's low risk appetite, providing adequate liquidity initially before considering investment return. The Council is required to calculate its budget requirement for each financial year to include the revenue costs that flow from capital financing decisions. This, therefore, means that increases in capital expenditure must be limited to a level whereby charges to revenue remain affordable within the projected income of the Council for the foreseeable future. These increased charges may arise from:
 - increases in interest charges and debt repayment caused by increased borrowing to finance additional capital expenditure; and
 - any increases in operational running costs from new capital projects.
- 1.4 Treasury Management is, therefore, an important part of the overall financial management of the Council's affairs and is defined as: "The management of the local authority's investments and cash flows, its banking, money market and capital market transactions; the effective control of the risk associated with those activities; and the pursuit of optimum performance consistent with those risks."
- 1.5 Specific treasury indicators are prepared and included in the Treasury Management Strategy which requires Member approval. These are detailed in Section 2.
- 1.6 The Council's treasury activities are strictly regulated by statutory requirements and guidance, including:
 - CIPFA Prudential Code for Capital Finance in Local Government
 - CIPFA Treasury Management Code of Practice
 - MHCLG Investment Guidance
 - MHCLG Minimum Revenue Provision (MRP) Guidance.
- 1.7 The Council's Constitution (via the Financial Procedure Rules) requires full Council to approve the Treasury Management Policy statement for the forthcoming year at or before the start of the year. The statement is proposed to the full Council by the Cabinet. The Head of Finance has delegated responsibility for implementing and monitoring the statement. The Head of Finance is responsible for reporting annually to the Cabinet on the activities of the treasury management operation and on the exercise of his or her delegated treasury management powers. Reports on treasury management are also required to be adequately scrutinised and this role is undertaken by the Audit and Governance Committee.

2.0 CAPITAL AND TREASURY MANAGEMENT STRATEGIES

- 2.1 The following strategies are attached as appendices for Cabinet to provide comment on:
 - Appendix 1 – Capital Strategy 2023/24;
 - Appendix 2 – Treasury Management Strategy Statement 2023/24;
 - Appendix 3 – Minimum Revenue Provision (MRP) Statement 2023/24; and
 - Appendix 4 – Investment Strategy 2023/24.

2.2 There are proposed changes to both the Capital Strategy and the Minimum Revenue Provision Statement for 2023/24 which have an impact on the revenue budgets over the life of the Medium-Term Financial Plan (MTFP). These changes are to reduce or delay the revenue impact of the capital programme. The changes are summarised below and are documented in the relevant strategy:

- There are two main changes in the Capital Strategy (Appendix 1)
 - Improvements to governance and the process for managing schemes through their project lifecycle. This includes splitting the programme into two elements; An Approved Programme (schemes that are currently in their delivery stage) and a Development Pool (schemes which are indicative and in their early stages). The Capital Strategy and Investment Group will oversee the capital programme and bring schemes forward for promotion to the Approved Programme through Cabinet/Council in line with the Constitution.
 - How the general fund capital programme will be financed. Currently the programme is heavily financed by prudential borrowing which has an impact on the revenue budget through interest charges and the repayment of debt. For 2023/24 onwards there will be no new borrowing to fund capital investments that are not yet in the live approved capital programme. For a capital investment to move from the Development Pool to the 'Active' capital programme, a funding source other than borrowing will need to be identified. This is to ensure the Council does not create additional revenue pressures in the future arising from interest and capital repayment costs.
- The change in the MRP Statement, is in relation to assets under construction, the change means that MRP will not be charged until the asset is fully operational. At present MRP is charged for assets under construction. It is proposed to change this policy for 2022/23.

2.3 As the Statement of Accounts for 2021/22 has not yet been produced, data in the strategies is based on the 2020/21 Accounts and taking into account any known changes such as capital expenditure.

2.4 The strategies are based on draft versions of the capital programmes and will be updated once the capital programmes have been finalised.

2.5 The above strategies are due to be considered by Corporate Scrutiny on the 4 January. As this report has been published before the meeting of Corporate Scrutiny, the draft minutes will be issued to Cabinet separately.

3.0 PRUDENTIAL INDICATORS

3.1 The CIPFA codes require a prescribed set of prudential indicators to be produced annually and monitored throughout the year and the Council also has the option to add locally set indicators, these are detailed shown below with further explanation to their meanings:

1(a). External Debt - Operational Boundary (Treasury Strategy – Appendix B)

The most likely, prudent view of the level of gross external indebtedness. External debt includes both borrowing and long-term liabilities (e.g. finance leases). It encompasses all borrowing, whether for capital or revenue purposes. This indicator will be subject to the level and timing of borrowing decisions and so the actual level of borrowing can, therefore, be below or above this initial estimate. However, what

cannot be breached without a further report to Council is the authorised borrowing limit.

1(b). External Debt - The Authorised Limit (Treasury Strategy – Appendix B)

The upper limit on the level of gross external indebtedness, which must not be breached without Council approval. It is the worst-case scenario. It reflects the level of borrowing which, while not desired, could be afforded but may not be sustainable. Any breach must be reported to the executive decision-making body, indicating the reason for the breach and the corrective action undertaken or required to be taken. This limit is a statutory limit required to be set by the Council under Section 3(1) of the Local Government Act 2003.

1(c). External Debt - Actual External Debt (Treasury Strategy – Appendix B)

The indicator for actual external debt will not be directly comparable to the operational boundary and authorised limit since the actual external debt will reflect the actual position at one point in time.

2. Capital Financing Requirement (CFR) (Treasury Strategy – Appendix B)

The Capital Financing Requirement (CFR) replaced the 'Credit Ceiling' measure of the Local Government and Housing Act 1989. It measures an authority's underlying need to borrow or use other long-term liabilities, to pay for capital expenditure.

3. Capital Expenditure (Capital Strategy – Appendix A)

The level of capital expenditure incurred and likely to be incurred in future years. This is to be based on an accruals basis and on the definition of capital expenditure.

4. Gross External Borrowing and the Capital Financing Requirement (Treasury Strategy – Appendix B)

The level of external borrowing is required to be compared to the Capital Financing Requirement which represents the underlying need to borrow. Requires that borrowing in the medium term can only be for capital purposes.

5. Maturity Structure of Borrowing (Treasury Strategy – Appendix B)

Local Authority debt portfolios consist of a number of loans with differing maturities. Setting limits assists in ensuring any new borrowing in particular when combined with existing borrowing does not result in large concentrations of borrowing maturing in a short period of time.

6. Principal sums invested for greater than one year (Treasury Strategy – Appendix B)

This indicator measures the exposure of a local authority to investing for periods of greater than one year.

7. Ratio of Financing Costs to Net Revenue Stream (Capital Strategy – Appendix A)

This indicator is a measure of affordability of historic and future capital investment plans. It identifies the trend in the cost of capital financing which include:

- interest payable on borrowing
- penalties or any benefits receivable on early repayment of debt
- prudent revenue budget provision for repayment of capital expenditure paid for by borrowing

This is calculated for the General Fund and Housing Revenue Account (HRA). For the General Fund, the net revenue stream is the amount to be met from non-specific Government grants and Council Tax, whilst for the HRA it is the amount to be met from rent payers. An increasing ratio indicates that a greater proportion of the Council's budget is required for capital financing costs over the planned Capital Programme period.

It should be noted that these figures include a number of assumptions such as:

- no new approvals of additional borrowing apart from that currently proposed over the period of the programme
- estimated interest rates
- the level of internal borrowing and timing of external borrowing decisions and capital expenditure

4. EXEMPTION FROM CALL IN

- 4.1 The approval of the Chairman of the Council has been given to the exemption of the Council's Scrutiny Procedure rules in relation to the call-in of the decision on this item, since any call-in would prejudice the ability of the Council to commence the statutory consultation period commencing 16 January 2023. The Chairman has considered the timetable for the consultation period and agrees that the matter before Cabinet is urgent for this reason.

| Policies and other considerations, as appropriate | |
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| Council Priorities: | The Capital Strategy and Treasury Management Strategy Statement help the Council achieve all its priorities: <ul style="list-style-type: none"> - Supporting Coalville to be a more vibrant, family-friendly town - Support for businesses and helping people into local jobs - Developing a clean and green district - Local people live in high quality, affordable homes - Our communities are safe, healthy and connected |
| Policy Considerations: | None |
| Safeguarding: | Not applicable |
| Equalities/Diversity: | Not applicable |
| Customer Impact: | Not applicable |
| Economic and Social Impact: | Not applicable |
| Environment and Climate Change: | The Council aims to be a responsible investor and will consider environmental, social and governance (ESG) issues when investing Where practical when making investment decisions ESG will be |

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| | considered and counterparties with integrated ESG policies and commitments to carbon net zero by 2050 will be favoured by the council. |
| Consultation/Community Engagement: | Corporate Scrutiny – 4 January 2023 Cabinet – 10 January 2023 Public consultation 16/01/23 – 27/01/23 |
| Risks: | Borrowing and investment both carry an element of risk. This risk is moderated through the adoption of Treasury and Investment Strategies, compliance with the CIPFA Code of Treasury Management and the retention of Treasury Management advisors (Arlingclose) to offer expert advice. |
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