

Statement on Robustness of Estimates and Adequacy of Reserves

1. In accordance with Section 25 of the Local Government Act 2003, the Financial Services Manager (as the officer designated under Section 151 of the Local Government Act 1972) has produced the following statements in respect of the proposed budget for 2018/19.
2. Council is asked to consider these statements when considering the budget for 2018/19.

Statement on the Robustness of the Council's Budget Calculations

3. In respect of the proposed General Fund Revenue Budget and Capital Programme for 2018/19, Council is asked to consider the following statement from the Financial Services Manager) when considering the budgets for 2018/19:-

"This statement is given only in respect of the 2018/19 budget setting process for Pendle Borough Council. I acknowledge my responsibility for ensuring the robustness of the budget calculations and the adequacy of reserves as part of this process.

As in previous years, a range of factors has been considered in this assessment of the robustness of the budget calculations for both the General Fund Revenue Budget and the Capital Programme for 2018/19. Whilst the narrative below explains some of these in more detail, [Appendix A](#) summarises other factors that have been considered.

Business Rates Retention & Pooling

Since the inception of the business rates retention scheme in 2013/14, the council's annual share of income from the business rate retention system is not guaranteed; it is dependent on the Council's ability to retain and grow its business rates base and other factors outside of our control (e.g. appeals).

Estimating the Council's share of income from business rates for 2018/19 remains a challenge due to the ongoing uncertainty on the timing and level of appeals since the system for making appeals was revised in 2017. There remain a number of appeals outstanding against the 2010 rating list for which we can make an assessment but we have no detail at the time of budget setting regarding appeals against the 2017 rating list.

To inform the estimate of funding available to support council spending in 2018/19, estimates have been made regarding the value of business rates that will be collected in both 2017/18 and 2018/19. These estimates are based on a range of assumptions around changes in business rates - new property assessments, changes to existing properties, appeals against rateable values etc – and also levels of collection.

Having reviewed these estimates, whilst I am content that they are reasonable and prudent based on information available at the time, I must advise Council that there continues to be volatility in business rates, particularly due to appeals and applications for rate reliefs. For this reason we continue to earmark reserve funding in addition to an element of the minimum working balance in support of business rates to provide a degree of contingency should income fall below projected levels. This is important given the Council remains a member of the Lancashire Business Rates Pool and by virtue of this does not benefit from any safety net protection under the current scheme of business rates retention.

For the current year, actual income from business rates will not be finalised until after the end of the financial year. We have established arrangements to monitor business rates income closely during the year so that the Council can take action as necessary to deal with any potential variation against the estimates used in setting the budget and these will continue to operate in 2018/19.

Development of Budgets

The estimates of income and expenditure forming the council's general fund revenue budget and capital programme for 2018/19 have been prepared on the basis of existing plans, known current and future commitments and the financial implications of the proposals for service efficiencies/reductions. They have been prepared in conjunction with the Chief executive, Director, Service Managers and Budget Holders. The base budget for 2018/19 is consistent with the delivery of current and expected levels of service required to achieve the council's strategic objectives (save for those areas where savings are proposed as set in the budget report).

Where it has been necessary, in the case of certain budgets (e.g. pay, investment income and income from fees and charges), assumptions have been used for inflation, interest rates and service take-up that, on the basis of current and predicted levels of activity, are considered to be reasonable and prudent. Likewise, in relation to capital receipts and grant funding which are expected to be received by the Council, assumptions have been made about the timing and amount of those receipts which I consider to be reasonable.

The scale of the council's operations continues to be impacted by ongoing resource constraints in the public sector. In October 2016 the Council opted to accept the Government's offer of a 4-year funding settlement and published its Efficiency Plan in response. Whilst the 4-year offer provides greater certainty in respect of the council's share of revenue support grant only, the changes made for 2017 to New Homes Bonus illustrates the difficulties of planning over the medium term when national policy changes can still result in unexpected and adverse changes in funding.

The Government's future operating model for local government is one in which councils are funded from local resources, namely council tax, business rates and to a lesser extent new homes bonus. Whilst these are elements over which the Council has some control the extent of growth within Pendle will also hinge on local market conditions and wider economic factors.

Locally, some budgets are more sensitive and responsive to changes in demand for services. For example, the vitality of the local housing market impacts on services such as Housing, Planning, Building Control and Local Land Charges. The budgets relating to these areas of income have been set with regard to this but the nature of these service activities means that it is difficult to be precise about service levels and therefore the income that will be generated as a result.

Hence it may be necessary to take corrective action during the year to ensure that the Council's budget and capital programme remain in balance. The effectiveness of this action relies on good systems of budgetary control, monitoring and risk management. These systems are well established.

Equally, there are certain areas of expenditure/income where limited information is available on which to base budget estimates. These include, for example:-

- the ongoing implementation of welfare reforms on service users. On current roll-out plans published by the DWP it is expected that Pendle will migrate to Full Service Universal Credit during November 2018; the implications of this for the council's contract with Liberata will have to be monitored;
- changes in funding streams from Lancashire County Council (LCC) as it continues to implement significant budget savings; an example is the ending of the cost sharing agreement for waste collection which results in a loss of income to Pendle from next year of £0.76m; there also remains uncertainty as to the future shape of the waste disposal arrangements across the County which could further impact on our net operating costs;
- the effect of changes to legislation that may create additional cost burdens. For example, changes in the way in which land charges are administered and charged for together with constraints on the extent to which councils can charge for various services;

- the impact of cost shunting from other government departments as they, too, seek to reduce their costs, i.e. business rate reductions as schools convert to Academies or applications for rating reliefs from parts of the NHS;

Alongside these issues will be the success, or otherwise, of implementing those savings proposals which councillors agree to accept as part of the current budget process. It is important that the necessary measures to achieve these savings are implemented sufficiently early in the financial year to ensure that the full amount of savings is realised. Where savings are not implemented in full or at all, this could increase the requirement to draw from the Council's reserves in the year as well as creating unaffordable cost burdens in subsequent years.

It is important, therefore, to review actual performance against budget on a regular basis in order to ensure budgets remain on track, including the implementation of savings/efficiency proposals as well as being proactive in identifying emerging risks and responding accordingly, taking remedial action where this is appropriate.

Finally, given the continuing year on year reduction in funding for the Council, I should stress that the extent to which Councillors do not implement the savings proposed in 2018/19 will both:-

- increase the amount required to be drawn from reserves to achieve a balanced budget for that year; and
- increase the requirement for savings in 2018/19 and later years at a time of further funding reductions combined with lower levels of reserves. This will require additional budget reductions to be identified over and above the significant savings already identified in the medium-term financial plan (i.e. currently £1.1m in 2019/20 and £0.8m in 2020/21).

Acknowledging the above and setting this within the wider control framework and financial management arrangements applied within the council I consider the Council's budget for 2018/19 in isolation to be robust.

Although I am not required at this stage to comment on the robustness of estimates for future years' budgets, as in previous years, it is my view that when considering the budget calculations for 2018/19, Councillors must have regard to the medium term financial position of the Council when deciding the budget and council tax for next year.

It was evident from the 4 year funding settlement that core government funding would continue to reduce through to 2019/20. Beyond this, the level of uncertainty simply increases given the Government's intention to complete a Fair Funding Review of local authorities' relative needs and resources and move to implement 75% local retention of business rates. These render projections for 2020/21 problematic with the outcomes uncertain accepting that they could be more or less favourable than what is currently assumed.

Assuming a balanced budget is agreed for 2018/19, in line with that set out in the budget report, there is a need to achieve further savings of £1.9m over the period to 2020/21 based on current assumptions. These include assumed increases in Council Tax at the maximum permitted without recourse to a referendum combined with the phased use of reserves.

The extent of savings required is such that it is not feasible to generate these simply from incremental reductions in services or wholly from back-office functions. Hence, savings on the scale required should be considered strategically and set in the context of the main areas of service spending. It is acknowledged that good progress has been made on these key areas; however, the financial challenge facing the Council is such that more work is needed and it will take time to identify and implement the required level of savings. As a result Councillors are requested to commence this work early in 2018/19 to support the Council's ongoing transition to a lower and more sustainable cost base in subsequent years.

The extent to which savings are not agreed for 2018/19 simply increases the requirement for savings in later years albeit with less time to plan effectively as the cushion of reserves is used at a faster rate than planned.

Therefore, despite their being an established and agreed Financial Strategy, the continuing reductions in core funding combined with the projected scale of the savings required by the Council to ensure a balanced budget each year means that I cannot, at this stage, comment on the robustness of budget estimates with effect from 2019/20. Suffice to say, the financial challenge facing the Council remains substantial and there are undoubtedly difficult decisions ahead as we seek to align our service spending within our projected available resources.

Statement on the Adequacy of Financial Reserves

“Having conducted a review of the Council’s requirement for the minimum working balance, taking into consideration various matters including:-

- the Council’s spending plans for 2018/19 and the medium term financial position;*
- adequacy of estimates of inflation, interest rates;*
- treatment of demand led pressures;*
- impact of external partnerships;*
- the need to respond to emergencies.*
- Capital programme variations.*

I can confirm that an amount of £1.0m is considered adequate for this purpose.

In relation to other financial reserves, a review has also been conducted to determine their adequacy. In addition to the matters referred to above, and taking into account the Medium Term Financial Plan, the review concluded that the level of such reserves is adequate based on current information in relation to anticipated risk, existing commitments and known future plans.

However, the rate at which reserves are being used to support the General Fund Revenue Budget is not sustainable over the medium term without the need to align expenditure more closely with ongoing resources.

This statement is made on the understanding that any use of reserves and balances is undertaken in accordance with the Council’s existing Financial Procedure Rules and that a further review of reserves and balances will be undertaken in July 2018 following the preparation of the Council’s accounts for 2017/18.”

Appendix A

Factors Considered in the Determining the Robustness of Estimates and Adequacy of Reserves

Factors	Commentary
The Council's Aims and Priorities	<p>Where it is considered affordable to do so, the budget estimates reflect the amounts required to achieve service objectives agreed by Council as part of our current Strategic Plan.</p> <p>Work to review the Council's Strategic Plan is planned in 2018 and should be concluded early in the new financial year. This <u>may</u> entail a change in the Council's corporate objectives as the Council seeks to manage within a reduced level of funding.</p> <p>Even if there is no change in the corporate objectives, there will be a need to review the headline actions to ensure that the Council is able to manage expectations on service delivery within the resources available.</p>
Financial Strategy (and Medium Term Financial Planning)	<p>In preparing the Council's budget estimate for 2018/19, due regard has been given to the impact of decisions made by the Council on matters which might impact on the Medium Term Financial Plan (MTFP).</p> <p>Details of the revised MTFP were reported to the Executive on 7th February 2018 so that decisions on the budget for 2018/19 could be taken in the context of the longer term impact for the Council. Equally, this is reflected in the development of a Financial Strategy which, amongst other matters, seeks to combine prudent use of reserves with efforts to align the Council's ongoing expenditure with ongoing resource levels.</p> <p>Whilst acknowledging that the Financial Strategy is predicated on a range of assumptions which have contributed to the development of the Medium Term Financial Plan (MTFP), the extent that the Council takes decisions that impacts those assumptions, will result in changes to the MTFP.</p> <p>Whilst the budget estimates shown in the Medium Term Financial Plan for 2018/21 are, on the basis of current information, reasonably robust they are unaffordable given the projected levels of income. There is additional uncertainty attached to forecasts from 2020/21 given potentially significant developments nationally which will impact on the funding of local government. These are the Fair Funding Review and the implementation of 75% local retention of business rates income.</p> <p>The Financial Strategy proposed for future years retains the key themes of:-</p> <ul style="list-style-type: none"> • Growing the Council's taxbases, both for business rates and for Council Tax/New Homes Bonus;

Factors	Commentary
	<ul style="list-style-type: none"> • Charging for services where is it considered appropriate to do so on a cost recovery basis and to use spare capacity. It will also involve the introduction of new charges where this is considered feasible; • Saving costs by being more efficient, working in partnership with others or by prioritising some services over others when allocating resources. • Stop – determining what are not priorities and stop them given the financial challenge we face. <p>Underpinning the current strategy are the following strands:-</p> <ul style="list-style-type: none"> • pursuing a Jobs and Growth Strategy aimed at increasing the number of business rateable properties in Pendle thereby increasing the Council's share of retained business rates; • encouraging housing development within the Borough and thereby boosting our access to New Homes Bonus funding; • making savings over the next three years based on the MTFP savings requirement rather than relying solely on reserves to balance the Council's budget; a strategy that relies heavily on finite reserves will simply defer, not reduce, the need to make savings and the longer savings are put off the greater the amount required. • increasing the Council Tax in 2018/19 and subsequent years, to the extent this is possible without triggering a referendum. The Management Team proposal for 2018/19 is that the Band D Council Tax charge be increased by 2.99% (£7.48) and thereafter by the maximum amount within any revised thresholds set by Government. No consideration has been given to exceeding the referendum threshold although this policy remains open to consideration in future years; • no avoidable budget growth without compensating savings; • the planned use of the Budget Support Reserve in the period 2018/21 to 'smooth' the amount of savings required accepting that even then, the magnitude of savings will present some extremely difficult decisions for the Council and impact on frontline service provision. Hence, the medium-term plan assumes the use of £2.9m from the Budget Support Reserve between 2018/19 and to 2020/21. <p>It is important that work begins early in the new financial year to both implement savings identified for 2018/19 and to start developing options for the delivery of future savings.</p>

Factors	Commentary
The level of funding likely from Central Government towards the cost of local services	<p>For 2018/19, the Council's core revenue support grant will reduce by 23%;</p> <p>The council accepted the Government's 4-year funding offer under which allocations of revenue support grant have been set through to 2019/20. It was evident from this that our core government funding would continue to decline over this period.</p> <p>The Government has also outlined its intention to move to the position of 75% (formerly 100%) of business rates being retained 'locally' – currently the 'local' share is 50% – there is still much detail to resolve in connection with this including the scheme design and what responsibilities/functions will also transfer to authorities. No account has been taken of this in the current medium-term financial plan.</p>
Council Tax Base	<p>The Executive agreed a Council Tax Base of 23,661.5 Band D Council Tax properties for 2018/19 in December 2017, an increase of 1.34% when compared to the previous year.</p> <p>The Tax Base reflects a rate of collection of Council Tax for 2018/19 of 96% unchanged from that adopted for the current financial year.</p> <p>The Council has robust procedures to monitor the rate of Council Tax collection during the financial year.</p>
Referendum Threshold set by the Secretary of State in respect of Council Tax Increases	<p>For 2018/19, the Government has indicated that for district councils maximum increases are limited to £5 or less than 3% (whichever is the greater). Increases above these limits will trigger a referendum of local taxpayers. There is no Council Tax Freeze Grant for 2018/19.</p> <p>The recommendation to the Executive and Council from Management Team is that the Council increase Council Tax by £7.48 (2.99%) at Band D for 2018/19.</p>
The Prudential Code and its impact on capital planning (including the Corporate Capital Strategy)	<p>The Council has a Corporate Capital Strategy which informs future projected capital expenditure and income. Arising out of consideration of the Corporate Capital Strategy, the Management Team has recommended to Council a Capital Programme for 2018/19 which is considered to be affordable, prudent and sustainable.</p> <p>Subject to Council's decision on the overall Capital Programme and how it will be financed, it may be necessary to revisit the prudential indicators to ensure that the proposed Capital Programme remains affordable, prudent and sustainable.</p>
Financial Standing (including adequacy of reserves)	<p>On the basis of the most recent budget monitoring statement to the end of December 2017 the General Fund Revenue Budget for 2017/18 is estimated to be underspent by £124k. This is measured against the revised budget approved in December which reflected an underspend of £505k on the original budget set at the start of the year.</p>

Factors	Commentary
	<p>The Medium Term Financial Plan for the period 2018/21 shows a shortfall in projected resources giving rise to a significant savings requirement.</p> <p>The Council has in place a strategy which combines the planned use of reserves to smooth the level of savings required in each year but nevertheless this still requires Councillors to agree the necessary reductions in expenditure to balance spending within available resources.</p> <p>A review of the Council's Minimum Working Balance justifies retaining a balance of £1.0m. The adequacy of this will remain subject to annual review. Equally, a review of specific reserves has been undertaken and these are assessed as being adequate for the purpose for which they were created. These too will be subject to annual review.</p>
Financial Management	<p>The Council's financial information and reporting arrangements are considered to be sound and the end of year procedures in relation to budget management and the closure of accounts are currently fit for purpose.</p> <p>The Council's External Auditors gave an unqualified opinion on the Statement of Accounts for 2016/17 and our arrangements for ensuring value for money in the year.</p> <p>The management of the Council's asset base continues to be good with resources linked to capital planning in both the annual budget and the Medium Term Financial Plan.</p> <p>Collection performance of both NNDR and Council Tax remains broadly as per targets for 2017/18. Collection performance continues to be managed through the Partnership Steering Group operated by the Council in partnership with Liberata.</p>
Corporate Governance and Risk Management	<p>The Council has adopted a Local Code of Corporate Governance based upon the most recent requirements of the CIPFA/SOLACE Corporate Governance Framework. The local code was assessed against the revised 2016 CIPFA/SOLACE framework. Overall, our arrangements were found to be robust with only a small number of areas requiring further work or improvement.</p> <p>The Council also has a risk management policy and framework which underpins the Strategic Risk Register.</p> <p>The Corporate Governance Working Group meets periodically to consider both corporate governance and risk management issues with reports to the Council's Executive and the Accounts and Audit Committee. A Risk Management Working Group also meets on a quarterly basis to review the Council's operational risks.</p>
The adequacy of the Council's Insurance Arrangements	<p>The Council's insurance arrangements are reviewed annually as part of the review of premiums paid and levels of cover obtained.</p> <p>The Council implemented a contract of insurance with Zurich Municipal from 1/4/13 for an initial 5 year term and recently agreed to extend this for a further 2 years.</p>

Factors	Commentary
	<p>There continue to be close links between the work to ensure adequate insurance arrangements, risk management and business continuity. This work is overseen by Financial Services Manager via the Risk Management Working Group. The minutes of the Risk Management Working are reported to Management Team.</p>
Business Continuity Arrangements	<p>The Corporate Business Continuity Plan (BCP) is being updated. This will include an updated impact analysis for specific services and arrangements will be made to test the plans during 2018/19.</p> <p>Likewise the Council's Emergency Plan has been updated and was subject to review and testing in 2017.</p>
Arrangements to secure Value for Money	<p>The Council's arrangements in relation to value for money have been assessed and the External Auditor who issued an unqualified opinion on the Council's arrangements for securing value for money for 2016/17 (as reported to Accounts and Audit Committee in July 2017).</p>
Interest Rates	<p>The bank base rate is currently 0.5% and is expected to remain unchanged in the near term. This has a direct impact on the levels of investment returns the Council expects to receive.</p> <p>Looking ahead, interest returns have been set at 0.5% for 2018/19, 0.75% for 2016/20 and 1% for 2020/21 although these will be reviewed as part of the on-going development of the Medium Term Financial Plan. This reflects the expectation that interest rates will remain relatively low over the medium term.</p> <p>Interest rates on long term debt are fixed at the rate at which the debt was taken. The Council's present debt which consists wholly of loans from the Public Works Loan Board has a consolidated rate of interest of 3.18%.</p> <p>Annually, the Council agrees a Treasury Management Strategy which sets out how both borrowing and investments will be managed throughout the year. For 2018/19, this will be reported to Council in March 2018.</p> <p>To mitigate against fluctuations in interest rates, and therefore changes in investment returns, the General Fund Minimum Working Balance includes provision for loss of income in the short term.</p>
Pay and Price Inflation	<p>An allowance of 2% has been factored in to the budget for the Local Government pay award reflecting the recent offer made by the Employers' side nationally.</p> <p>Generally, other budgets are cash limited (i.e. not increased by general inflation) with the exception of certain costs, e.g. utilities, telephones, car allowances, where budgets have been increased to reflect anticipated inflationary increases. The unitary charge payment to Liberata has been inflated in line with the agreed indexation methodology.</p> <p>Consumer Price Inflation at December 2017 was 3.0% (1.6% for December 2016) and the Retail Price Index was 4.1% (2.5% for December 2016). Whilst CPI is above the target set by the Government for the Monetary Policy Committee the bank of</p>

Factors	Commentary
	<p>England thinks inflation peaked at the end of 2017 and will fall back close to its target of 2% during 2018.</p>
Fees and Charges	<p>Annually, the Council reviews its fees and charges. The outcome of the most recent review was reported to the Executive in September 2017.</p> <p>As in the current financial year, the Council needs to closely monitor budgets for fees and charges to ensure they remain in line with expectations and, where necessary, be in a position to respond if budgets are not being achieved.</p>
Demand Led Pressures	<p>Where possible, the forecasts of income and expenditure forming the Council's budget estimates for 2018/19 take into account anticipated changes in demand led pressures to the extent that they can be predicted. However, by the very nature, these can vary from year to year as service take-up in these areas is difficult to forecast.</p> <p>There remains the potential for increases in the number of service users in areas such as Benefits and Homelessness and the extent to which the Council maintains service provision will need to be monitored carefully.</p> <p>In recommending the budget for 2018/19 to Council, the Executive also resolved that budgets should be cash limited and as a consequence Service Managers are generally required to manage demand led pressures within their existing budget allocations.</p> <p>Notwithstanding this, the Council's General Fund Minimum Working Balance includes provision to deal with some level of unexpected and unforeseen costs arising from increases in demand for services.</p>
Emerging Pressures	<p>The projections within the budget and the Medium Term Financial Plan include all known and quantified priorities and growth pressures that Managers are aware of at the time the budget is proposed.</p> <p>Looking ahead, as well as the continued reduction in our core funding generally, there are a range of issues which may require investment:-</p> <ul style="list-style-type: none"> • a focus on economic growth and job creation to support business and increase employment which should yield additional business rates income; • the recent changes in the funding for New Homes Bonus and the extent to which the Council can influence its share of this funding from local housing growth above the new national baseline; • the ongoing changes to the Benefits regime with the phased implementation of Universal Credit and ongoing welfare reforms;

Factors	Commentary
	<ul style="list-style-type: none"> • as partners and other local organisations experience reductions in their funding this may affect access to services they provide within Pendle and in some cases lead to pressure for the Borough Council to help address the position or to help other groups to take on the responsibility (e.g. services provided by the County Council and the role of the Voluntary and Community Sector in Pendle). • as the Council reduces in size, funding will be required to help meet the 'costs of change'; • legislative changes leading to potential increased costs for the Council. <p>This above is not an exhaustive list and there will be other issues that arise either due to local priorities or statutory obligations.</p>