



Report for: Cabinet

Date of Meeting:	8 th December 2022
Subject:	Draft Revenue Budget 2023/24 and Draft Medium Term Financial Strategy 2023/24 to 2025/26
Key Decision:	Yes
Responsible Officer:	Dawn Calvert – Director of Finance and Assurance
Portfolio Holder:	Councillor David Ashton – Portfolio Holder for Finance and Human Resources
Exempt:	No
Decision subject to Call-in:	Yes
Wards affected:	All
Enclosures:	Appendix 1A – Savings and Growth from 2023/24 Budget Process Appendix 1B – Savings and Growth from 2022/23 Budget Process Appendix 2 - Medium Term Financial Strategy 2023/24 to 2025/26 Appendix 3 – Draft Public Health Budget 2023/24 Appendix 4 - Draft Schools Budget 2023/24

Section 1 – Summary and Recommendations

This report sets out the draft revenue budget for 2023/24 and draft Medium Term Financial Strategy (MTFS) for 2023/24 to 2025/26. The budget and MTFS will be brought back to Cabinet in February 2023 for final approval and recommendation to Council.

Recommendations:

Cabinet is requested to:

- 1) Approve the draft budget for 2023/24 and the MTFS 2023/24 to 2025/26 for general consultation as set out in Appendices 1(A & B) and 2 so that Cabinet may later consider the budget considering the consultation responses and the equality impact assessment (s) before it is referred to Council in February 2023.
- 2) Note the Autumn Settlement 2022 confirmed broad plans for public spending for 2023/24, which will impact on local government, and that the draft budget will be updated when the detail is announced in the Indicative Financial Settlement which is expected week commencing 19 December followed by the Final Settlement no later than January 2023 (paragraph 1.07).
- 3) Note that, at draft budget stage, there remains an estimated budget gap of £10.923m for 2023/24, £0m for 2024/25 and £10.964m for 2025/26 (noting the caveat regarding the Social Care Grant in Table 1).
- 4) Note the proposal to increase core Council Tax by 2.99% in 2023/24 and 2024/25 and then by 1.99% in 2025/26 (Table 1 and paragraph 1.17).
- 5) Note the proposal to increase Adult Social Care Precept Council Tax by 2% in 2023/24 and then by 1% per annum in 2024/25 and 2025/26 in respect of the Adult Social Care Precept (Table 1 and paragraph 1.17).
- 6) Approve the draft Public Health budget for 2023/24 as set out in Appendix 3.
- 7) Note there are no proposed structured changes to the schools funding formula for 2023/24 as set out in Appendix 4.
- 8) Note the assumed funding for the protection of social care 2023/24 through the BCF (paragraphs 1.46 to 1.49)
- 9) Authorise the Director of Finance and Assurance, following consultation with the Portfolio Holder for Finance and Human Resources, to agree Harrow's 2023/24 contribution to the London Borough's Grant Scheme (paragraph 1.52).
Final approval will be sought from Cabinet and Council in February 2023.

Reason: (for recommendations) To ensure that the Council publishes a draft budget for 2023/24 and a draft three Year MTFs to 2025/26.

Section 2 – Report

BACKGROUND

- 1.01 Harrow remains one of the lowest funded Councils both within London and nationally. The Council does not benefit from large reserves compared with the rest of London and is in the lower end of the lower quartile for reserve balances held.
- 1.02 Over the last 10 years, up to 2022/23:
- The Council's revenue support grant has reduced from £50.5m to £1.6m.
 - The Council does receive other grant funding to support services, in 2022/23 this totalled £366m. However, these grants are all ring fenced to areas of activity and cannot be used to support the core budget, for example the Dedicated Schools Grant of £143m.
 - However, the Council does not receive specific funding to meet demographic growth and demand led pressures. On top of this, inflation is increasing exponentially creating unfunded budget pressures.
 - Council Tax has been increased just below referendum limits and full use has been made of the Adults Social Care Precept, both of which were in line with central government expectations. The impact of this is that the Council is heavily reliant on Council Tax to fund its core budget. In 2022/23 80% of the Council's net revenue budget of £183.3m is funded from Council Tax.

SUMMARY

- 1.03 The draft budget set out in this report shows an updated MTFs with several changes which Cabinet are asked to note. After all adjustments there remains budget gaps of £10.923m, £0m and £10.964m over the three years of MTFs for 2023/24 to 2025/26 (noting the caveat regarding the Social Care Grant). It is important to note that for 2025/26, several the budget adjustments are estimated at a high level due to the challenges of forecasting complex issues such as inflation, demand, and demographics so far in advance. As the budget is approved annually, the latter two years of the MTFs will be subject to much review and adjustment before finally being approved.
- 1.04 The draft MTFs is based on the continuation of announcements made in SR 21 (October 2021) and more recently the 2022 Autumn Statement (November 2022). Both contained several policies and announcements which will impact on local government although the detail of these will only be known with certainty in the Local Government Indicative Financial Settlement expected week commencing 19 December. Estimates have been based on the most up to date information known at the time of setting the draft MTFs. It is very likely this position will change following the indicative settlement and this

change could be for the better or worse. The final settlement is expected to be agreed no later than the end of January 2023. Whilst it is intended that Members will approve the MTFs in February 2023, it could still be subject to assumptions in relation to grant settlements, council tax income, legislation, and demographics. The Council does hold a contingency for unforeseen items (£1.248m) which is intended to support uncertainties and the Council will still be required to review the Council's budget on a yearly basis.

SPENDING REVIEW 2021 AND AUTUMN STATEMENT 2022

Spending Review 2021

- 1.05 On 27 October 2021, the Chancellor of the Exchequer delivered Spending Review 21 (SR21) and the Autumn Budget. The latter set out the Government's taxation and public expenditure plans for the year ahead and SR21 confirmed resources and capital budgets for the three years 2022/23 to 2024/25. There were 2 announcements that impacted on 2023/24 and 2024/25. The first being the £1.5b per annum of new grant funding into local government intended to cover inflationary pressures, the employer NI increase of 1.25%, announcements on public sector pay, Covid-19 impact on demand (Adult social care, mental health, and Children's Services). The MTFs assumed that the Council's share was based on proportionality, i.e., Harrow's proportionate share of Adults Social care nationally (0.004) resulting in an estimated grant value of £6m additional per annum over the three years 2022/23 to 2024/25. The Department of Levelling Up, Housing and Communities (DHLUC) has provided assurances that that this funding will continue with announcements in the Autumn Statement 2022 being additional to SR21 and not a replacement for. Hence £12m of additional funding (£6m in both 2023/24 and 2024/25) remains in the MTFs.
- 1.06 The second announcement was the £3.6b over three years for the Adult Social Care Funding Reform to cover preparation and implementation of the reforms, supporting those who reach the care cap and the fairer cost of care. The Council received £763k in 2022/23. Plans for years 2 and 3 have been changed by the Autumn Statement 2022.

Autumn Statement 2022

- 1.07 The Chancellor of the Exchequer delivered the Autumn Statement on 17 November. The statement set out the broad policy direction in three key areas: economic stability, economic growth, and public services. The key policy announcements relating to public spending and local government are summarised below:
- The Council Tax referendum limit will rise from 2% to 3% in 2023/24 with the adult social care precept flexibility rising from 1% to 2%. This flexibility is also allowed for 2024/25.
 - Adult Social Care (ACS) funding reforms will be pushed back by 2 years to October 2025
 - The funding to deliver the ACS reforms will be repurposed with £1.3bn for 2023/24 and £1.0bn in 2024/25 distributed to Local Authorities through the Social Care Grant

- An extra £1bn to go towards social care via the Better Care Fund (£600m) and through a ring-fenced ASC grant (£400m) in 2023/24 rising to £1.7bn in 2024/25
- The business rates multiplier will be frozen in 2023/24 and local authorities will be fully compensated for any loss of income
- Social care rents (within the HRA) will be capped at 7%
- The £1bn Household Support Fund will be continued for another 12 months from April 2022
- The school's budget will be increased by £2.3bn in each year above the SR21 level.

1.08 Where possible to quantify the Autumn Statement announcements, they have been built into the draft budget and MTFs. In terms of next steps, the Indicative Financial Settlement for Local Government is due week commencing 19 December. The settlement is expected to quantify the funding for 2023/24 and set a very clear direction for 2024/25. Acknowledging that publication is later than in previous years DHLUC will provide an update on the settlement in early to support the budget setting process ahead of the publication of the settlement.

DELIVERY OF THE 2022/23 BUDGET

1.09 Harrow has had a good track record of robust financial management and has not reported a revenue budget overspend for many years. However recent years have proved more challenging. The budget for the current financial year assumes a drawdown of £14.7m from the MTFs Budget Planning Reserve. The use of reserves is one off in nature and the reversal of this action is the main contributing factor to the 2023/24 budget gap as reported to Council in February 2022.

1.10 Performance against the 2022/23 budget is detailed in a separate report on this agenda, 'Q2 Revenue and Capital Budget' report. This report forecasts a net overspend of £11.513m assuming no draw down from the MTFs Budget Planning Reserve. The reality is that the Council is spending above its budget envelope, and this is not sustainable. A revised financial strategy is being implemented to address the overspend position and reduce the Council's expenditure to within its budget envelope, more detail of which will be provided later in this report.

1.11 In line with the national picture, the Council is being hit hard with inflation. Inflation on energy is estimated to cost £2.6m more than 2021/22 and is being contained just within the budget provision of £2.750m. Budget provision for pay inflation was £2m (2%). The 2022/23 pay award has recently been announced and it equated to an increase of 6.4% against the pay bill and has creating an unfunded budget pressure of £4.070m (net of reversing out the planned NI increase of 1.25%). Front line services continue to experience pressures which will continue in 2023/24 and must be considered as part of the MTFs refresh process. In total these are estimated at £8.8m.

BUDGET PROCESS 2023/24

1.12 The Council has a statutory obligation to agree and publish the budget for 2023/24, and approval for this will be sought in February 2023. In preparing

the 2023/24 budget and rolling forward the MTFS to cover the three-year period 2023/24 to 2024/25, the current MTFS has been the starting point for the process.

1.13 The Council's financial position and its operational environment has always been affected by several financial uncertainties and adjustments that impact upon its financial position over the short and medium term. In preparing the draft budget for 2023/24 the existing MTFS has been:

- Refreshed and rolled on a year
- Updated to reflect the estimated impact of Autumn Statement 2022 where the financial implications can be assessed for the Council with a reasonable degree of certainty, making use of estimated information from London Councils, accepting that there is an element of uncertainty and risk until the Indicative Financial Settlement is received week commencing 19 December

1.14 The adjustments are summarised in Table 1 below. Following Table 1 there is an explanation for the figures contained within. These adjustments are also set out in Appendix 2 along with adjustments included within the previous MTFS agreed as part of the 2022/23 Budget process:

Table 1: Changes to the MTFS (Prior to Indicative Finance Settlement)			
	2023/24	2024/25	2025/26
	£'000	£'000	£'000
Published Budget Gap (Feb 2022)	16,593	0	0
Adjustments:			
Reverse out 24/25 estimated directorate growth		-3,788	
Council Tax, National Non Domestic Rates (NNDR), Collection Fund:			
Reverse out 2.99% income from increase already included in MTFS as part of 2022/23 budget	4,370	4,502	0
Increase in Council Tax 2023/24 - 4.99%			
- Core Council Tax @ 2.99%	-4,880		
- Adult Social Care Precept @ 2%	-2,933		
Increase in Council Tax 2024/25 - 3.99%			
- Core Council Tax @ 2.99%		-4,604	
- Adult Social Care Precept @ 1%		-1,540	
Increase in Council Tax 2025/26 - 2.99%			
- Core Council Tax @ 1.99%			-3,202
- Adult Social Care Precept @ 1%			-1,586
Increase in Council Tax Base of 300 band D equivalents		-500	
Increase in Retained NNDR / Increase in NNDR Multiplier Grant	-3,180		
2022/23 Collection Fund Surplus	-1,939	1,939	
Technical Changes:			
Pension Contributions and Pay Inflation			
Reduction in Pension Fund Deficit Contribution / Revised Recharges to Pension Fund	-1,010		
Pay award 2022/23 - Additional requirement over £2m already provided in MTFS	4,400		
Pay award 2023/24 & 2024/25 - 4% / 2025/26 - 3% (over provision already made)	1,250	1,250	3,000
Non Pay Inflation			
Non Pay Inflation 24/25 - Additional £1m / 2025/26 £1m in total		1,000	1,000
Capital Financing Costs			
25/26 Capital Programme costs from 22/23 refresh			1,747
26/27 Capital Programme costs from current refresh £1.5m			
One off saving on Capital Financing costs due to underspends on Capital Programme	-2,000	2,000	0
Applying capital receipts to fund the Capital Programme	-1,700	-1,300	-1,300
Capital Receipts Flexibilities	-1,250		1,250
Freedom Passes			
Saving 23/24	-1,580		
Growth 24/25		2,322	
Growth 25/26	0		1,000
2022 Autumn Statement:			
National Insurance - Reversal of 2022/23 NI growth to fund 1.25% increase	-800		
Corresponding reduction in SR21 Increase in Core Spending Grant	800		
Social care grant - increased by £1.3bn nationally, increasing to £1.7bn (Note 1)	-4,280	-1,975	6,255
Adult Social care grant - increased by £400m nationally in 2023/24 and a further £283m in 2024/25	-1,620	-1,146	
IBCF (50% of the national allocation of £600m in 2023/24, increasing to £1bn by 2024/25)	-930	-620	
IBCF contribution to pool	930	620	
Directorate Adjustments:			
Chief Executive Office	-50	-410	
Resources	-285	-300	0
Place	1,191		
People	0	1,550	1,800
General growth provision - council wide	1,000	1,000	1,000
Impact of 2022/23 Pressures Carried into 2023/24:			
Resources	430		
Place	4,196		
People (Children's)	4,200		
Revised Budget Gap (December 2022)	10,923	0	10,964

Note 1 on table 1: If the Social Care Grant continues as a permanent grant beyond 2024/25, this would potentially mean that the estimated gap for 2025/26 would be improved by £6.255m.

Published Budget Gap / 2024/25 Estimated Directorate Growth

- 1.15 The 2022/23 Final Budget and MTFs, which was approved by Council February 2022, estimated the budget gap for 2023/24 to be £16.593m. This therefore forms the starting point for the update of the MTFs. The MTFs currently assumes an estimated sum of £3.788m directorate growth. This is being reversed out and will be replaced by updated growth requirements.

Council Tax, National Non-Domestic Rate (NNDR) and Collection Fund

- 1.16 For 2023/24 the Council's tax base has been calculated, according to the relevant procedures and guidance, at 89,085 Band D equivalent properties, this being the gross tax base of 90,903 less a 2% bad debt provision. This is an increase of 300 Band D equivalent properties which will generate additional income of £0.5m which is included in the additional Council Tax income of £7.813m (£4.880m + £2.933m). The collection rate for 2022/23 is 73.23% at the time of writing this report and estimated to be 97% by the end of the financial year. The Collection Rate for 2023/24 is set at 98%. The calculation of the Council tax base for 2023/24 is subjected to a separate and more detailed report elsewhere on this agenda (Report: Calculation of Council Tax Base for 2023/24).
- 1.17 A maximum Council Tax increase of 4.99% is budgeted for 2023/24 in line with announcements in the Autumn Statement. This covers 2.99% for core Council Tax and a 2% for the Adult Social Care Precept. This will generate additional revenue of £7.813mm in 2023/24. The current MTFs already assumes a Council Tax increase of 2.99% (£4.370m) which is adjusted for. In 2023/24. The Council has had to provide for pay, non-pay and care provider inflation which equates to 13%. The Autumn Statement allowed for Council Tax to be increased by 4.99% in 2024/25. However, the MTFs assumes 3.99%.
- 1.18 The Autumn Statement is clear that the business rates multiplier will be frozen in 2023/24 and local authorities will be fully compensated for any loss of income. Freezing the multiplier means businesses will not see an increase in their bills and the Council will be compensated for this loss of inflationary income through the NNDR Multiplier Grant. Conversations with DLUHC have confirmed the loss of income will be based on September 2022 CPI which was circa 10%. London Councils have estimated this compensation for Harrow to be £3.18m which is what is built into the MTFs
- 1.19 The financial year 2023/24 also benefits from the 2023 revaluation. For Harrow this means an increase of approximately 8% in rateable values. Considering reliefs, this increases the NNDR tax yield results in an increase in Harrow's 30% share of the retention, when combined with s31 grant compensation, and equates to approximately £1.6m. However, the Autumn Settlement was not clear if existing 'top up' and 'tariff' arrangements (Harrow is a 'top up' authority) will be adjusted to reflect the increase in rateable values and S31 compensation hence adjustments in the draft budget have been limited to the Multiplier Grant increase estimated by London Councils.
- 1.20 The Collection Fund and its impact on the 2023/24 budget is subject to a separate report elsewhere on this agenda (Report: Estimated Surplus /

(Deficit) on the Collection Fund 2022/23). The estimated impact on the 2022/23 Collection Fund is a surplus of £1.939m which must be accounted for as a one-off income against the 2023/24 budget.

Technical Changes

- 1.21 The Council administers the Local Government Pension Fund. The Pension Fund gets formally valued every three years through the process known as the triennial valuation. A three-year valuation as of 31 March 2022 has just been completed and indicates that the overall position of the LBH Pension Fund has improved. As a result, the employer pension contribution rate for the Council will reduce from the equivalent of 24.9% of pensionable pay to the equivalent of 23.5% of pensionable pay – leading to a saving of £986,000 to the revenue budget. The cost of administration is borne by the Pension Fund. This has been reviewed and a further cost of £25k is being charged to the fund (this will be subject to review by external audit). In total these adjustments generate a benefit of £1.010m to the MTFs.
- 1.22 The pay award for 2022/23 has recently been agreed and cost £6.4m, an approximate 6.4% uplift against the pay bill. The 2022/23 budget included a provision of £2m and a pressure of £4.4m is being managed in year and needs to be provided for on a permanent basis hence the adjustment of £4.4m in 2023/24. The MTFs already assumes a pay award of 2.75% (for Harrow 1% uplift equates to approximately £1m) for both 2023/24 and 2024/25 which has been increased to 4%. 3% is assumed for 2025/26.
- 1.23 Non pay inflation, which covers areas such as energy costs and contractual up lifts, is proving very difficult to estimate. The MTFs already assumes £2m for non-pay inflation in 2023/24 which will remain as is. For 2024/25 there is an existing provision of £1m which will be increased by a further £1m and a new provision of £1m is provided for in 2025/26.
- 1.24 Alongside the three-year MTFs, the Council sets a corresponding Capital Programme which sets out investing in areas such as highways, street lighting and housing and regeneration. The cost of the capital investment is reflected in the revenue budget as capital financing costs (interest charges on borrowings and the required minimum revenue provision). The 2022/23 refresh of the Capital Programme costs a further £1.747m in capital financing charges in 2025/26 which must be provided for. For noting, the draft Capital Programme for 2023/24 to 2025/26, which is subject to a separate report on the agenda (Report: Draft Capital Programme 2023/24 to 2025/26) will require additional capital financing charges of £1.5m.
- 1.25 The revenue budget must include the cost of financing the Capital Programme. It's not unusual for the Capital Programme to slip into future years and the programme in 2022/23 is expected to underspend by 48% with the majority being slipped into the following year. This will impact on the profiling of the capital financing costs and a temporary adjustment for £2m is being made in the MTFs. This benefit cannot be on going. The Council is currently 'under borrowed' due to the strategy of using internal borrowings (ie internal cash balances) to fund capital investment. If this strategy was to cease, and the full borrowing requirement required, this would require the full capital financing budget.

- 1.26 The Council is currently holding a number of accrued capital receipts (£4.5m) and will receive a further sum estimated at £15.4m from the sale of properties at Leefe Robinson Mews (formerly known as Haslam House) and Pinnora Mews (formerly known as Waxwell Lane Car Park). The revenue implications of investing in short life assets, which are largely IT related, can be expensive because their cost is charged to the budget over their useful life which is often around 5 years. Capital receipts can be used to fund such assets as an alternative to them being funded through the Capital Programme and incurring capital financing charges. The capital receipts in hand and those due will be used for such purposes and will realise revenue savings against the capital financing budget of £4.3m over the three years of the MTFS.
- 1.27 The Concessionary Fares / Freedom Pass Scheme provides free travel for older and disabled London residents on all Transport for London (TFL) travel modes and on most National Rail routes (with restrictions). The methodology used for settlement of the scheme with TFL uses journey data for the previous 2 years and London Councils provide cost estimates for the forthcoming three years which is the most accurate data on which to adjust the budget. The midpoint estimates from London Councils have been compared to the Councils base budget and infer a saving of £1.580m in 2023/24 with growth of £2.322m required in 2024/25. The estimates for 2025/26 infer a significant increase in usage requiring growth of £2.280m. This growth would take the concessionary fares / freedom pass base budget up to £11.80m which is significantly above its pre COVID-19 levels. As this is so far in the future a provisional sum of £1m additional budget is being provided for in the MTFS.

2022 Autumn Statement - impacts on the Budget

- 1.28 The announcements in the 2022 Autumn Settlement that can be quantified with a degree of certainty have been adjusted for in the draft MTFS. In the current year budget, £0.8m of growth was provided for to fund the 1.25% increase in employer National Insurance contributions. As this increase has now ceased, the growth is not required, it can be removed from the MTFS, However the Autumn Statement stated that, as funding was allocated to Local Government as part of SR21 to fund the increase in NI, there would be a corresponding reduction in Core Spending Grant in 2023/24 which is adjusted for.
- 1.29 The implementation of the ASC Reforms has been pushed back to October 2025 and the ASC reform funding, announced in SR21, is being repurposed into a Social Care Grant. At a national level this is £1.3bn in 2023/24 increasing to £1.7bn in 2024/25. London Councils estimate the additional grant funding for Harrow will be £4.280m and £1.975m for 2023/24 and 2024/25 respectively. As the statement clearly states this is for current pressures only, the MTFS prudently assumes this funding ceases in 2025/26 and is repurposed back to funding the ACS reforms.
- 1.30 The Adult Social Care Grant is being increased nationally by £400m in 2023/24 and by a further £283m in 2024/25. Per London Council estimates, Harrows share is £1.640m and £1.146m in 2023/24 and 2024/25 respectively. This funding is assumed to be on going.

- 1.31 The additional funding for Local Government that is being channelled through the Improved Better Care Fund (IBCF) is estimated to be £930k in 2023/24 and £620k in 2024/25. As this funding must be pooled with Health within the Better Care Fund, the MTFS assumption is that this additional funding will be cost neutral to the MTFS.
- 1.32 Directorate adjustments are detailed in Appendix 1A.
- 1.33 The 2022/23 budget is forecasting an overspend of £11.513m. A number of the pressures will continue into 2023/24 and need to be reflected in the budget setting process. The impact into 2023/24 is currently estimated at £8.8m. There is a clear expectation that the in-year pressure will reduce, which could have an impact on the pressures carried forward into 2024/25 and these will be refined in the time for final budget in February 2023.
- 1.34 After all the adjustments, the result is an estimated gap across the MTFS of
£21.887m
2023/24 £10.923m
2024/25 £0m
2025/26 £10.964m
- 1.35 Using one off reserve is an action of last resort and it is important that the Council, moving forward, manages within its budget envelope. Therefore, next steps between now and final budget in February are:
- Clarify the implications on the MTFS of the Indicative Financial Settlement when received in late December
 - Ensure current in year pressures, estimated at £11.5m, are reduced quickly and sustainably to reduce the impact into future years.
 - Develop a programme of efficiency savings to close the estimated MTFS gap, focusing on 2023/24 in the first instance

Budget Refresh, Growth & Savings

- 1.36 There is a commitment to refresh the three-year MTFS annually to ensure it remains reflective of the changing Harrow and Local Government landscape. Table 2 below summarises the savings and growth previously agreed as part of the 2022/23 process. This shows that there is net growth of £1.901m in 2023/24 and £750k in 2024/25. Therefore, this is net growth across the 2 years of £2.651m.
- 1.37 Table 3 summarises “new” savings and growth from the current 2023/24 budget setting process. This shows that there is net growth of £856k in 2023/24 and a net saving of (£710k) in 2024/25. Therefore, this in net growth across the 2 years of £146k. The summary information in the tables is supported by the details in appendices 1A and 1B.

Table 2: Savings and Growth from the 2022/23 Budget Process (Detail in Appendix 1B)

	2023-24	2024-25	Total
	£000	£000	£000
Savings			
Place	(600)	-	(600)
Total Savings	(600)	-	(600)
Growth			
Corporate	600	-	600
Childrens	1,850	750	2,600
Place	51	-	51
Total Growth	2,501	750	3,251
Net of total Savings/Growth	1,901	750	2,651

**Table 3: Savings and Growth from the 2023/24 Budget Process
(Detail is set out in Appendix 1A)**

	2023-24	2024-25	2025-26	Total
	£000	£000	£000	£000
Savings				
Resources	(285)	(300)	-	(585)
Chief Executive	(50)	(410)	-	(460)
Place	-	-	-	-
Total	(335)	(710)	-	(1,045)
Growth				
Resources	-	-	-	-
Chief Executive	-	-	-	-
Place	1,191	-	-	1,191
Net Total Savings and Growth	856	(710)	-	146

CAPITAL RECEIPTS FLEXIBILITY

- 1.38 In 2016 the government announced the Capital Receipts Flexibility Scheme to support local authorities to deliver more efficient and sustainable services by allowing them to spend up to 100% of their fixed assets receipts on the revenue costs of reform projects. The flexibility has been extended on numerous occasions and is currently in place until 31 March 2025.
- 1.39 The Council is working on a strategic review of its assets and part of this review will identify several sites for disposal as they are no longer economically viable. The 2023/24 MTFS includes a budget of £1.250m to fund the Regeneration Team. The nature of this spend meets the capital flexibility criteria and the team will be funded under the capital flexibilities scheme and the £1.250m provision can be removed from the budget. The sum is re-instated in 2025/26 when the scheme is currently intended to end.

PUBLIC HEALTH FUNDING 2023/24

- 1.40 In 2022/23 the total public health grant to local authorities totalled £3.417bn, with £11.62m being allocated to Harrow. The grant is ringfenced for use on

public health functions exclusively for all ages of the population and must be spent in accordance with grant conditions on expenditure incurred by local authorities for the purposes of their public health functions, as specified in Section 73B (2) of the National Health Service Act 2006.

- 1.41 The draft Public Health commissioning intentions detailed in Appendix 3 are based on the current (2022/23) grant allocation as Public Health England have yet to announce national funding for 2023/24, however the comprehensive spending review confirmed that the grant would be maintained in real terms. These commissioning intentions reflect alignment with the Health & Wellbeing Strategy, Borough Plan, and evidence of population priorities.
- 1.42 The Council consider that this level of funding enables the Council's overarching statutory duties (including equality duties) to be maintained, taking account of the joint strategic needs assessment. However, if additional duties are required by Councils, and if these were unfunded, the commissioning intentions would need to be reviewed in light of the allocated grant envelope.

SCHOOLS FUNDING FOR 2023/24

- 1.43 In 2018/19 the government introduced a new National Funding Formula (NFF) for Schools, High Needs and the Central Schools services Block. For the Schools Block this means LAs are funded based on the total of the NFF for all schools, academies, and free schools in its area. However, the final formula for distribution is determined by each Council following consultation with schools and Schools Forums.
- 1.44 The LA carried out a consultation in Autumn 2017 which sought views on whether the LA should continue to use the Harrow Schools Funding Formula or introduce the National Funding Formula from 2018/19. 76% of schools responded to the consultation and 89% voted in favour of introducing the NFF from 2018/19. This was approved by Cabinet in February 2018 and school budgets for the last three years have been set based on the NFF.
- 1.45 The NFF will therefore continue to be used to distributed school budgets for 2023/24 There are no proposed changes to the structure of the formula for 2023/24 as detailed in Appendix 4. The proposed final funding formula and final DSG allocations will be reported to Cabinet in February 2023 for approval.

BETTER CARE FUND (BCF) 2023/24

- 1.46 The framework for the Better Care Fund (BCF) derives from the government's mandate to the NHS which sets an objective for NHS England to ring fence funding to form the NHS contribution to the BCF. The NHS Long Term Plan, published in January 2019 set out the priorities for transformation and integration, including plans for investment in integrated community services and next steps to develop Integrated Care Systems.

- 1.47 The BCF continues to provide a mechanism for personalised, integrated approaches to health and care that support people to remain independent at home or to return to independence after an episode in hospital. The continuation of the national conditions and requirements of the BCF provides opportunities for health and care partners to build on their plans to embed joint working and integrated care further, including how to work collaboratively to bring together funding streams to maximise the impact on outcomes for communities and sustaining vital community provision.
- 1.48 The 2022/23 Adults budget assumes that funding for the Protection of Social Care through the BCF will remain at the agreed 2021/22 level of £6.759m, although this should be expected to increase in light of the NHS funding commitments made within the spending review. The Better Care Fund Policy statement and Policy Framework and Planning Requirements will provide the detailed guidance when published in early 2022 (usually March), however the requirements around integration and collaborative working are expected to continue.

The Autumn statement announced new grant funding of £600m in 2023-24 to support timely hospital discharges through the Better Care Fund. This funding will be split 50/50 with NHS resulting in an additional estimated allocation of £930k for the Council.

- 1.49 The 2023/24 BCF plan will be signed off by the Health & Wellbeing Board ahead of submission to, and assurance by, NHS England.

RESERVES AND CONTINGENCIES

- 1.50 Reserves and contingencies need to be considered in the context of their role to protect the Council's financial standing and in the context of the overall risks that the Council faces during a continuing period of economic uncertainty. The MTFS reflects the Council's need to ensure an adequate level of reserves and contingencies which will enable it to manage the risks associated with delivery of the budget including equalities impacts and unforeseen events. The Council's overall reserves position is reported to Cabinet quarterly as part of the revenue monitoring update. At quarter 2 (end of September 2022), total reserves forecast for carry forward into 2023/24 are £64.4m. If the forecast in year position does not change and requires a draw down from reserves in the region of £11.5m, this reduces reserves to £52.9m. After accounting for earmarked reserves, this does leave the Councils remaining non earmarked reserves at a much-reduced level:

- Contingency for Unforeseen items £1.248m (on going revenue reserve)
- Business Risk Reserve - £0.511m
- Balance Budget Planning MTFS - £10.366m (assuming £11.5m drawn down in 2022/23)
- Capacity / Transformation Reserve - £0.737m
- General Fund – £10.635m

- 1.51 At the end of the financial year, all reserves are reviewed including a focus on ear marked reserves to ensure they are still required for the purpose to which they are designated. The Director of Finance and Assurance will report on the adequacy of the Council's reserves as required in the budget setting report in February 2023.

LONDON BOROUGH GRANTS SCHEME

- 1.52 Harrow's contribution to the London Borough Grant Scheme was £186,907 in 2022/23. At the time of writing this report the Council has not been notified of the recommended contribution for 2023/24. To ensure that the Council can respond to London Council's when contribution rates are notified, it is recommended that Cabinet authorise the Director of Finance & Assurance to agree Harrow's 2023/24 contribution to the London Borough Grant Scheme, in consultation with the Portfolio Holder for Finance and Human Resources. The contribution rate will be reported to Cabinet in February 2023 as part of the final budget.

2.0 CONSULTATION

- 2.1 As a matter of public law the duty to consult with regards to proposals to vary, reduce or withdraw services will arise in four circumstances:

- Where there is a statutory requirement in the relevant legislative framework.
- Where the practice has been to consult or where a policy document states the council will consult then the council must comply with its own practice or policy.
- Exceptionally, where the matter is so important that there is a legitimate expectation of consultation and.
- Where consultation is required to complete an equalities impact assessment.

- 2.2 Regardless of whether the council has a duty to consult, if it chooses to consult, such consultation must be carried out fairly. In general, a consultation can only be considered as proper consultation if:

- Comments are genuinely invited at the formative stage.
- The consultation documents include sufficient reasons for the proposal to allow those being consulted to be properly informed and to give an informed response.
- There is adequate time given to the consultees to consider the proposals;
- There is a mechanism for feeding back the comments and those comments are conscientiously taken into account by the decision maker / decision making body when making a final decision;
- The degree of specificity with which, in fairness, the public authority should conduct its consultation exercise may be influenced by the identity of those whom it is consulting and;
- The consultation is clear on the reasons and extent to which alternatives and discarded options have been discarded.

- 2.3 Public consultation on the overall budget for 2023/24 will commence on 12 December 2023 and will last for a period of 5 weeks ending 15 January 2023 before the final budget is recommended to Full Council on the 23 February 2023. The public consultation will give residents an opportunity to comment on the 2023/24 overall budget before final decisions are formalised in the council's annual budget. Other key stakeholders, including Union Representatives, local businesses, employees, and the Council Scrutiny function will also be fully consulted in the draft budget and MTFs before final approval.
- 2.4 In terms of service specific consultations, the council has a duty to consult with residents and service users in several different situations including where proposals to significantly vary, reduce or withdraw services. Consultation is also needed in other circumstances, for example to identify the impact of proposals or to assist with complying with the council's equality duties. Council sets the budget envelope and Cabinet works within this. Where appropriate, separate service specific consultations have already taken place or will be taking place for the 2023/24 savings and may be subject to a separate Cabinet report and Cabinet decisions.

3.0 PERFORMANCE ISSUES

- 3.1 In terms of financial performance, Cabinet is updated quarterly on forecast spend against the agreed budget and achievement of savings built into the budget. The same information is also presented to the Performance and Finance Scrutiny Sub Committee regularly throughout the year.

4.0 RISK MANAGEMENT IMPLICATIONS

- 4.1 Risks included on corporate or directorate risk register? Yes – Inability to deliver the Council's MTFs is included in the Corporate Risk Register

Separate risk register in place? No

The relevant risks contained in the register are attached/summarised below.
Yes

The following key risks should be considered when agreeing the recommendations in this report:

Risk Description	Mitigations	RAG Status
Inability to deliver the Council's approved MTFs - over the next 3 years leading to an inability to set a balanced budget and provide core services	<ul style="list-style-type: none"> • In-year Revenue & Capital monitoring reported to CSB, Cabinet and all Members regularly • Budget challenge sessions held mid-year to tackle in year pressures • Implementation of revised financial strategy to reduce Council expenditure to within its budget envelope 	<p>Red</p> <p>At Quarter 2 2022/23 this risk is rated at B2 on the Corporate Risk Register – high likelihood and critical impact.</p>

	<ul style="list-style-type: none"> • Process to challenge and quality-assure MTFS savings • Process to ensure MTFS accurately reflects demand & legislative changes • Strategic financial planning with CSB & Cabinet 	
<p>The draft budget and MTFS is based on the Spending Review 2021 and Autumn Statement 2022, both of which confirmed broad plans for public spending for 2022/23. There is a risk that the Indicative Financial Settlement, which is expected week commencing 19 December, followed by the Final Settlement no later than January 2023 differ requiring changes to the draft budget and MTFS</p>	<ul style="list-style-type: none"> • Draft budget and MTFS based on most up to date information from London Councils and DHLUC based on prudent assumptions • The final budget will be prepared considering the Final Settlement. Any changes will have to comply with the legal requirement to set a balanced budget • There is a contingency for unforeseen items (£1.248m) which is intended to support uncertainty 	
<p>The process to final budget and MTFS in February 2023 is unable to identify actions to close of the budget gap of £10.9m to achieve the legally required balanced budget for 2023/24.</p>	<ul style="list-style-type: none"> • Draft budget based on most up to date information from London Councils and DHLUC based on prudent assumptions • Implementation of revised financial strategy to reduce Council expenditure to within its budget envelope • Cross Council MTFS Challenge to identify efficiency plans • The Council still has its general fund reserve balance of £10.6m 	
<p>Balanced budget for 2022/23 not achieved adversely impacting on the 2023/24 budget</p>	<ul style="list-style-type: none"> • The 'Q2 Revenue and Capital Report' forecasts a net overspend of £11.5m. Actions are being implemented to reduce expenditure in year • The estimated impact of 2022/23 pressures into 	

	<p>2023/24 are accounted or in the draft budget and MTFS</p> <ul style="list-style-type: none"> • There is a contingency for unforeseen items (£1.248m) which has not been called upon. 	
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5.0 LEGAL IMPLICATIONS

5.1 Section 31A of the Local Government Finance Act 1992 requires billing authorities to calculate their council tax requirements in accordance with the prescribed requirements of that section. This requires consideration of the authority's estimated revenue expenditure for the year to perform its functions, allowances for contingencies in accordance with proper practices, financial reserves and amounts required to be transferred from general fund to collection fund.

5.2 Local authorities owe a fiduciary duty to council taxpayers, which means they must consider the prudent use of resources, including control of expenditure, financial prudence in the short and long term, the need to strike a fair balance between the interests of council taxpayers and ratepayers and the community's interest in adequate and efficient services and the need to act in good faith in relation to compliance with statutory duties and exercising statutory powers.

5.3 Cabinet is approving these proposals for consultation after which a cumulative equalities impact will be drafted. These proposals will be referred to Council so that Council can approve the budget envelope and set the Council Tax. There will be contingencies within the budget envelope so that decision makers have some flexibility should any decisions have detrimental equalities impacts that cannot be mitigated.

Section 151 of the Local Government Act 1972 states that: "without prejudice to section 111, every local authority shall make arrangements for the proper administration of their financial affairs and shall secure that one of their officers has responsibility for the administration of those affairs". Section 111 of the Local Government Act 1972 relates to the subsidiary powers of local authorities.

Under Section 114 of the Local Government Finance Act 1988, the chief finance officer (S151 Officer) of a relevant authority shall make a report under this section if it appears to them that the expenditure of the authority incurred (including expenditure it proposes to incur) in a financial year is likely to exceed the resources (including sums borrowed) available to it to meet that expenditure.

6.0 FINANCIAL IMPLICATIONS

6.1 Financial Implications are integral to this report.

7.0 PROCUREMENT IMPLICATIONS

7.1 There are no procurement implications arising from this report.

8.0 EQUALITIES IMPLICATIONS / PUBLIC SECTOR EQUALITY DUTY

8.1 Decision makers should have due regard to the public sector equality duty in making their decisions. The equalities duties are continuing duties they are not duties to secure a particular outcome. The equalities impact will be revisited on each of the proposals as they are developed. Consideration of the duties should precede the decision. It is important that Cabinet has regard to the statutory grounds in the light of all available material such as consultation responses. The statutory grounds of the public sector equality duty are found at section 149 of the Equality Act 2010 and are as follows:

A public authority must, in the exercise of its functions, have due regard to the need to:

- (a) eliminate discrimination, harassment, victimisation, and any other conduct that is prohibited by or under this Act;*
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;*
- (c) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard to the need to:*
- (d) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;*
- (e) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;*
- (f) Encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.
The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include steps to take account of disabled persons' disabilities.*

Having due regard to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves having due regard; in particular, to the need to:

- (a) Tackle prejudice, and*
- (b) Promote understanding.*

Compliance with the duties in this section may involve treating some persons more favourably than others; but that is not to be taken as permitting conduct that would otherwise be prohibited by or under this Act.

The relevant protected characteristics are:

- *Age*
- *Disability*
- *Gender reassignment*
- *Pregnancy and maternity*
- *Race*
- *Religion or belief*
- *Sex*
- *Sexual orientation*
- *Marriage and Civil partnership*

8.2 Directorate proposals will be subject to an initial equalities impact assessment followed by a full assessment where appropriate. These will be published along with the final budget and MTFS report to February Cabinet. An assessment will also be carried out on the whole budget which will include any relevant information from the budget consultation, when all proposals have been identified, to ensure that decision makers are aware of any overall equalities impact on the protected characteristics listed above.

Council Priorities

The Council's draft budget and MTFS for 2023/24 has been prepared in line with the Council's priorities:

1. **A council that puts residents first**
2. **A borough that is clean and safe**
3. **A place where those in need are supported**

Section 3 - Statutory Officer Clearance

Statutory Officer: Dawn Calvert

Chief Financial Officer

Date: 06/12/2022

Statutory Officer: Jessica Farmer

Signed on behalf of the Monitoring Officer

Date: 06/12/2022

Chief Officer: Patrick Flaherty

Signed off by the Chief Executive

Date: 06/12/2022

Head of Procurement: Nimesh Mehta

Signed by the Head of Procurement

Date: 06/12/2022

Head of Internal Audit: Dawn Calvert

Signed on behalf of the Head of Internal Audit

Date: 06/12/2022

Mandatory Checks

Ward Councillors notified: NO, as it impacts on all Wards

EqlA carried out: NO – to be reported as part of the February 2023 final budget report

Section 4 - Contact Details and Background Papers

Contact: Dawn Calvert – Director of Finance & Assurance.
Dawn.calvert@harrow.gov.uk

Background Papers: None

Call-in waived by the Chair of Overview and Scrutiny Committee - NO