

## **WILTSHIRE COUNCIL**

**Joint Overview and Scrutiny Committee - 9<sup>th</sup> February 2012**

**Cabinet - 15 February 2012**

**Council - 28 February 2012**

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**Subject: Wiltshire Council's Business and Financial Plan Update 2012/13**

**Cabinet Members: Councillor Jane Scott, OBE - Leader of the Council  
Councillor John Brady - Cabinet Member for Finance,  
Performance and Risk**

**Key Decision: Yes**

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### **EXECUTIVE SUMMARY**

This is officers' covering report, providing on assessment of Cabinet's draft proposals to Council to set a budget for 2012/13 and the impact on Council Tax, rents, fees and charges, the capital programme, school as well as reserves.

Joint Overview and Scrutiny is asked to appraise and scrutinise the proposals and plan, as well as officers' conclusions, and feedback comments to Cabinet for consideration as appropriate.

Cabinet is asked to consider the findings from the Joint Overview and Scrutiny Committee, as well as findings from public consultation and recommend approval of the plan and consequences flowing from it to the Council.

Council is asked to debate and approve the budget, Council Tax, rents fees and charges, capital programme and reserves.

### **PROPOSALS**

#### **Joint Overview and Scrutiny Committee**

It is proposed that the Committee scrutinise the proposals appended to this report as put forward by the Leader and make any comment or recommendation for Cabinet to consider on 15<sup>th</sup> February before it recommends the plan to Council.

## **PROPOSALS, continued**

### **Cabinet**

It is proposed that Cabinet, subject to consideration of comments and recommendations arising from the Director of Finance and Corporate Directors' statements, Scrutiny and public consultations, makes the following recommendations to Council on 28<sup>th</sup> February 2012.

- a. To endorse the update of the 2012-15 Business and Financial Plan.
- b. To recommend to Council, for approval, that the savings and investment proposals summarised at Sections 9 and 7 respectively of this report and Sections 4 and 5 of Cabinet's proposed Financial Plan at Appendix 1 of this report, provides a net revenue budget for 2012/13 of £326.655 million.
- c. To recommend to Council to:
  - i. Freeze Wiltshire Council's element of the Band D council tax for 2012/13 £1,222.43, as calculated in accordance with statute, as set out in Section 10 of this report.
  - ii. Set the Council's total net expenditure budget for 2012/13 at £326.655 million.
  - iii. Adopt the changes introduced by Government and move from the current subsidy funding system to one of self-financing when local authorities take on responsibility for the current debt & repayment;
  - iv. Set a 6.4% increase for dwelling rents in accordance with rent restructuring;
  - v. Set the HRA Budget for 2012/13 (original) as set out at Appendix F of Cabinet's proposed Financial Plan at Appendix 1 of this report;
  - vi. That all other rent or service charges related to the HRA be frozen at 2011/12 levels.
  - vii. The Capital programme proposed at Appendix E of Cabinet's proposed Financial Plan, attached to this report at Appendix 1.
  - viii. Set the changes in fees and charges set out in detail at Section 6 of Cabinet's proposed Financial Plan at Appendix 1 of this report.

## **Reasons for Proposal**

The Cabinet, following Scrutiny and consultation, needs to note recommendations to Council to enable it to:

- set its revenue, capital, housing revenue accounts, fees and charges, levels of reserves and resultant Council Tax for 2012/13 to then issue Council Tax and rent bills.
- Provide the Council with a strong business and financial plan for sustainable delivery for the remaining 3 years of those plans.

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Councillor John Brady - Cabinet Member for Finance,  
Performance and Risk**

**Key Decision: Yes**

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### **1. Purpose of Report**

- 1.1. This is officers' covering report, providing an assessment of Cabinet's draft proposals to Council to set a budget for 2012/13 and the impact on Council Tax, rents, fees and charges, the capital programme, school as well as reserves.
- 1.2 Joint Overview and Scrutiny is asked to appraise and scrutinise the proposals and plan, as well as officers' conclusions, and feedback comments to Cabinet for consideration as appropriate.
- 1.3 Cabinet is asked to consider the findings from the Joint Overview and Scrutiny Committee, as well as findings from public consultation and recommend approval of the plan and consequences flowing from it to the Council.
- 1.4 Council is asked to debate and approve the budget, Council Tax, rents fees and charges, capital programme and reserves.

### **2. Background**

- 2.1 In February 2011 Wiltshire Council approved a four year Business and Financial Plans, (the Plans). The Council is obliged by legislation to set a balanced budget and resultant Council Tax, plus related fees and charges. As a result, Members and officers have been updating the Plans to present to Council an updated Financial Plan in order to set its element of the 2012/13 Council Tax.

- 2.2 Last year the Council faced a continued increase in demand for services to the most vulnerable, as well as inflationary pressures and changes in Government policy and funding. The Council has worked hard to deliver the first year performance savings and investment proposals of its Plans. Latest projections identify a balanced budget for 2011/12.
- 2.3 The national and local changes have been appraised against the original Business and Financial Plans, and whilst no changes are proposed to the Business Plan changes arising from these are included for the Financial Plan.
- 2.4 Cabinet has assessed all changes and feedback from ongoing public engagement and, attached to this report at Appendix 1, has issued an update to the Business and Financial Plan. This report is an officer assessment to inform members in their decision making process of the adequacy and ability to deliver the proposals made by Cabinet, and the resultant impact on the Council's financial standing. This report therefore considers:
- a) The current financial position of the Council for 2011/12 – Section 3
  - b) Changes to the financial plan assumption reported to Council last year – Section 4
  - c) The feedback from public consultation – Section 5
  - d) The level of government funding available for 2012/13 – Section 6
  - e) The level of investment required for 2012/13 – Section 7
  - f) The consequences of charges, capital, housing and schools proposals – Section 8
  - g) The level of savings required – Section 9
  - h) The resultant Council Tax calculation – Section 10
  - i) An assessment of reserves – Section 11 and Appendix 2
  - j) The impact on 2013-15 and future years – Section 12
  - k) Consideration of other factors and professional advice – Sections 13-18

### **3. 2011/12 Forecast Outturns**

- 3.1 The Council has received regular updates on its revenue, capital, schools and housing budgets. The timing and level of transparency of these reports has significantly improved throughout the year. The latest forecast at Period 9 (December 2011) as set out in Cabinet 15<sup>th</sup> February agenda, reports a projected potential overspend of £0.3m. Management action and Member decisions throughout the year have been taken to deliver a year-end balanced budget.
- 3.2 As a result of action it is forecast that the 2011/12 revised revenue budget of £329.847m will be balanced and that there will be no need to draw further on resources.
- 3.3 Budget monitoring of the capital, housing and schools budgets also show they are on target and forecast to be balanced on the related reserves above planned in those areas.

#### **4. Changes to the 2012-15 Financial Plan**

- 4.1 When Council approved the 2012-15 Business and Financial Plan in February 2011 it set out detailed budget for 2011/12, which as noted in Section 3 is on track to be delivered. The following three years were projects based upon certain assumptions and plans. This report focuses on 2012/13 and the detailed proposals, in line with the priorities flowing from the Business Plan, (note Section 12 of this report assesses 2013-15).
- 4.2 The update to the Business and Financial Plan proposed by Cabinet and issued on 1st February 2012 is attached at Appendix 1 to this report. This identifies that Cabinet do not propose to change the goals and objectives of the Business Plan. However, it does recognise that changes are required to the Financial Plan, largely arising from external factors such as increased demand and inflation. Section 3.6 of the Cabinet's proposed update, at Appendix 1 of this report, identifies the specific changes to the Financial Plan and the reasons for that. This has been assessed and is endorsed as necessary to reflect the ability to deliver a budget in 2012/13.

#### **5. Public Consultation**

- 5.1 Public consultation has been carried out in a number of ways:
- Specific consultation as part of Cabinet decision making process throughout the year, such as denominational transport savings;
  - Household surveys; and
  - Public forums.
- 5.2 This Household Survey report findings are based on an overall survey return of 6,610. These came from the following sources:
- People's Voice panellists - 22.9% or 1,511
  - Postal and hard copy returns - 60.1% or 3,975
  - Email/online returns - 17% or 1,124

The Public Forums were attended by 75 people over four nights in Trowbridge, Devizes, Chippenham and Salisbury. The findings from the later two consultations were:

	<b>Household Survey</b>	<b>Public Forums</b>
Top 3 areas to invest monies	<ol style="list-style-type: none"> <li>1. Maintenance of existing roads (61.8% spend more)</li> <li>2. Adult social care services for older people (45.1% spend more)</li> <li>3. Housing – more affordable housing (41.2% spend more)</li> </ol>	<ol style="list-style-type: none"> <li>1. Funding for local projects (24%)</li> <li>2. Invest more in pothole repair and road maintenance (18.5%)</li> <li>3. More rural bus services (16.8%)</li> </ol>
Top 3 areas to take money from	<ol style="list-style-type: none"> <li>1. Archives or public records (46.7% spend less)</li> <li>2. Housing and council tax benefits (37.4% spend less)</li> <li>3. Museums and galleries (34.7% spend less)</li> </ol>	<ol style="list-style-type: none"> <li>1. Reduce streetlighting (27.2%)</li> <li>2. Increase the cost of adult swimming by £1 a visit (17%)</li> <li>3. Close public toilets (16.1%)</li> </ol>

5.3 At this stage the findings from the public consultation need further consideration, although they do highlight some consistency with the household survey around highways maintenance. They are likely to influence future years budgets, although a proposal has been brought forward for 2012/13 to go further in more strategic reduction in streetlighting following this and trials in 2011, and save £0.5m.

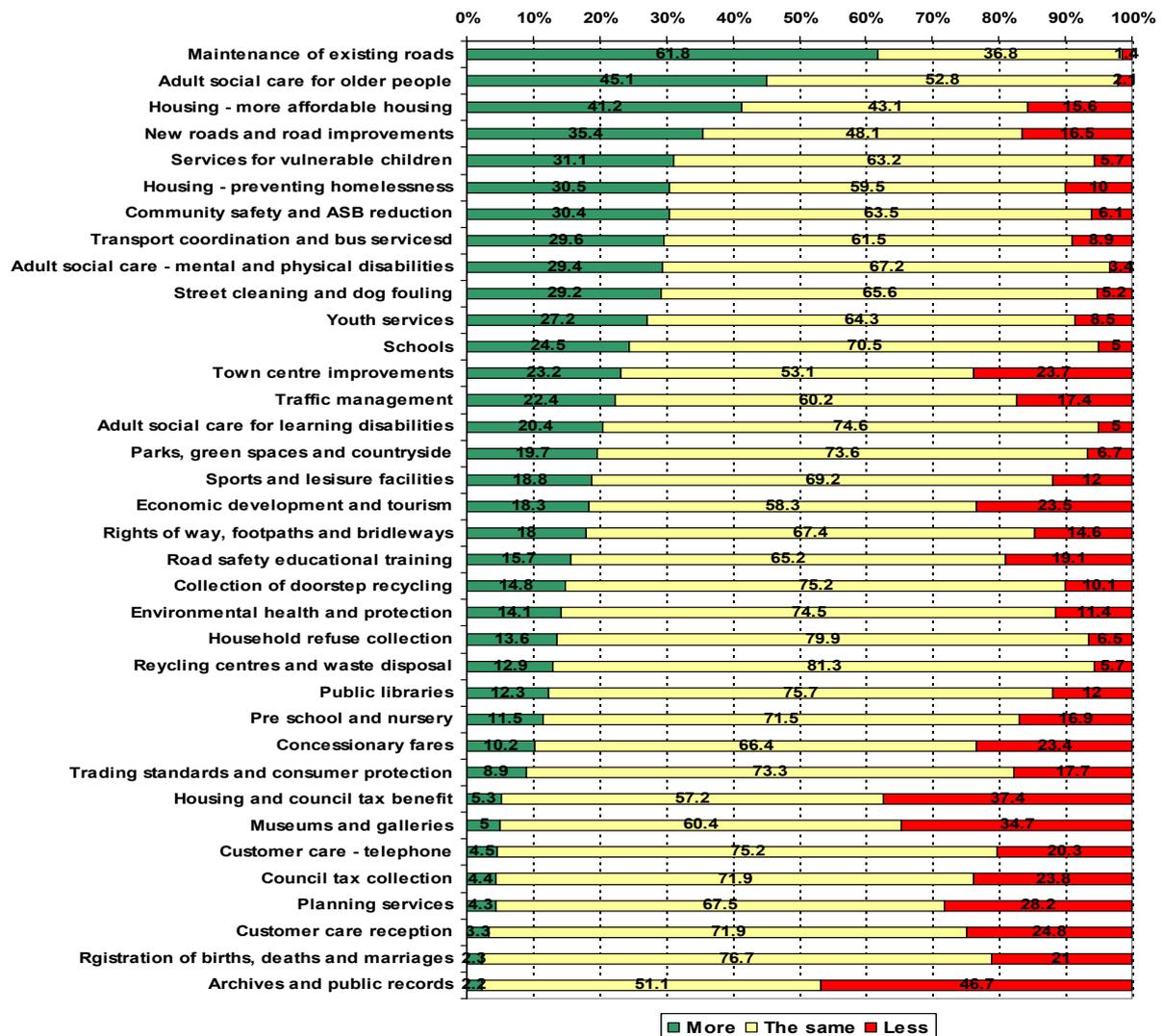
5.4 To date in response to the total consultation received, investment as set out at Section 5 of Cabinet’s proposals additional money has been put into these priority areas:

- **maintenance of roads** - £18.7m in the capital programme, compared with £18.1m in 2011/12 (after accounting for last year’s one off £3m grant);
- **older people and adult social care** - £9.668m is now proposed to be invested in 2012/13 compared to the original plan last February for the same period of £4.421m; and
- **housing** – an additional £5-7m each year will be spent on social housing, and £53m more on affordable in 2012/13 due to changes to funding of the Housing Revenue Account, and a recent successful Private Finance Initiative bid respectively, as set out at Section 8 of the Cabinet’s proposals.

5.5 Savings are also proposed to be found from efficiencies within Benefit processing (£0.280m) and grant to support transitional reduction in rate relief will no longer be awarded to Museums' & galleries (c£0.050m).

5.6 The overall findings were as follows:

Do you think the council should spend more, the same or less on the following services?



5.7 Other consultations are ongoing with Trade Unions, local businesses and with staff as appropriate to restructure proposals. More detailed feedback will be given verbally at Joint Overview and Scrutiny and in writing to Cabinet.

## 6. Level of Funding

6.1 The Council's government funding is from two sources:-

- Government grant
- Core grants

6.2 Section 10 of this report notes the level of Council Tax, and Section 8 assesses the assumptions on fees and charges plus the funding for capital, housing and schools.

- **Government Grant**

6.3 In 2010, the Government simplified the funding for local authorities to one main grant – the formula grant, and 9 separate core grants. The provisional 2012/13 financial settlement for the formula grant was issued in January 2011. This provisional settlement was re-issued in December 2011 with no changes to Wiltshire and a final announcement is expected 8<sup>th</sup> February 2012. The assumption is that there will be no changes to the Council's formula grant; consequently we have assumed a formula grant for 2012/13 of £92.732m. That is a reduction from 2011/12 of £11.460m.

6.4 In addition the Government have confirmed a one off grant, on top of the recurring grant of 2011/12, to enable a further Council Tax freeze in 2012/13. We have assumed this will be in line with 2011/12 allocation at £5.479m. That gives a net reduction in formulae grant thus of £5.981m

- **Core Grants**

6.5 Wiltshire has been notified that the Council will be in receipt of £38.033m of core grants in 2012/13. That is an additional £5.734m on the amount received in 2011/12 (£32.299m):

	<b>£m</b>
New Homes Bonus	(4.586)
Early Intervention Grant	(16.078)
Learning Disability Grant	(8.423)
NHS Funding for social care	(4.651)
Benefit Admin	(2.572)
Local Support Services	(1.723)
<b>Total</b>	<b>(38.033)</b>

6.6 The Core grants are shown in Appendix B of Cabinet's proposals, attached to this report at Appendix 1, within the calculation of the net expenditure and have thus been adjusted for in the calculation arriving to the net expenditure requirement before savings of £359.289m. The total government grant thus separately identified in the Financial Plan at Appendix A of Cabinet's proposals in calculating the Wiltshire's Council Tax is only the formula grant plus the Council Tax freeze grant. The remaining element is above the line in Appendix B to offset gross expenditure it relates to such as early years.

## 7. Level of investment

7.1 Cabinet's proposals set out at Section 5 and Appendix A (see Appendix 1 of this report for Cabinet's proposals), identifies the following levels of investment:

<b>2012/13</b>	<b>Original Plan £m</b>	<b>Proposals £m</b>	<b>Difference £m</b>
Investing in our communities and priority services	5.138	5.424	0.286
Protecting vulnerable people	5.071	13.795	8.724
Funding inflation and cost pressures	14.454	10.223	-4.231
<b>Total</b>	<b>24.663</b>	<b>29.442</b>	<b>4.779</b>

7.2 The key differences between the original and revised Financial Plans are:

- Protecting Vulnerable - £5.274m more due to higher than forecast demand for older people and adult care services arising from local and national changes; plus £3.477m due to an additional £1.5m core grant for Early Intervention targeted at more preventative work and an increased demand in care.
- Funding inflation – we had assumed that inflation would be lower in 2011/12 and only applied low levels of increases totalling £2.277m. Due diligence has identified that inflationary pressures from contracts and consumption of oil and utilities are in excess of previous assumptions and have added £4.862m of additional costs. However, this has been offset by better profiling of capital that has reduced the expected cost of borrowing by £5.227m, as well as a £2m reduction in the need for additional costs of redundancies and base budget adjustments.

7.3 We have assessed the ability to project beyond one year's costs and sought to learn lessons from the changes from 2011/12 Financial Plan to that proposed for 2012/13. The current economic climate makes the prediction of inflation and demand harder given the wider variation of professional views. Projections around adult and child care demand have been strengthened to reflect better analysis of care data and trends, and higher levels of inflation have been assumed to be prudent. Thus the investments are felt justified and reasonable.

## **8. The consequences of Charges, Capital, Housing and School budget decisions**

### **• Fees and Charges**

8.1 Cabinet's proposals at Section 6 (see Appendix 1 of this report) set out in detail the changes to fees and charges. In the main most fees have been frozen and will remain at 2011/12 levels. As a result, demand assumptions in the main have remained unchanged. This is felt prudent but will continue to be reviewed in year and an element of reserves has been set aside to cover for this. Other fees and charges proposed are assessed as deliverable at this stage but will also be monitored.

### **• Capital**

8.2 Cabinet's proposals at Section 9 (see Appendix 1 of this report) set out in detail the proposed Capital Programme for 2012-15 and the sources of funding. The assumed additional cost of borrowing for 2012/13 (£3.084m) arising therefore of this has been built into the general fund expenditure. No other costs arising from projects have been identified. The programme will be monitored and reported to the Cabinet Capital Assets Committee during 2012/13.

### **• Housing Revenue Account (HRA)**

8.3 Cabinet's proposals at Section 8 (see Appendix 1 of this report) set out in detail the proposed change to funding for the HRA and the consequences of additional capital spend.

8.4 In addition the paper identifies a 6.4% increase in dwelling rents in line with governments rent formula calculation. However, it proposes no other increase in related fees and charges. As such no assumptions around demand for services or properties such as garages have been changed.

### **• Schools**

8.5 Cabinet's proposals at Section 7 (see Appendix 1 of this report) set out in detail the likely Dedicated Schools Grant (DSG). The Schools Forum have recommended an overall schools budget of £294.760 million, before any academy recoupment. In order to set a balanced budget Schools Forum have agreed a reduction of 0.19% across all budgets, including the schools delegated budget, and utilised £1 million from the projected underspend against the 2011/12 DSG. This budget therefore requires no additional funding from the Council and is in line with the Council's established policy not to top up DSG

## 9. Level of savings

9.1 The Council's Financial Plan has identified and classified £32.634m of savings, and the Cabinet's proposals set these out in detail at Section 4 (see Appendix 1 of this report). In summary they are:

Management and harmonising staff pay	0.400
Workplace transformation	0.830
Commissioning & Procurement	4.757
Service harmonisation & efficiencies	11.723
Transformation / systems thinking	10.494
Re-profiling investment	3.782
Income (paragraph 8.1 of this report)	<u>0.648</u>
	<u>32.643</u>

9.2 These savings have been assessed and considered deliverable. There are a small number of target savings contained within the Plan:

- Efficiency Target - £1.640m
- Administration review - £1m
- Buildings review - £1m
- Procurement - £2m

9.3 In all cases work has begun to deliver these savings, so for example phase 1 of the Administration review is currently out for consultation to save circa £0.150m; and an analysis of procurement on spend below £5,000 has identified potential options to reduce costs in excess of £1m but detailed proposals still need to be finalised. An element of provision for non-delivery has therefore been provided for in the General Fund Reserves discussed in more detail at Section 11 of this report.

## 10. Council Tax calculation

10.1 The overall position for 2012/13, excluding schools, reflected in this report is therefore:

	<u>£m</u>	<u>£m</u>
<b>2011/12 Revised Base Budget</b>		<b>329.847</b>
<b>Plus</b>		
<i>Investment built into initial medium term financial plan</i>		
- Net demand and inflation (paras 7.1)	29.442	
Additional spending requirements		359.289
<b>Less</b>		
<i>Savings (as set out at Section 9):</i>		
Management and harmonising staff pay	(0.400)	
Workplace transformation	(0.830)	
Commissioning & Procurement	(4.757)	
Service harmonisation & efficiencies	(11.723)	
Transformation / systems thinking	(10.494)	
Re-profiling investment	(3.782)	
Income (section 8.1 of this report)	(0.648)	
		(32.634)
<b>Net budget requirement</b>		<b>326.655</b>
Financed by		
• Formula Grants (paragraphs 6.3 to 6.6)		(92.732)
• Council Tax Freeze Grant		(10.958)
• Collection Fund		(1.695)
<b>Amount to be found from the Collection fund</b>		<b>(221.270)</b>

10.2 The Local government Finance Act 1992 (as amended by the 2003 Act) sets out the powers and duties of the Council in setting the annual council Tax. The key requirements under Part IV of the 1972 Act are that:

- Council Tax is set at Full Council – Section 33.
- Council Tax is set at a sufficient level to meet its proposed budget requirements for the ensuing year – Sections 32 and 33.
- The level of Council Tax is set before 11th March to enable circulation of Council Tax bills to enable people to pay on and after 1<sup>st</sup> April- Section 30(6).
- The Chief Finance Officer must report on the robustness of estimates and the proposed adequacy of reserves – Section 25.

10.3 The Government, through Eric Pickles MP (the Minister of Local Government), reiterated in January 2012 that keeping Council Tax low remains a priority for the Government. As such Government has introduced new powers to enable referendums where a council sets its council tax at or greater than 3.5%. To encourage this, the Secretary of State has announced a further one year Council Tax freeze grant. The impact for Wiltshire is set out at Section 7 of this report, and equates to a grant of £5.479 million.

10.4 The assumptions employed in setting the 2011-12 to 2012-15 Financial Plan have been that Council Tax for Wiltshire Council is set as follows:

- 2011-12 0%
- 2012-13 0%
- 2013-14 2.5%
- 2014-15 2.5%

10.5 The proposals within Cabinet's proposals are in line with this for 2012/13. Cabinet has also identified that it wished to challenge future years. At this stage the Financial Plan has not been amended.

10.6 The Council is required to set a Council Tax sufficient to balance the Collection Fund account it maintains. Based on the projections at December Wiltshire Council's share of the net surplus is forecast to be £1.695 million and will be used in funding the 2012/13 budget provision. That results in a funding requirement in 2012/13 from Council tax of £221.270 million.

10.7 The Council has agreed that the Band D tax base of 181,007.02 for 2012/13. Given the calculated draw on the Collection Fund, as identified in section 9.1 of this report, to deliver a balanced budget, after assuming a £1.695 million contribution from the Collection Fund surplus is a net £221.270 million, The Band D Council Tax proposed for 2012/13 is thus frozen and is again £1,222.43 (£221.270 million divided by 181,007.02 tax base). That is unchanged from 2010/110 and across the bandings that equates to the following:

Band A	Band B	Band C	Band D	Band E	Band F	Band G	Band H
£	£	£	£	£	£	£	£
814.95	950.78	1,086.60	1,222.43	1,494.08	1,765.73	2,037.38	2,444.86

10.7 The precept for Wiltshire Police Authority and Wiltshire Fire and Rescue Service are still at this point in time to be proposed for 2012/13. Further details will thus be reported verbally to Cabinet on 15<sup>th</sup> February 2012, and in writing to Council on 28<sup>th</sup> February 2012.

10.8 In Wiltshire there are 253 parishes and Town Councils. Each of these bodies has precepting powers and we are currently awaiting to hear back from all of these bodies. Given the scale of the number of such councils, the detailed affect for each will be set out in an appendix to Council to show the movement for each body on top of that for Wiltshire Council, the Fire and Police authorities.

## 11. Assessment of reserves

11.1 The Authority has had for a number of years a Strategic Risk Register and developed a Risk Framework to identify and monitor risks going forward. This register has continued to be updated during 2011/12, and has formed the platform in preparing the Section 151 Officer's assessment of risk. Appendix 2 of this report summarises the significant financial risks arising from this assessment. The total potential reserves required from this assessment across the next three years to the Council are estimated as follows:

	31 <sup>st</sup> March		
	2013 £ million	2014 £ million	2015 £ million
General Fund Reserve	<b>12</b>	<b>16</b>	<b>16</b>

11.2 The Authority's General Fund estimated reserve at 31 March 2012 based on the forecast outturn, at Section 3 of this report from the current forecast outturn is £11.6 million. This includes the affects of a review of potentially available earmarked reserves, and these are set out in the following paragraphs in more detail.

11.3 As such, based on the assessment at Appendix 2 there is no further call on reserves in 2012/13, nor a requirement to contribute to the reserves. However, Members should note that, as the external environment of both the public sector and Wiltshire itself changes rapidly, so the number of risks being identified and the likelihood of risks occurring is also increasing. This is reflected in the financial risk assessments for later years of the plan which, at this stage, identify potential risks adding up to £16 million in 2013-15, but will be kept under review. There is therefore no need for the Medium Term Financial Plan to provide for increases in the General Fund Reserve from 2012/13 onwards as follows:

	31 <sup>st</sup> March		
	2013 £ million	2014 £ million	2015 £ million
General Fund Reserve	<b>11.6</b>	<b>16</b>	<b>16</b>
Contribution to / (from) reserves	<b>0</b>	<b>4</b>	<b>0</b>

11.4 The "growth" assumption in the General Fund Reserve position will be kept under continual review as part of the budget monitoring process.

11.5 An analysis of the earmarked reserves has also been undertaken and the proposed movements and purpose of each is set out below. This identifies a small net change in the total for 2012/13 in line with the Financial Plan set out last year, and a small increase in 2013 to 2015. This again is provided for in the four year Financial Plan.

Earmarked Revenue Reserves	31 <sup>st</sup> March						Purpose
	2010 £m	2011 £m	2012 £ m	2013 £ m	2014 £ m	2015 £ m	
PFI	2.5	3.0	4.0	3.0	3.0	3.0	To continue the forecast gap in future funding on the existing schools PFI schemes and to fund set up and bid costs for Housing and Adult Care Homes
Other	0.3	0.2	0.2	0.1	0.1	0.1	Includes operating reserve for Libraries and funding of future Workplace Transformation Project management costs
Insurance	4.0	4.3	4.6	4.9	5.2	5.5	To provide for continued increases in costs arising from claims brought against the Council.

11.6 Following this review and proposed transfer from earmarked reserves plus annual contribution from revenue, the level of reserves overall are considered to be sufficient to meet potential risks and demonstrate a prudent level.

## 12 The impact on 2013-15 and future years

12.1 In setting a four year financial plan covering 2011-15 the Council took account of the coalition government's Comprehensive Spending Review announcement in October 2010 that planned a 28% reduction in our central grant funds over that period.

12.2 Subsequent announcements identified that the majority of this reduction was in the first two years. Since then the Government have issued new grants that have reduced the scale of the funding fall. Looking forward another three years there are two key events that we know will impact significantly on Wiltshire Council's funding:

- A new funding formula will be announced in the autumn / winter 2012; and
- There will be a national election by May 2015.

12.3 In relation to the new funding formula the current Secretary of State for Communities and Local Government has announced that the changes will mean no council is worse off. As such at this stage we have made only minor changes to our assumed longer term financial plan (2013-15) other than to amend it for changes noted in this update. In respect of then extending the Plan to cover 2015/16 we have taken the decision not to do until the funding formulae is announced and consider further any impact a national election may have on subsequent years.

### **13 Legal advice**

13.1 The Monitoring Officer considers that the proposals fulfil the statutory requirements set out below with regard to setting the amount of Council Tax for the forthcoming year and to set a balanced budget:-

- S30 (6) Local Government finance Act 1992 (the 1992 Act)  
This section requires that Council Tax must be set before 11 March, in the financial year preceding that for which it is set.
- S32 the 1992 Act  
This section sets out the calculations to be made in determining the budget requirements, including contingencies and financial reserves.
- S33 the 1992 Act  
This section requires the Council to set a balanced budget.
- S25 (1) Local Governance Act 2003 (the 2003 Act)  
The Chief Finance Officer of the Authority must report to it on the following matters:-
  - (a) the robustness of the estimates made for the purposes of the calculations; and
  - (b) the adequacy of the proposed financial reserves.
- S25 (2) the 2003 Act  
When the Council is considering calculations under S32, it must have regard to a report of the Chief finance Officer concerning the robustness of the estimates made for the purposes of the calculations and the adequacy of the proposed financial reserves.

- The Local Authorities (Functions & Responsibilities) (England) Regulations 2000 (as amended)  
These Regulations set out what are to be the respective functions of Council and of the Cabinet. With regard to the setting of the budget and Council Tax for the forthcoming year, Regulations provide that the Leader formulates the plan or strategy (in relation to the control of the Council's borrowing or capital expenditure) and the preparation of estimates of the amounts to be aggregated in making the calculations under S32 of the 1992 Act. However, the adoption of any such plan or strategy/calculations is the responsibility of (full) Council.

13.2 This report meets those requirements.

13.3 The legislation that governs local government is changing significantly and the business plan will be kept under review to see if changes are needed as the changes in legislation are made available and clarified.

#### 14 **HR advice**

14.1 The Service Director for HR & OD has been involved in the process surrounding savings in the service areas and with human resource implications arising from the proposals. This has included consultations with the trade unions in relation to the restructuring of services to deliver savings. Where restructuring of services proposes more than 20 redundancies an HR1 form for each service review has been completed and sent to both the recognised trade unions and the Insolvency Service. Savings from service reviews are realised once consultation on each review is completed. There are processes in place to carry out further consistent consultations arising from other service saving proposals over the next 12 months where there are human resource implications.

14.2 Negotiations with the trade unions to achieve a reduction in staffing costs of £12m over the next 4 years from changes to terms and conditions have so far achieved savings of £8.9m. The shortfall will be found from further savings from staff costs, which may include further redundancies.

#### 15 **Equalities assessment**

15.1 The business plan sets out Wiltshire's approach to stronger and more resilient communities, to our customers and access to services and information. It contains specific investment to support vulnerable adults and children in Wiltshire. The equalities implications of the long term strategies already approved were considered as part of the development of those strategies. For other proposals in the business plan, services have either carried out equalities impact assessments or where appropriate are doing so as part of developing the detailed arrangements for those proposals

## **16 Environmental and climate change considerations**

16.1 The plan and budget have been developed to support stronger and more resilient communities in Wiltshire. The additional investment in Energy Efficiency to help reduce our carbon footprint will be funded from external income.

## **17 Risk Assessment**

17.1 The financial risk assessment that supports the 2012/13 budget is discussed below. Services have considered risk in developing the proposals for investment and savings shown in the financial plan and these will be reflected in their usual risk management arrangements.

17.2 The changes that have been made by the coalition government since May 2010 are significant, and further changes to the public sector are expected over the next few years. During 2012/13, we will need to consider whether further changes are needed to our structures and arrangements once the full details of legislative changes have been disclosed by the government.

17.3 Also, we have only received a two year financial settlement and the business plan may need to change once the settlement for 2013/14 and 2014/15 is known.

## **18 Financial Implications**

18.1 In accordance with Section 25 of the Local Government Act 2003 and CIPFA Code of Practice, this section of the report sets out the Section 151 Officer's assessment of the major areas of risk in the 2011-12 to 2014-15 base budgets / Medium Term Financial Plan, and recommended budget options. It is presented in order to provide Members with assurances about the robustness of assumptions made, and to assist them in discharging their governance and monitoring roles during the forthcoming year.

18.2 Members are required under the 2003 Act to have regard to the Chief Financial Officer's report when making decisions about the budget calculations.

18.3 Section 25 of the Act also covers budget monitoring and this is a procedure which also helps to confirm the robustness of budgets. Current financial performance is taken into account in assessing the possible impact of existing pressures on the new year budgets. It also provides early indications of potential problems in managing the current year budget so that appropriate action may be taken. Members are asked to note therefore that the balanced budget forecast, has been included in our risk based assessment for balances. Budget monitoring is reinforced through close financial support to managers and services. These processes and controls will continue to be built upon for 2012/13, to maintain tight financial control.

18.4 In assessing the assumptions in the setting of the 2012/13 Council Tax I note that the Chief Officers have provided details of their service responsibilities and aims, together with explanations of current pressures and other issues. These narratives were set alongside each Service Director & Head of Service's base budget calculations, so as to put the figures in context and to help inform the formulation of this budget and the Council's proposed Business Plan. My assessment of all this information, following the risk assessment set out, is that the budget calculations are fair and robust, and reserves are adequate to reflect known circumstances.

- Assumptions around the base budget

18.5 2012/13 will be the fourth budget set for the new unitary Wiltshire Council. The economic downturn continues to mean that original assumptions around income growth in areas such as car parking have been amended to reflect the latest known position.

18.6 The financial assumptions are set out in detail in Appendix D to the financial plan 2011-15 update presented by Cabinet. These take account of key factors such as demographic and inflation rates of change.

## **19 Conclusions**

19.1 The Council's business plan, supported by its financial plan 2011/15 and the budget for 2011/12 sets a clear direction for the next four years.

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Date of report: 1<sup>st</sup> February 2012

### **Background Papers:**

The following unpublished documents have been relied on in the preparation of this report:

Various budget working papers in services  
Business & Financial plans 2011-15

### **Appendices**

- 1 – Cabinet's Updated Business & Financial plans 2012-15, which includes budget proposals for 2012/13
- 2 – General Fund Reserves assessment

**Appendix 1**

**Cabinet proposed update to the 2011-15 Business and Financial Plan  
(enclosed separately)**

<http://www.wiltshire.gov.uk/budgetsandspending.htm>

## General Fund Reserve Risk Assessment

No.	Year	Risk Event	Low = 0% - 25%	Risk %	Potential Net Financial Impact £000	Reserve Requirement			
			Medium = 26% - 50%			High = 51% - 100%	2011- 12 £000	2012- 13 £000	2013- 14 £000
1	2011-12	Potential use of reserves in previous year based on this risk assessment	Low	0%	-	-			
	2012-13		Medium	26%	1,000		260		
	2013-14		Medium	26%	11,705			3,043	
	2014-15		Medium	26%	15,645				4,068
2	2011-12	The future years funding settlement is even worse than anticipated	Low	0%	-	-			
	2012-13		Low	0%	-		-		
	2013-14		High	60%	5,000			3,000	
	2014-15		High	60%	5,000				3,000

No.	Year	Risk Event	Low = 0% - 25%	Risk %	Potential Net Financial Impact £000	Reserve Requirement			
			Medium = 26% - 50%			High = 51% - 100%	2011-12 £000	2012-13 £000	2013-14 £000
3	2011-12	System thinking transformational savings not delivered	Low	10%	500	50			
	2012-13		Medium	26%	10,400		2,700		
	2013-14		Medium	40%	4,000			1,600	
	2014-15		Medium	30%	-				-
3	2011-12	Procurement savings not delivered	Low	15%	6,400	960			
	2012-13		Low	10%	4,757		475		
	2013-14		Medium	26%	14,000			3,640	
	2014-15		Medium	26%	800				208

No.	Year	Risk Event	Low = 0% - 25%	Risk %	Potential Net Financial Impact £000	Reserve Requirement			
			Medium = 26% - 50%			High = 51% - 100%	2011-12 £000	2012-13 £000	2013-14 £000
4	2011-12	Above inflationary increases in non-pay and utilities greater than already provided for in the medium term plan	Low	10%	1,000	100			
	2012-13		Medium	30%	2,000		600		
	2013-14		Medium	30%	1,000			300	
	2014-15		Medium	30%	1,000				300
5	2011-12	Increase in pay costs above pay settlement / assumptions	Low	10%	1,600	160			
	2012-13		Low	5%	1,600		80		
	2013-14		Medium	30%	1,600			480	
	2014-15		Medium	30%	1,600				480

No.	Year	Risk Event	Low = 0% - 25%	Risk %	Potential Net Financial Impact £000	Reserve Requirement			
			Medium = 26% - 50%			High = 51% - 100%	2011-12 £000	2012-13 £000	2013-14 £000
6	2011-12	Social care costs increase due to greater than forecast demand or complexity	Low	25%	2,000	500			
	2012-13		Medium	40%	2,000		800		
	2013-14		Medium	40%	2,000			800	
	2014-15		Medium	50%	2,000				1,000
7	2011-12	Harmonisation costs insufficient / fund harmonisation team	Medium	30%	2,000	600			
	2012-13		Low	10%	1,000		100		
	2013-14		Low	10%	2,000			200	
	2014-15		Low	10%	2,000				200

No.	Year	Risk Event	Low = 0% - 25%	Risk %	Potential Net Financial Impact £000	Reserve Requirement			
			Medium = 26% - 50%			High = 51% - 100%	2011-12 £000	2012-13 £000	2013-14 £000
8	2011-12	Service savings not delivered	Medium	26%	14,757	3,837			
	2012-13		Medium	30%	11,723		3,500		
	2013-14		Low	10%	-			-	
	2014-15		Low	10%	-				-
9	2011-12	Partnership liability gives rise to grant clawback guarantees	Low	5%	1,000	50			
	2012-13		Low	10%	1,000		100		
	2013-14		Low	10%	1,000			100	
	2014-15		Low	5%	1,000				50

No.	Year	Risk Event	Low = 0% - 25%	Risk %	Potential Net Financial Impact £000	Reserve Requirement			
			Medium = 26% - 50%			High = 51% - 100%	2011-12 £000	2012-13 £000	2013-14 £000
10	2011-12	Insurance liability/claims premiums /level of deductibles rise above provision	Medium	26%	500	130			
	2012-13		Medium	30%	2,000		600		
	2013-14		Medium	30%	500			150	
	2014-15		Medium	30%	500				150
11	2011-12	The level of funds within the self insurance fund is unable to cover a catastrophic incident affecting our buildings, including schools.	Medium	30%	2,500	750			
	2012-13		Medium	30%	2,500		750		
	2013-14		Medium	30%	2,500			750	
	2014-15		Low	15%	2,500				375

No.	Year	Risk Event	Low = 0% - 25%	Risk %	Potential Net Financial Impact £000	Reserve Requirement			
			Medium = 26% - 50%			High = 51% - 100%	2011-12 £000	2012-13 £000	2013-14 £000
12	2011-12	H & S breaches resulting in legal action. New legislation means increased monitoring and requirements. A new reporting system will help identify trends.	Low	10%	200	20			
	2012-13		Low	10%	200		20		
	2013-14		Low	10%	200			20	
	2014-15		Low	10%	200				20
13	2011-12	Employment tribunal action	Medium	30%	1,000	300			
	2012-13		Medium	30%	1,000		300		
	2013-14		low – 20%	15%	1,000			150	
	2014-15		low – 20%	15%	1,000				150

No.	Year	Risk Event	Low = 0% - 25%	Risk %	Potential Net Financial Impact £000	Reserve Requirement			
			Medium = 26% - 50%			2011-12 £000	2012-13 £000	2013-14 £000	2014-15 £000
			High = 51% - 100%						
14	2011-12	Levies from partner organisations could exceed increases in matched funding	Low	10%	400	40			
	2012-13		Low	10%	450		45		
	2013-14		Low	10%	500			50	
	2014-15		Low	10%	550				55
15	2011-12	MTFP provides for additional revenue funding to meet additional costs arising from capital investment but costs may be understated	Low	2%	1,500	23			
	2012-13		Low	15%	1,500		225		
	2013-14		Medium	30%	3,000			900	
	2014-15		Medium	30%	5,000				1,500

No.	Year	Risk Event	Low = 0% - 25% Medium = 26% - 50% High = 51% - 100%	Risk %	Potential Net Financial Impact £000	Reserve Requirement			
						2011-12 £000	2012-13 £000	2013-14 £000	2014-15 £000
16	2011-12	Major fraud	Low	5%	100	5			
	2012-13		Low	5%	100		5		
	2013-14		Low	5%	100			5	
	2014-15		Low	5%	100				5
17	2011-12	LG Pension Scheme – employer contribution increase above budget	Low	0%	2,000	-			
	2012-13		Low	0%	2,000		-		
	2013-14		Low	0%	2,000			-	
	2014-15		Medium	50%	8,000				4,000

No.	Year	Risk Event	Low = 0% - 25%	Risk %	Potential Net Financial Impact £000	Reserve Requirement			
			Medium = 26% - 50%			High = 51% - 100%	2011-12 £000	2012-13 £000	2013-14 £000
18	2011-12	Failure to collect debt beyond provision	Low	10%	1,000	100			
	2012-13		Low	10%	1,000		100		
	2013-14		Low	10%	1,000			100	
	2014-15		Low	10%	1,000				100
19	2011-12	Adverse winter increases call on operational costs	Medium	30%	2,000	600			
	2012-13		Medium	30%	2,000		600		
	2013-14		Low	15%	2,000			300	
	2014-15		Medium	30%	2,000				600

No.	Year	Risk Event	Low = 0% - 25%	Risk %	Potential Net Financial Impact £000	Reserve Requirement							
			Medium = 26% - 50%			High = 51% - 100%	2011-12 £000	2012-13 £000	2013-14 £000	2014-15 £000			
20	2011-12	Unforeseen events / contingency	Low	10%	2,000	200							
	2012-13		Low	10%						2,000	200		
	2013-14		Medium	50%						3,000			1,500
	2014-15		High	75%						4,000			
21	2011-12	Fluctuation in borrowing costs/interest receipts.	Low	10%	-1,000	-100							
	2012-13		Medium	50%	-1,000	-500							
	2013-14		Medium	50%	-1,000					-500			
	2014-15		Medium	50%	-1,000						-500		

No.	Year	Risk Event	Low = 0% - 25%	Risk %	Potential Net Financial Impact £000	Reserve Requirement			
			Medium = 26% - 50%			High = 51% - 100%	2011-12 £000	2012-13 £000	2013-14 £000
22	2011-12	The Council is unsuccessful in securing PFI credits for housing Phase 2 and funds from prudential borrowing.	Low	50%	1,000	500			
	2012-13		Low	20%	2,000		400		
	2013-14		Low	20%	4,000			800	
	2014-15		Low	20%	5,000				1,000
23	2011-12	Waste recycling performance does not improve resulting in Landfill Allowance Tax liabilities above budget	Low	15%	1,000	150			
	2012-13		Low	10%	1,000		100		
	2013-14		Low	5%	2,000			100	
	2014-15		Low	5%	2,000				100

No.	Year	Risk Event	Low = 0% - 25% Medium = 26% - 50% High = 51% - 100%	Risk %	Potential Net Financial Impact £000	Reserve Requirement			
						2011-12 £000	2012-13 £000	2013-14 £000	2014-15 £000
24	2011-12	Equal Pay claims required to settle around 'unlawful' protection payments.	Low	10%	-	0			
	2012-13		Low	10%	1,000		100		
	2013-14		Low	10%	12,000			1,200	
	2014-15		Low	10%	5,000				500
		<b>TOTALS</b>				<b>8,974</b>	<b>11,560</b>	<b>15,645</b>	<b>16,293</b>