

Appendix 1



POLICY AND RESOURCES COMMITTEE

Monday, 17 January 2022

REPORT TITLE:	2022/23 BUDGET UPDATE
REPORT OF:	DIRECTOR OF RESOURCES (S151 OFFICER)

REPORT SUMMARY

This report is part of the Council's formal budget process, as set out in the constitution and in accordance with the legal requirements to set a balanced and sustainable budget for 2022/23.

The Policy and Resources Committee on 25 October 2021 agreed to ask for the views of residents, businesses, and all those with a stake in the future of Wirral, about what council services matter to them most to help develop the budget plan. This consultation ran from 2 to 28 November 2021 and the outcomes are provided in this report.

At the Committee on 25 October 2021, and in line with the external assurance review recommendations to provide sensitivity analysis, three potential budget scenarios were presented as to what the budget gap could be for 2022/23. The rationale for the three scenarios was to present assumptions based on known information at the time in advance of the draft Local Government Finance Settlement being published and in advance of the compilation of proposals for pressures and growth items and savings and income for the 2022/23 budget.

The Draft Local Government Finance Settlement was published on 16 December 2021 and budget proposals have been developed in response to the previously outlined budget gap.

This report provides an updated position on the draft budget for 2022/23 and related statutory consultation. The final budget proposals will be presented to Policy & Resources Committee on 15 February 22 for recommendation to full Council.

RECOMMENDATIONS

The Policy and Resources Committee is recommended to:

- (i) Note the outcome of the draft Local Government Financial Settlement for 2022/23, in advance of the final Settlement which is due later in January 2022;
- (ii) Recognise, the extent of the Council's financial challenge and structural deficit, which needs to be eliminated;

(iii) Note the savings and income proposals that could address the 2022/23 budget gap;

(iv) Note the outcome of the November 2021 consultation;

(v) Consult on the draft budget for 2022-23, under section 65 of the Local Government Finance Act 1992.

SUPPORTING INFORMATION

1.0 REASONS FOR RECOMMENDATIONS

- 1.1 The scale of the financial challenge that the Council faces cannot be overstated. The Council has a structural deficit and this has been recognised in a request to DLUHC for the application of a capitalisation directive. The short-term support afforded by government in the form of a capitalisation directive does not extend beyond 2021/22, emphasising the need for focus and agility in balancing the Council's financial position.
- 1.2 The offer for capitalisation for the current financial year was subject to an external assurance review. The review focussed on the Council's financial position and on its ability, including the strength of its governance arrangements, to deliver its plans for medium-term sustainability. This process reinforces the requirement for an in-depth review of functions to enable considered and robust proposals to be made to Council in February 2022 for the 2022/23 budget.
- 1.3 Implementing proposals will require difficult decisions to ensure that a balanced budget can be presented. Regular Member engagement on the process is essential for effective budget formulation.
- 1.4 One component of the external assurance review recommendations set out the need to develop a financial recovery plan. Policy & Resources Committee approved the Council's Medium-Term Financial Strategy (MTFS) at its meeting of 1 December 2021, which confirmed key principles the Council would follow in respect of its financial planning. The MTFS provides a robust, consistent, and sustainable approach to establishing and maintaining a stable and prudent financial basis on which the Council's services are to be delivered.
- 1.5 In order to fulfil the aims of the MTFS, it is imperative that proposals for budget options are evidence based and achievable. In order to ensure that this is the case, rigorous review has been undertaken through:
 - Directorate Management Teams (DMT)
 - Senior Leadership Team (SLT)
 - internal finance assurance review
 - external review via the engagement of the Chartered Institute of Public Finance and Accountancy (CIPFA) and
 - Council Committees
- 1.6 This process of review and challenge is ongoing, to ensure that final proposals made to Policy & Resources Committee in February, for budget recommendation, are fully scrutinised and fit and proper in terms of readiness for decision-making. Contained within this report are all current proposals for consideration prior to the need to make decisions on how the budget for 2022/23 should be formulated.
- 1.7 Setting out potential budget proposals in this report ensures statutory consultation can be carried out in advance of setting the 2022/23 annual budget.

- 1.8 The information in this report also provides the opportunity for the Policy and Services Committees at their meetings in January 2022 to provide feedback on the budget proposals for the Policy and Resources Committee to take into consideration in recommending a legal budget to Full Council at its meeting of 28 February 2022.
- 1.9 As part of the budget setting process, the Policy and Resources Committee is able to take into consideration the outcome of the November 2021 consultation with residents, businesses, and all those with a stake in the future of Wirral, about what council services matter to them most to help develop the budget plan.
- 1.10 This report ensures that the Policy and Resources Committee is provided with timely information on the latest budget position and the matters that affect the budget gap inclusive of outline proposals to address it.

2.0 OTHER OPTIONS CONSIDERED

- 2.1 The setting of a legal budget is a statutory requirement and therefore no other options have been considered.

3.0 BACKGROUND INFORMATION

- 3.1 At the Policy and Resources Committee on 25 October three scenarios were presented as the potential budget gap for 2022/23. Members will be aware that the budget gap is an ever-moving target due to a number of factors:
- Ongoing Government announcements of funding, including specifically at this time of year, the Chancellor's Autumn Statement
 - The continued scrutiny of growth and pressures to ensure values are evidenced based with no optimism bias
 - Addition of new pressures that continue to materialise as further local and national evidence comes to light
 - The continued further development of budget proposals
- 3.2 As a result, the budget scenarios presented in October have changed and with the publication of the draft Local Government Financial Settlement on 16 December 2021, the three scenarios have been consolidated into one, more robust, position. This position however is subject to further change ahead of formal budget setting activity.

2022/23 Budget Position

3.3 The 2022/23 budget position is currently as follows:

	Budget Position Reported in MTFS 1 Dec 21	Revised Budget Position	Change
	£m	£m	£m
Total Funding	-317.94	-330.57	-12.63
Initial Budget Requirement for 2022-23	329.40	329.40	0.00
Total one off savings from 2021-22	7.51	7.51	0.00
Total one off pressures from 2021-22	-14.06	-14.06	0.00
Total known pressures	31.64	27.45	-4.19
Initial Budget Gap	36.55	19.73	-16.81
Total savings options	-11.34	-20.31	-8.97
Revised Budget Gap	25.21	-0.58	-25.79

3.4 A more detailed analysis of this table can be found in Appendix 1.

3.5 In October 2021, the Chancellor of the Exchequer announced information regarding the Spending Review in his Autumn Statement. The details of this have been provided in the Local Government Funding Settlement, received on 16 December 2021 and a summary briefing note is included in Appendix 2. It should be noted that the settlement is provisional at this stage and is open to consultation until the 13th January 2022. Following the closure of the consultation period the settlement is subject to Parliamentary approval, and as such the financial position outlined above is subject to change.

3.6 At the Policy and Resources Committee on 1 December, agreement was given to identify further budget proposals via a process of providing Directorate budget envelopes, after the original budget process, agreed in March 2021, failed to generate the level of savings required.

3.7 In November 2021, the Department of Levelling Up, Housing and Communities (DLUHC) published the two external assurance reports indicating areas the Council should give specific focus to. In response to the recommendations made in the assurance reports a peer-based improvement panel will convene in January when the information provided as part of the 2022/23 budget setting process will be reviewed.

3.8 The current set of budget proposals for the 2022/23 budget are included in Appendix 3.

4.0 FINANCIAL IMPLICATIONS

4.1 This report is part of a programme of activity to ensure that a fully balanced, legal budget can be recommended by the Policy and Resources Committee to Full Council at its meeting of 28 February 2022.

4.2 The programme to develop a robust budget position, which this paper forms part of, will support the Council in ensuring that CIPFA's Financial Management Code (FM Code) is complied with, in particular in relation to Section 4 of the FM Code – The Annual Budget.

4.3 The FM Code requires the Council to demonstrate that the processes they have in place satisfy the principles of good financial management, based on the following six principles:

- Organisational Leadership – demonstrating a clear strategic direction based on a vision in which financial management is embedded into organisation culture.
- Accountability – based on Medium-Term Financial Planning, that derives the annual budget process supported by effective risk management, quality supporting data and whole life costs.
- Financial management - undertaken with transparency at its core using consistent, meaningful and understandable data, reported frequently with evidence of periodic officer actions and elected member decision making.
- Professional standards - Adherence to professional standards is promoted by the leadership team and is evidenced.
- Assurance - sources of assurance are recognised as an effective tool mainstreamed into financial management, including political scrutiny and the results of external audit, internal audit and inspection.
- Sustainability - The long-term sustainability of local services is at the heart of all financial management processes and is evidenced by prudent use of public resources.

4.4 Delivering financial sustainability is vitally important for the Council. The Capitalisation directive requirements reinforce the need to develop a revised approach to sustainable service delivery resource planning. This is reflective of comments made by Grant Thornton, the Council's external auditor, who noted as part of their value for money review during the audit of the 2019/20 accounts, "We note that the capitalisation directive will only provide support to the Council for 2020/21 and 2021/22. As such, the Council needs to ensure that it delivers against its revised MTFs. It will need to put in place clear plans to reduce its future recurring service expenditure and move to a balanced revenue position that does not rely on reserves".

5.0 LEGAL IMPLICATIONS

5.1 The Council must set the budget in accordance with the provisions of the Local Government Finance Act 1992 and approval of a balanced budget each year is a

statutory responsibility of the Council and, therefore, of this Committee in preparing that budget.

- 5.2 The provisions of section 25, Local Government Act 2003 require that, when the Council is making the calculation of its budget requirement, it must have regard to the report of the chief finance (s.151) officer as to the robustness of the estimates made for the purposes of the calculations and the adequacy of the proposed financial reserves. In doing so, Members must satisfy themselves that sufficient mechanisms are in place to ensure both that savings are delivered and that new expenditure is contained within the available resources. Accordingly, proposals put forward as part of the budget process will have identified the realistic measures and mechanisms to produce the desired outcomes.
- 5.3 Consultation has taken place in respect of the priorities and views of the public in formulating the draft budget, as set out in this report.
- 5.4 Once the Committee has agreed a draft budget, which is the purpose of this report, there is then a requirement under section 65 of the Local Government Finance Act 1992 to conduct specific consultation with persons or bodies appearing to it to be representative of non-domestic ratepayers about the authority's proposals for expenditure (including capital expenditure) in the forthcoming financial year. The information required to be shared as part of the consultation is set out in the Non-Domestic Ratepayers (Consultation) Regulations 1992. This includes the authority's current estimates of the total of its revenue expenditure and the total of its expenditure for capital purposes for the forthcoming financial year (the draft budget).
- 5.5 It must be borne in mind that this is consultation on the budget proposals, not on the decision to take whatever decision is implied by the adoption of that budget.
- 5.6 The report sets out the relevant considerations for Members to consider during their deliberations and Members are reminded of the need to ignore irrelevant considerations. Members have a duty to seek to ensure that the Council acts lawfully and, where a service is provided pursuant to a statutory duty, it would not be lawful to fail to discharge it properly or abandon it, and where there is discretion as to how it is to be discharged, that discretion should be exercised reasonably. Members must not come to a decision which no reasonable authority could come to; balancing the nature, quality and level of services which they consider should be provided, against the costs of providing such services.
- 5.7 There is a particular requirement to take into consideration the Council's fiduciary duty and the public sector equality duty in coming to a decision.
- 5.8 Members are also individually reminded that Section 106 of the Local Government Finance Act 1992 applies to the Council meeting on the budget and therefore arguably to the formulation of the Budget. Members who are two months or more in arrears with their Council Tax must declare this to the meeting and must not vote on budget recommendations, as to do otherwise can be a criminal offence.

6.0 RESOURCE IMPLICATIONS: STAFFING, ICT AND ASSETS

- 6.1 The implications for staffing, ICT and Assets will be included within the individual savings proposals currently being developed by Directors and will be addressed when these are brought forward for approval.

7.0 RELEVANT RISKS

- 7.1 The Council's ability to maintain a balanced budget is dependent on a proactive approach due to estimated figures being provided in the calculation for the budget, albeit the best estimates available at the time, plus any amount of internal and external factors that could impact on the budget position in year. Examples of which are new legislation, increased demand, loss of income, increased funding, decreased funding, inability to recruit to posts, ongoing impact of the pandemic, etc.
- 7.2 A robust monitoring and management process for the budget is in place. If at any time during the year an adverse position is forecast, remedial action must be agreed and implemented immediately to ensure the budget can be brought back to balanced position.
- 7.3 Failure to achieve a balanced budget would lead to the Section 151 Officer issuing a Section 114 notice and potential ministerial intervention under Section 15 of the Local Government Act 1999.
- 7.4 Funding and demand assumptions in particular can change as more information becomes available. As such, the Medium-Term Finance Plan (MTFP) is regularly reviewed and updated as part of routine financial management.
- 7.5 Under the system of retained Business Rates, Authorities benefit from a share of any increased revenues but are liable for at least a share of any falls in income (subject to safety net triggers) and any non-collection. This includes reductions arising from appeals relating to past years which partially fall on the Authority. These risks are mitigated through a combination of the operation of the Collection Fund, General Fund Balances and a Business Rates Equalisation Reserve.
- 7.6 A balanced MTFP is fundamental in demonstrating robust and secure financial management. Delivering a balanced position requires continual review and revision of plans to allow alternative financial proposals to be developed and embedded in plans as situations change. A delay in agreeing these may put the timetable for setting the 2022/23 budget at risk and may result in a balanced budget not being identified in time for the deadline of 11 March 2022.
- 7.7 Assumptions have been made in the current budget outlook for income and funding from business rates and council tax and social care grants as the main sources of funding. If there is an adverse change to these assumptions as a result of the final funding settlement, additional savings proposals or reduced expenditure would need to be identified as soon as possible to ensure a balanced five-year MTFP.
- 7.8 Sections 25 to 29 of the Local Government Act 2003 impose duties on the Council in relation to how it sets and monitors its budget. These provisions require the Council to make prudent allowance for the risk and uncertainties in its budget and regularly

monitor its finances during the year. The legislation leaves discretion to the Council about the allowances to be made and action to be taken.

8.0 ENGAGEMENT/ CONSULTATION

- 8.1 Initial consultation has taken place to ask for the views of residents, businesses, and all those with a stake in the future of Wirral, about what council services and priorities matter to them most to help develop the 2022-23 budget. This process ran from 2 to 28 November 2021. The full report of the outcome to the consultation is included within Appendix 4.
- 8.2 Statutory budget consultation will commence subject to agreement by the Committee. This will take place in January 2022 and feedback will be taken into consideration by the Policy and Resources Committee when recommending a budget to Full Council at its meeting of 28 February 2022.
- 8.3 All Policy and Services Committees will have an opportunity to debate the draft 2022/23 budget publicly at the January 2022 Committees and feedback will be taken into consideration by the Policy and Resources Committee when recommending a budget to Full Council at its meeting of 28 February 2022.
- 8.4 The Council has engaged regularly with trade unions about the Council's financial position and response to the external assurance reports. This will continue throughout the budget setting process.
- 8.5 For budget proposals that may result in reductions to the workforce, the Council will consult with trade unions and relevant staff groups as required and in accordance with section 188(1A) of the Trade Union and Labour Relations Act (TULRCA) 1992).
- 8.6 The Council is committed to mitigating the impact on staff as far as possible and will take all steps possible to avoid any compulsory redundancies in accordance with policies and procedures.

9.0 EQUALITY IMPLICATIONS

- 9.1 Wirral Council has a legal requirement to make sure its policies, and the way it carries out its work, do not discriminate against anyone. An Equality Impact Assessment is a tool to help council services identify steps they can take to ensure equality for anyone who might be affected by a particular policy, decision or activity.
- 9.2 The equality implications will be included within the individual savings proposals currently being developed and will be addressed when these are brought forward for approval. Equality implications will be part of the decision-making process.

10.0 ENVIRONMENT AND CLIMATE IMPLICATIONS

- 10.1 The environment and climate implications will be considered within the individual savings proposals currently being developed and will be addressed when these are brought forward for approval.

11.0 COMMUNITY WEALTH IMPLICATIONS

11.1 The community wealth implications will be considered within the individual savings proposals currently being developed. The budget proposals under consideration will take account of related matters across headings such as the following:

- Progressive Procurement and Social Value How we commission and procure goods and services. Encouraging contractors to deliver more benefits for the local area, such as good jobs, apprenticeship, training & skills opportunities, real living wage, minimising their environmental impact, and greater wellbeing.
- More local & community ownership of the economy Supporting more cooperatives and community businesses. Enabling greater opportunities for local businesses. Building on the experience of partnership working with voluntary, community and faith groups during the pandemic to further develop this sector.
- Decent and Fair Employment Paying all employees a fair and reasonable wage.
- Making wealth work for local places

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APPENDICES

Appendix 1 Detailed Draft 2022-23 Budget Position

Appendix 2: Briefing Note: Local Government Finance Settlement 2022/23

Appendix 3: 2022/23 Budget Setting Proposals Pack

Appendix 4: Full Budget Consultation report

BACKGROUND PAPERS

Pressure and Growth Business Cases

Savings and Income Business Cases

DLUHC External Assurance Reports

CIPFA's Financial Management Code

SUBJECT HISTORY (last 3 years)

Council Meeting	Date
Policy and Resources Committee	17 March 2021
Policy and Resources Committee	25 October 2021
Policy and Resources Committee	30 November 2021
Policy and Resources Committee	01 December 2021

