

# OVERVIEW AND SCRUTINY COMMISSION

## Agenda Item 50

Brighton & Hove City Council

|                         |  |   |                            |
|-------------------------|--|---|----------------------------|
| <b>Subject:</b>         | <b>Budget Update &amp; Budget Strategies 2011/12</b>                                       |   |                            |
| <b>Date of Meeting:</b> | <b>Cabinet 9 December 2010</b><br><b>Overview and Scrutiny Commission 14 December 2010</b> |   |                            |
| <b>Report of:</b>       | <b>Director of Finance</b>   |   |                            |
| <b>Contact Officer:</b> | <b>Name:</b>   | <b>Mark Ireland</b>   | <b>Tel:</b> <b>29-1240</b> |
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| <b>Key Decision:</b>    | <b>Yes</b>   | <b>Forward Plan No: CAB17749</b>  |                            |
| <b>Wards Affected:</b>  | <b>All</b>   |   |                            |

### FOR GENERAL RELEASE

#### 1. SUMMARY AND POLICY CONTEXT AND RECOMMENDATIONS FOR 14 DECEMBER OVERVIEW AND SCRUTINY COMMISSION

1. a This report allows for Scrutiny of the Budget Strategies for 2011-2012.

1. b In line with the process for scrutinising the 2010-2011 budget proposals, each of the overview and scrutiny committees will have the opportunity to comment on the elements of the budget strategy within its remit. Scrutiny committee recommendations and comments will be combined and forwarded to the 1 February meeting of this Commission before Cabinet considers the overall budget package on 17 February.

1. c The timetable for Overview and Scrutiny meetings is included in this report at Appendix 3.

**1. d OSC is recommended** to comment on the budget strategies; in particular those related to central services, equalities and sustainability elements.

**1.e OSC is recommended on 1 February 2011** to received comments from the O&S Committees to be incorporated into a single scrutiny response to the budget proposals.

#### SUMMARY AND POLICY CONTEXT FOR 9 DECEMBER CABINET

1.1 This report has been prepared at a time of significant uncertainty about the Council's funding position for 2011/12. While the Comprehensive Spending Review (CSR) gave indications about the national position for local government, it will not be until the Local Government Finance Settlement is announced that the Council will be able to move past speculation and onto more robust financial planning. If the Settlement is received before the 9<sup>th</sup> December then an addendum report will be issued to update Cabinet on the position as far as possible. The major changes expected to specific grants, of which the Council is

currently in receipt of circa £85m, may mean that it is several weeks before the detailed position is clearly understood.

- 1.2 This report updates Cabinet on the progress made in planning for 2011/12 based on the assumptions set out in the July 2010 Cabinet report, which projected that savings of £10.4m would be needed in the mainstream budget and £10.8m in budgets funded by specific grants. Good progress has been made and if those assumptions had been broadly right then this report would have set out, in high level terms, the Cabinet's proposals to achieve a balanced General Fund Revenue Budget for 2011/12. The savings package set out in this report is £12.3m. This lower figure reflects detailed reviews of the service pressures bringing them down where possible, protection of the Supporting People budget and uncertainty about the future of various specific grants in particular grants for children's services. However, the scale of the reductions expected in Formula Grant, the front loading and the position in respect of specific grants is sufficiently different for a great deal more work to be required before a full set of proposals can be made by Cabinet. This report therefore represents work in progress and it is expected that revisions will be needed to these proposals as well as additional ones made. However it was felt important to publish this work to date in order to be open about the issues under consideration and to enable Scrutiny to consider them as far as possible.
- 1.3 The Council was always clear that a great deal of specific grant funding was due to come to an end this year and has been planning accordingly. In most circumstances that funding supported one off initiatives. In a small number of cases that funding has supported activities that are potentially core business and the Council therefore has choices to make about whether it will provide replacement funding from its revenue budgets. The scale of the changes to specific grants and the removal of most ringfence mean that the Council has more choice and discretion in this area, albeit in a context of a significant overall reduction in resources.

## **2. RECOMMENDATIONS:**

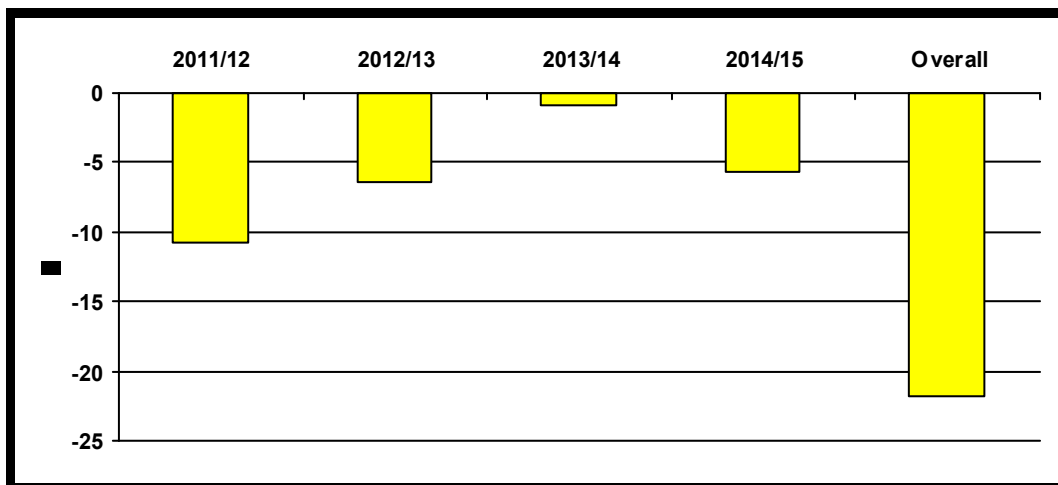
- 2.1 That Cabinet notes the high level assessment of the implications of the CSR on the national funding position for local government as set out in paras 3.1-3.6.
- 2.2 That Cabinet notes that an addendum to this report will be issued setting out the anticipated resources available to the Council if the Local Government Finance Settlement is issued prior to 9 December 2010.
- 2.3 That Cabinet considers and agrees the principles on which the General Fund Revenue Budget for 2011/12 is being prepared as set out in para 3.12.
- 2.4 That Cabinet considers and agrees the proposed approach for using reserves as part of a balanced financial strategy to deal with the Council's uniquely challenging financial position for 2011/12 as set out in para 3.17.
- 2.5 That Cabinet considers and notes the initial budget strategies for each service, developed on the basis of the original financial planning assumptions as set out in Appendix 2.

2.6 That Cabinet notes that those outline budget strategies will be subject to significant revision and update once the Council's resource position is more clearly understood.

### 3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS

#### *Spending Review announced on 20 October 2010*

3.1 The spending review set out the total amount of funding to be received by local authorities in England through the formula grant over the next 4 years. The chart below shows the planned reductions for each year in particular the unexpected front loading of reductions in 2011/12. The council is at the grant floor and will receive £109m in formula grant in 2010/11 and the equivalent of £130m after including the specific grants which will now be allocated as part of the formula grant as listed in appendix 1. The Local Government Finance Settlement will set out how much formula grant the council will receive in 2011/12 and future years.



3.2 The spending review had limited detail of the future of a wide range of specific grants although it did say that the ring-fence around nearly all grants would be removed giving each council greater flexibility in the way it can spend its funding to achieve the best outcomes for local people.

#### *Schools Funding*

3.3 The spending review contained a commitment that schools funding at a national level will increase over the next 4 years at 0.1% per annum in real terms i.e. above assumed levels of inflation. The funding settlement for schools is usually announced just before the Local Government Finance Settlement and will set out what the spending review means for each Local Education Authority (LEA) along with details of what happens to the specific grants previously allocated for schools. Cabinet will be informed of these implications in the addendum report

issued after the schools settlement is known. The government is also considering introducing a national funding formula so that funding allocations can be made directly to each school. This will have unknown distributional consequences for the total amount of schools funding for each LEA area.

#### *New Homes Bonus*

- 3.4 A recent consultation paper on the New Homes Bonus set out the way the government intends to pay this grant in 2011/12. Councils will receive amounts based on the increased number of homes between mid September 2009 and 2010 set out in a council tax base return made to the government. Brighton & Hove had an increase of 468 homes between these dates and therefore qualifies for just under £0.6m bonus out of the £196m set aside nationally. The bonus payment will be made for the next 6 years. The council may qualify for additional bonus payments in future years if the numbers of homes in the city continue to grow. The consultation paper states that £250m has been provided in the spending review nationally for bonus payments under the scheme for each year 2012/13 to 2014/15 with higher payments being top-sliced from the national formula grant.

#### *Carbon Reduction Commitment (CRC)*

- 3.5 The spending review also brought about major changes to the CRC scheme. The cost of purchasing allocations to cover the carbon output of the council will now have to be met in full. Previously the payments to the Treasury were going to be recycled as income depending on how successful each authority was in reducing its carbon footprint. There is some uncertainty in the guidance but initially the council will need to buy allowances to cover only the largest energy consuming sites. The cost of allowances is under discussion but the guideline of £12 per tonne in 2011/12 requires a budget of £0.1m for next year. In 2013/14 and beyond the council will need to buy allowances to cover most of its carbon footprint which could cost £0.4m per annum or more if the cost of allowances rises.

#### *Council tax freeze grant*

- 3.6 The budget report to Cabinet in July assumed that resources would be generated by a 2.5% increase in the Brighton & Hove City Council element of the council tax for 2011/12. The government has announced that councils who freeze their element of the council tax for next year will be entitled to receive a council tax freeze grant equivalent to the amount that would have been raised by a 2.5% increase. It is estimated that the grant for the City Council will be approximately £3m and will be received for each year of the spending review period.

#### *Local Government Finance Settlement for 2011/12*

- 3.7 The Local Government Finance Settlement is expected to be announced in early December and assuming this is before the Cabinet meeting an addendum report will be prepared for the meeting setting out the detailed implications for the

finances of the council. The Settlement will set out the amount of formula grant the council will receive in 2011/12 and details of most if not all the specific grants. The capital finance settlement is usually announced later and may not be available in time for the meeting.

### ***Budget Principles***

- 3.8 At the heart of the Council's approach to transforming the way it conducts its business are three key strands of work: the Value for Money Programme, the Improving the Customer Experience (ICE) programme and the move to a model of Intelligent Commissioning. These are all crucial to creating "The Council the City Deserves". Regular updates on all of this work have been brought to Cabinet throughout the year. The VFM programme has always been a key element of the Council's medium term financial planning. The programme remains on track and savings anticipated for 2011/12 are at least in line with expectations, if not better.
- 3.9 Reports to Cabinet have been clear that the new model of Intelligent Commissioning was not necessarily expected to deliver savings for 2011/12, primarily due to the lead in time for re-commissioning services. It does however put the Council in a strong position to make well informed decisions for service redesign and reprioritisation during the next financial year which will particularly inform the 2012/13 budget setting process.
- 3.10 Cabinet in July set out cash limits for each service area based on the existing Directorate structures as the council's top level reorganisation was still in its consultation phase. Those structures were well understood by both officers and members and therefore provided the clearest basis on which to conduct the budget planning for 2011/12. The outline budget strategies prepared to date are therefore set out in this way.
- 3.11 However, the implications of CSR are now so great that the Council will simply not be in a position to meet them if it continues its financial planning in the same way that it has done to date. It therefore needs to shift its thinking quickly into the new intelligent commissioning model which should provide more cross-cutting proposals for reshaping services and a renewed focus on prioritising resources to deliver outcomes in the most effective way. This does create a challenge to analyse and present financial information in the new model while the organisation is still in transition with structures that are not fully settled. However if the Council is unable to react quickly in this way it may miss significant opportunities that could help the 2011/12 budget position and mean that momentum is lost in this time of change. The format for the final budget proposals that will come to Cabinet on 17 February 2011 for recommending to Budget Council on 3 March 2011 is still being considered, however it will be possible, at a high level, to analyse the information against both the "old" and the "new" organisational structure.
- 3.12 In this context of change, a set of budget principles has been developed which have informed both the work done to date against the allocated cash limits and will continue to influence the next stage of the budget planning process. These are:

1. To deliver efficiency savings to help protect front line services by:
  - delivering the planned VFM programme and identifying where future year's VFM savings can be "fast tracked", for example, vacating office accommodation earlier than originally planned.
  - identifying other efficiency savings including those arising from the new groupings of services in delivery units
  - looking to generate savings on staff related expenditure through natural turnover, not filling existing vacancies, reducing management costs, minimising the use of consultants and making sure we only use agency staff and overtime where there is a sound business case to do so
  - identifying where closer working with other public agencies means we can share costs
  - reviewing contracts with service providers identifying scope for renegotiation and controlling costs
  - removing any local contingencies or risk provisions (these will all be covered corporately)
  - These efficiency savings will be tracked to ensure that they are rigorously and consistently implemented by rolling them into the VFM programme.
  
2. Where changes need to be made to front line services proposals will take into account:
  - how we can innovate our service design and delivery mechanisms to ensure the outcomes we deliver are maintained
  - how those changes might impact on costs and services provided by other public agencies in the city ("Total Place")
  - how we can protect as far as possible the contribution made by the community and voluntary sector

***Latest Position 2010/11***

- 3.13 The TBM Month 6 report received by Cabinet on the 11 November showed an overspend of £0.319m on council controlled budgets. Tight spending constraints are in place in order to reduce that overspend further and to deliver an underspend that will provide one off usable reserves to support the 2011/12 budget setting process.

***Reserves position***

- 3.14 The current estimate of the Council's Usable Reserves is set out in Table 1.

| <b>Table 1 – Usable Reserves</b>                       | <b>£m</b>  |
|--|------------|
| Balance at 31/3/11 reported to Cabinet in July 2010    | 0.9        |
| TBM overspend funding no longer required               | 1.0        |
| Collection Fund Deficit                                | -0.4       |
| Planned net contributions in 2011/12                   | 0.4        |
| <b>Balance available to support the 2011/12 Budget</b> | <b>1.9</b> |

- 3.15 In previous years usable reserves have been used for new initiatives and investment. The financial context this year means that this is unlikely to be

appropriate. It is therefore planned at this stage to ringfence these usable reserves to be used as set out in para 3.17.

- 3.16 As a result of the front loading of the reductions in formula grant in 2011/12 the Council may need to consider as a one-off measure of last resort use of reserves which are currently earmarked as part of a well balanced financial strategy. It remains a legal requirement that the Council sets a balanced budget for 2011/12 and therefore it needs to consider carefully how it can make legitimate use of reserves in that context. It is also at the heart of the Council's ongoing commitment to sound financial planning and management that it does not take short term decisions that could create greater difficulties for the future.
- 3.17 Any use of reserves will be undertaken only for the following issues:
- implementation funding (the costs associated with changing how services are provided and organised such as redundancy costs)
  - transition funding (because we will be unable to implement all proposals from 1 April so resources will be needed for the lead in time)
  - resources to incur direct expenditure that frees up revenue budget costs (e.g. paying down debt)
- 3.18 The detailed proposals will form part of the final Budget reports.

### ***Fees & Charges***

- 3.19 Fees and charges are assumed to increase by the standard inflation assumption of 2% each year. Details of fees and charges for 2011/12 will be presented to the relevant Cabinet Member Meetings (CMM) and onto Council where appropriate prior to Budget Council. Timetabled fees and charges are as follows:

|                                  |                   |
|----------------------------------|-------------------|
| Royal Pavilion and Museums       | 21 September 2010 |
| Adult Social Care                | 18 October 2010   |
| Environmental Health & licensing | 18 November 2010  |
| Libraries and Venues             | 7 December 2010   |
| Environment                      | 23 December 2010  |
| CYPT                             | 17 January 2011   |

### **Expenditure Projections Update**

#### ***Service Pressures***

##### *Pension fund triennial review*

- 3.20 The East Sussex County Council Pension Fund announced the outcome of the triennial review on the 19 November 2010. The valuation as at 31/3/10 for the whole fund is 87.3% (compared to 88.9% at the last valuation in 2007). This is likely to place the fund within the top quartile of all LA funds. There has been a significant improvement within the last 12 months when the fund was a little over 70% funded. The performance of equities, the lower than expected pay increases and the change in uprating of pensions from RPI to CPI have been major factors in improving the outlook.

- 3.21 Brighton & Hove's share of the fund is 91% funded, which is the same as the valuation 3 years ago and an increase in the level above the average share of the fund. The factors helping this outcome are a continued scrutiny of early retirement decisions, negligible use of discretionary powers under the regulations, funding transfers at the point of any outsourcing decisions rather than waiting for the next valuation and aligning decision making and accountability.
- 3.22 The Council currently contributes 17% of payroll; the actuaries to the fund require an increase of 1% over the next 3 years as follows:
- |         |       |
|---------|-------|
| 2011/12 | 17.3% |
| 2012/13 | 17.7% |
| 2013/14 | 18.0% |
- 3.23 The Medium Term Financial Strategy assumed an increase of 0.5% in 2011/12 equivalent to £0.65m to the General Fund; the reduced contribution rate will save approximately £0.21m.
- 3.24 The latest valuation does not take into account the recommendation of the interim Hutton Report to increase the employee pension contributions.

#### *Concessionary Bus Fares*

- 3.25 The government has consulted on changes to the way bus operators are compensated for loss of income and additional costs arising from the operation of the free concessionary fares scheme in England. The consultation finished on the 11 November and it is expected that changes will be introduced from 1 April 2011. The council is currently collecting relevant data to enable an estimate of the revised reimbursement payments to be made in time for the budget papers in February when the government should have confirmed the methodology that will need to be used by all English councils.

#### *Main Service Pressures*

- 3.26 The budget strategies included in appendix 2 incorporate service pressures and certain specific grant reductions of £9.76m above inflation that are being managed within the cash limits. The most significant pressures are included in the following table:

| <b>Table 2 – Main Service Pressures</b>  | <b>£'m</b> |
|--|------------|
| Demographic growth in Adult Social Care clients (Physical disabilities, vulnerable older people, mental health and learning disabilities). | 2.1        |
| Increased Independent Foster Agency placements   | 1.6        |
| Loss of LPSA reward grant funding core business (Env & S&G)  | 1.2        |
| Reductions in Parking Penalty Charge Notices (PCN's)   | 0.7        |
| Children's Residential Agency placements   | 0.5        |
| Children's Area social work teams  | 0.5        |
| Children's social services Legal costs   | 0.3        |

#### **Savings**



- 3.27 The proposals to date are based on the cash limits set by Cabinet in July 2010 and these are set out in the budget strategies.
- 3.28 A total savings package of £12.3m has been identified within the Budget Strategies, £4.9m through the VFM programme, £5.8m through efficiencies and other income and £1.6m through commissioning changes. Details of the savings proposals are shown in appendix 2. CYPT have over achieved their savings target by £1.26m in preparation for managing potential reductions in specific grants. There are over and under achievements of savings across the remaining service areas that virtually balance to the cash limits overall.
- 3.29 All service areas have been asked to show how further reductions in their net budget could be achieved, consistent with the principles set out in para 3.12. This will provide members with further options to meet the revised funding gap after the Local Government Financial Settlement.

### ***Staffing Implications***

- 3.30 This paper provides the broad financial information required for the budget strategy and does not, at this time, attempt to set out the detailed staffing implications. It is planned to continue to discuss the strategy with colleagues across the organisation and their trades unions in order to fully develop our understanding of the likely impact for employees. This will then allow us to enter into meaningful formal consultation with the trades unions and staff.
- 3.31 In the meantime, we have taken the following action into to minimise the impact on continuing employment and avoid redundancies. That action includes:
- Controlling recruitment and only making permanent appointments in exceptional circumstances and when all other alternatives have been exhausted
  - Holding any vacancies available internally to increase the opportunities for re-deployment
  - Avoiding the use of interim or consultant appointments
  - Limiting the use of temporary or agency resources
- 3.32 These measures will continue as we work with trades unions and colleagues on the detailed staffing implications.

### ***Capital Programme***

- 3.33 The 2010/11 capital programme is approximately 60% funded by resources from the government with the remainder largely coming from council borrowing, capital receipts and revenue contributions. The Spending Review has set out reductions in government funding for all government capital investment programmes of about 45% over the next 4 years.
- 3.34 It is not known at this stage how these reductions will impact on the level of government resources available for the city council. The capital finance settlement is usually announced after the Local Government Finance Settlement

shortly before Christmas. It is therefore unlikely to be available in time for this Cabinet meeting so details will be circulated separately as soon as the figures have been analysed. Reductions in funding had been anticipated so services have been planning future capital investment on the basis of significant reductions.

### **Housing Revenue Account**

- 3.35 The latest HRA Budget projections as shown in appendix 2, take into account the financial position as at TBM month 6 and the required level of reserves. In setting this budget, officers have taken into account the required level of efficiency savings but also sought to maximise the level of resources available to invest in meeting the Decent Homes Standard.
- 3.36 The service has identified savings of £0.913 million, the equivalent of a 8.7% savings target which will be used to fund inflationary increases and service pressures. The HRA Budget projections assume a continuing increase in 'Negative Subsidy' resulting in the HRA paying an additional £0.170 million of resources to the government net of rental income increases and capital financing costs.

### **2011/12 Budget Timetable**

- 3.37 The existing timetable means that scrutiny can review the proposals in this report plus any emerging themes at their December/January meetings. Proposals to meet the remaining budget gap will not be public until papers are despatched for 17 February Cabinet. Therefore an additional OSC meeting should be scheduled for around this time to review the proposals.
- 3.38 Timetable for the remaining budget papers.

|   |         |             |
|---|---------|-------------|
| Council Taxbase                             | Cabinet | 20 Jan 2011 |
| General Fund Revenue Budget and Council Tax | Cabinet | 17 Feb 2011 |
| Housing Revenue Account                     | HMCC    | 24 Jan 2011 |
|   | Cabinet | 17 Feb 2011 |
| Capital Resources and Capital Investment    | Cabinet | 17 Feb 2011 |
| Budget Council                              |         | 3 Mar 2011  |

## **4. CONSULTATION**

- 4.1 The budget and council tax consultation process was agreed by the cross party Budget Review Group. For 2011/12 the consultation has involved a budget questionnaire to a random sample of residents across the city as well as a focus group with the Older Peoples Council. The results of this consultation are due in December 2010 and will be circulated to all Members. The council has a statutory duty to consult with business ratepayers and a meeting will be held in January/February.
- 4.2 The Budget Report to Council in March 2011 will represent a culmination of the budget process which will have included a number of consultative processes including members, trade unions and in some cases service users.

## **5. FINANCIAL & OTHER IMPLICATIONS:**

### Financial Implications:

- 5.1 These are contained in the main body of the report.

*Finance Officer Consulted: Mark Ireland*

*Date: 25/11/10*

### Legal Implications:

- 5.2 Cabinet has the necessary authority to agree the recommendations set out in paragraph 2 of this report as part of their function of formulating budget proposals for subsequent consideration and adoption by Full Council.

*Lawyer Consulted: Oliver Dixon*

*Date: 26/11/10*

### Equalities Implications:

- 5.3 High level screening of the equalities impact of all the budget proposals has been undertaken by each service to determine whether there are likely to be equalities implications and to show whether they are covered by existing Equalities Impact Assessments (EIAs) or whether further action including new EIAs is required.

### Sustainability Implications:

- 5.4 Sustainability issues will be taken into account throughout the council's budget setting process.

### Crime & Disorder Implications:

- 5.5 The budget projections identify resources to help replace the reduction in government grants funding of certain crime and disorder initiatives.

### Risk & Opportunity Management Implications:

- 5.6 There is considerable uncertainty about the council's resource position for 2011/12 and this will be reviewed following the Local Government Finance Settlement. The Council's final Budget proposals are required to include an assessment on the robustness of estimates and the adequacy of reserves. Relevant risk provisions in the 2011/12 budget will be considered as part of that final budget package presented in February 2011.

### Corporate / Citywide Implications:

- 5.7 The report is relevant to the whole of the city.

## **6. EVALUATION OF ANY ALTERNATIVE OPTION(S)**

- 6.1 The budget process allows all parties to put forward viable alternative budget and council tax proposals to Budget Council on 3 March. Budget Council has the

opportunity to debate both the proposals put forward by Cabinet at the same time as any viable alternative proposals.

## **7. REASONS FOR REPORT RECOMMENDATIONS**

- 7.1 The council is under a statutory duty to set its council tax and budget before 11 March each year. This report sets out the latest budget assumptions, process and timetable to meet its statutory duty.

### **SUPPORTING DOCUMENTATION**

#### **Appendices:**

1. Specific grants transferring to formula grant
2. Budget strategies and overall summary.
3. Timetable of meetings

#### **Documents in Members' Rooms**

None

#### **Background Documents**

1. Files held within Strategic Finance and Financial Services sections.