

## **Flexible Use of Capital Receipts Strategy for 2022-23**

<b>Council</b>	14 July 2022
<b>Report Author</b>	Chris Blundell, Director of Finance and Section 151 Officer
<b>Portfolio Holder</b>	Councillor David Saunders, Cabinet Member for Finance
<b>Status</b>	For Decision
<b>Classification</b>	Unrestricted
<b>Previously Considered by</b>	N/A
<b>Ward</b>	Thanet Wide

### **Executive Summary:**

In April 2022 the Flexible Use of Capital Receipts initiative was further extended by the Department for Levelling Up, Housing & Communities (DLUHC) to 31 March 2025 and this report is to update the Council's Flexible Use of Capital Receipts Strategy in light of this extension. In addition, redundancy costs are now only covered under Flexible Use of Capital Receipts where they are necessarily incurred and limited to the amounts available as statutory redundancy payments.

### **Recommendation(s):**

That Council approves this report, including extending the duration of the Corporate Restructuring and Service Reconfiguration budget to 31 March 2025 (if not fully utilised before then) and transferring the £111k budget remaining on the Digitally Enabled Services budget to the IT Infrastructure capital budget.

### **Corporate Implications**

#### **Financial and Value for Money**

The financial implications are highlighted in this report.

### **Legal**

Section 151 of the 1972 Local Government Act requires a suitably qualified named officer to keep control of the council's finances. For this council, this is the Director of Finance, and this report is helping to carry out that function.

### **Corporate**

Corporate priorities can only be delivered with robust finances, and it is believed that the recommendations in this report contribute to this.

## **Equalities Act 2010 & Public Sector Equality Duty**

There are no equity and equalities implications arising directly from this report, but the council needs to retain a strong focus and understanding on issues of diversity amongst the local community and ensure service delivery matches these.

It is important to be aware of the council's responsibility under the Public Sector Equality Duty (PSED) and show evidence that due consideration had been given to the equalities impact that may be brought upon communities by the decisions made by council.

### **CORPORATE PRIORITIES**

This report relates to the following corporate priorities: -

- Growth
- Environment
- Communities.

#### **1.0 Flexible Use of Capital Receipts**

1.1 In March 2016 the government produced Statutory Guidance on the Flexible Use of Capital Receipts. Proper accounting practices mean that capital receipts can only be used to support capital expenditure. However, the purpose of the guidance is to give flexibility as to the use of capital. In summary, the guidance allowed councils to use capital receipts from the disposal of property, plant and equipment assets received in the period 1 April 2016 to 31 March 2019 to fund revenue spending which is forecast to generate ongoing savings to an authority's net service expenditure.

1.2 The above initiative has subsequently been extended by the government for a further three years. Accordingly, capital receipts which have been received from 1 April 2016 to 31 March 2022 may now be used to fund revenue expenditure incurred during this period which is forecast to generate ongoing savings to the council's net service expenditure.

1.3 In April 2022 the Department for Levelling Up, Housing & Communities (DLUHC) announced that this initiative had been extended again. This time for the three years from 1 April 2022 to 31 March 2025 although redundancy costs are not now covered, except where such redundancy costs are necessarily incurred and limited to the amounts available as statutory redundancy payments.

1.4 The guidance itself gives examples of the type of expenditure that can be funded from this source although it is not exhaustive. This includes:

- Funding the cost of statutory redundancy payments, where this leads to ongoing efficiency savings or service transformation.
- Driving a digital approach to the delivery of more efficient public services and how the public interacts with constituent authorities where possible.

A more comprehensive list is provided in section 2 - Guidance below.

1.5 This provides an opportunity for the council to invest in some significant projects during this period to embed efficiencies for future years. As previously reported, capital receipts have been or are being used to:

- (a) fund in 2017-18 a Corporate Restructure that was conducted by the Chief Executive, to reduce the establishment costs of the council, delivering long-term savings. Subsequently there have been further service reconfigurations and restructures to deliver long-term savings.
- (b) deliver Digitally Enabled Services (to reduce costs and also improve customer service).

Hence, the use of capital receipts will result in significant ongoing savings for the council. Notification will be duly given by the council to the DLUHC.

1.6 It was previously estimated that these projects would produce significant ongoing savings, as set out below.

<b>Project Name</b>	<b>Project Description</b>	<b>Estimated Qualifying Expenditure £'000</b>	<b>Estimated Annual Savings £'000</b>
Corporate Restructuring and Service Reconfiguration	To review and update the organisational structure and service configuration to deliver efficiencies	800	814
Digitally Enabled Services	To adopt digital technology to enable new ways of working	200	50

1.7 Expenditure on these two projects has been as follows:

<b>Budget and Expenditure</b>	<b>Corporate Restructuring and Service Reconfiguration £'000</b>	<b>Digitally Enabled Services £'000</b>	<b>Total £'000</b>
Original Budget	800	200	1,000
2017-18 spend	(287)	(32)	(319)
2018-19 spend	(23)	(95)	(118)
2019-20 spend	(437)	(60)	(497)
2020-21 spend	(1)	(59)	(60)
2021-22 spend	0	(3)	(3)
2019-20 budget transfer	0	60	60

2021-22 budget transfer	0	100	100
<b>Budget remaining at the end of March 2022</b>	<b>52</b>	<b>111</b>	<b>163</b>
2022-23 budget transfer	0	(111)	(111)
<b>Budget remaining</b>	<b>52</b>	<b>0</b>	<b>52</b>

- 1.8 The corporate restructuring and service reconfiguration as implemented continues to deliver ongoing efficiencies throughout the organisation and this drive to deliver more efficient ways of working will continue through the MTFS 2022-26.
- 1.9 The push for Digitally Enabled Services continues to deliver improvements in the way that we manage our services. This is reflected through the delivery of ongoing savings within the MTFS 2022-26.
- 1.10 It is requested that the remaining £111k budget for Digitally Enabled Services be transferred to the IT Infrastructure capital budget.
- 1.11 The following 2022-23 Treasury Management Strategy Statement Prudential Indicator will be potentially impacted by the use of £52k of General Fund capital receipts:

**Ratio of Financing Costs to Revenue Stream:** The 2022-23, 2023-24 and 2024-25 General Fund ratios (to one decimal place) increase by 0.0%, 0.0% and 0.0% respectively - i.e. the increase is less than 0.1% for all three years.

This is calculated on the assumption that the flexible use of capital receipts does not increase the council's revenue stream but does increase the council's funding requirement by £52k.

- 1.12 Council is recommended to consider and approve this revised Capital Receipts Strategy.

## **2.0 Flexible Use of Capital Receipts – Guidance**

- 2.1 To support local authorities deliver more efficient and sustainable services, under the Local Government Act 2003 section 15(1) the government allows local authorities to spend up to 100% of their capital receipts on the revenue costs of reform projects (revenue reform costs) and issued revised guidance in March 2016 and subsequently.
- 2.2 Accordingly the council can treat as capital expenditure, any expenditure that is designed to generate ongoing revenue savings in the delivery of public services and/or transform service delivery to reduce costs and/or transform service delivery in a way that reduces costs or demand for services for any of the public sector delivery partners.
- 2.3 Revenue Reform Costs must be properly incurred by 31 March 2025 and can only be met from capital receipts which have been received from 1 April 2016 to 31 March

2025. Revenue Reform Costs cannot be financed from (i) Right to Buy receipts, (ii) pre 1 April 2016 capital receipts, and/or (iii) borrowing.

2.4 Revenue Reform Costs that generate ongoing savings may be funded from the council's capital receipts for the following:

- Sharing back-office and administrative services with one or more other council or public sector bodies;
- Investment in service reform feasibility work, e.g. setting up pilot schemes;
- Collaboration between local authorities and central government departments to free up land for economic use;
- Funding the cost of service reconfiguration, restructuring or rationalisation where this leads to ongoing efficiency savings or service transformation;
- Driving a digital approach to the delivery of more efficient public services and how the public interacts with constituent authorities where possible;
- Aggregating procurement on common goods and services where possible, either as part of local arrangements or using Crown Commercial Services or regional procurement hubs or Professional Buying Organisations;
- Improving systems and processes to tackle fraud and corruption in line with the Local Government Fraud and Corruption Strategy - this could include an element of staff training;
- Setting up commercial or alternative delivery models to deliver services more efficiently and bring in revenue (for example, through selling services to others); and
- Integrating public facing services across two or more public sector bodies to generate savings or to transform service delivery.

2.5 On a project by project basis details of the expected savings/service transformation will be provided.

2.6 The impact on the council's Prudential Indicators from Revenue Reform Costs being treated as capital expenditure is:

- Estimated and actual capital expenditure will increase by the amount of the Revenue Reform Costs;
- Balance Sheet resources (capital receipts) will decrease by the amount of the Revenue Reform Costs;
- The ratio of 'financing costs to net revenue stream' may increase or decrease depending on whether the reduction in treasury interest income from the utilisation of capital receipts is greater or less than any relevant revenue savings/enhancements achieved from successful implementation of the reform project(s).

## 2.7 **Effect**

Utilisation of capital receipts to fund expenditure that would usually be funded from revenue resources diverts the receipts available for re-investment in existing assets or the creation of new ones.

The council has used capital receipts to fund the redundancy costs of the corporate restructure and service reconfiguration, and the costs of digitally enabled services.

### **3.0 Options**

That Council:

- a) Approves this report, including extending the duration of the Corporate Restructuring and Service Reconfiguration budget to 31 March 2025 (if not fully utilised before then) and transferring the £111k budget remaining on the Digitally Enabled Services budget to the IT Infrastructure capital budget.
- b) Does not approve this report (advising the reason(s) why).

#### **Corporate Consultation Undertaken**

**Finance:** N/A

**Legal:** Estelle Culligan, Director of Law and Democracy