Medium Term Financial Strategy and Budget Proposals 2022/23

Final Decision-Maker	Council
Lead Head of Service/Lead Director	Mark Green, Director of Finance and Business Improvement
Lead Officer and Report Author	Mark Green, Director of Finance and Business Improvement
Classification	Public
Wards affected	All

Executive Summary

This report represents the final stage in this Committee's consideration of the budget for 2022/23. It brings together revenue and capital budget proposals for 2022/23, including a proposed level of Council Tax, so that a balanced budget may be recommended to Council on 23rd February 2022. The budget proposals are consistent with the draft Medium Term Financial Strategy considered by this Committee on 24th November 2021. The budget proposals have been considered by Service Committees and their comments have been reflected in the latest proposals included within this report.

The report also deals with the proposed capital programme 2022/23 to 2026/27 and the Council's level of reserves.

This report makes the following recommendations to this Committee:

It is recommended that the Committee:

- 1. Notes the outcomes of consideration of budget proposals by the Service Committees;
- 2. Agrees the Budget Growth and Savings Proposals set out in Appendix A;
- 3. Agrees that the first £1 million of 2022/23 New Homes Bonus be allocated for strategic policy and planmaking, with the balance transferred to a Housing Investment Fund, to be used to subsidise the Council's Affordable Housing programme;
- 4. Agrees the updated Strategic Revenue Projection set out in Appendix B;
- 5. Agrees a £5.40 increase in Band D Council Tax for 2022/23 for recommendation to Council;
- 6. Agrees the Revised Estimates for 2021/22 and the Budget Estimates for 2022/23 set out in Appendix C for recommendation to Council;
- 7. Agrees the Capital Programme set out at Appendix D for recommendation to Council;

- 8. Agrees the Treasury Management Strategy, Investment Strategy and Capital Strategy set out in Appendix E for recommendation to Council;
- 9. Notes that the projected level of General Fund balances in Appendix F is in excess of the agreed minimum level of £4 million;
- 10. Agrees the updated Medium Term Financial Strategy set out in Appendix G;
- 11.Recommends to Council the appropriate matters for decision to set a balanced budget for 2022/23 and the necessary level of Council Tax in accordance with the Local Government Finance Act 1992 and the Localism Act 2011 including the decisions made above.

Timetable		
Meeting	Date	
Policy and Resources Committee	9 February 2022	
Council	23 February 2022	

Medium Term Financial Strategy and Budget Proposals

1. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
Impact on Corporate Priorities	The Medium Term Financial Strategy and the budget are a re-statement in financial terms of the priorities set out in the strategic plan. They reflect the Council's decisions on the allocation of resources to all objectives of the strategic plan.	Section 151 Officer & Finance Team
Cross Cutting Objectives	The MTFS and the budget support the crosscutting objectives in the same way that they support the Council's other strategic priorities.	Section 151 Officer & Finance Team
Risk Management	This has been addressed in section 5 of the report.	Section 151 Officer & Finance Team
Financial	The budget strategy and the MTFS impact upon all activities of the Council. The future availability of resources to address specific issues is planned through this process. It is important that the committee gives consideration to the strategic financial consequences of the recommendations in this report.	Section 151 Officer & Finance Team
Staffing	The process of developing the budget strategy will identify the level of resources available for staffing over the medium term.	Section 151 Officer & Finance Team
Legal	Under Section 151 of the Local Government Act 1972 (LGA 1972) the Section 151 Officer has statutory duties in relation to the financial administration and stewardship of the authority, including securing effective arrangements for treasury management. The Medium Term Financial Strategy demonstrates the Council's commitment to fulfilling it's duties under the Act. The Council is required to set a council tax by the 11 March in any year and has a statutory obligation to set a balanced budget. The budget requirements and basic amount of Council Tax must be calculated in accordance with the requirements of sections 31A and 31B to the Local Government Finance Act	Interim Deputy Head of Legal Partnership.

	1992 (as amended by sections 73-79 of the Localism Act 2011). The Council is required to determine whether the basic amount of council tax is excessive as prescribed in regulations - section 52ZB of the 1992 Act as inserted under Schedule 5 to the Localism Act 2011. The Council is required to hold a referendum of all registered electors in the borough if the prescribed requirements regarding whether the increase is excessive are met. Approval of the budget is a matter reserved for full Council upon recommendation by Policy and Resources Committee on budget and policy matters.	
Privacy and Data Protection	Privacy and Data Protection is considered as part of the development of new budget proposals. There are no specific implications arising from this report.	Policy and Information Team
Equalities	The MFTS report scopes the possible impact of the Council's future financial position on service delivery. When a policy, service or function is developed, changed or reviewed, an evidence-based equalities impact assessment will be undertaken. Should an impact be identified appropriate mitigations with be sought.	Equalities and Corporate Policy Officer
Public Health	The resources to achieve the Council's objectives are allocated through the development of the Medium Term Financial Strategy.	Public Health Officer
Crime and Disorder	The resources to achieve the Council's objectives are allocated through the development of the Medium Term Financial Strategy.	Section 151 Officer & Finance Team
Procurement	The resources to achieve the Council's objectives are allocated through the development of the Medium Term Financial Strategy.	Section 151 Officer & Finance Team
Biodiversity and Climate Change	The resources to achieve the Council's objectives are allocated through the development of the Medium Term Financial Strategy.	Section 151 Officer & Finance Team

2. INTRODUCTION AND BACKGROUND

- 2.1 This section sets out revenue and capital budget proposals for 2022/23 as follows:
 - Background
 - Local Government Finance Settlement 2022/23
 - Feedback from Service Committees on budget proposals
 - Updates to budget proposals
 - Updates to Strategic Revenue Projection
 - Revenue Estimates
 - Capital Programme
 - Treasury Management Strategy
 - Balances / Earmarked Reserves

Background

- 2.2 At its meeting on 24 November 2021, this Committee considered an updated Medium Term Financial Strategy (MTFS) for the next five years. The MTFS sets out in financial terms how the Strategic Plan will be delivered, given the resources available, and reflects new priority initiatives including a Town Centre Strategy and the commitment to invest in 1,000 new affordable homes.
- 1.3 The financial projections underlying the MTFS were prepared under three different scenarios adverse, neutral and favourable. All three scenarios assumed that budget proposals for future years which have already been agreed by Council will be delivered, and that Council Tax is increased by 2% in 2022/23. A further scenario has also now been considered that will incorporate the risk of inflation remaining at its current rate of around 5%.

Local Government Finance Settlement 2022/23

- 1.4 The Provisional Local Government Finance Settlement for 2022/23 was announced on 16 December 2021. This confirmed several of the key assumptions incorporated in the MTFS.
 - The Council Tax referendum limit will be 2%.
 - The existing Business Rates regime will remain in place. Whilst the business rates multiplier will be frozen for ratepayers, local authorities will be compensated for the consequent loss of an inflationary increase.
 - There will be no negative Revenue Support Grant.
- 1.5 In addition, of the £1.5 billion increased funding previously announced in the Spending Review for local authorities, £822 million will be distributed directly to local authorities in the form of a new Services Grant. Maidstone will receive £225,000 in Services Grant.
- 1.6 There will be a new round of New Homes Bonus (NHB) payments in 2022/23, but payments will be made on the basis of two years' growth in housing numbers rather than three as in 2021/22. In Maidstone's case, because of the high number of housing completions in the borough last year, New Homes Bonus will nevertheless increase from £3.8 million in

2021/22 to £4.2 million in 2022/23. However, other authorities have seen significant reductions, so to prevent those authorities seeing an overall reduction in their Core Spending Power, the government is using the Lower Tier Services Grant (LTSG) to cushion the impact. Maidstone will receive an LTSG of £146,000.

- 2.3 The outcome of the Local Government Finance Settlement was favourable for the Council, but offsetting this favourable impact has been the net effect of the budget proposals for 2022/23 and subsequent years, which would lead to net revenue growth of £324,000 in 2022/23. Details are set out in Appendix A. Furthermore, in order to absorb potential additional inflation of 2%, an extra £800,000 has been added to the corporate contingency budget. The overall outcome for the Council's strategic revenue projections of these and other pressures is that the projected budget surplus reported in November of £755,000 has been fully absorbed to give a much smaller surplus of £8,000. The Strategic Revenue Projection is shown at Appendix B.
- 2.4 The Strategic Revenue Projection shows a deficit in future years. There are a large number of uncertainties about the future position, notably the impact of the expected reshaping of local government funding arrangements in 2023/24. Developments will be monitored carefully and steps taken in good time to refine the budget strategy accordingly.

Feedback from Service Committees on Budget Proposals

2.5 Strategic Planning and Infrastructure Committee (12 January 2021)

The Committee expressed concerns that the £55,000 saving from deleting vacant posts in planning policy should remain within the planning service to allow for the recruitment of additional staff which were felt to be required. It was noted that the positions had been vacant long-term and that the funding was being used to facilitate an external consultant rather than remaining unused; its removal in the budget proposal for 2022/23 was a housekeeping exercise.

It was felt that the Policy and Resources Committee should further consider the use of the £55,000 for additional staffing posts in its overall consideration of the Medium-Term Financial Strategy.

2.6 Policy and Resources Committee (19 January 2022)

The revenue budget proposals for services within the remit of the Committee were agreed.

2.7 Economic Regeneration and Leisure Committee (18 January 2022)

The position on museum savings was noted and the need for a more realistic budget for the market acknowledged. Generally members were content and the revenue budget proposals for services within the remit of the Committee were agreed.

2.8 Communities, Housing and Environment Committee (1 February 2022)

An update will be provided at tonight's meeting.

Updates to budget proposals

Restructure to support delivery of Council strategies

- 2.9 A proposed growth figure of £94,000 was incorporated for this item in the report to Policy and Resources Committee on 19 January 2022. Further work has now been carried out on the scope of the management restructure required, and this is described in a separate report on this evening's agenda. The proposals now put forward would lead to net budget growth of £175,000. Included within the structure are four new posts in Planning.
- 2.10 The £55,000 saving relating to vacant posts in Planning Policy, considered by the Strategic Planning and Infrastructure Committee at its meeting on 9 January 2022, is being used to contribute to the costs of these posts and has therefore been removed from the service-level budget savings shown in Appendix A for Strategic Planning and Infrastructure Committee.

Other updates to Strategic Revenue Projection

Council Tax

- 2.11 Policy and Resources Committee agreed at its meeting on 19 January 2022 that the Council Tax Base for 2022/23 would be 65,896.22. This is in line with the increase in the Council Tax Base assumed in the MTFS. The agreed Council Tax Base will yield total Council Tax income of £18,207,125 if Band D Council Tax is increased by 2% (£5.40), as set out in the agreed Medium Term Financial Strategy.
- 2.12 Taking into account possible increases in precepts from other organisations, the overall level of Band D Council Tax is likely to be as follows:

	% change	
	from last year	£
Kent County Council	2.0	1,287.99
Kent County Council Social Care Precept	1.0	173.25
Kent Police and Crime Commissioner	4.6	228.15
Kent Fire and Rescue Service	2.0	82.44
Maidstone Borough Council	2.0	276.30
ANNUAL CHARGE FOR 2022/23	3.0	£2,048.13

2.13 The Council Tax base report to Policy and Resources Committee on 19 January 2022 projected a surplus of £319,000 in total for current year (2021/22) collections, which will be credited to the General Fund in 2022/23. This amount is after an adjustment to spread the abnormal deficit suffered in 2021/22 across three years, as prescribed by legislation. This surplus is £24,000 less than originally projected.

Business Rates

- 2.14 The Business Rates income estimate for 2022/23 is based on the recently completed NNDR1 return that has to be provided to the Department of Housing Communities and Local Government each January.
- 2.15 The Business Rates baseline, ie the notional amount of business rates due to the Council, after payments to preceptors and the government's tariff, excluding any growth, is £3.528 million, as set out in the Provisional Local Government Finance Settlement. As described above, the government has increased the Business Rates baseline by inflation even though business rate payers will not face an increase. This is worth an additional £30,000 compared with the amount anticipated in the MTFS.
- 2.16 The NNDR1 return indicates that, as in previous years, business rates will be higher than the baseline, owing to growth in excess of inflation over the years since the baseline was set in 2013/14. Maidstone's share of this projected growth amounts to £1.6 million, which is £1.1 million more than assumed in the MTFS. The significant increase arises primarily because of the retail, leisure and hospitality relief which the government will provide to business rate payers. This relief, which is granted by the Council but with compensation from the government in the form of S31 grant, allows income which would otherwise have been at risk to be guaranteed from the Council's perspective.
- 2.17 Overall, the projection for business rates income is based on the existing methodology, with appropriate allowances for bad debts and business rates appeals. However, there is a risk that more businesses will appeal their assessments on the basis of a material change in circumstances following the Covid-19 pandemic, which could have the effect of reducing business rates growth or even eliminating it altogether.
- 2.18 Kent County Council and eight of the Kent districts continue to pool their business rates growth, which has the effect of reducing the levy on business rates growth that would otherwise be payable to central government. As previously agreed by Council, Maidstone's 30% share of the saving on the levy is ringfenced for investment in the Council's economic development strategy. A further 30% represents a Growth Fund, spent in consultation with Kent County Council. Neither of these amounts are reflected in the Strategic Revenue Projection, as they have been earmarked for specific purposes.
- 2.19 As set out above, there is a risk that business rates appeals will have an impact on business rates growth or even eliminate it altogether. Whilst business rates pool proceeds have therefore been earmarked for specific purposes, no specific spending commitments should be made until there is more certainty about the likely outcome.
- 2.20 As with Council Tax income, an adjustment is made in respect of the deficit arising in 2021/22. This is £367,000 greater than projected in November, after releasing a reserve of £1.381 million set aside to cover abnormal loss of income arising from the Covid-19 pandemic.

Unringfenced government grant

- 2.21 As announced in the Local Government Finance Settlement, unringfenced government grant will be received in 2022/23 comprising New Homes Bonus (£4.2 million), Services Grant (£225,000) and Lower Tier Services Grant (£165,000). These are unringfenced revenue grants that may be deployed by the Council at its discretion, so the default position is that they are included within the Council's revenue resources along with Council Tax and Business Rates.
- 2.22 The Council has however previously ringfenced New Homes Bonus payments for capital expenditure. With effect from 2022/23, it is now proposed that the first £1 million of New Homes Bonus be allocated for strategic policy and planmaking. The balance, ie £3.2 million in 2022/23, will be transferred to a Housing Investment Fund, which will be used to subsidise the Council's Affordable Housing programme.
- 2.23 The Services Grant and Lower Tier Services Grant will be deployed as part of revenue resources to offset expenditure pressures and thus ensure a balanced budget.

Fees and Charges

2.24 The level of fees and charges made by each Service Area were considered by Service Committees at their meetings in December 2021. The combined effect of changes in fees and charges has been incorporated in the projections in Appendix B. The latest projection is £158,000 less than in the MTFS.

Inflation

- 2.25 For the purpose of the draft Medium Term Financial Strategy presented to the committee in November 2021, it was assumed that the government's target rate of inflation is 2% would be achieved over the medium term, so the default inflation assumption for general expenditure in the draft MTFS was 2%. The detailed inflation assumption however recognised that contract price inflation, being index-linked, would be higher, and that staff pay increases would average 3% to allow for increments. In addition, a general provision for inflation of £500,000 was built into the projections.
- 2.26 The committee expressed its concern that these projections did not adequately address the risk of continuing high inflation, so a further contingency of £800,000, representing approximately 2% of gross revenue expenditure, has now been built into the Strategic Revenue Projections for 2022/23.

Revenue costs of capital programme

2.27 A review of the budget provision for the revenue costs of the capital programme, ie financing costs and Minimum Revenue Provision, in the light of the 5-year capital programme proposals, indicates that the budget does not need to be increased for 2022/23. It will increase in subsequent years in line with the expansion of the capital programme.

Summary

2.28 In summary, the impact of the above changes to the Strategic Revenue Projection for 2022/23, as compared with the position shown in the draft Medium Term Financial Strategy as considered by this Committee on 24 November 2021, is as follows:

	£000	£000
Projected budget surplus for 2022/23 as per draft MTFS presented to P & R Committee 24.11.2021		755
Add:		
Services Grant Lower Tier Services Grant Business Rates:		225 146
Additional retained rates arising from LocalGovernment Finance SettlementAdditional growth	30 528 <u>-367</u>	
- Collection Fund adjustment		191
Adjustment to current spend		7
<u>Less:</u>		
Increase corporate contingency to cover inflation risk Net impact of budget proposals - see Appendix A Reduction in forecast for other income Council Tax:		-800 -324 -158
- Adjustment to reflect actual Band D charge	3	
- Reduction in surplus for current year collections	<u>-24</u>	-21
Adjustment to forecast for pay, NI and inflation		-13
Updated budget surplus for 2022/23 – see Appendix B		8

- 2.29 In summary, the surplus of £755,000 envisaged in the MTFS has been absorbed by the requirement to provide for higher inflation and the net impact of budget proposals. After taking account of other adjustments, the net effect is that there is a small surplus of £8,000.
- 2.30 The updated Strategic Revenue Projections indicate that there will be a budget gap in 2023/24 and subsequent years. The likely impact of a business rates reset and the cost of accommodating the costs of a new waste collection contract means that a deficit is projected in 2023/24, and this deficit will increase over the remaining term of the MTFS.

Revenue Estimates

- 2.31 Attached at Appendix C is a summary of the revenue budget for 2022/23, based on the assumptions above. The summary shows the Original Estimate 2021/22 as approved by Council in February 2021; the Revised Estimate 2021/22 calculated as part of the budget development work completed this year; and the Estimate for 2022/23 based upon the details set out in this report. The Estimate for 2022/23 is analysed between gross expenditure, income and net expenditure, so that Members may see clearly how income generated by the Council contributes towards expenditure budgets.
- 2.32 Appendix C presents the Committee with the budget structured in line with the relevant Service Committees and separately structured in line with the strategic priorities set out in the Strategic Plan.
- 2.33 The Revised Estimate 2021/22 shown in Appendix C totals £19,694,840. This figure is net of all income with the exception of the use of balances and the council tax requirement.
- 2.34 The Estimate for 2022/23 shown in Appendix C totals £23,164,060. This incorporates all the items discussed above. The figure is net of all income with the exception of Council Tax and Business Rates income. It excludes precepts.

Capital Programme

2.35 A draft Capital Programme was reported to Committee at its meeting on 19 January 2022. The Capital Programme totals £234 million over five years. This represents a significant expansion of the programme, owing mainly to a further £82 million for the Affordable Housing Programme and an indicative item of £30 million for the re-provision of leisure facilities at the end of the current Serco contract. Details are set out Appendix D.

Treasury Management Strategy

- 2.36 The framework for funding the capital programme and the Council's activities generally is set out in the Treasury Management Strategy. The Council has adopted CIPFA's Code of Practice for Treasury Management in Public Services, which requires the Council to produce three linked strategy documents: a Treasury Management Strategy, an Investment Strategy and a Capital Strategy. These are included as Appendix E and have already been considered by the Audit, Governance and Standards Committee at its meeting on 18th January 2022.
- 2.37 In summary, the Treasury Management Strategy envisages that the capital programme will be funded by borrowing, as permitted subject to the guidance set out in the Prudential Code. In 2012 the Council approved in principle the use of prudential borrowing. The proposals set out in this report indicate a need for up to £201 million of prudential borrowing over the lifetime of the capital programme. The revenue costs of this borrowing are reflected in the Strategic Revenue Projections.

- 2.38 Currently, borrowing is available at rates of interest which remain very low in comparison with recent history. The assumptions made about the cost of borrowing in the Capital Strategy need to be viewed in this light, and the impact of higher interest costs in the future considered.
- 2.39 Measures to mitigate the risk of higher borrowing costs in the future are constrained by the fact that the Prudential Code does not permit borrowing in advance of need, and loans through the Public Works Loan Board are provided immediately on application, rather than at a specified future date. This limits the opportunities for 'locking in' current interest rates. However, the Treasury Management Strategy envisages the procurement of forward borrowing from non-government lenders and this is currently under active consideration.

Balances / Earmarked Reserves

- 2.40 Attached at Appendix F is a statement of general fund balances and details of earmarked reserves. The earmarked reserves incorporate a capital reserve that includes all of the retained New Homes Bonus and other revenue support to the capital programme available from previous years.
- 2.41 Unallocated General fund balances are estimated to be £9,196,000 by 31 March 2023. In considering the level of reserves that should be maintained the Committee should consider the minimum below which the Committee cannot approve the use of balances without agreement by the Council. It was agreed by Council at its meeting on 24 February 2021 that the minimum level of balances be increased to £4 million in light of the heightened level of risk highlighted by the Covid-19 pandemic.
- 2.42 It can be seen that the level of reserves is comfortably in excess of the minimum level of £4 million.

Medium Term Financial Strategy

- 2.43 Attached as Appendix G is the Medium Term Financial Strategy, updated to reflect the latest position as described in this report.
- 2.44 The financial projection that complements the Medium Term Financial Strategy is the Strategic Revenue Projection given at Appendix B. The financial projection considers the need for growth and savings over the period of the Medium Term Financial Strategy and incorporates assumptions about inflation and changes in local and national initiatives.
- 2.45 The financial projection that complements the Capital Medium Term Financial Strategy Statement is the capital programme given at Appendix E.
- 2.46 The Strategy may require amendment following Committee's consideration of this report or following consideration by Council on 23rd February 2022. The final versions will be published as part of the budget documents on the Council's website following the Council meeting.

3 AVAILABLE OPTIONS

- 3.1 **Option 1:** To not recommend a budget or recommend a budget that is not balanced to Council.
- 3.2 The Council is statutorily required to set a balanced budget in time for the new financial year and in time for council tax billing to be achieved. If the Committee were to decide not to recommend a budget or recommend a budget that was not balanced Council would not be able to accept the proposal. A budget would need to be set and this would happen without the information or guidance from this Committee's work over the past year.
- 3.3 **Option 2:** The Committee could amend the budget set out in this report but would need to take care that the final recommendation to Council is a balanced budget.
- 3.4 The Director of Finance and Business Improvement (section 151 Officer) must provide confirmation to Council that "the budget calculations are based upon robust estimates and that the level of reserves is sufficient for the purposes of the budget exercise". Care must be taken in amending the budget set out in this report so that the Director of Finance and Business Improvement is able to make the necessary confirmation.
- 3.5 **Option 3:** the Committee recommend the budget set out in this report, including the proposed council tax charge.

4 PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS

4.1 Option 3 is the preferred option.

5 RISKS

5.1 The Council's MTFS is subject to a high degree of risk and certainty. In order to address this in a structured way and to ensure that appropriate mitigations are developed, the Council has developed a budget risk register. This seeks to capture all known budget risks and to present them in a readily comprehensible way. The budget risk register is updated regularly and is reviewed by the Audit, Governance and Standards Committee at each of its meetings.

6 CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK

6.1 Policy and Resources Committee received an initial report on the MTFS at its meeting on 21 July 2021 and has subsequently received further reports on the development of the budget for 2022/23.

- 6.2 A Residents' Survey was carried out in Autumn 2021 to obtain their views on the issues to be considered when setting a budget. The findings were reported to Service Committees in November and December 2020.
- 6.3 Detailed budget proposals were considered by individual Service Committees. The outcomes of this consultation are set out in this report at paragraphs 2.5 to 2.8.

7 NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION

7.1 The timetable for setting the budget for 2022/23 is set out below.

Date	Meeting	Action
9 February 2022	Policy and Resources Committee	Agree 2022/23 budget proposals for recommendation to Council
23 February 2022	Council	Approve 2022/23 budget

8 REPORT APPENDICES

The following documents are to be published with this report and form part of the report:

- Appendix A: Budget Savings Proposals 2022/23 to 2024/25
- Appendix B: Strategic Revenue Projection 2022/23 to 2026/27
- Appendix C: Revised Estimates for 2021/22 and Draft Budget Estimates for 2022/23
- Appendix D: Capital Programme 2022/23 to 2026/27
- Appendix E: Treasury Management Strategy, Investment Strategy and Capital Strategy
- Appendix F: Statement of General Fund Balances and Earmarked Reserves
- Appendix G: Updated Medium Term Financial Strategy 2022/23 to 2026/27

9 BACKGROUND PAPERS

There are no background papers.