

**Report to: Audit and Governance
Committee**



Report reference: AGC-020-2013/14
Date of meeting: 28 November 2013

**Epping Forest
District Council**

Portfolio: Finance & Technology

Subject: Mid-Year Report on Treasury Management and Prudential Indicators 2013/14

Responsible Officer: Simon Alford (01992 564455).

Democratic Services Officer: Gary Woodhall (01992 564470).

Recommendations/Decisions Required:

- (1) To note how the risks associated with Treasury Management have been dealt with in the first half of 2013/2014; and**
- (2) To make any comments or suggestions that Members feel necessary to the Finance and Performance Management Cabinet Committee.**

Executive Summary:

The mid-year treasury report is a requirement of the CIPFA Code of Practice on Treasury Management. It covers the treasury activity for the first half of the financial year 2013/14.

During the first half of the year: the Council has continued to finance all capital expenditure from within internal resources; the average net investment position has been approximately £57.5m; and there have been no breaches on any of the prudential indicators.

Reasons for Proposed Decision:

To inform the Committee about the risks associated with Treasury Management and how the Council has sought to manage these risks.

To comply with the Committee's role and responsibilities, which include to be responsible for the scrutiny of the Council's Treasury Management Strategy, including consideration of mid financial year and outturn reports.

Other Options for Action:

Members could ask for additional information about the CIPFA Codes or the Prudential Indicators.

Report:

Introduction

1. The Council's treasury activities are strictly regulated by statutory requirements and a

professional code of practice (the CIPFA Code of Practice on Treasury Management), which includes the requirement for determining a treasury strategy on the likely financing and investment activity for the current year. The updated code in November 2009 also recommended that Members are informed of Treasury Management activities at least twice a year. This report therefore ensures this authority is embracing Best Practice in accordance with CIPFA's recommendations.

2. The report attached at appendix 1 shows the mid-year position of the treasury function in accordance with the revised CIPFA Treasury Management Code and the revised Prudential Code.

Capital Activity for the Year and How it was Financed

3. The Council undertakes capital expenditure on long-term assets. These activities may either be financed immediately through capital receipts, grants etc; or through borrowing.

4. The Council does not plan to borrow in order to carry out its capital investment. The original estimate, along with the spend to month 6 (30 September 2013) is shown below in the table:

Financial Year 2013/14			
Capital Expenditure	Estimated £m	to month 6 £m	Revised £m
Non-HRA capital expenditure	4.293	0.153	4.732
HRA capital expenditure	13.918	4.028	12.888
Total Capital expenditure	18.211	4.181	17.620
Financed by:			
Capital grants	0.987		1.597
Capital receipts	4.315		3.518
Revenue	12.909		12.505
Total resources Applied	18.211		17.620

5. The Committee requested a comparison of previous years Capital Expenditure with each years Revised Capital Estimates. This is to be found at Appendix 1, Table L of the attached Outturn report. Considering the first three lines, that is to say the Capital Expenditure, from 2008/09 to 2011/12 the actual spend is always slightly below estimate. Only for 2012/13 is the Capital Spend on budget. The spend for 2013/14 is at Month 6 too incomplete to be informative.

6. There is a financial risk involved in reducing the balance of usable capital receipts over the next five years. This risk has the following potential consequences; loss of interest; loss of cover for contingencies; financial strategy becoming untenable in the long run; service reductions required; and large Council Tax increases required.

7. This prudential indicator assists the Council in controlling and monitoring the level of usable capital receipts that will be available at the end of a five-year period. Currently, the Capital Programme for the five years to 2017/18 totals £87.97m and is fully funded. It is predicted that at the end of 2017/18 there will still be £6.69m available in usable Capital Receipts and £3.6m in the Major Repairs Reserve. Therefore it can be concluded that

adequate resources exist for the Capital Programme in the medium term.

The Impact on the Council’s Indebtedness for Capital Purposes

8. The Council’s underlying need to borrow is called the Capital Financing Requirement (CFR). This figure is a gauge for the Council’s debt position. The Council now has an overall positive CFR (HRA and Non-HRA) following the borrowing in relation to the HRA self-financing, but has no underlying need to borrow for capital purpose as highlighted in the previous section.

CFR	Financial year 2013/14		
	Estimated £m	Revised £m	to month 6 £m
Non-HRA	33.544	33.544	33.544
HRA	155.14	155.14	155.14
Total Capital expenditure	188.684	188.684	188.684

9. The Director of Finance & ICT confirms that there were no breaches of the Authorised Limit (£200m), the Operational Boundary (£188m) and the Maturity Structure of Fixed Rate Borrowing during the period to 30 September.

10. The risks for Councils are associated with affordability, interest rates and refinancing – the affordability risk is whether the Council can afford to service the loan, this has been evidenced through the Council producing a viable thirty-year financial plan for the HRA. This plan is reviewed quarterly by officers and half yearly reports are presented to Housing Scrutiny Panel. The interest rate risk is whether a change in interest rate could have an impact on the viability of the financial plan. The Council received advice from our treasury advisors before undertaking the borrowing. Only 17% of the amount borrowed was at a variable rate, the remainder was fixed. Any upward movement in interest rates would be ‘hedged’ by a corresponding increase in interest earned on Council investments. The refinancing risk is that maturing borrowings, capital project or partnership financing cannot be refinanced on suitable terms. Within the financial plan it is anticipated that all borrowing will be repaid on maturity and all future capital expenditure will be financed through internal resources, therefore no risk currently exist for refinancing.

11. These prudential indicators assist the Council in controlling the level of debt the Council may need to finance over the coming years and ensure where debt is owed it is managed, such that the Council would not be left in a situation where it finds itself having to refinance on unsuitable terms.

The Council’s Overall Treasury Position

12. During the first half of 2013/14 the average investment position was £57.5m. The table below shows the treasury position as at 30 September 2013.

Treasury position	31/03/2013 £m	30/09/2013 £m
Total external borrowing	(185.456)	(185.456)
Short term investment		
Fixed investment	31.48	40.059
Variable investment	6.579	11.439
Long term investment	10.074	10.074
Total investments	48.133	51.572
(Net Borrowing) / Net Investment Position	(137.323)	(133.884)

13. It is important that the cash flow of the Council is carefully monitored and controlled to ensure enough funds are available each day to cover its outgoings. This will become more difficult as the Council uses up capital receipts and reduces investment balances.

14. The Director of Finance & ICT confirms that there have been no breaches of:

(a) The Upper Limit for Fixed Rate Exposure (100%) and Upper Limit for Variable Rate Exposure (25%) on investment during the period, with the average rates of 93% and 7% being achieved;

(b) The limit set for investment over 364 days (£30m). The Council made two investments totalling £10m over 364 days. The average length of short term investment for the period is 220 days; and

(c) The limit set for investment in non UK Country (30%). The Council made two investments (18%) to counterparties outside of the UK.

15. The risks associated to this section are as follows:

(a) Credit and Counterparty Risk – the risk of failure by a third party to meet its contractual obligations to the Council, i.e. goes into liquidation. The Council's counter-party lists and limits reflect a prudent attitude towards organisations with which funds may be deposited and these are regularly updated by our treasury management advisors (Arlingclose).

(b) Liquidity Risk – the risk that cash will not be available when it is needed, incurring additional unbudgeted costs for short-term loans. The Director of Finance & ICT has monthly meetings with treasury staff, to go through the cash flow for the coming month. A number of instant access accounts are used to ensure adequate cash remains available.

(c) Interest Rate Risk – the risk of fluctuations in interest rates. The Council has currently around 18% of its investments in variable rates, and the remainder are in fixed rate deposits on average for around 220 days. This allows the Council to receive reasonable rates, whilst at the same time, gives the Council flexibility to take advantage of any changes in interest rates. The view of the Council's treasury advisors is that interest rates are unlikely to change significantly in the short to medium term.

16. The prudential indicators within this section assist the Council to reduce the risk of:

(a) counterparties going into liquidation by ensuring only highly rated institutions are used when investing the Council's money;

(b) The Council incurring unbudgeted short-term loans, to pay unexpected expenditure items through ensuring adequate amounts of money are available immediately through instant access accounts; and

(c) Potentially losing out on investment income when interest rates start to increase by ensuring that most deposits are kept within one year.

Heritable Bank

17. During the first half of this financial year, the Council has received a further dividend from the administrators of the Heritable Bank which has taken total dividends so far to 94% of the value of deposits. No additional dividends are expected until all of the outstanding litigation has been settled and the administration process completed.

Resource Implications:

The continued low interest rate will result in estimated investment income to the Council of £415,000 in 2013/14. Interest rates are not expected to rise in the short to medium term.

Legal and Governance Implications:

The Council's treasury management activities are regulated by a variety of professional codes, statutes and guidance:

- The Local Government Act 2003 (the Act), which provides the powers to borrow and invest as well as providing controls and limits on this activity;
- The Act permits the Secretary of State to set limits either on the Council or nationally on all local authorities restricting the amount of borrowing which may be undertaken (although no restrictions were made in 2009/10);
- Statutory Instrument (SI) 3146 2003, as amended, develops the controls and powers within the Act;
- The SI requires the Council to undertake any borrowing activity with regard to the CIPFA Prudential Code for Capital Finance in Local Authorities;
- The SI also requires the Council to operate the overall treasury function with regard to the CIPFA Code of Practice for Treasury Management in the Public Services;
- Under the Act the ODPM (now DCLG) has issued Investment Guidance to structure and regulate the Council's investment activities.
- Under section 21(1) AB of the Local Government and Public Involvement in Health Act 2007 the Secretary of State has taken powers to issue guidance on accounting practices. Guidance on Minimum Revenue Provision was issued under this section on 8 November 2007.

Safer, Cleaner and Greener Implications:

None.

Consultation Undertaken:

The Council's external treasury management advisors provided the framework for this report and have confirmed that the content satisfies all regulatory requirements.

Background Papers:

The report on the Council's Prudential Indicators for 2013/14 to 2015/16 and the Treasury Management Strategy for 2013/14 to 2015/16 went to Council on 19 February 2013.

Impact Assessments:

Risk Management

As detailed in the report, a risk averse position is adopted to minimise the chance of any loss of the capital invested by the Council. The specific risks associated with the different aspects of the treasury management function have been outlined within the main report.

Equality and Diversity

Did the initial assessment of the proposals contained in this report for relevance to the Council's general equality duties, reveal any potentially adverse equality implications? No

Where equality implications were identified through the initial assessment process, has a formal Equality Impact Assessment been undertaken? N/A

What equality implications were identified through the Equality Impact Assessment process?
N/A

How have the equality implications identified through the Equality Impact Assessment been addressed in this report in order to avoid discrimination against any particular group?
N/A