



## **POLICY AND RESOURCES COMMITTEE**

**Wednesday, 15 February 2023**

<b>REPORT TITLE:</b>	<b>CAPITAL FINANCING STRATEGY 2023/24</b>
<b>REPORT OF:</b>	<b>DIRECTOR OF FINANCE (S151 OFFICER)</b>

### **REPORT SUMMARY**

The Council's treasury management activity is underpinned by the Chartered Institute of Public Finance and Accountancy (CIPFA) 2021 Code of Practice on Treasury Management ("the Code"), in which there is the requirement for Council to approve an annual Capital Strategy. This report fulfils the Council's legal obligation under the Local Government Act 2003 to have regard to the CIPFA Code.

The report supports the delivery of the Wirral Plan 2021 - 26 as the Capital Programme contributes towards projects that support all five Wirral Plan priorities.

This matter is a key decision which affects all Wards within the Borough.

### **RECOMMENDATION/S**

The Policy & Resources Committee is requested to recommend to Council: -

- 1 the approval of the Capital Strategy for 2023/24.
- 2 the approval of the associated Prudential Indicators to be adopted.
- 3 the approval of the Council's Minimum Revenue Provision policy.

## **SUPPORTING INFORMATION**

### **1.0 REASON/S FOR RECOMMENDATION/S**

- 1.1 In order to demonstrate that the Council takes capital expenditure and investment decisions in line with service objectives and properly takes account of value for money, prudence, sustainability and affordability the Council should have in place a capital strategy that sets out the longer-term context in which capital expenditure and investment decisions are made. It should give due consideration to both risk and reward and the impact on the achievement of priority outcomes.

### **2.0 OTHER OPTIONS CONSIDERED**

- 2.1 CIPFA's 2021 Code of Practice on Treasury Management requires the production of annual Capital strategy. The accompanying 2023/28 Capital programme has implications on the levels of borrowing being forecast within this report and resultant prudential indicators. Production of an annual strategy is standard practice however should it become appropriate to amend any key elements of this strategy during the period covered, a revised report will be produced.

### **3.0 BACKGROUND INFORMATION**

- 3.1 This capital strategy report gives a high-level overview of how capital expenditure; capital financing and treasury management activity contribute to the provision of local public services along with an overview of how associated risk is managed and the implications for future financial sustainability.
- 3.2 Decisions made this year on capital and treasury management will have financial consequences for the Council for many years into the future. They are, therefore, subject to both a national regulatory and local policy framework, summarised in this report.

### **CAPITAL EXPENDITURE AND FINANCING**

- 3.3 Capital expenditure is where the Council spends money on assets, such as property or vehicles that will be used for more than one year. In local government this includes spending on assets owned by other bodies, and loans and grants to other bodies enabling them to buy assets. The Council has some limited discretion on what counts as capital expenditure, for example assets costing below £10,000 are not capitalised and are charged to revenue in year.
- 3.4 Comparative expenditure figures are shown below and as can be seen in 2023/24, the Council is planning capital expenditure of £132.2 million.

**Table 1: Prudential Indicator: Estimates of Capital Expenditure**

	<b>2021/22 Actual</b>	<b>2022/23 Forecast</b>	<b>2023/24 Estimate</b>	<b>2024/25 Estimate</b>	<b>2025/26 Estimate</b>	<b>Total</b>
	£000	£000	£000	£000	£000	£000
Capital Expenditure	46,733	86,302	132,239	43,352	5,660	<b>314,286</b>
<b>Total</b>	<b>46,733</b>	<b>86,302</b>	<b>132,239</b>	<b>43,352</b>	<b>5,660</b>	<b>314,286</b>

- 3.5 In 2024/25 a change in the accounting for leases and Private Finance Initiative (PFI) will be introduced. Any impact on the figures quoted above or on any figures in this strategy will be reported and revised indicators set.
- 3.6 A summary of the planned Capital expenditure, by Directorate is as follows, with full details available via the 'Capital Programme 2023-28' report, also on the agenda for this Committee meeting:

**Table 2: Planned Directorate Capital Expenditure**

	<b>2023/24 Estimate</b>	<b>2024/25 Estimate</b>	<b>2025/26 Estimate</b>
<b>Directorate</b>	£000	£000	£000
Adult Care and Health	3,285	1,015	-
Children, Families & Education	14,293	2,500	2,500
Corporate Schemes	-	-	-
Neighbourhoods	11,874	4,898	605
Regeneration & Place	93,125	34,044	2,555
Resources	9,662	895	-
<b>Total</b>	<b>132,239</b>	<b>43,352</b>	<b>5,660</b>

- 3.7 All capital expenditure must be financed, planned financing of the above expenditure is as follows:

**Table 3: Capital Financing**

	<b>2021/22 Actual</b>	<b>2022/23 Forecast</b>	<b>2023/24 Estimate</b>	<b>2024/25 Estimate</b>	<b>2025/26 Estimate</b>	<b>Total</b>
	£000	£000	£000	£000	£000	£000
External Sources - Grants & Contributions	23,236	50,028	83,741	20,056	5,618	<b>182,679</b>
Own Resources - Capital Receipts, Revenue contributions	158	4,125	2,812	7,795	-	<b>14,890</b>
Debt - Borrowing	23,339	32,149	45,686	15,501	42	<b>116,717</b>
<b>Total</b>	<b>46,733</b>	<b>86,302</b>	<b>132,239</b>	<b>43,352</b>	<b>5,660</b>	<b>314,286</b>

3.8 The Council's cumulative outstanding amount of debt finance is measured by the 'Capital Financing Requirement' (CFR). This increases with new debt-financed capital expenditure and reduces with 'Minimum Revenue Provision' (MRP) repayments and capital receipts used to replace debt. According to the estimates in table 3 the CFR is expected to increase by £45.7 million during 2023/24. Based on the above figures for expenditure and debt repayments that are estimated, the Council's estimated CFR is forecast as follows:

**Table 4 Prudential Indicator: Estimates of Capital Financing Requirement**

	<b>31/3/2022</b>	<b>31/3/2023</b>	<b>31/3/2024</b>	<b>31/3/2025</b>	<b>31/3/2026</b>
	<b>Actual</b>	<b>Forecast</b>	<b>Estimate</b>	<b>Estimate</b>	<b>Estimate</b>
	<b>£000</b>	<b>£000</b>	<b>£000</b>	<b>£000</b>	<b>£000</b>
<b>Opening CFR</b>	<b>362,649</b>	<b>371,702</b>	<b>390,037</b>	<b>420,658</b>	<b>419,525</b>
Debt Funded Capital Expenditure	23,339	32,149	45,686	15,501	42
Repayment of Debt (MRP)	- 9,817	- 9,345	- 10,595	- 12,165	- 13,006
Repayment of Debt (Capital Receipts)	- 4,469	- 4,469	- 4,469	- 4,469	- 4,469
<b>Closing CFR</b>	<b>371,702</b>	<b>390,037</b>	<b>420,658</b>	<b>419,525</b>	<b>402,092</b>

The Council's full Minimum Revenue Provision Statement is included at Appendix A.

3.9 Within table 4 there is the inclusion of capital receipts being applied to reduce the overall CFR on the Council's balance sheet. These receipts are received from neighbouring Authorities regarding their annual repayments to the Merseyside Residual Debt Fund which is administered by the Council and due to be fully repaid in 2025/26.

### **Capital Bidding Process**

3.10 As part of the overall budget process departments are given the opportunity to put forward new schemes that will be considered for inclusion in the capital programme. A business case submission form has been devised and refined to include:

- The scope of the project
- Benefits, objectives and strategic alignment
- Potential constraints and mitigations
- Timescales
- Financial Implications including any ongoing revenue requirement
- Monitoring and evaluation

3.11 New capital requests are prioritised for schemes relating to the following:

- Essential Health and Safety/Equalities Act schemes
- Invest to save schemes, including those developed with the intention of avoiding future cost pressures
- Those considered to be of a strategic nature, as agreed with the Investment and Change Board

- Those that support the Council's Climate Emergency Action Plan following the declaration of a Climate Emergency by the Council in May 2019
- Schemes that reflect Council priorities that could have wider economic benefits that link in with the Wirral Plan
- Where external grant funding becomes available to fully fund schemes

## **Governance**

- 3.12 Investment and Change Board (ICB) – The ICB acts as the portfolio board for the Council's overall investment in change and the benefits delivered. Chaired by the Director of Finance / Section 151 Officer, its membership is made up of Senior Responsible Owners of the Council's major strategic programmes. ICB reviews the business cases for potential projects.
- 3.13 Capital Programme Board (CPB) - The CPB assists the Council in fulfilling its obligations and oversight responsibilities relating to its long-term capital plans, capital budgets and capital projects, including risk identification and management. The board also ensures continuous improvement in the development and delivery of the capital programme.
- 3.14 Regeneration & Place Programme Board – This Board has been set up to provide oversight of all regeneration Programmes that fall within scope of the Regeneration & Place Directorate including Wirral Growth Company, Wirral Waters, Local Plan and Strategic Transport. The Regeneration & Place Board is key to managing the interdependencies of these programmes to ensure alignment. The Board should review 'place-based' business cases before they are taken to ICB.
- 3.15 Change Advisory Board –the new Change Advisory Board was established to replace the former Technical Design Authority. To streamline new change proposals and IT hardware/software proposals, a new Strategic Outline Business Case was developed which incorporated the previous requirements and the Change Advisory Board established which considers these business cases for approval/rejection. This board reports to ICB.
- 3.16 An overall summary of the various recommendations from ICB is then produced for consideration by the Strategic Leadership Team (SLT) of Chief Officers. This provides the opportunity for any comment/amendment and strategic input prior to a final report being prepared for Members' consideration at Policy & Resources Committee for eventual consideration by and formal approval by full Council.
- 3.17 Capital bids can be submitted throughout the financial year for consideration, rather than just having one fixed programme at the start of the year. This enables the Council to react to changing service requirements or incidents as they occur. Likewise, this flexibility in bid submissions allows for the possibility of new bids or supplementary bids, should the resource requirements of an existing bid change after inception. There may also be new opportunities for the Council to bid for external resource e.g., grants that become apparent during the year and the Council needs to be able to react to such potential.

- 3.18 Full details of the Council's capital programme are presented in a separate report to this Policy & Resources Committee and Council.
- 3.19 Regular monitoring of the capital programme is undertaken by the finance department in liaison with the officers responsible for delivery of the capital projects. This information is presented monthly to the Investment & Change Board and is formally reported to Policy & Resources Committee and Council on a quarterly basis. This quarterly report also includes any new requests for funding that may have been reviewed by the Investment & Change Board.

### **Asset Management**

- 3.20 To ensure that capital assets continue to be of long-term use, the Council has an Asset Strategy that was approved by Policy & Resources Committee on 9 November 2022. The strategy will set the high-level framework for managing Wirral's Public Sector land and property for the future. It is developed to guide the collective strategic asset decisions of all partners and seeks to maximise efficiencies through a collaborative approach to the use and management of the whole asset portfolio.
- 3.21 The strategy centres on securing financial stability as the number one priority as this will enable the Council to have the ability to drive forward the service improvements most needed by our communities. To achieve this the Council will need to ensure that its business model provides maximum value for money to ensure the primary focus is on delivering meaningful impact for the benefit of all those who live and work in the Borough. This will be achieved by:
- Effectively managing finances to afford the required investment in the future.
  - Supporting and equipping the workforce to be agile and customer focussed.
  - Maximising the use of IT and technology to create efficiencies that enable greater investment in those with the greatest needs.
  - Consolidating assets to reduce overheads and improve service integration through co-location.
  - Putting the customer first in all service planning.
  - Learning from customers' lived experience.
  - Enabling people and communities to be as independent and resilient as they can be.
- 3.22 The Council will continue to work with partner organisations to share and develop assets to deliver strategic goals and objectives around business, people and the environment, these include Wirral Chamber of Commerce, private investors, community and friends' groups and other public bodies such as Higher Education, NHS, Police, Fire and Ambulance.
- 3.23 The Council is actively engaged in the One Public Estate (OPE) which is an established national programme delivered by the Office of Government Property (OGP) within the Cabinet Office and the Local Government Association (LGA). The programme is about creating economic growth (new homes and jobs), delivering more integrated, customer-focused services and generating efficiencies, through capital receipts and reduced running costs.

3.24 The Asset Strategy is focussed in six key priority areas

1. Strategic Delivery of Asset Strategy
2. Disposal Policy and Asset Transfer Policy
3. Strategic Management of Operational Assets
4. Asset Transfer, Community Asset Transfer and Community Wealth Building
5. Using assets for delivery of Regeneration and Housing
6. Reduce the impact of the Estate and Services on the Environment

### 3.25 Asset Disposals

All Council assets will be reviewed to assess which are not essential to the delivery of Council services with a view to disposal where appropriate. If an asset is sold then the proceeds, known as capital receipts, can be spent on new assets or to repay debt. In accordance with the Capital Receipts flexibilities introduced by the Government capital receipts generated can be used to support expenditure that is 'Transformational' in nature until 31 March 2025. Repayments of capital grants, loans and investments also generate capital receipts. The Council estimates to receive capital receipts in the coming financial year as follows:

**Table 5: Projected Capital Receipt Generation**

	<b>2022/23</b>	<b>2023/24</b>	<b>2024/25</b>	<b>2025/26</b>	<b>2026/27</b>	<b>2027/28</b>
	<b>£000</b>	<b>£000</b>	<b>£000</b>	<b>£000</b>	<b>£000</b>	<b>£000</b>
Anticipated receipts	4,300	3,350	11,480	1,120	3,105	5,675

3.26 The Council's Flexible Use of Capital Receipts Policy is attached at Appendix B.

### Treasury Management & Borrowing

3.27 As a consequence of decisions to approve past capital programmes, the Council currently has £237 million borrowing at an average interest rate of 4.9% and £37 million treasury investments (as at 31 December 2022).

3.28 The Council's main objectives when borrowing are to achieve a low but certain cost of finance while retaining flexibility should plans change in future. These objectives are often conflicting, and the Council therefore seeks to strike a balance between low cost short-term loans and long-term fixed rate loans where the future cost is known but higher. The Council does not borrow to invest for the primary purpose of financial return and therefore retains full access to the Public Works Loans Board.

3.29 Projected levels of the Council's total outstanding debt (which comprises borrowing, PFI liabilities, leases and transferred debt from local government reorganisation are shown below, compared with the capital financing requirement (see above).

**Table 6: Prudential Indicator: Gross Debt and the Capital Financing Requirement**

	<b>31/3/2022</b>	<b>31/3/2023</b>	<b>31/3/2024</b>	<b>31/3/2025</b>	<b>31/3/2026</b>
	<b>Actual</b>	<b>Forecast</b>	<b>Estimate</b>	<b>Estimate</b>	<b>Estimate</b>
	<b>£m</b>	<b>£m</b>	<b>£m</b>	<b>£m</b>	<b>£m</b>
Debt	256.0	276.8	318.4	324.3	306.8
Capital Financing Requirement	371.7	390.0	420.7	419.5	402.1

- 3.30 Statutory guidance is that debt should remain below the capital financing requirement, except in the short-term. As can be seen from table 6, the Council expects to comply with this in the medium term.

### **Affordable Borrowing Limit**

- 3.31 The Council is legally obliged to set an authorised borrowing limit for external debt each year and to keep it under review. In line with statutory guidance, a lower “operational boundary” is also set as a warning level should debt approach the limit. The limits are based upon the level of CFR, planned capital borrowing over the current and following two years, along with additional scope to cover potential refinancing of existing debt.

**Table 7: Prudential Indicators: Authorised limit and operational boundary for external debt**

	<b>2022/23</b>	<b>2023/24</b>	<b>2024/25</b>	<b>2025/26</b>
	<b>Limit</b>	<b>Limit</b>	<b>Limit</b>	<b>Limit</b>
	<b>£m</b>	<b>£m</b>	<b>£m</b>	<b>£m</b>
Authorised Limit - Borrowing	469	458	464	432
Authorised Limit - PFI and Leases	59	56	53	50
<b>Authorised Limit - Total External Debt</b>	<b>528</b>	<b>514</b>	<b>517</b>	<b>482</b>
Operational Boundary - Borrowing	459	448	454	422
Operational Boundary - PFI and Leases	54	51	48	45
<b>Operational Boundary - Total External Debt</b>	<b>513</b>	<b>499</b>	<b>502</b>	<b>467</b>

- 3.32 Further details on borrowing can be found in the Treasury Management Strategy report, which is also on the agenda for this Committee meeting.
- 3.33 Property and most other commercial investments are also classed as capital expenditure and purchases will therefore also be approved as part of the capital programme.
- 3.34 The level of investment income, both from Treasury and commercial investments, included within the Council budget should not be set too high so that the revenue budget is overly reliant on commercial returns.



**Table 8: Prudential Indicators: Proportionality of Investments**

	<b>2022/23 Forecast £000</b>	<b>2023/24 Budget £000</b>	<b>2024/25 Budget £000</b>	<b>2025/26 Budget £000</b>
Gross service expenditure	555,000	593,000	612,000	629,000
Investment income	3,000	2,500	2,500	2,500
Proportion	0.54%	0.42%	0.41%	0.40%

- 3.35 Further details about commercial activities can be found in the Investment Strategy Statement, which is also on the agenda for this Committee meeting.

### **Revenue Budget Implications**

- 3.36 Although capital expenditure is not charged directly to the revenue budget, interest payable on loans and MRP repayments are charged to revenue, offset by any investment income receivable. The net annual charge is known as financing costs; this is compared to the net revenue stream i.e., the amount funded from Council Tax, business rates and general government grants.

**Table 9: Prudential Indicator: Proportion of financing costs to net revenue stream**

	<b>2022/23 Forecast</b>	<b>2023/24 Estimate</b>	<b>2024/25 Estimate</b>	<b>2025/26 Estimate</b>
Financing Costs (£m)	20.3	25.3	27.0	27.0
Proportion of net revenue stream	6.12%	6.91%	6.90%	6.78%

### **Sustainability**

- 3.37 Due to the very long-term nature of capital expenditure and financing, the revenue budget implications of expenditure incurred in the next few years will extend for up to 50 years into the future.
- 3.38 The agreed Capital Programme includes projects costed at current year prices with many subject to a subsequent tender process which may lead to variance in the final cost. In some areas, the design brief may not yet be finalised, again giving rise to potential price variance. This is a known risk and can be managed through phasing or reduction in specification.
- 3.39 In assessing the robustness of the Capital Programme, the risk of being unable to fund variations outside of the Programme is minimal mainly due to the phasing of projects. If necessary, the Council can choose to freeze parts of the Programme throughout the year to ensure spend is kept within the agreed budget.
- 3.40 The re-profiling and slippage from previous years is fully funded but increases the pressure to deliver the anticipated 2023/24 Programme. Any such delays will impact on the delivery of the intended outcomes of capital schemes.

## **Knowledge and Skills**

- 3.41 The structure of the Council ensures that professionally qualified and experienced staff are in senior positions with responsibility for making capital expenditure, borrowing and investment decisions. For example, the Director of Finance is a qualified accountant. The Council pays for junior staff to study towards relevant professional qualifications including CIPFA, RICS.
- 3.42 Where Council staff do not have the knowledge and skills required use is made of external advisers and consultants that are specialists in their field. The Council currently employs Arlingclose Limited as treasury management advisers, CBRE as consultants related to Regeneration initiatives and Lambert Smith Hampton for property valuations/appraisals/disposals and external legal firms and Counsel as legal consultants. This approach is more cost effective than employing such staff directly and ensures that the Council has access to knowledge and skills commensurate with its risk appetite.

## **4.0 FINANCIAL IMPLICATIONS**

- 4.1 This report is focussed on providing clarity on the Capital financing strategy, and although there are financial implications to the delivery of this strategy, there are none directly arising from this report.

## **5.0 LEGAL IMPLICATIONS**

- 5.1 The Local Authorities (Capital Finance and Accounting) (England) (Amendment) Regulations 2008 (SI 2008/414) also places a duty on local authorities to make a prudent provision for debt redemption. Guidance on Minimum Revenue Provision has been issued by the Secretary of State and local authorities are required to “have regard” to such Guidance under section 21(1A) of the Local Government Act 2003.

## **6.0 RESOURCE IMPLICATIONS: STAFFING, ICT AND ASSETS**

- 6.1 There are none arising directly from this report.

## **7.0 RELEVANT RISKS**

- 7.1 The Council is responsible for treasury, investment and expenditure decisions and activity and none of these are without risk. The successful identification, monitoring and control of risk are important, the main risks and mitigations are:

<b>Risk</b>	<b>Mitigation</b>
The fair value of the Council's investment property portfolio is no longer sufficient to provide security against loss	That there is suitable diversification of investment within the property portfolio to retain a suitable level of overall security
The cost of borrowing increases at a rate higher than estimated leads to increased revenue pressure and/or	That the borrowing profile is balanced both in terms of loan maturity and also in terms of the nature of the

curtailment of the capital programme	interest rate of the loan portfolio (fixed rate and variable interest rate debt)
The Director of Finance issues S114 notice	Should the Council encounter difficulties in obtaining borrowing following a S114 notice, the Council has access to borrow from the PWLB as a lender of last resort. Any such borrowing would be subject to higher rates of interest.

## **8.0 ENGAGEMENT/CONSULTATION**

8.1 There has been no specific consultation with regards to this report.

## **9.0 EQUALITY IMPLICATIONS**

9.1 There are none arising directly from this report. The business case assessment process is currently under review. An Equality Impact Assessment (EIA) consideration may be incorporated into the future business case assessment process. Associated actions may need an EIA and these will be done at the earliest possible time.

## **10.0 ENVIRONMENT AND CLIMATE IMPLICATIONS**

10.1 Capital bids for investment are welcomed that support the Council's Climate Emergency Plan that was compiled following the declaration of a Climate Emergency by the Council in May 2019.

10.2 The programme also includes projects that focus on environmental initiatives such as energy efficient buildings, sustainable and green travel infrastructure, energy efficient street lighting, urban tree planting etc.

## **11.0 COMMUNITY WEALTH IMPLICATIONS**

11.1 The Community Wealth Building Strategy is a key part of how the Council will tackle economic, social and health inequalities across the borough and make a major contribution to improving the economic, social and health outcomes on the Wirral. Schemes contained within the Capital programme include several regeneration projects that look to improve the economic outlook for the borough, including job creation, training facilities and enhanced transport links. The Community Wealth Building implications are reported for each scheme separately to the relevant policy and service committee

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## **APPENDICES**

Appendix A – The Minimum Revenue Provision (MRP) Statement

Appendix B – Flexible Use of Capital Receipts Strategy 2023/24

## **BACKGROUND PAPERS**

CIPFA's Standard of Professional Practice on Treasury Management.

Treasury Management Strategy Statement 2023/24

Investment Strategy Statement 2023/24

## **TERMS OF REFERENCE**

This report is being considered by the Policy and Resources Committee in accordance with 1.2(a)(i) of the Policy and Resources Committee Terms of Reference:

formulate, co-ordinate and implement corporate policies and strategies and the medium-term financial plan (budget), which includes responsibility for any decision:

(i) that relates to such matters to the extent that they are not reserved to full Council.

Policy and Resources Committee is recommended to refer the decision to Council in accordance with 2(a)(i)(1) of the Functions Reserved to Council:

The Council reserves to itself the following functions (in accordance with the rules and procedures contained in this Constitution):

(i) The Budget – The approval or adoption of a plan or strategy for the control of the local authority's borrowing, investments, or capital expenditure or for determining the authority's minimum revenue provision, which includes the overarching annual: -

(1) Capital programme

(2) Capital Financing Strategy

## **SUBJECT HISTORY**

<b>Council Meeting</b>	<b>Date</b>
20/21 Capital Programme & Strategy – Council	2 March 2020
21/22 Capital Programme & Strategy – Council	1 March 2021
22/23 Capital Programme & Strategy – Council	28 February 2022

## APPENDIX A

### 2023/24 Minimum Revenue Provision (MRP) Statement

- A1 Where the Council finances capital expenditure by debt, it must put aside resources to repay that debt in later years. The amount charged to the revenue budget for the repayment of debt is known as Minimum Revenue Provision (MRP), although there has been no statutory minimum since 2008. The Local Government Act 2003 requires the Council to have regard to the former Ministry for Housing, Communities and Local Government's (MHCLG) Guidance on Minimum Revenue Provision most recently issued in 2018.
- A2 The broad aim of the former MHCLG Guidance is to ensure that debt is repaid over a period that is either reasonably commensurate with that over which the capital expenditure provides benefits, or, in the case of borrowing supported by Government Revenue Support Grant, reasonably commensurate with the period implicit in the determination of that grant.
- A3 The former MHCLG Guidance requires the Council to approve an Annual MRP Statement each year and recommends a number of options for calculating a prudent amount of MRP. The following statement incorporates options recommended in the Guidance as well as locally determined prudent methods.
- A4 For capital expenditure incurred before 1st April 2008, and for supported capital expenditure incurred on or after that date, MRP will be determined by charging the expenditure based on the expected useful life of the relevant assets using an annuity method, (Option 3 in England and Wales).
- A5 For unsupported capital expenditure incurred after 31st March 2008, MRP will be determined by charging the expenditure over the expected useful life of the relevant asset or as the principal repayment on an annuity with an annual interest rate equal to the average relevant PWLB rate for the year of expenditure, starting in the year after the expenditure has been incurred. MRP on expenditure not related to fixed assets but which has been capitalised by regulation or direction will be charged over 20 years.
- A6 For assets acquired by finance leases or the Private Finance Initiative and for the transferred debt from Merseyside County Council, MRP will be determined as being equal to the element of the rent or charge that goes to write down the balance sheet liability.
- A7 Where former operating leases have been brought onto the balance sheet due to the adoption of the IFRS 16 Leases accounting standard, and the asset values have been adjusted for accruals, prepayments, premiums and/or incentives, then the annual MRP charges will be adjusted so that the total charge to revenue remains unaffected by the new standard.
- A8 The Council, if it considers it prudent for a particular financial year, will set aside capital receipts to be offset by the matching MRP liability amount.

- A9 For capital expenditure loans to third parties that are repaid in annual or more frequent instalments of principal, the Council will make zero MRP, but will instead apply the capital receipts arising from principal repayments to reduce the capital financing requirement instead. In years where there is no principal repayment, MRP will be charged in accordance with the MRP policy for the assets funded by the loan, including where appropriate, delaying MRP until the year after the assets become operational. While this is not one of the options in the former MHCLG Guidance, it is thought to be a prudent approach since it ensures that the capital expenditure incurred on the loan is fully funded over the life of the assets.
- A10 Capital expenditure incurred during 2023/24 will not be subject to an MRP charge until 2024/25.
- A11 The MRP Statement will be submitted to Council before the start of the financial year. If it is ever proposed to vary the terms of the original MRP Statement during the year, a revised statement should be put to Council at that time.

Based on the Council's estimate of its Capital Financing Requirement on 31st March 2023, the budget for MRP has been set as follows:

	<b>31.03.2023 Estimated CFR £m</b>	<b>2023/24 Estimated MRP/Receipts £m</b>
Supported Capital Expenditure	169.88	2.92
Unsupported Capital Expenditure	174.05	6.60
Finance leases and Private Finance Initiative	31.22	3.22
Transferred debt	14.89	4.96
Transferred debt - Capital Receipts Received	-	-4.47
Use of Prior Year Overpayments	-	-2.63
<b>Total General Fund</b>	<b>390.04</b>	<b>10.60</b>

- A12 In earlier years, the Council has made overpayments of MRP that are available to reduce the revenue charges in later years. It is planned to draw down £2.6m of this in 2023/24.

<b>MRP Overpayments</b>	<b>£m</b>
<b>Actual Balance 31.03.2022</b>	<b>18.45</b>
Drawdown 2022/23	-2.64
<b>Expected Balance 31.03.2023</b>	<b>15.82</b>
Drawdown 2023/24	-2.64
<b>Expected Balance 31.03.2024</b>	<b>13.18</b>

## **Appendix B**

### **Flexible Use of Capital Receipts Strategy**

#### **Purpose**

- B1 This report provides background information with regards the statutory guidance on the flexible use of Capital Receipts and its application within this Council. As part of the finance settlement for 2016/17 the government announced new flexibilities allowing local authorities to use capital receipts received in 2016/17, 2017/18 and 2018/19 to be used to fund transformational expenditure, which can include redundancy costs. This was extended in 2018/19 as part of the 'Local Government Finance Settlement' for a further three years until 2021/22. The then MHCLG announced the continuation of the capital receipts flexibility programme for a further 3 years to 31 March 2025, to give local authorities the continued freedom to use capital receipts from the sale of their own assets (excluding Right to Buy receipts) to help fund the revenue costs of transformation projects and release savings.
- B2 The use of capital receipts to fund transformational costs (up to the value of those capital receipts), rather than applying revenue resources / reserves that would have been previously necessary, allows for these revenue resources to be directed to service areas to facilitate further service re-development and mitigates the financial pressures of the Council for the current and ensuing year.

#### **Background**

- B3 The Secretary of State, through Section 15 (1) of the Local Government Act 2003, gave local authorities the power to spend up to 100% of capital receipts from the disposal of property, plant and equipment assets on the revenue costs of reform projects. This flexibility is limited to the application of those capital receipts received in the years to which this direction applies and does not allow borrowing to finance the revenue costs of service reform. Receipts are only permitted to those from the Council and not group entities to be used and for those where the Council does not retain some direct or indirect control of the assets
- B4 The Secretary of State's direction initially covered the period from 1 April 2016 to 31 March 2022. As part of the 2022-23 Local Government Finance Settlement the Government announced a 3-year extension from 2022-23 onwards for councils to use capital receipts to fund transformation projects that produce long-term savings or reduce the costs of service delivery, further details on this will be provided by the Government in due course.
- B5 In March 2022 further provided guidance under the Local Government Act 2003 Sections 16(2) and 20: Treatment of costs as capital expenditure for the period beginning 1 April 2022. Further information is provided in this report as to clarification on qualifying expenditure in relation to redundancy costs and that actual expenditure must not exceed planned.
- B6 Capital receipts can only be used for specific purposes and these are set out in Regulation 23 of the Local Authorities (Capital Finance and Accounting) (England) Regulations 2003 made under Section 11 of the Local Government Act 2003. The

main permitted purpose is to fund capital expenditure, and the use of capital receipts to support revenue expenditure is not allowed by the regulations. The Secretary of State is empowered to issue Directions allowing expenditure incurred by local authorities to be treated as capital expenditure. Where such a direction is made, the specified expenditure can then be funded from capital receipts under the Regulations.

- B7 The Secretary of State for Communities and Local Government issued guidance in March 2016 giving local authorities greater freedoms with how capital receipts could be utilised. This Direction allows for the following expenditure to be treated as capital: “expenditure on any project 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 in future years for any of the public sector delivery partners.”
- B8 To take advantage of this freedom, the Council must act in accordance with the Statutory Guidance issued by the Secretary of State. This guidance requires the Council to prepare, publish and maintain a Flexible Use of Capital Receipts Strategy, with the initial strategy being effective from 1 April 2016 with future strategies included within future annual budget documents and reported as appropriate.
- B9 Government has provided a definition of expenditure that qualifies for funding from capital receipts: “Qualifying expenditure is expenditure on any project 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 in future years for any of the public sector delivery partners. Within this definition, it is for individual local authorities to decide whether or not a project qualifies for the flexibility.
- B10 Set up and implementation costs of any new processes or arrangements can be classified as qualifying expenditure. The ongoing revenue costs of the new processes or arrangements cannot be classified as qualifying expenditure. In addition, one off costs, such as banking savings against temporary increases in costs/pay cannot be classified as qualifying expenditure. Under the direction in force from 1 April 2022, with respect to redundancy payments, qualifying expenditure will be limited to those amounts that are necessarily incurred as statutory redundancy payments provided the other requirements of qualifying expenditure are met. This restriction does not apply to other severance costs, including pension strain costs; the treatment of these costs remains unchanged from the previous direction.

### **Monitoring of transformation costs for use of Flexible Capital Receipts**

- B11 A number of measures are in place to ensure that the qualifying criteria are met. These include a robust approval process that is applied whenever the use of capital receipts is considered, to ensure that this funding source is only applied to qualifying expenditure. Additionally, detailed monitoring will be undertaken to provide assurance over the value of qualifying spend, benefits realisation and the delivery of anticipated outcomes.



## **Financial Overview**

- B12 The Secretary of State's direction requires that details of the actual and proposed application of capital receipts are published within this strategy, including updates from the previous financial year to the Strategy.
- B13 The application of this strategy relies on the availability of sufficient capital receipts to fund the qualifying transformation expenditure. If capital receipts generated are insufficient to meet these commitments other funding sources will need to be identified or expenditure reduced.
- B14 The Capital Programme for 2023/24 does not include the utilisation of any usable capital receipts to fund transformational spend. Should this position change, an update will be made via the Capital Monitoring reports to Members, seeking approval for a revised Capital Programme.
- B15 Any future utilisation of these capital receipt flexibilities will be allocated to transformational work across the council to ensure recurrent savings can be made and council services, both internally and externally, improved and made more efficient and effective to support the delivery of the Wirral Plan. This work cannot be achieved by using core budgets alone.
- B16 Transformational work mainly takes place within the Strategic Change function which provides the delivery of the Council's new operating model, and strategic change programme. However, there will be other transformational work taking place across the Council that may utilise the capital receipt flexibilities. The Strategic Change activity is being delivered via a series of continuous improvement service reviews that will ensure all services the council provides can generate beneficial outcomes.