

Report to the Audit & Governance Committee



Epping Forest
District Council

Date of meeting: 15th February 2024

Portfolio: Finance & Economic Development

Subject: Treasury Management Quarter 3 Update 2023/24

Responsible Officer: Andrew Small (01992 564278)

Democratic Services: Laura Kirman (01992 564243)

Recommendations/Decisions Required:

- (1) To note the Treasury Management Quarter 3 Update 2023/24 (**Appendix A**) and pass comment for full Council.

Executive Summary:

The Council's Treasury Management Strategy (including Investment Strategy) for 2023/24 was considered at a meeting of the Audit and Governance Committee on 13th February 2023 and was subsequently agreed by full Council on 28th February 2023.

In accordance with CIPFA's *Treasury Management in the Public Services: Code of Practice* (the CIPFA Code 2021 Edition) and generally accepted good practice, the Treasury Management Quarter 3 Update for 2023/24 (presented in **Appendix A**) sets out the Council's actual Treasury Management activity for the first nine months (Quarter 3) of 2023/24 (i.e., April to December 2023).

Appendix A begins by setting the external context for Quarter 3 of 2023/24 by exploring the Economic Background, Financial Markets and Credit Ratings, including a further rise in UK interest rates, reflecting the Bank of England's response to stubborn inflation in the economy.

The Borrowing and Investment position for Epping Forest District Council as at 31st December 2023 shows the following:

- *Borrowing* – external borrowing increased by £11.9 million (from £281.6 million to £293.5 million) during the period April to December 2023; and
- *Investments* – there was a significant increase in investments of £79.3 million (from £14.1 million to £93.4 million) during the same period.

The definition of investments in CIPFA's Treasury Management Code covers all the financial assets of the Council as well as other non-financial assets which the Council holds primarily for financial return. Investments that do not meet the definition of treasury management investments (i.e., management of surplus cash) are categorised as either for service purposes (made explicitly to further service objectives) and or for commercial purposes (made primarily for financial return).

Investment Guidance issued by the Department for Levelling Up Housing and Communities (DLUHC) also includes within the definition of investments all such assets held partially or wholly for financial return.

The report therefore also considers the Service and Commercial Investments held by the Council. This includes:

- Qualis and Home Assistance service loans (combined value of £54.259 million as at 31st December 2023)
- Commercial Property (Balance Sheet value of £148.483 million as at 31st March 2023); and a
- Qualis Investment Loan (value of £30.0 million as at 31st December 2023).

Appendix A concludes by considering compliance with CIPFA's Treasury Management Code and the Treasury Management Strategy for 2023/24, including Prudential and Other adopted indicators. Compliance with reportable indicators was achieved in all areas in Quarter 3, with available cash at the end of December 2023 well above normal levels following a capital receipt that was received as a consequence of a land disposal at North Weald Airfield.

Reasons for Proposed Decision:

To enable the robust scrutiny the Council's Treasury Management performance in 2023/24 in compliance with CIPFA's Treasury Management in the Public Services: Code of Practice (the CIPFA Code 2021 Edition) and generally accepted good practice.

Legal and Governance Implications:

The Local Government Act 2003 created a framework for the financing of capital investments in local authorities which came into operation from April 2004. Alongside this, the Prudential Code was developed by CIPFA as a professional Code of Practice to support local authority decision making in capital investment and financing. Local authorities are required by regulation to have regard to the Prudential Code.

Safer, Cleaner and Greener (SCG) Implications:

None.

Background Papers:

Treasury Management in the Public Services: Code of Practice (2021 Edition) published by CIPFA December 2021.

(MHCLG) Statutory Guidance on Local Government Investments (3rd Edition). Issued under section 15(1)(a) of the Local Government Act 2003 and effective for financial years commencing on or after 1st April 2018.

Arlingclose Technical Update (revised Prudential and Treasury Management Codes) issued 22nd December 2021.

Treasury Management Strategy (including Investment Strategy) 2023/24 (Audit and Governance Committee, 13th February 2023).

Risk Management:

There are a range of inherent financial risks associated with Treasury Management activity; not least the potential for loss of interest and/or deposits. The Council therefore engages the services of external Treasury Management advisors, Arlingclose Ltd.

Borrowing and Investment decisions are made in accordance with the Council's formally adopted Treasury Management Strategy (including Investment Strategy). The Strategy includes several Risk Management features, including – for example – the overriding priority that security of deposit takes precedence over return on investment.

Treasury Management Quarter 3 Update 2023/24

Introduction

The Council has previously adopted CIPFA's *Treasury Management in the Public Services: Code of Practice* (the CIPFA Code) which requires the Council to approve Treasury Management semi-annual ("mid-year updates") and annual reports.

This quarterly report provides an additional update and includes the new requirement in the 2021 Code, mandatory from 1st April 2023, of quarterly reporting of the Treasury Management Prudential Indicators. The Non-Treasury Prudential Indicators are incorporated within the Council's routine quarterly (revenue and capital monitoring) report.

The Council's Treasury Management Strategy (including Investment Strategy) was considered at a meeting of the Audit and Governance Committee on 13th February 2023 and was subsequently agreed by full Council on 28th February 2023. The Council has borrowed and invested substantial sums of money and is therefore exposed to financial risks including the loss of invested funds and the revenue effect of changing interest rates. The successful identification, monitoring and control of risk remains central to the Council's Treasury Management Strategy.

External Context: April to December 2023

Economic Background: UK inflation rates have finally started to decline, mirroring the sharp but earlier drop seen in the Eurozone and US. Despite the fall, the Consumer Price Index (CPI) remained substantially in excess in the Bank of England's (BoE) 2.0% target, at 3.9% for November 2023. Market expectations for further rises in the Bank Rate fell from October through to the end of December, indicating that the 5.25% level reached in August 2023 was the peak Bank Rate.

Economic growth in the UK remained weak over the period, edging into recessionary territory. From July to September 2023, the economy contracted by 0.1%, following no change in the previous quarter. Monthly GDP data showed a 0.3% contraction in October 2023, following a 0.2% rise in September 2023. While other indicators have suggested a pickup in activity in subsequent months, October to December 2023 is likely to continue the weak trend.

The BoE's Monetary Policy Committee held the Bank Rate at 5.25% throughout the period. The lagged effect of monetary policy together with staggered fixed-term mortgage maturities over the next 12-24 months means the full impact from Bank Rate rises are still yet to be felt by households. As such, while consumer confidence continued to improve over the period, it is the view of Arlingclose that is likely to reverse at some point and spending will struggle.

Financial Markets: Market sentiment and Bond yields remained volatile, but the latter rapidly trended downwards towards the end of 2023 upon signs of sharply declining inflation and economic growth.

Gilt yields fell towards the end of the period. The 10-year UK Benchmark Gilt yield rose from 4.57% to peak at 4.67% in October 2023 before dropping to 3.54% by the end of December 2023. The Sterling Overnight Rate (SONIA) averaged 5.19% over the period.

Credit Review: Arlingclose maintained the advised maximum duration limit for all banks on its recommended Counterparty List to 35 days over the period.

Following the issue of a Section 114 notice, in November 2023, Arlingclose advised against undertaking new lending to Nottingham City Council. After reducing its recommended duration on Warrington Borough Council to a maximum of 100 days in September 2023, the local authority was subsequently suspended from the Arlingclose recommended list following a credit rating downgrade by Moody's.

Heightened market volatility is expected to remain a feature, at least in the near term and the institutions and durations on the Council's Counterparty List recommended by Arlingclose remains under constant review.

Local Context

On 31st March 2023, the Council had net borrowing of £267.5 million arising from its revenue and capital income and expenditure. The underlying need to borrow for capital purposes is measured by the Capital Financing Requirement (CFR), while usable reserves and working capital are the underlying resources available for investment. These factors are summarised in Table 1 below.

Table 1: Balance Sheet Summary

	31/03/23 Actual £m	31/03/24 Forecast £m
General Fund CFR	159.088	200.942
HRA CFR	154.475	161.919
Total CFR	313.563	362.861
Less: Other Debt liabilities	0	0
Borrowing CFR	313.563	362.861
Less: External borrowing	(282.681)	(270.821)
Internal borrowing:	30.882	92.040
Less: Balance Sheet resources	(43.678)	(143.940)
Net Investments	(12.796)	(51.900)

The Treasury Management position as at 31st December 2023 and the change during the first nine months of the financial year is shown in Table 2 below.

Table 2: Treasury Management Summary

	31/03/23 Balance £m	Movement £m	31/12/23 Balance £m	31/12/23 Rate %
Long-term Borrowing	248.6	6.1	254.7	3.3%
Short-term Borrowing	33.0	5.8	38.8	5.5%
Total Borrowing	281.6	11.9	293.5	
Long-Term Investments	0	0	0	N/A
Short-term Investments	0*	5	5	5.1%
Cash and Cash Equivalents	14.1	74.3	88.4	5.1%
Total Investments	14.1	79.3	93.4	
Net Borrowing	267.5	(67.4)	200.1	

*DMADF deposits reclassified from Short-Term to Cash & Cash Equivalents

The Council has experienced relatively unusual cash flows towards the end of the April to December 2023 period. Borrowing increased steadily as planned, but there was a sharp increase in the balance held on Investments, which was not anticipated in the Treasury Management Strategy for 2023/24 (adopted in February 2023).

- **Borrowing** – the further rollout of Development Loans to Qualis necessitated further long-term PWLB borrowing in the early part of the financial year, although there was a (deliberate) temporary shift towards short-term borrowing from Local Authorities pending the anticipated arrival of the North Weald capital receipt (see below) as the period progressed; and
- **Investments** – there was a sharp upswing in Investment balances in December 2023, following the sale of land at North Weald Airfield, which triggered a capital receipt of £88.215 million. Based on Arlingclose advice, the proceeds were temporarily placed into the Government's Debt Management Account Deposit Facility (DMDAF) and Money Market Funds (MMFs) in accordance with the Council's adopted Investment Strategy.

Borrowing Update

Local authorities can borrow from the PWLB provided they can confirm they are not planning to purchase 'investment assets primarily for yield' in the current or next two financial years, with confirmation of the purpose of capital expenditure from the Section 151 Officer. Authorities that are purchasing or intending to purchase investment assets primarily for yield will not be able to access the PWLB except to refinance existing loans or externalise internal borrowing.

Acceptable use of PWLB borrowing includes Service Delivery, Housing, Regeneration, Preventative Action, Refinancing and Treasury Management.

The Council is not planning to purchase any investment assets primarily for yield within the next three years and so is able fully access the PWLB.

Borrowing Strategy

At 31st December 2023, the Council held £293.5 million in loans (an increase of £11.9 million compared to the position as at 31st March 2023), as part of its strategy for funding the Capital Programme. Outstanding loans on 31st December 2023 are summarised in Table 3 below.

Table 3: Borrowing Position

	31/03/23 Balance £m	Net Movement £m	31/12/23 Balance £m	31/12/23 Weighted Average Rate %	31/12/23 Weighted Average Maturity (Years/Days)
Public Works Loan Board	261.6	(1.9)	259.7	3.34%	13.2 Years
Banks	0	0	0	N/A	N/A
Local authorities (long-term)	0	0	0	N/A	N/A
Local authorities (short-term)	20.0	13.8	33.8	5.50%	26 Days
Total Borrowing	281.6	11.9	293.5		

The chief objective when borrowing has been to strike an appropriately low risk balance between securing low interest costs and achieving cost certainty over the period for which funds are required, with flexibility to renegotiate loans should the Council's long-term plans change being a secondary objective. The Council's borrowing strategy continues to address the key issue of affordability without compromising the longer-term stability of the debt portfolio.

As indicated above, further long-term PWLB borrowing has been undertaken in the early part of the financial year (especially to finance on-lending to Qualis), although there has been a subsequent temporary shift towards short-term borrowing from Local Authorities pending the anticipated arrival of the North Weald capital receipt. A proportion of the cash available from the capital receipt is being used to redeem short-term loans as they mature in Quarter 4.

Other Debt Activity

The Council did not raise any other capital finance in the first nine months of 2023/24.

Treasury Investment Activity

The Council holds invested funds, representing income received in advance of expenditure plus balances and reserves held, and money borrowed in advance of need. During the first nine months of 2023/24, as is normal, the Council's investment balances varied due to timing differences between income and expenditure. The Council held £93.4 million in Treasury Investments as at 31st December 2023 as shown in Table 4 below.

Table 4: Treasury Investment Position

	31/03/23 Balance £m	Net Movement £m	31/12/23 Balance £m	30/12/23 Income Return %	31/12/23 Weighted Average Maturity Days
Banks & Building Societies (unsecured)	1.1	1.3	2.4	3.25%	Instant Access
Government (incl. local authorities)	3.0	63.5	66.5	5.23%	23 days
Money Market Funds (MMF)	10.0	14.5	24.5	5.23%	Instant Access
Total Investments	14.1	79.3	93.4		

Both the CIPFA Code and Government guidance requires local authorities to invest funds prudently, and to have regard to the security and liquidity of its treasury investments before seeking the optimum rate of return, or yield. The Council's objective when investing money is to strike an appropriate balance between risk and return, minimising the risk of incurring losses from defaults and the risk of receiving unsuitably low investment income.

The table above illustrates the impact of the £88.215 million North Weald Airfield capital receipt received in December 2023 on the money held in Government Investments (including local authorities) and MMF deposits.

The rates on "Debt Management Account Deposit Facility" (DMADF) deposits reduced to 5.20% by the end of December 2023, as well as Money Market rates (typically in the range 5.19% to 5.24%).

Non-Treasury Investments

The definition of investments in CIPFA's Treasury Management Code covers all the financial assets of the Council as well as other non-financial assets which the Council holds primarily for financial return. Investments that do not meet the definition of treasury management investments (i.e., management of surplus cash) are categorised as either for service purposes (made explicitly to further service objectives) and or for commercial purposes (made primarily for financial return).

Investment Guidance issued by the Department for Levelling Up Housing and Communities (DLUHC) also includes within the definition of investments all such assets held partially or wholly for financial return.

The Council holds a range of both Service and Commercial investments. As at 31st December 2023, active investments included the following:

- *Service Investments*
 - Loans to Subsidiaries (Qualis)
 - Home Assistance Loans
- *Commercial Investments*
 - Commercial Property
 - Loans to Subsidiaries (Qualis).

Service Investments

The total value of Service Investments as at 31st December 2023 was £54.259 million and is summarised in Table 5 below.

Table 5: Service Investments

Description	31/03/23 Balance Owing*	Movement (Q1 to Q3 23/24)	31/12/23 Balance Owing*	Total Approved Limit
	£000's	£000's	£000's	£000's
<i>Subsidiaries (Qualis):</i>				
Working Capital Loan	6,000	0	6,000	6,000
Asset Purchase Loan	14,138	(369)	13,769	16,782
Development Loans	18,333	15,795	34,128	68,218
Regeneration Loans	0	0	0	35,000
Home Assistance Loans (General Fund)	387	(25)	362	150**
Total Value	38,858	15,401	54,259	126,150

* Loss Allowances excluded (calculated annually for Balance Sheet purposes only)

** Capital Programme allocation 2023/24 to 2027/28 (£30,000 annually over five-years).

An additional £16.250 million in Developments Loans have been granted to Qualis in the first nine months of the financial year, which is enabling the continued development of Cottis Lane Multi-Story Car Park and the former Conder site (for Housing). The balance on the Working Capital Loan has remained stable, reflecting the nature of the “revolving credit facility.”

Commercial Investments

The Council also holds significant Commercial Property Investments on its Balance Sheet comprising a diverse portfolio of Shops, Industrial Units, and a range of other property assets. In addition, the Council holds a Commercial Loan with its wholly owned subsidiary, Qualis.

The value and return from the Commercial Property portfolio in Quarter 3 is summarised in Table 6 below.

Table 6: Commercial Property Investments

Category	31/03/23 Balance Sheet Value	Net Income 2023/24 (9 months April – Dec 2023) *** Actual	Net Income 2022/23 (9 months April – Dec 2022) *** (75% Actual)
	£Ms	£Ms	£Ms
	Shops*	93.479	4.554
Industrial Units	38.114	1.033	1.270
Other**	16.890	0.819	1.010
Total Value/Net Income	148.483	6.406	6.580

** Includes Public Houses and a Petrol Station **Includes North Weald Airfield and Sports Facilities*

The Council received total net income of £6.406 million from Commercial Property Investments in the first nine months of 2023/24 (compared to £6.580 million for the corresponding period in 2022/23).

Whilst robust returns have been achieved from Shops in particular so far in 2023/24, there has been a reduction in rental income from Industrial Units, driven by four properties that have been demolished for redevelopment and a further four vacant units.

Rent reviews, combined with inducements such as rent-free periods (temporarily restraining rent receipts in the first six months of the year), means that rental levels on Shops are expected to continue to grow during the latter half of the financial year.

The Committee should note that the numbers reflect the accrued position currently in the Council's books, which does not take account of the collectability of income. The Commercial Property portfolio proved very resilient during the pandemic, but an increase in write-offs cannot be ruled out in the future given the current economic climate.

The Commercial Loan with Qualis had an outstanding balance of £30.0 million as at 31st December 2023 and is presented in Table 7 below.

Table 7: Commercial Loans

Description	Balance Owing 31/03/23	Movement	Balance Owing 31/12/23	Approved Limit
	£000's	£000's	£000's	£000's
Qualis Investment Loan	30,000	0*	30,000	30,000

** 10-Year Maturity Loan (principal repayable upon maturity in September 2030)*

Members should note that, in accordance with the Council's MRP Policy and the prevailing accounting rules at the point at which the Commercial Loan to Qualis was granted (in September 2020), MRP is not provided on this loan. However, the Council has purposely protected its position in the form of a "floating charge" on the underlying commercial assets that were purchased (by Qualis) with the proceeds from the loan.

Compliance

The Strategic Director and Section 151 Officer reports that Treasury Management activities undertaken during the first three months of the year fully complied with the CIPFA Code of Practice.

Compliance with the approved Treasury Management Strategy has been achieved in almost all areas, although available cash has dropped slightly below target levels recently as further borrowing has been minimised in the light of higher interest rates.

Table 8: Investment Limits

Sector	Time limit	Counterparty limit	Sector limit	31/12/23	Complied? (Yes/No)
The UK Government	50 years	Unlimited	N/A	£61.5 million	Yes
Local authorities & other Government entities	25 years	£10 million	Unlimited	£5.0	Yes
Banks (unsecured)*	13 months	£4.0 million	£20.0 million	£2.4 million	Yes
Building Societies* (unsecured)	13 months	£2.0 million	£2.0 million	£0	Yes
Registered Providers* (unsecured)	5 years	£3.0 million	£3.0 million	£0	Yes
Money Market Funds*	N/A	£10.0 million	Maximum of 3 Funds (£10 million each)	£24.5 million (3 MMFs)	Yes

*** Minimum Credit Rating**

Treasury investments in the sectors marked with an asterisk will only be made with entities whose lowest published long-term credit rating is no lower than A-. Where available, the credit rating relevant to the specific investment or class of investment is used, otherwise the counterparty credit rating is used. However, investment decisions are never made solely based on credit ratings, and all other relevant factors including external advice will be taken account of.

Table 9: Debt and the Authorised Limit and Operational Boundary

Description	Q3 2023/24 Maximum	31/12/23 Actual	Operational Boundary 2023/24	Authorised Limit 2023/24	Complied? (Yes/No)
	£000's	£000's	£000's	£000's	£000's
Borrowing	297,598	293,444	443,184	453,184	Yes
PFI & Finance Leases	0	0	0	0	Yes
Total Debt	297,598	293,444	443,184	453,184	Yes

Treasury Management Prudential Indicators

As required by the 2021 CIPFA Treasury Management Code, the Council monitors and measures the following Treasury Management Prudential Indicators.

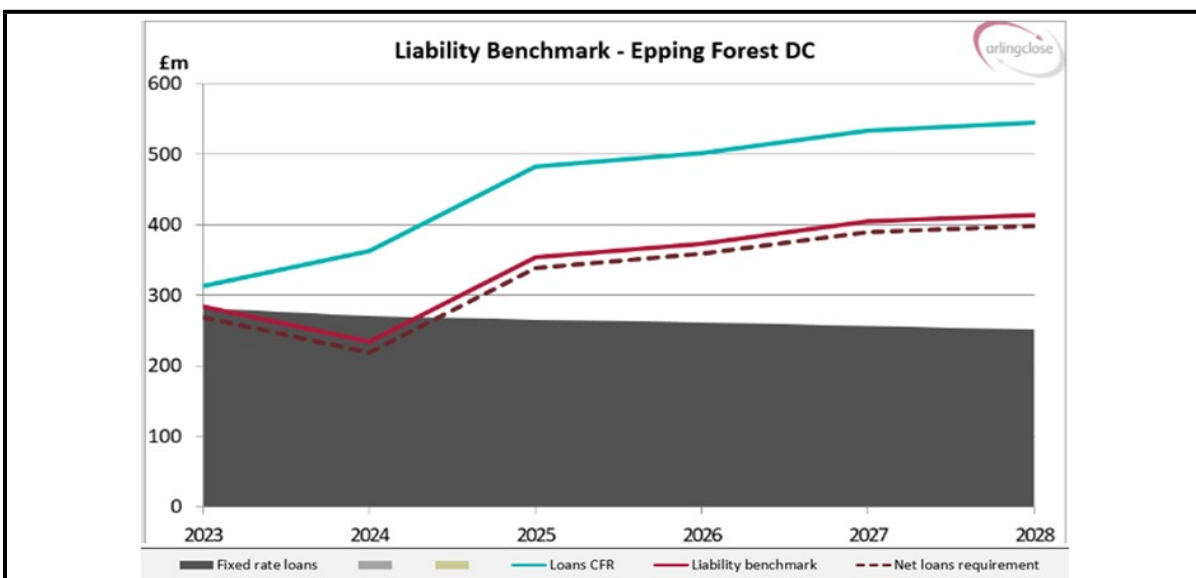
Liability Benchmark

This new indicator compares the Council's actual existing borrowing against a Liability Benchmark that has been calculated to show the lowest risk level of borrowing. The Liability Benchmark is an important tool to help establish whether the Council is likely to be a long-term Borrower or long-term Investor in the future, and so shape its strategic focus and decision making. It represents an estimate of the cumulative amount of external Borrowing the Council must hold to fund its current capital and revenue plans while keeping Treasury Investments at the minimum level of £15.0 million required to manage day-to-day cash flow.

Description	31/03/23	31/03/24	31/03/25	31/03/26
	Actual £M's	Forecast £M's	Forecast £M's	Forecast £M's
Loans CFR	313.6	362.9	482.1	502.0
Less: Balance Sheet resources	(43.7)	(143.4)	(143.4)	(143.4)
Net loans requirement	269.9	219.5	338.7	358.6
Plus: Liquidity Allowance	15.0	15.0	15.0	15.0
Liability Benchmark	284.9	234.5	353.7	373.6
Existing Borrowing	281.6	270.8	266.2	261.5

Following on from the medium-term forecast above, the long-term (30-year) Liability Benchmark below assumes:

- Minimum Revenue Provision (MRP) on new capital expenditure based on an average asset life of 29 years (covering a range of 7 to 50 years); and
- Income, expenditure, and reserves all increasing by inflation of 2.5% per annum.



Maturity Structure of Borrowing

This indicator is set to control exposure to refinancing risk. The upper and lower limits on the maturity structure of all borrowing were:

Refinancing Rate Risk Indicator	Upper Limit	Lower Limit	31/12/23 Actual	Complied?
Under 12 months	50%	0%	13%	Yes
12 months and within 24 months	50%	0%	3%	Yes
24 months and within 5 years	50%	0%	4%	Yes
5 years and within 10 years	50%	0%	18%	Yes
10 years and within 15 years	50%	0%	14%	Yes
15 years and within 20 years	50%	0%	44%	Yes
20 years and within 25 years	50%	0%	2%	Yes
25 years and above	50%	0%	2%	Yes

It should be noted that – based on Arlingclose advice – the proposed limits presented above are deliberately wide in range. This is because the indicator is only designed to cover the risk of replacement loans being unavailable, rather than interest rate risk.

Time periods start on the first day of each financial year. The maturity date of borrowing is the earliest date on which the lender can demand repayment.

Long-Term Treasury Management Investments

The purpose of this indicator is to control the Council's exposure to the risk of incurring losses by seeking early repayment of its investments. The limits on the long-term principal sum invested to final maturities beyond the period end were:

	2023/24 (April – Dec)
Actual principal invested beyond year end.	£0
Limit on principal invested beyond year end.	£15.0 million
Complied?	Yes

Additional Indicators

Security

The Council has adopted a voluntary measure of its exposure to credit risk by monitoring the value-weighted average of its investment portfolio. This is calculated by applying a score to each investment (AAA=1, AA+=2, etc.) and taking the arithmetic average, weighted by the size of each investment. Unrated investments are assigned a score based on their perceived risk.

	31/12/23 Actual	2023/24 Target	Complied?
Portfolio average credit rating	AA	A-	Yes

Liquidity

The Council has adopted a voluntary measure of its exposure to liquidity risk by monitoring the amount of cash available to meet unexpected payments within a rolling three-month period, without additional borrowing.

	31/12/23 Actual	2023/24 Target	Complied?
Total cash available within 3 months	£54.2 million	£15.0 million	Yes

Available cash has increased significantly as a consequence of the North Weald Airfield capital receipt which was received by the Council in December 2023. The operational cash flow needs of the Council have continued to be met without recourse to the use of an overdraft facility throughout the period April to December 2023.

Interest Rate Exposure

The Treasury Management Strategy for 2023/24, considered by the Committee and adopted by the Council in February, included an Interest Rate Exposure Indicator, aimed at controlling the Council's exposure to interest rate risk (setting upper limits on the one-year revenue impact of a 1% rise or fall in interests). The indicator is not a requirement of the Treasury Management Code, although it is a reporting requirement within the Council's Statement of Accounts and is good practice recommended by Arlingclose.

	31/12/23 Actual	2023/24 Limit	Complied?
Upper limit on one-year revenue impact of a 1% rise in interest rates	(133,149)	£96,000	Yes
Upper limit on one-year revenue impact of a 1% fall in interest rates	133,149	(96,000)	Yes