

REPORT TO: Cabinet
Council

DATE: 26 February 2009

SUBJECT: The Prudential Code for Capital Finance in Local
Authorities – Prudential Indicators

WARDS AFFECTED: All

REPORT OF: Paul Edwards
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EXEMPT/CONFIDENTIAL: No

PURPOSE/SUMMARY:

To establish the Prudential Indicators for Sefton required under the Prudential Code for Capital Finance in Local Authorities.

REASON WHY DECISION REQUIRED:

To enable the Council to effectively manage its Capital Financing activities, and comply with the CIPFA Prudential Code for Capital Finance in Local Authorities.

RECOMMENDATION(S):

Cabinet is recommended to:

- a) Approve the Prudential Indicators detailed in the report, and summarised in Annex A, as the basis for compliance with The Prudential Code for Capital Finance in Local Authorities;
- b) Approve the amendments of relevant Prudential Indicators in the event that any unsupported borrowing is approved as part of the 2009/2010 Revenue Budget;
- c) Delegate authority to the Finance and Information Services Director to manage the Authorised Limit and Operational Boundary for external debt as detailed in Section 5 of the report; and
- d) Refer the report to Council for approval.

KEY DECISION:

No, this report does not represent a key decision in itself but is critical in the delivery of the 2009/2010 Budget, which is a key decision for the Council.

FORWARD PLAN: No – see above.

IMPLEMENTATION DATE: With effect from 1 April 2009.

ALTERNATIVE OPTIONS:

There are no alternative options. Under The Local Authorities (Capital Finance and Accounting) (England) Regulations 2003 the Council must have regard to the CIPFA Prudential Code for Capital Finance in Local Authorities.

IMPLICATIONS:

Budget/Policy Framework: The establishment and monitoring of Prudential Indicators will ensure that the financial implications of capital investment will be contained within approved revenue budgets.

Financial: See above.

<u>CAPITAL EXPENDITURE</u>	2008/ 2009 £	2009/ 2010 £	2010/ 2011 £	2011/ 2012 £
Gross Increase in Capital Expenditure	N/a	N/a	N/a	N/a
Funded by:				
Sefton Capital Resources	N/a	N/a	N/a	N/a
Specific Capital Resources	N/a	N/a	N/a	N/a
<u>REVENUE IMPLICATIONS</u>				
Gross Increase in Revenue Expenditure	N/a	N/a	N/a	N/a
Funded by:				
Sefton funded Resources	N/a	N/a	N/a	N/a
Funded from External Resources	N/a	N/a	N/a	N/a
Does the External Funding have an expiry date? Y/N	When?			
How will the service be funded post expiry?				

Legal: To comply with The Local Authorities (Capital Finance and Accounting) (England) Regulations 2003.

Risk Assessment: Operation within the Prudential Indicators will minimise the risk of any additional revenue budget pressures resulting from capital financing decisions.

Asset Management: None.

CONSULTATION UNDERTAKEN/VIEWS:

None.

CORPORATE OBJECTIVE MONITORING:

<u>Corporate Objective</u>		<u>Positive Impact</u>	<u>Neutral Impact</u>	<u>Negative Impact</u>
1	Creating a Learning Community		√	
2	Creating Safe Communities		√	
3	Jobs and Prosperity		√	
4	Improving Health and Well-Being		√	
5	Environmental Sustainability		√	
6	Creating Inclusive Communities		√	
7	Improving the Quality of Council Services and Strengthening local Democracy	√		
8	Children and Young People		√	

LIST OF BACKGROUND PAPERS RELIED UPON IN THE PREPARATION OF THIS REPORT:

The CIPFA Prudential Code for Capital Finance in Local Authorities.

BACKGROUND:

1. Introduction

- 1.1. The CIPFA Prudential Code for Capital Finance in Local Authorities (The Prudential Code) was introduced following the Local Government Act 2003. It details a number of measures/limits/parameters (Prudential Indicators) that are required to be set each financial year. The approval of these limits will ensure that the Council complies with the relevant legislation and is acting prudently and that its capital expenditure proposals are affordable. This report presents for approval the Prudential Indicators required to be set by the Council in 2008/2009 to comply with the code.
- 1.2. The Council is required to approve Prudential Indicators for the following items:
- (i) Capital Expenditure (Section 2);
 - (ii) Financing Costs/Net Revenue Stream (Section 3);
 - (iii) Capital Financing Requirement (Section 4);
 - (iv) External Debt (Section 5-6);
 - (v) Impact on Council Tax (Section 7);
 - (vi) Treasury Management Indicators (Section 8).

These indicators are presented in the following paragraphs and summarised at Annex A.

2. Prudential Indicator – Capital Expenditure

- 2.1. This indicator details the overall total planned capital expenditure of the Council and therefore reflects the Council's Capital Programme. This is the subject of a separate report elsewhere on today's agenda.
- 2.2. The actual capital expenditure that was incurred in 2007/2008 and the estimates for the current and future years capital programme recommended for approval are:-

	<u>2007/2008</u> <u>Actual</u> <u>£m</u>	<u>2008/2009</u> <u>Estimate</u> <u>£m</u>	<u>2009/2010</u> <u>Estimate</u> <u>£m</u>	<u>2010/2011</u> <u>Estimate</u> <u>£m</u>	<u>2011/2012</u> <u>Estimate</u> <u>£m</u>
Childrens Services	13.052	25.502	21.197	19.160	0.000
Housing – General Fund	13.309	19.679	18.928	15.912	1.257
Technical Services	6.822	7.595	7.831	7.347	1.597
Other Services	38.993	31.004	21.673	2.312	1.250
Total non-HRA	72.176	83.780	69.629	44.731	4.104
HRA	0.121	0.000	0.000	0.000	0.000
Total	72.297	83.780	69.629	44.731	4.104

- 2.3. At this time, the Council has only received provisional indications as to the capital resources it may be given in 2010/2011 and 2011/2012 and this is reflected in the current levels of planned expenditure.

3. Prudential Indicator – Financing Costs/Net Revenue Stream

- 3.1. This indicator measures the total capital financing costs of capital expenditure as a proportion of the total level of income from Government grants and local Council Taxpayers. From 2008/09 Net Revenue Stream includes Area Based Grant.
- 3.2. Estimates of the ratio for the current and future years and the actual figures for 2007/2008 are:

Financing Costs/Net Revenue Stream					
	<u>2007/2008</u>	<u>2008/2009</u>	<u>2009/2010</u>	<u>2010/2011</u>	<u>2011/2012</u>
	<u>Actual</u>	<u>Estimate</u>	<u>Estimate</u>	<u>Estimate</u>	<u>Estimate</u>
General Fund	4.0%	3.6%	5.3%	5.6%	5.2%

- 3.3. The estimates of financing costs include current commitments and proposals contained in the capital programme. The increasing figure reflects the cessation of the Commutation Adjustment which has previously helped reduce financing costs, and costs relating to the size of the new starts Capital Programme financed from borrowing. The 2008/09 figure has fallen due to the inclusion of Area Based Grant in the Net Revenue Stream figure (this was previously categorised as income for individual services). Whilst this continues into following years, the significant reduction in investment income has increased the Net Financing Costs and thereby negated the impact of the ABG inclusion.

4. Prudential Indicator – Capital Finance Requirement

- 4.1. The Capital Financing Requirement indicator reflects the Authority's underlying need to borrow for a capital purpose. This is based on historic capital financing decisions and a calculation of future years planned capital expenditure requirements.
- 4.2. Estimates of the end of year Capital Financing Requirement for the current and future years are set out in the table below:

Capital Financing Requirement					
	<u>31/03/08</u>	<u>31/03/09</u>	<u>31/03/10</u>	<u>31/03/11</u>	<u>31/03/12</u>
	<u>£m</u>	<u>£m</u>	<u>£m</u>	<u>£m</u>	<u>£m</u>
	<u>Actual</u>	<u>Estimate</u>	<u>Estimate</u>	<u>Estimate</u>	<u>Estimate</u>
General Fund	149.500	170.200	190.000	195.000	194.000

- 4.3. CIPFA's Prudential Code for Capital Finance in Local Authorities includes the following statement as a key indicator of prudence:

"In order to ensure that the medium term net borrowing will only be for a capital purpose, the local authority should ensure that net external borrowing does not, except in the short-term, exceed the total of capital financing requirement in the preceding year plus the estimates of any additional capital financing requirement for the current and next two financial years".

- 4.4. The Authority will comply with this requirement in 2009/10, 2010/11 and 2011/12.

5. **Prudential Indicator – Borrowing Limits**

- 5.1. External borrowing undertaken by the Council arises as a consequence of all the financial transactions of the Authority, both capital and revenue, and not simply those arising from capital spending. The Council manages its Treasury Management position in terms of its external borrowings and investments in accordance with its approved Treasury Management Strategy and Policy Statements. These documents are presented for approval elsewhere on today's agenda.

5.2. **The Operational Boundary**

- 5.2.1. The Operational Boundary sets a limit on the total amount of long-term borrowing that the Council can undertake. It reflects the Authority's current commitments, existing capital expenditure plans, and is consistent with its approved Treasury Management Policy Statement and practices. The figures are based on prudent estimates.

- 5.2.2. In respect of the Operational Boundary it is recommended that the Council approves the following limits for the next three financial years. These limits separately identify borrowing from other long-term liabilities.

Operational Boundary				
	<u>2008/2009</u>	<u>2009/2010</u>	<u>2010/2011</u>	<u>2011/2012</u>
	<u>£m</u>	<u>£m</u>	<u>£m</u>	<u>£m</u>
Borrowing (long-term)	154.000	173.000	183.000	188.000
Other long term liabilities	7.500	7.500	7.500	6.500
Total	161.500	180.500	190.500	194.500

- 5.2.3. The Council is asked to approve these limits and to delegate authority to the Finance Director to manage the movement between the separately agreed limits for borrowing and other long-term liabilities within the total limit for any individual year. Any such changes made will be reported to Members at the earliest opportunity.

5.3. The Authorised Limit

5.3.1. The Authorised Limit sets a limit on the amount of borrowing (both short and long-term) that the Council undertakes. It uses the Operational Boundary as its base but also includes additional headroom to allow, for example, for exceptional cash movements. Under the terms of section 3 (1) of the Local Government Act 2003, the Council is legally obliged to determine and review how much it can afford to borrow i.e. the authorised limit. The authorised limit determined for 2009/10 will be the statutory limit determined under section 3 (1).

5.3.2. The Council is asked to delegate authority to the Finance Director to effect movement between the separately agreed figures for borrowing and other long-term liabilities within the total authorised limit for any year. Any such changes will be reported to the Council at the earliest opportunity. The Authorised Limit for external debt are:

Authorised Limit				
	<u>2008/2009</u>	<u>2009/2010</u>	<u>2010/2011</u>	<u>2011/2012</u>
	<u>£m</u>	<u>£m</u>	<u>£m</u>	<u>£m</u>
Borrowing (short & long-term)	169.000	188.000	198.000	203.000
Other long term liabilities	7.500	7.500	7.500	6.500
Total	176.500	195.500	205.500	209.500

6. Prudential Indicator – Actual External Debt

6.1. The Prudential Code requires that in setting indicators for 2009/10, the Council reports its actual levels of external debt as at 31 March 2008. The Council's actual external debt at 31 March 2008 was £131.883, comprising £124.007m borrowing and £7.876m other long-term liabilities.

6.2. The estimated external debt at 31 March 2009 is equal to the Operational Boundary for 2008/09 of £161.500m (see Para 5.2.2 above). The increase in external debt reflects the borrowing required in 2008/09 to meet expenditure within the Capital Programme.

7. Prudential Indicator – Impact on Council Tax

7.1. Under the Prudential Code, Local Authorities are able to decide the level of borrowing required to meet the demands of the capital programme. The Authority is given revenue support for borrowing up to a limit determined by Central Government, and this will therefore have no effect on the Council Tax. However, any unsupported borrowing will have to be funded by Council

Taxpayers. As such, these indicators are a key measure of affordability of unsupported borrowing undertaken to support capital investment decisions.

- 7.2. The indicators for the impact on Council Tax of unsupported borrowing are to reflect any ADDITIONAL/NEW unsupported borrowing approval.
- 7.3. The level of any unsupported borrowing is subject to the consideration of the New Starts Capital Programme, which is contained elsewhere on the agenda. If Members were to approve all of the New Starts Capital Programme presented, the impact on Council Taxpayers would be as highlighted below. It should be noted that where external funding for a proportion of the expenditure is to be received, this has reduced the gross additional cost and therefore the impact on Council Tax.

Impact on Band D Council Tax		
<u>2009/2010</u>	<u>2010/2011</u>	<u>2011/2012</u>
£	£	£
0.94	3.37	3.37

- 7.4. In the event that any amendments are made to the New Starts Capital Programme considered on today's agenda, the actual indicator will be recalculated accordingly.

8. Prudential Indicator – Treasury Management

- 8.1. The Council has adopted the CIPFA Code of Practice for Treasury Management in the Public Services. The annual Policy and Strategy Documents establish the following limits/controls for interest rate exposure, debt maturity profiles and an upper limit for investments made by the Council for more than 364 days.

8.1.1. Interest Rate Exposure

- i) An upper limit on its fixed interest rate exposures for 2009/2010 – 2011/2012 of 160% of its net outstanding principal sums;
- ii) An upper limit on its variable interest rate exposures for 2009/2010 – 2011/2012 of 15% of its net outstanding principal sums.

8.1.2. Debt Maturity Profile

A debt maturity profile is detailed in the following table i.e. the amount of borrowing that is fixed rate maturing in each period as a percentage of total projected borrowing that is fixed rate.

Debt Maturity Profile	<u>Upper limit</u>	<u>Lower limit</u>
Under 12 months	35%	0%
12 months and within 24 months	40%	0%
24 months and within 5 years	40%	0%
5 years and within 10 years	40%	0%
10 years and above	90%	25%

8.1.3. Investments Over 1 Year

An upper limit on the value of non-specified investments over 1 year, but less than 5 years with Banks/Building Societies (as approved in the annual Policy and Strategy Documents) of 40% of Total Investments. This limit will be kept under review to take advantage of any opportunities in the current money market. Members will be advised of any change.

9. Monitoring Prudential Indicators

9.1. Having established the Prudential Indicators the Finance Director will monitor them during the year and report on actual performance as part of the Council's Annual Accounts. In the event of any variations during a financial year reports will be presented to Cabinet highlighting the variation, the reason and the corrective action to be taken.

10. Recommendations

10.1. Cabinet is recommended to:

- a) Approve the Prudential Indicators detailed in the report, and summarised in Annex A to be used as the basis for compliance with The Prudential Code for Capital Finance in Local Authorities;
- b) Approve the amendments of relevant Prudential Indicators in the event that any unsupported borrowing is approved as part of the 2009/2010 Revenue Budget;
- c) Delegate authority to the Finance Director to manage the Authorised Limit and Operational Boundary for external debt as detailed in Section 5 of the report; and
- d) Refer the report to Council for approval.

Summary of Prudential Indicators.**ANNEX A**

Capital Expenditure - 2006/2007 to 2010/2011 (Para 2)					
	2007/2008 £'000 Actual	2008/2009 £'000 Estimate	2009/2010 £'000 Estimate	2010/2011 £'000 Estimate	2011/2012 £'000 Estimate
Education	13,052	25,502	21,197	19,160	0
Housing – General Fund	13,309	19,679	18,928	15,912	1,257
Technical Services	6,822	7,595	7,831	7,347	1,597
Other Services	38,993	31,004	21,673	2,312	1,250
Total non-HRA	72,176	83,780	69,629	44,731	4,104
HRA	121	0	0	0	0
TOTAL	72,297	83,780	69,629	44,731	4,104

Financing Costs/Net Revenue Stream (Para 3)					
	2007/2008 Actual	2008/2009 Estimate	2009/2010 Estimate	2010/2011 Estimate	2011/2012 Estimate
Non HRA	4.0%	3.6%	5.3%	5.6%	5.2%
HRA	-1.9%	0.0%	0.0%	0.0%	0.0%

Capital Financing Requirement (Para 4)					
	31/03/2008 £'000 Actual	31/03/2009 £'000 Estimate	31/03/2010 £'000 Estimate	31/03/2011 £'000 Estimate	31/03/2012 £'000 Estimate
Non HRA	149,500	170,200	190,000	195,000	194,000

HRA	0	0	0	0	0
Total	149,500	170,200	190,000	195,000	194,000

Operational Boundary (Para 5)

	2008/2009 £m	2009/2010 £m	2010/2011 £m	2011/2012 £m
Borrowing	154.000	173.000	183.000	188.000
Other long term liabilities	7.500	7.500	7.500	6.500
Total	161.500	180.500	190.500	194.500

Authorised Limit (Para 5)

	2008/2009 £m	2009/2010 £m	2010/2011 £m	2011/2012 £m
Borrowing	169.000	188.000	198.000	203.000
Other long term liabilities	7.500	7.500	7.500	6.500
Total	176.500	195.500	205.500	209.500

Unsupported Borrowing (Para 7)

	2009/2010 £m	2010/2011 £m	2011/2012 £m
General Fund	3.485	0.000	0.200

Impact on the Band D Council Tax (Para 7)

	2009/2010 £	2010/2011 £	2011/2012 £
	0.94	3.37	3.37

Limit on Interest Rate Exposure (Para 8)

	Upper Limit	Lower Limit
Fixed Borrowing/ Investment	160%	85%
Variable Borrowing/ Investment	15%	-60%

Fixed Rate Debt Maturity (Para 8)

	Upper Limit	Lower Limit
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Under 12 months	35%	0%
12 months and within 24 months	40%	0%
24 months and within 5 years	40%	0%
5 years and within 10 years	40%	0%
10 years and above	90%	25%

Investments over 1 Year (Para 8)

Non-Specified Investments over)
 1 year but less than 5 years with) 40% of Total
 approved Banks/Building) Investments
 Societies)