Agenda Item 13

# SCRUTINY COMMISSION - 4TH NOVEMBER 2020

## REPORT OF THE DIRECTOR OF CORPORATE RESOURCES

## 2020/21 MEDIUM TERM FINANCIAL STRATEGY MONITORING (PERIOD 6)

### Purpose of the Report

1. The purpose of this report is to provide members with an update on the 2020/21 revenue budget and capital programme monitoring position as at the end of period 6 (the end of September).

### Policy Framework and Previous Decisions

2. The 2020/21 revenue budget and the 2020/21 to 2023/24 capital programme were approved by the County Council at its budget meeting on 19th February 2020 as part of the Medium-Term Financial Strategy.

3. The four-year capital programme was reviewed in July 2020 and an updated programme approved by the Cabinet 18 September 2020.

### REVENUE BUDGET

4. The financial position faced by the County Council is extremely serious and challenging. The current MTFS anticipated a funding gap of £39m by 2023/24 but the additional pressures from Covid-19 will increase that gap significantly. This is a particularly difficult situation for a low-funded authority such as Leicestershire as room for further savings is limited.

5. The report to Cabinet in September provided more background to the Council's wider financial impact of Covid-19, focussing not just on the current financial year, but also the expected impact over the MTFS period. It also discussed the additional measures that had been put in place to help mitigate the impact. This detail is not reported again here. Instead the focus is on the current year financial position.

6. Financial monitoring in the current financial year consists of three streams:

- The direct adverse implication of the Covid crisis, which is reported to Government
- Mitigations of financial pressures
- Budget variances that arise, which do not relate to the Covid crisis.

7. The difference between these three categories is not perfectly defined and can change, as Government ‘refines’ its approach to capturing information.

**Uncertainties**

8. Whilst covered in the September report it is worth re-emphasising that the range of uncertainties being faced is far higher than in a usual year, including:

- Time until normality returns and impact of further lockdowns
- National Living Wage annual increases
- DfE commitment to covering SEND costs
- Economic influences on service demand and service contributions
- Tax income (Referendum limits and ability to pay)
- Commercial / Corporate Asset Investment Fund income
- Level of pent-up demand
- Expectations of service provision changed, such as standard of infection control
- Potential for fundamental change in the Care Home market

9. As such the estimated outturn position now being reported is being done so with much less confidence than would usually be the case at period 6.

**2020/21 REVENUE BUDGET MONITORING – PERIOD 6**

10. Overall a net overspend of £7.4m is forecast. This is estimated to comprise net additional costs due to Covid-19 of £12m and non Covid-19 related underspends of £4.6m. However, it is not easy to separate out the impact accurately for a lot of services.

11. The cost control and related measures that have been introduced are already starting to have an impact and will continue to do so which will hopefully see this position improve further.

12. The position is summarised below and set out in more detail in Appendix A.

| | Updated Budget £000 | Projected Outturn £000 | Difference from Updated Budget £000 | % |
|---|---|---|---|---|
| Schools Budget – Schools and Early Years | 0 | -520 | -520 | |
| Schools Budget – High Needs | 0 | 10,010 | 10,010 | |
| Net Total | 0 | 9,490 | 9,490 | |

| | | | | |
|---|---|---|---|---|
| Children & Family Services (Other) | 82,796 | 85,946 | 3,150 | 3.8 |
| Adults & Communities | 150,779 | 156,739 | 5,960 | 4.0 |
| Public Health | -665 | -785 | -120 | 18.0 |
| Environment & Transport | 83,406 | 83,476 | 70 | 0.1 |
| Chief Executives | 12,268 | 13,778 | 1,510 | 12.3 |
| Corporate Resources | 34,099 | 42,139 | 8,040 | 23.6 |
| Capital Financing | 43,100 | 45,900 | 2,800 | 6.5 |
| Other Areas | 6,322 | 7,732 | 1,410 | 22.3 |
| Central grants/other income | -33,241 | -32,241 | 1,000 | -3.0 |
| Covid-19 grant | 0 | -36,500 | -36,500 | n/a |
| Contribution to General Fund | 11,000 | 11,000 | 0 | 0.0 |
| Central Costs of Covid-19 | 0 | 5,500 | 5,500 | n/a |
| **Total** | 389,864 | 382,684 | -7,180 | -1.8 |
| **Funding** | -389,864 | -375,304 | 14,560 | -3.7 |
| **Net Total** | 0 | 7,380 | 7,380 | |

13. This is a significant improvement on the position reported in September (P4). The key changes are set out in the table below:

| | **£ Millions** | **£ Millions** |
|---|---|---|
| **Period 4 Overspend** | | **18** |
| Covid-19 General Grants | -3 | |
| Sales, Fees and Charges income losses - grant | -2 | |
| Additional ASC support (free PPE & additional infection control grant) | -3 | |
| Spend controls | -1 | |
| E&T, Transport cost estimate reduced + additional capital recharges | -1 | |
| Treasury Management (including Pooled Property & Private debt) | -2 | |
| Commercial income and delays to CAIF schemes | 1 | |
| **Total Change** | | **-11** |
| **Period 6 Overspend** | | **7** |

14. The details of major variances are provided in Appendix 2. The key projected variances that have been identified are set out below.

<u>Children and Family Services – Schools Budget</u>

15. The High Needs element of Dedicated Schools Grant (DSG) is forecast to be £10m overspent at the end of 2020/21. This compares with the MTFS which included an estimate of £10.5m.

16. Nationally concern over the impact of Special Educational Needs and Disability (SEND) reform on High Needs expenditure and the financial difficulties these places

on local authorities continues. The position in Leicestershire reflects the national picture.

17. The SEND Capital Programme is developing additional specialist places with the aim of reducing the reliance on expensive independent sector. During 2019/20 a number of these bases welcomed their first cohort of students, with more places forecast to be filled during the 2020/21 academic year. The increase in demand, however, has resulted in these places being filled with new demand and limited the ability to offer places to pupils currently within the independent sector. Due to set-up costs the full effect of the programme will not be seen until future years.

18. The estimated accumulated High Needs deficit for 2020/21 remains forecast to be £18m pending a full review of the medium-term financial projection. This will incorporate confirmed pupil destinations and costs for the 2020/21 academic year, any changes in demand and average costs as well as updating expectations in relation to costs and savings.

19. The Department is implementing a number of actions that could over the course of the MTFS reduce demand and therefore the overall deficit through the High Needs Development Plan. An external review of the deliverability of the plan and the actions within it is underway

20. Early Years Dedicated Schools Grant is forecast to be £0.5m underspent at the end of this financial year, due to demand being less than anticipated.

<u>Children & Families – Local Authority Budget (Other)</u>

21. The budget is forecast to be £3.2m (3.8%) overspent for the financial year.

22. Operational Placements - £3m overspend. Current projections are based on an 8% increase in Looked after Children (LAC), from the March 2020 position. Whilst the growth built into the MTFS was based on a 14% increase, there has been an increase in unit costs based on the current cohort of children and new placements coming into the system in comparison to projected unit costs made at time of the preparation of the MTFS. This has resulted in the current projected overspend position. For example, current average weekly external residential unit costs to social care is £4,000 per week compared with a £3,500 per week assumption built into the MTFS growth, an increase of 14%. This increase in average weekly cost exceeds the benefit of lower than budgeted LAC children than originally estimated.

23. Likewise, similar trends can be seen across external 16 plus and Independent Fostering Agency (IFA) placements; 16 plus current average weekly unit costs £1,400, compared with £1,000 built into MTFS assumptions, an increase of 40%. IFA current weekly average costs £810 compared with £790 built into MTFS assumptions, an increase of 3%.

24. Over the last 6 months, a number of children have required residential placements as a result of their very complex needs, subsequently leading to very high cost

placements, and a subsequent driver behind the increase in current weekly unit cost. Other market factors, such as the impact of Covid-19 is also a factor in the current increased unit cost, but at this stage is more difficult to quantify the exact impact of Covid-19 on placement costs. Engagement is actively being undertaken with providers to try to understand with more certainty the current impact of the different factors driving current costs.

25. Changes to case law and court directives are also have a significant adverse impact on the current budget situation. For example, regarding parent and child placements, the new standard is there must be a high standard of justification that must be shown by a local authority seeking an order for separation requires it to inform the court of all available resources that might remove the need for separation. There are a higher level and increasing number of parent-baby placements enter the system (in July, 6 new requests for parent-baby placements - potentially linked to the impact of Covid-19 as a potential factor behind this increase although difficult to validate at this stage).

26. The current position is there is no available in-house provision to meet this demand and so IFA/residential searches are required. If IFAs do not offer a placement, then the court will want to know if there are residential placement offers. An offer from a residential placement will indicate that that provision feels able to safeguard the child, keeping parent-child together and hence meeting this new court directed standard.

27. If this is a continued pattern, then depending on placement sufficiency the number of new entries potentially into residential provision, will exceed the predicted number for 2020/21, potentially 10% increase in Residential numbers compared to the projected number of residential placements built into current MTFS assumptions, hence impacting adversely on forecasted spend.

28. Children's Social Care Staffing - £1.6m overspend. The MTFS had identified growth for number of staff roles across various service areas based on current demand and need. A number of those roles had been filled with agency workers, given the current challenges around recruitment and retention within social care. Prior to Covid-19, plans had been in place for an intense recruitment drive and to reduce the need for agency workers. However, the current pandemic caused severe disruption to those plans and also required short term reactive measures which involved having to increase workforce capacity to allow for service continuity across statutory services. This subsequently meant such increased capacity had to be met from the agency market at an increased cost. In addition, whilst there have been positive recruitment drives for social workers, a number of new recruits are newly qualified and therefore in a lot of cases have needed to be supported by more qualified social workers in the short term, and unfortunately based on the current demand for qualified experienced social workers, this is also having to be met from the agency market.

29. Savings of £1.3m are forecast from vacancy management across all non-essential vacant roles.

Adults and Communities

30. A net overspend of **£6m** (4%) is forecast for the revenue budget for 2020/21.

31. There has been a significant financial impact due to Covid-19 on adult social care which includes making additional payments in the region of £27m to care providers to cover; additional costs **(£3m**), assistance with cashflow (£11m) which will need to be repaid by providers and passporting the Infection Control Fund Grant (£13m).

32. Other additional Covid-19 expenditure of **£2.6m** includes supporting shielding, PPE purchases for council services, supporting the management of Covid-19 and food packages for service users being discharged from hospital.

33. There is also an estimated loss of community income of **£3.4m** from a reduction in the number of chargeable service users due mainly to Covid-19.

34. These costs are offset by income of approximately £17m from the NHS to support service users being discharged from hospital and **£3m** underspend from staffing, overhead and other budgets mainly due to managing level of staffing vacancies across the department.

35. The level of demand from the service users for commissioned services is constantly changing with lower numbers for some services and increased costs. As the approach to Covid-19 management changes nationally, the NHS is changing the current basis arrangements for those being discharged from hospital from 1st September with only the first 6 weeks of reablement care being funded. The Government has also announced that it will provide PPE for social care providers as well as providing additional Infection Control Grant. The impact of all of these changes is being monitored and is making accurate forecasting of demand and cost for commissioned services very challenging.

Public Health

36. The department is forecasting a net underspent of £0.1m. This is mainly due to reducing numbers of health checks to a targeted provision and staffing vacancies.

Environment and Transport

37. The department is forecasting to be in line with the budget. This comprises variance which are reported below.

38. Transport is the main area of concern, with forecast overspends of £1.5m on Special Educational Needs (SEN) transport, £0.3m on Concessionary Travel, £0.2m on Public Bus Services and £0.1m on Mainstream School Transport. These forecasts mainly relate to the impact of Covid-19 on costs.

39. Waste Management is also impacted by Covid-19, with forecast overspends of £0.7m on Landfill, £0.4m on Dry Recycling and £0.3m on Recycling and Household Waste

Sites, partly offset by underspends of £0.4m on Treatment Contracts and £0.2m on staffing and administration, due to staff vacancies.

40. These overspends are offset by underspends elsewhere, particularly of £2.4m on the Highways Design and Delivery budget due to additional capital recharges (increased capital grants) and vacant posts. Due to Covid-19 recruitment has been slowed and full recruitment for services may be impacted for the whole year.

Chief Executives

41. The department is overspending by £1.5m (12.3%) which is mainly due to expenditure of £1.6m on the Covid 19 Community Grant scheme, providing support to community and third sector groups to allow them to continue to provide critical services.

Corporate Resources

42. Overall the department is forecasting a net overspend of £8.0m (23.6%).

43. There is a £4.7m forecast overspend on Commercial Services, primarily related to Covid-19. Commercial Services faced significant challenges during 2019/20 resulting in a £2.6m budget overspend. This was partially affected by Covid-19 lockdown which has affected sales since mid-March. Difficult trading conditions continue and have been seriously compounded by the lockdown forcing the scaling back or temporary closure of a number of commercial services. Options are being developed to address continuing operational losses and develop an optimum portfolio of commercially sustainable services going into 2021/22. This may result in some services discontinuing.

44. There is a forecast overspend of £2.1m on the Information and Technology budget, due to additional spending on hardware and software to support the increase in homeworking during the Covid-19 lockdown.

45. There is a forecast overspend of £1.1m on the Corporate Asset Investment Fund, due to developments, and hence rental income, being delayed by Covid-19.

46. There is an overspend of £0.6m relating to the introduction of a Working from Home Allowance, which provides for the costs of non-PC equipment required by staff to adapt to working safely at home during the Covid-19 pandemic.

Central Contingencies / Central Items

47. The inflation contingency of £16.2m is projected to be overspent by £1m. Transfers of £14m have been made to date, including £6.2m on the Adults and Communities budget which mostly relates to the Adult Social Care fee review and £5.8m for the 2020/21 pay award and an increase to the employer pension contribution rate. Other pressures still to be met from the contingency include energy, insurance, IT and other budgets.

48. Revenue Funding of Capital – additional costs of £3m. This includes an estimate of £2m to support the SEND capital programme due to additional demands on places, and £1m for forecast overspends due to Covid-19 on the capital programme.

49. Central Grants and Other Income - £1m overspend mainly due to a reduction in interest earned on cash balances. In March 2020 the Bank of England announced two emergency cuts in interest rates in response to the financial impact of the coronavirus outbreak. The base rate was cut from 0.75% to 0.25% on 11 March, and then to 0.1% on 19 March. This reduction equates to a loss of c.£1m compared with the budget in the MTFS, assuming interest rates remain at this level for the foreseeable future.

<u>Central Costs of Covid 19 / EU exit</u>

50. Given the significant uncertainty in the current financial year, provision of £5m has been made. This is for potential additional costs related to Covid-19 that have not yet been incurred as the Council approaches the 2$^{nd}$ half of the year and the impact of the second wave. For example the potential provision of school meals during school holidays for those eligible for free school meals. The provision also covers further uncertainty arising from the exit from the European Union. In particular, additional costs are anticipated due to managing the logistics around East Midlands Airport as well as additional pressures expected to hit services such as trading standards. There is also an expected impact on reduced labour markets for key services, such as adult social care, which could push prices upwards, albeit perhaps more of an impact in later years.

51. The County Council's precepts for Business Rates and Council Tax are due to be collected in full during 2020/21. However, it is anticipated that the actual amounts of both income streams that will be received by the district councils during 2020/21 will be impacted by Covid-19 from a rise in unemployment, reduced numbers of new properties and businesses unable to pay business rates. An initial estimated loss of £15m has been calculated based on an overall reduction of 5% which will impact on the income available to the County Council when setting future years' budgets. As this relates to 2020/21, it is prudent to set aside this funding in this year to offset the anticipated future impact. In addition, with underlying increases in tax bases generating roughly £10m additional core funding per year – potentially tax bases could reduce depending on the longer-term picture on unemployment and business failure. Detailed estimates have been requested from the district councils and this position will be updated as more information is known throughout the year.

**<u>Covid-19 Grants</u>**

52. The County Council has received three tranches of Covid-19 general grant from the Government, totaling £31.3m (out of a national total of £3.7bn). A further announcement of a fourth tranche of £1.0bn has been made and the County Council share is £3.2m, giving a total of £34.5m. The County Council's share in this fourth

share is only 0.34%, compared with 0.94%, 0.79% and 0.76% in the previous tranches.

53. The Government has introduced a grant scheme to provide support to local authorities regarding the impact of Covid-19 on sales, fees and charges (SFC) income. After allowing for a “deductible” amount of 5% of applicable SFC budgets, the Government will contribute 75% of the net loss. The current forecast is for this grant to total £2m, this is being reassessed in light of the reductions in commercial income

54. The County Council has continued to make claims from the Government’s furlough scheme. An estimated benefit of £3m has been included in the latest monitoring. The position will not be confirmed until the scheme ends in October due to the timing of service opening and HMRC’s retrospective auditing of the scheme.

**Business Rates**

55. The provisional outturn position of the 2019/20 Leicester and Leicestershire Business Rates Pool is for a levy surplus of £10.6m and the 75% Business Rates Pilot is projected to show a net gain of £14.9m, of which £7.2m relates to the County Council. The final position on both issues is subject to the completion of the external audits on each billing authority’s Business Rates returns to MHCLG.

56. Monitoring of the 2020/21 Pool is underway, and an update will be provided in the next monitoring report. Initial indications are that the Pool levy surplus will continue but is likely to be significantly reduced, due largely to the impacts of Covid-19.

**Overall Revenue Summary**

57. At this early stage there is a forecast net overspend of £7.4m, but there are a significant number of uncertainties in trying to fully assess the ongoing impact of the pandemic. This position will be updated as more information is known during the financial year.

58. The financial impact in future years is even more uncertain. Although it is hoped that measures to contain the virus will be greatly reduced, the financial challenge will need to be met due to:

    a. Reduced growth in housing and business premises reducing new taxes raised
    b. Greater level of tax defaults and reliefs
    c. Delays to existing savings programmes
    d. Higher service costs due to long lasting changes from the crisis, for example the care home market will potentially look very different.
    e. Greater support requirements, for example social care, from higher unemployment.

59. The 2020/21 outturn position is planned to be closed by cost control and other measures with the balance being met from earmarked funds and contingencies.

60. Over the medium-term the gap is expected to be closed from new savings targets and expenditure controls.

## CAPITAL PROGRAMME

61. The updated capital programme for 2020/21 totals £152m. This follows a review of the programme undertaken in July 2020 and approved by the Cabinet in September 2020.

| | Revised Capital Programme £000 | Changes in Funding 2020/21 £000 | Updated Budget 2020/21 £000 | Forecast Spend 2020/21 £000 | Updated Budget v Forecast Variance £000 |
|---|---|---|---|---|---|
| Children & Family Services* | 35,177 | 328 | 35,505 | 33,065 | -2,440 |
| Adults and Communities | 9,626 | 0 | 9,626 | 9,827 | 201 |
| Environment & Transport | 62,766 | 436 | 63,202 | 60,255 | -2,947 |
| Chief Executive's | 890 | 0 | 890 | 901 | 11 |
| Corporate Resources | 12,381 | 0 | 12,381 | 8,810 | -3,571 |
| Corporate Programme | 30,388 | 0 | 30,388 | 22,977 | -7,411 |
| **Total** | **151,228** | **764** | **151,992** | **135,835** | **-16,157** |

*Excludes Schools Devolved Formula Capital

62. The latest position at period 6 reports net slippage of £16m. Details of the variances are provided in Appendix 4. The main variances are reported below:

63. Children and Family Services, £2.4m relating to slippage on the provision of additional school places programme. Works at two schools have been delayed to 2021/22 due to planning issues (Rothley Primary) and a pending decision on a new primary free school (in Fleckney).

64. Environment and Transport, overall net variance of £2.9m:

- A511 / A50 Major Road Network - £1.5m slippage due to a number of activities which were expected earlier this year, having to be delayed due to Covid-19.
- Advanced Design - £0.6m slippage due to reprioritisation of works and when monies will be spent, this has meant that some of the works will now not be required this year but will be needed in future years.
- Zouch Bridge - £0.3m slippage due to taking this programme into a full tender exercise to ensure competitive pricing.
- Melton Mowbray Distributor Road – North and East Section - £0.3m acceleration due to asbestos investigations and design fees for ground improvements that had not been foreseen in this year's programme.

- Waste Transfer Station Development - £0.3m slippage due to construction not starting until 2021/22 so that detailed pre-construction works can be completed in 2020/21, therefore the spend profile has been revised in line with the commencement of the construction works.

65. Corporate Resources, overall net slippage of £3.6m:

- Snibston Future Strategy - Remedial works for the area of the site earmarked for housing and the related covenant, slippage of £2.6m. There has been a speculative interest in acquiring this site and the decision has been made to remarket the site for sale on the open market.
- Watermead Park Footbridge and Cycleway, slippage of £0.5m. Joint project with Leicester City Council requiring agreement with a third-party landowner.

66. Corporate Programme, overall net slippage of £7.4m.

- CAIF – Loughborough University Science and Enterprise Park, development of an office block plus car parking spaces. Forecast overspend of £0.4m relates to additional costs incurred by the contractor due to Covid-19 working guidelines. Completion and hand over to tenant expected in November 2020.
- Future Developments – slippage of £8m. Projects mostly not sufficiently advanced to require funding in this financial year. Over the medium term the estimated requirement on the fund is £85m compared with £50m set aside within the four year capital programme. This position will be reviewed and updated as part of the new MTFS.

**Capital Receipts**

67. The requirement for capital receipts for 2020/21 is £4.5m. The latest forecast of receipts is in line with the budget.

**Corporate Asset Investment Fund**

68. A summary of the Corporate Asset Investment Fund (CAIF) position as at quarter 2 for 2020/21 is set out in the table below. Overall the fund is forecasting to achieve a 2.6% net income return for 2020/21. If the development classification was excluded, the return would increase to 4.2%.

69. The directly managed property portfolio is so far holding up against the impact of Covid-19. In the Office class, increases in rental income, as large voids are taken up, will be partially offset as Covid-19 affects the office market, especially demand for smaller office spaces. Current projections show that the majority of industrial occupiers will emerge from Covid-19 in a stronger position than anticipated; arrears and defaults have been minimal in the first quarter of the year.

| Asset Class | Opening Capital Value | Capital Incurred 2020/21 | Net Income YTD | Forecast Net Income FY | Forecast Net Inc. Return FY |
|---|---|---|---|---|---|
| | £000 | £000 | £000 | £000 | % |
| Office | 27,160 | 0 | 727 | 1,632 | 6.0% |
| Industrial | 12,419 | 0 | 166 | 925 | 7.5% |
| Distribution | 456 | 0 | -3 | 20 | 4.5% |
| Development | 58,780 | 15,514 | -9 | -68 | -0.1% |
| Rural | 22,522 | 0 | -16 | 475 | 2.1% |
| Other | 4,413 | 0 | 86 | 195 | 4.4% |
| Pooled Property | 24,849 | 0 | 300 | 750 | 3.0% |
| Private Debt | 20,276 | 0 | 300 | 750 | 3.7% |
| **TOTAL** | **170,875** | **15,514** | **1,551** | **4,679** | **2.6%** |

70. The Council's exposure to the distribution sector is low risk due to the type of assets held. As such, performance is expected to remain in line with previous years. The rural sector is largely unaffected by Covid-19, with other economic factors taking time to impact returns. Rental growth will be slower this year due to the review cycle. The diverse range of assets held in the Other asset class offsets the potential risk from Covid-19; the Citroen Garage continues to offer solid returns.

71. Pooled property income is lower than expected due to the effects of Covid-19 on underlying businesses to make rental payments. The County Council has assumed a similar run rate for the full year forecast. Private Debt distributions have been delayed, to support the underlying businesses. The fund is invested in a product that is primarily composed of senior secured debt and is highly diversified. This offers considerable downside protection to the capital invested.

72. It should be noted that the above table excludes in year capital growth which is assessed annually as part of the asset revaluation exercise and reported in the annual CAIF performance report.

## Recommendation

73. The Scrutiny Commission is asked to note the contents of this report.

## Background Papers

Report to County Council -19 February 2020 – Medium Term Financial Strategy 2020/21 to 2023/24
http://politics.leics.gov.uk/documents/s151485/MTFS%202020-24%20-%20Cab%207-2-20%20v6.pdf

Report to Cabinet – 18 September 2020 – Medium Term Financial Strategy Latest Position
http://politics.leics.gov.uk/documents/s155524/MTFS%20Latest%20Position%20FINAL.pdf

**Circulation under the Local Issues Alert Procedure**

None.

**Equality and Human Rights Implications**

There are no direct implications arising from this report.

**Appendices**

Appendix 1: Revenue Position as at Period 6
Appendix 2: Revenue Budget Major Variances
Appendix 3: Capital Programme Major Variances and Funding Changes

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