

Reserves Strategy 2022-23

Background

The requirement for financial reserves is acknowledged in statute. Sections 32 and 43 of the Local Government Act require Precepting Authorities (and Billing Authorities) in England and Wales to have regard to the level of reserves needed for meeting estimated future expenditure when calculating the budget requirement.

In England and Wales, earmarked reserves remain legally part of the General Fund, although they are accounted for separately.

There are other safeguards in place that help to prevent local authorities over committing themselves financially. These include:

- The balanced budget requirement (Local Government Act 1992 s32 and s43).
- Chief Finance Officers duty to report on the robustness of estimates and adequacy of reserves (Local Government Act 2003 s25) when the Council is considering the budget requirement.
- Legislative requirement for each council to make arrangements for the proper administration of their financial affairs and that the Chief Finance Officer has responsibility for the administration of those affairs (section 151 of the Local Government Act 1972).
- The requirements of the Prudential Code.
- External Auditors will consider whether audited bodies have established adequate arrangements to ensure that their financial position is soundly based.

These requirements are reinforced by section 114 of the Local Government Finance Act 1988, which requires the Chief Finance Officer to report to the Council if there is likely to be unlawful expenditure or an unbalanced budget. This would include situations where reserves have become seriously depleted and it is forecast that the Council will not have the resources to meet its expenditure in a particular financial year. The issue of a section 114 notice cannot be taken lightly and has serious operational implications. Indeed, the Council must consider the s114 notice within 21 days and during that period the Council is prohibited from entering into new agreements involving the incurring of expenditure.

Whilst it is primarily the responsibility of the Council and its Chief Finance Officer to maintain a sound financial position, external auditors will, as part of their wider responsibilities, consider whether audited bodies have established adequate arrangements to ensure that their financial position is soundly based. However, it is not the responsibility of auditors to prescribe the optimum or minimum level of reserves for individual authorities in general.

CIPFA's Prudential Code requires the Chief Finance Officers to have full regard to affordability when making recommendations about the Council's future capital programme. Such consideration includes the level of long-term revenue commitments.

Indeed, in considering the affordability of its capital plans, the Council is required to consider all of the resources available to it and estimated for the future, together with the totality of its capital plans and revenue forecasts for the forthcoming year and the following two years. There is a requirement for three-year revenue forecasts across the public sector and this is achieved through the Medium-Term Financial Plan (MTFP).

CIPFA and the Local Authority Accounting Panel do not accept that there is a case for introducing a generally acceptable minimum level of reserves. Councils, on the advice of their Chief Finance Officers, should make their own judgements on such matters considering all relevant local circumstances. Such circumstances will vary between local areas. A well-managed organisation, for example, with a prudent approach to budgeting should be able to operate with a level of general reserves appropriate for the risks (both internal and external) to which it is exposed. In assessing the appropriate level of reserves, a well-managed organisation will ensure that the reserves are not only adequate, but also are necessary.

Section 26 of the Local Government Act 2003 gives Ministers in England and Wales a general power to set a minimum level of reserves for authorities.

However, the government has undertaken to apply this only to individual authorities in the circumstances where the authority does not act prudently, disregards the advice of its Chief Finance Officer and is heading for serious financial difficulty.

National Context

The UK's economy still faces a number of uncertainties, risks and challenges as a result of the Pandemic and the exit from the EU.

The Spending Review announced on 27th October 2021 included further additional funding and covered a period of 3 years, in line with the Spending Review Local Government has received a one-year financial settlement for 2022/23. There is still uncertainty over the total funding available for the local government sector from 2023/24, but the Government have signalled fundamental changes in Local Government finance going forward. These changes could be significant, and it will make forecasting for 2023/24 and beyond difficult. It is expected that the changes in the distribution of funding could be as early as 2023/24.

Local Context

North Northamptonshire Council is a new Council, it commenced its services from 1st April 2021. It has been created by amalgamating the former council areas of Corby, East Northamptonshire, Kettering, and Wellingborough together with the proportion of Northamptonshire County Council covering the North of Northamptonshire.

The new Council will continue to face financial pressures. As noted above it is recognised nationally that there are significant budget challenges for local

government, not only from the longer-term impact of COVID-19 on costs and income, but also Social Care demand and other cost pressures which pre-date the pandemic.

Whilst the creation of the Unitary Council creates several opportunities to benefit the region, it is also recognised that there are some risks and costs. Specific risks for the 2022-23 budget include the challenges brought about by COVID-19 and the increase in demand for services prior to the pandemic. Whilst the Council has prepared a balanced financial position for 2022/23 it faces forecast funding shortfalls over the period of the medium term which must be addressed.

Types of Reserve

The Council holds reserves for specific reasons that are included within the Medium-Term Financial Plan. These include a working balance to cover unexpected events and to meet forthcoming events where the precise event, date and amount required cannot accurately be predicted. In addition, the Council is required to hold non-cash backed reserves to adhere to proper accounting requirements when preparing its annual Statement of Accounts. There are four types of reserves, each of which are explored in more detail below:

- General Reserves and Minimum Level of Reserves
- Earmarked Reserves
- Earmarked Reserves – Capital
- Non-Cash Backed Reserves for Statement of Accounts

General Reserves & Minimum Level of Reserves

The Council will hold a general reserve which sets out the minimum amount of reserves the council is required to hold for the following purposes:

- To meet forthcoming events where the precise date and amount required cannot be accurately predicted.
- A contingency to cushion the impact of unexpected events or emergencies.
- A reasonable amount to meet peaks and troughs in revenue and capital expenditure requirements.
- A working balance to help cushion the impact of uneven cash flows and avoid unnecessary temporary borrowing.
- The general reserves which include a minimum level of reserves will be based on a risk assessment.

Earmarked Reserves

The Council will hold earmarked reserves for the following purposes:

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- A means of building up funds often referred to as earmarked reserves, to meet known or predicted requirements; earmarked reserves are accounted for separately but remain legally part of the General Fund.
- To mitigate specific risks in relation to the economic climate and the safety of the Council's financial assets. This would link closely with the Treasury Management and Prudential Code Strategy.
- To meet forthcoming capital expenditure needs where major capital schemes are being planned and the reserve will be utilised to reduce the cost of borrowing and capital charges to the revenue account.
- To meet smaller projects where expenditure is only met from this reserve, and which meets specific policy requirements.

Earmarked Reserve – Capital

The Council will hold a Capital Receipts Reserve. This reserve holds the proceeds from the sale of assets and can only be used for capital purposes in accordance with the regulations.

Protocols for Establishing and Reviewing Earmarked Reserves

For each earmarked reserve held by the Council there is a clear protocol set out, as follows:

- The reason for/purpose of the reserve.
- How and when the reserve can be used.
- Procedures for the reserves management and control.
- A process and timescale for review of the reserve to ensure continuing relevance and adequacy.

When establishing reserves, the Council needs to ensure compliance with the Code of Practice on Local Authority Accounting and in particular the need to distinguish between reserves and provisions. It will also need to pay due regard to the Council's Constitution and Financial Regulations.

When reviewing the Medium-Term Financial Plan, preparing the annual budgets and during the end of year accounts process the Council should consider the establishment and maintenance of reserves.

Non-Cash Backed Reserves for Statement of Accounts

The Council also holds other reserves that arise out of the interaction of legislation and proper accounting practice. These reserves are technical in nature and are not cash-backed and cannot be used for any other purpose, there are detailed below:

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- The **Pensions Reserve** – this is a specific accounting mechanism used to reconcile the payments made for the year to various statutory pension schemes.
- The **Revaluation Reserve** – this is a reserve that records unrealised gains in the value of fixed assets. The reserve increases when assets are revalued upwards and decreases as assets are depreciated or revalued downwards or disposed of.
- The **Capital Adjustment Account** – this is a specific accounting mechanism used to reconcile the different rates at which assets are depreciated under proper accounting practice and are financed through the capital controls system.
- The **Available-for-Sale Financial Instruments Reserve** – this is a reserve that records unrealised revaluation gains arising from holding available-for-sale investments, plus any unrealised losses that have not arisen from impairment of the assets.
- The **Financial Instruments Adjustment Reserve** – this is a specific accounting mechanism used to reconcile the different rates at which gains and losses (such as premiums on the early repayment of debt) are recognised under proper accounting practice and are required by statute to be met from the General Fund.
- The **Unequal Pay Back Pay Account** – this is a specific accounting mechanism used to reconcile the different rates at which payments in relation to compensation for previous unequal pay are recognised under proper accounting practice and are required by statute to be met from the general fund. Currently none.
- **Collection Fund Adjustment account** – this is specific to the changes in accounting entries relating to the Collection Fund Accounts held by Billing Authorities.
- **Accumulated Absences Account** – this account represents the value of outstanding annual leave and time off in lieu as at 31st March each year.

Other such reserves may be created in future where developments in local authority accounting result in timing differences between the recognition of income and expenditure under proper accounting practice and under statute or regulation, such as the Capital Grants Unapplied where grants have been received but have not yet been set against relevant spend.

North Northamptonshire Council's Reserves

This document aims to provide an over-arching strategy that defines the boundaries within which the approved budget and Medium-Term Financial Plan (MTFP) operate.

The General Reserve & Minimum Level of Reserves It has previously been established that General Reserves will be maintained at a level above the minimum of 5.0% of the total net revenue budget for the General Fund and 4% for the Housing Revenue Account. The minimum balance for the Corby Neighbourhood Account

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remains unchanged at £800k but the Kettering Neighbourhood Account has been increased from £300k to £650k.

The purpose of this reserve is to provide for any unexpected expenditure that cannot be managed within existing budgets. Such expenditure would be one-off and resulting from an extraordinary event.

Similarly, the General Reserve should be set at a prudent and not excessive level, as holding a high level of reserves can impact on resources and performance. As such the maximum level of General Reserves is set at 10.0% of the total net revenue budget.

Authorisation to finance such expenditure must be obtained in advance from the Council's Chief Finance Officer, in accordance with the scheme of delegation.

The request should be supported by a business case unless there is clear and necessary reason for urgency.

As the net budget position changes and risks are reviewed the level of General Reserve must be monitored to ensure that a minimum level is maintained.

Appendix A provides a comparison of North Northamptonshire's general and earmarked reserves to other similar sized unitary councils.

Earmarked Reserves

Unlike General Reserves earmarked reserves have been identified for specific areas of expenditure where there are anticipated costs that can only be estimated. It is therefore prudent for the Council to identify such areas of expenditure and set aside amounts that limit future risk exposure.

Such expenditure usually arises out of changes in policy or where the organisation is working in collaboration with others to provide a specific service.

Expenditure relating to earmarked reserves has to specifically relate to the purpose of the reserve. There is no set limit to an earmarked reserve as it is to reflect the level of need required.

Appendix B details for each of the earmarked reserves the forecast balances for North Northamptonshire Council in 2022/23 financial year and estimated commitments against these reserves over the medium term.

Procedure for Use of Reserves

The use of reserves requires approval of the Council's Chief Finance Officer. All requests should be supported by a business case unless there is an approved process for use. On occasion where an urgent request is being made this should comply with the Council's Constitution and Financial Regulations.

Monitoring

The level of reserves is kept under continuous review. The Chief Finance Officer reports on the levels of reserves as part of the Medium-Term Financial Strategy updates together with the Reserves Strategy as part of the budget setting and outturn reports.

The current level of forecast reserves is not significant and if called upon will impact negatively on the financial viability and resilience of the Council. Reserves and their usage are carefully planned for and monitored throughout the year.

Risk Analysis

Any recommendations that change the planned use of reserves reported within the Annual Budget and Outturn Reports will take account of the need for operational service delivery of the Council balanced against the need to retain prudent levels of reserves.

However, there are significant risks, which affect the level of reserves to be maintained, and it is for this reason that a minimum level of 5% of total net revenue budget has been set for the General Reserve.

The significant risks that have been considered, but which will also be kept under review and are outlined in the main budget report in section 15.3.

STRATEGY REVIEW

This strategy will be reviewed annually as part of the budget process. During the year changes may occur in the MTFs, which affect this strategy. Such changes will be monitored by the Chief Finance Officer and reported through the financial reporting process.

Janice Gotts

Executive Director Finance and Section 151 Officer

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Comparison of North Northamptonshire's general and earmarked reserves to other similar sized councils and groups of councils

	Population	Net Revenue Budget £000	Unallocated Reserves £000	Earmarked Reserves £000	% Unallocated Reserves as proportion of Net Revenue Budget	% Earmarked Reserves as proportion of Net Revenue Budget
Total England		60,527,902	6,368,116	18,467,616	10.5%	30.5%
Total Unitary		11,154,313	783,035	3,130,394	7.0%	28.1%
Selected Unitary Councils						
Bournemouth, Christchurch and Poole	396,389	308,376	15,350	34,651	5.0%	11.2%
Cheshire East	386,667	282,632	10,316	42,565	3.6%	15.1%
Dorset	379,791	300,170	28,199	115,755	9.4%	38.6%
Cheshire West and Chester	343,823	277,051	24,726	82,828	8.9%	29.9%
East Riding of Yorkshire	343,201	289,657	14,437	104,452	5.0%	36.1%
Northumberland	323,820	277,507	66,096	104,699	23.8%	37.7%
Central Bedfordshire	294,096	219,520	15,733	37,150	7.2%	16.9%
North Northamptonshire	350,448	295,907	24,170	108,977	8.2%	36.8%

Source: <https://www.gov.uk/government/statistics/local-authority-revenue-expenditure-and-financing-england-2021-to-2022-budget-individual-local-authority-data>

Appendix B

General Fund Reserves	Forecast Balance 31/03/2022 £'000	Transfer to Reserve 2022-23 £'000	Transfer from Reserve 2022-23 £'000	Forecast Balance 31/03/2023 £'000	PURPOSE OF RESERVE
GENERAL FUND BALANCE	(24,170)	0	0	(24,170)	To meet forthcoming events where the precise date and amount required cannot be accurately predicted, including sufficient contingency to cushion the impact of unexpected events or emergencies, a reasonable amount to meet peaks and troughs in revenue and capital expenditure requirements and a working balance to help cushion the impact of uneven cash flows and avoid unnecessary temporary borrowing.
EARMARKED RESERVES					
Smoothing Reserves					
Regeneration and Economic Investments	(2,500)	0	0	(2,500)	To provide protection in relation to fluctuations in income or other costs relating to regeneration and economic investments.
Investment Income	(5,920)	0	0	(5,920)	To provide protection in relation to fluctuations in income from the Council's investment portfolio due to market uncertainty or uncertain future events and protect against investment income losses.
Recycling Commodities	(2,000)	0	0	(2,000)	To provide protection in relation to fluctuations in market prices for recycling commodities.
Homelessness	(1,540)	0	0	(1,540)	To provide protection in relation to uncertain demand for the service following legislative changes.



General Fund Reserves	Forecast Balance 31/03/2022 £'000	Transfer to Reserve 2022-23 £'000	Transfer from Reserve 2022-23 £'000	Forecast Balance 31/03/2023 £'000	PURPOSE OF RESERVE
Budget Delivery	(11,909)	(4,470)	1,615	(14,764)	Smoothing reserve to assist in medium term delivery of budget plans.
General Risk Reserve	(9,120)	0	350	(8,770)	Reserve established to recognise the significant risk and uncertainty around the cost of future pressures arising from the continuing impact of Covid and economic changes.
Legal Reserve	(1,350)	0	0	(1,350)	
Elections Reserve	0	(150)	0	(150)	
Business Rates Retention Reserves					
Business Rates Retention Risks	(28,509)	(3,659)	6,585	(25,583)	To manage smoothing and timing effects of business rates. Includes grants under s.31 of the Local Government Finance Act 2003 totalling £6.585m for 2021/22 (£21.445m forecast for 2020/21). Section 31 grants are awarded to offset the reduction in business rates yield due to the changes announced by the government.
Transformation Reserves					
Transformation Reserves	(8,890)	0	2,170	(6,720)	Disaggregated transformation reserve to support continued delivery of transformation activities.
Local Government Reorganisation	(8,550)	0	0	(8,550)	Reserve to Fund Costs associated with Local Government Reorganisation



General Fund Reserves	Forecast Balance 31/03/2022 £'000	Transfer to Reserve 2022-23 £'000	Transfer from Reserve 2022-23 £'000	Forecast Balance 31/03/2023 £'000	PURPOSE OF RESERVE
Building Maintenance Reserves					
Building Repairs and Investment	(1,500)	0	0	(1,500)	To manage property repairs and maintenance issues.
Planning Reserves					
Planning Risks	(500)	0	0	(500)	To provide resources for revenue costs of the planning service to meet items such as legal costs, specialist advisors or consultants and other costs required to meet statutory guidelines or regulations.
Regeneration Reserves					
Economic Development and Regeneration	(2,130)	0	0	(2,130)	To provide resources for the Council's planning service, assist with the Council's economic development strategy, provide funding for other one-off projects and to assist with the operation of the Council's asset management plan.
Voluntary Community and Social Enterprise	(400)	0	200	(200)	To provide resources to support the Voluntary Community and Social Enterprise sector.
Community Projects	(2,950)	0	0	(2,950)	Funding for community projects.
Specific Reserves					
Burton Wold	(120)	0	0	(120)	The reserve has been created from contributions from the developers of the Burton Wold Wind Farm Project. The Council uses this contribution to award grants for energy efficiency and education works.



General Fund Reserves	Forecast Balance 31/03/2022 £'000	Transfer to Reserve 2022-23 £'000	Transfer from Reserve 2022-23 £'000	Forecast Balance 31/03/2023 £'000	PURPOSE OF RESERVE
Capacity Fund	(1,200)	0	0	(1,200)	To provide resources to fund future expenditure associated with the Joint Delivery Unit, funded by external capacity funding.
Public Health Reserve	(8,450)	0	0	(8,450)	General Reserve comprising unspent Public Health grant to be utilised in future years.
Adult Social Care Reserve	(6,000)	0	0	(6,000)	To mitigate risks related to the delivery of Adult Social Care.
Local Council Tax Support Reserve	(500)	0	0	(500)	To mitigate risks related to increases in Local Council tax Support claims.
Waste Management	(2,450)	0	0	(2,450)	To mitigate waste management risks.
Other Earmarked Reserves	(560)	0	0	(560)	Various other earmarked reserves.
Capital Reserves - General Fund					
Capital General Fund	(1,880)	0	0	(1,880)	To provide resources in support of capital programme development.
Insurance Reserves					
Insurance Risk Reserve	(2,690)	0	0	(2,690)	Reserve based on actuarial assessment of Insurance Fund.
TOTAL EARMARKED RESERVES	(111,618)	(8,279)	10,920	(108,977)	
TOTAL GENERAL FUND RESERVES AND BALANCES	(135,788)	(8,279)	10,920	(133,147)	