CABINET

26 JULY 2024

REPORT OF THE PORTFOLIO HOLDER FOR CORPORATE FINANCE AND GOVERNANCE

A.2 TREASURY MANAGEMENT PERFORMANCE 2023/24

PART 1 – KEY INFORMATION

PURPOSE OF THE REPORT
To report on the Council's treasury management activities and Prudential Indicators for 2023/24.

EXECUTIVE SUMMARY

- Borrowing and investments have been undertaken in accordance with the 2023/24 Annual Capital and Treasury Strategy that was approved by full Council on the 2nd March 2023.

- ***Summary of the Council's Borrowing Position:***

Amount Outstanding at the end of March 2024	Average Interest Rate Paid in 2023/24	Total Interest paid in 2023/24
£0.128m (General Fund)	7.033%	£0.09m
£33.149m (HRA)	3.577%	£1.208m

No external borrowing was undertaken in 2023/24 for either the General Fund (GF) or Housing Revenue Account (HRA).

- ***Summary of the Council's Investment Position:***

Value of Investments held at the end of March 2024	Average Interest rate on Investments 2023/24	Interest Earned on Investments 2023/24
£72.509m	4.810%	£4.220m

The amount of interest earned from investments increased greatly during the year due to the continuation of decisions by the Bank of England Monetary Policy Committee (MPC) to increase rates from 4.25% at the beginning of 2023/24 to 5.25% at the end of it. As most investments are fixed for 6 months at a time, the increases did not feed immediately through to the investments held but did allow for a 'laddering' of deposits to lock in the increase. Estimated income was increased through the quarterly financial performance and budget reports during the year - from **£0.824 million** at the start of the year to **£3.818 million** at the end of the year, with the outturn figure being **£4.220 million** as set out in the table above.

- The Council continues to hold one property within its Commercial Investment Portfolio, which had a balance sheet value at 1 April 2023 of **£0.224 million**. This 'book value' was increased by the Council's appointed valuers to **£2.284 million** at the end of 2023/24. However, this is an 'accounting' valuation and not a direct value that would be achieved on the market if it was sold. In-line with the budget, rental income of **£0.228 million** was earned on the property in 2023/24, in line with estimates.

- Treasury performance figures for the year are set out in **Appendix A** with Prudential Indicators attached as **Appendix B.**

- Inflation has met the MPC's target of 2% in early 2024/25, but underlying inflationary pressures remain, which means that interest rate reductions are likely to be gradual in nature. The forecast from the council's treasury advisors is for interest rates to decline from the current peak of 5.25% to 4.00% in March 2025. As the impact of interest earned from previous higher rates will continue to filter into budgets for the first half of the year, with any reductions being reflected in the latter half. Investment income budgets will continue to be reviewed as part of quarterly monitoring reports and as part of medium to long term financial planning.

- During the year and subsequent to Birmingham City Council issuing a S114 notice, information was set out in various reports that highlighted the money that was lent to them as part of this Council's day to day treasury activities. Of the total amount of **£6.000m** lent to them, **£2.000m** was repaid in February 2024 with the remaining **£4.000m** repaid in June 2024 in-line with the original terms of the deal. Therefore no repayments from Birmingham City Council remain outstanding with all sums due now received by this Council.

RECOMMENDATION(S)

That Cabinet:

a) **notes the Treasury Management performance position for 2023/24; and**

b) **approves the Prudential and Treasury Indicators for 2023/24.**

REASON(S) FOR THE RECOMMENDATION(S)

To provide timely / key financial information to Members and to demonstrate compliance with the Treasury Management and Prudential Codes.

ALTERNATIVE OPTIONS CONSIDERED

Not applicable given the requirements set out elsewhere in this report.

PART 2 – IMPLICATIONS OF THE DECISION

DELIVERING PRIORITIES

A revised Corporate Plan and Vision was approved by Full Council at its meeting on 28 November 2023. One of the 6 included themes is Financial Sustainability and Openness, with a commitment to continue to deliver effective services and get things done whilst looking after the public purse; that means carefully planning what we do, managing capacity and prioritising what we focus our time, money and assets on. Tough decisions will not be shied away from, but will be taken transparently, be well-informed, and based upon engagement with our residents.

The forecasting and budget setting / management processes will have direct implications for the Council's ability to deliver on its objectives and priorities. Effective Treasury Management supports the Council in delivery against its corporate goals and objectives.

OUTCOME OF CONSULTATION AND ENGAGEMENT

The Treasury Strategy for 2023/24 is subject to consultation with the Resources and Services Overview and Scrutiny Committee as part of its adoption by Full Council each year and this report sets out the outcome against the Strategy.

LEGAL REQUIREMENTS (including legislation & constitutional powers)

<table>
<tr><td rowspan="2">Is the recommendation a Key Decision (see the criteria stated here)</td><td rowspan="2">Yes</td><td>If Yes, indicate which by which criteria it is a Key Decision</td><td>X Significant effect on two or more wards
X Involves £100,000 expenditure/income
☐ Is otherwise significant for the service budget</td></tr>
<tr><td>And when was the proposed decision published in the Notice of forthcoming decisions for the Council (must be 28 days at the latest prior to the meeting date)</td><td>This item has been included within the Forward Plan for a period in excess of 28 days.</td></tr>
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This Council is required by regulations issued under the Local Government Act 2003 to produce an annual treasury management review of activities and the actual prudential and treasury indicators for 2023/24. This report meets the requirements of both the CIPFA Code of Practice on Treasury Management, (the Code) and the CIPFA Prudential Code for Capital Finance in Local Authorities (the Prudential Code).

The Local Authorities (Capital Financing and Accounting) (England) Regulations 2003 include the requirement for local authorities to have regard to CIPFA guidance which this Council has adopted.

Although not directly impacting on the outturn position for 2023/24, it is worth highlighting that S78 of the Levelling Up and Regeneration Act 2023 inserted new sections 12A to 12D into the Local Government Act 2003, which came into force on 31 January 2024. These new sections cover capital finance risk management and include risk mitigation directions, risk thresholds, restrictions of power to give risk-mitigation directions and a duty to cooperate with an independent expert. These changes essentially seek to respond to the financial crisis that some local Authorities have found themselves in over the last year or two and will form of future considerations.

YES	**The Monitoring Officer confirms they have been made aware of the above and any additional comments from them are below:**

Since last year's Capital and Treasury Strategy was agreed by Full Council in March 2023, the Best Value Inspection of Thurrock Council has been published, which included some significant learning points that are worth reviewing in light of this Council's own strategy and governance arrangements. Although previously provided to Members, those significant and important points included the following:

- The positioning of their Investment Strategy at the heart of their strategy to tackle significant funding pressures - there was clearly some confusion within the Council as to the clarity and purpose of the strategy.
- A significant level of delegation was given to their Section 151 Officer to place investments in 'business' type investments such as solar farms etc. at a scale that the review described as 'extraordinary'. The delegation was also made without consideration of the experience and skills that would be needed - experience and skills that did not exist within their Council.
- Lack of managerial / political oversight and limited or no reporting of the performance of the investment programme to their Management Team or Cabinet.
- Internal checks were weak or wholly absent.
- The level of risk associated with their investment programme was never properly identified or made explicit within strategic risk reports and there was no focus from their internal audit function.
- Lack of transparency e.g. where members did request information it was denied internally and only minimal / high level information was provided within other reports etc. with no explanatory information. External challenge and criticism was readily dismissed and downplayed within the Council.
- The Council had not set a clear and consistent strategic direction. Their Cabinet avoided difficult choices on the prioritisation of resources. In years when budget savings had to be identified, Cabinet members rejected all savings options, leaving it to officers to develop plans to achieve a balanced budget.

The above places significant importance on the capital and treasury plans of local authorities which for Tendring District Council are encapsulated within the Annual Capital and Treasury Strategy and Treasury Management Practices. These two documents set out the governance framework in which capital spend, borrowing and investments are made. Clear roles and responsibilities are set out in the strategy and it is important to highlight that there is no delegation to any single Officer, such as the Section 151 Officer to undertake any investments outside of the more 'traditional' money market activities such as lending to other Local Authorities and depositing money in banks and building societies. In terms of these latter investments, the parameters in which the Section 151 Officer can make such investments are set out within the documents referred to above and include a number of criteria such as overall lending / borrowing limits and minimal credit ratings etc.

Treasury performance is reported during the year by way of an outturn report for the preceding year along with quarterly updates during the year, which includes a more detailed half yearly update in September / October.

Any decision to invest in 'non-traditional' money market activities or to undertake any borrowing activities would be subject to separate reports to Cabinet / Council as necessary, which would set out various issues such as risks and resource implications including the level of skill and expertise to manage any associated investments.

The Best Value Duty relates to the statutory requirement for local authorities and other public bodies defined as best value authorities in Part 1 of the Local Government Act 1999 to *"make arrangements to secure continuous improvement in the way in which functions are exercised, having regard to a combination of economy, efficiency and effectiveness*". Best Value authorities must demonstrate good governance, including a positive organisational culture, across all their functions and effective risk management. Failure to deliver best value can occur within any aspect of governance, delivery of services or financial management. Unlawful or excessively risky borrowing and investment practices with no adequate risk management strategy in place for financial losses is an indicator of potential failure under the Use of Resources definition for a Best Value authority, within the Government's draft statutory guidance on Best Value Standards and Intervention, issued in 2023.

Members need to be satisfied with the governance arrangements set out within the strategy, which can be supported via training etc. as necessary.

The Council does employ external treasury management advice and to date they have not raised any concerns / issues with the Council's borrowing / investment activities. The Council should be receiving the new External Auditor's Value for Money commentary during 2024/25 which should also provide additional assurances to members. Access to both of these parties can be made directly and not via any one Officer such as the Section 151 Officer, which also supports the transparency / independent view of the various treasury activities undertaken by the Council.

FINANCE AND OTHER RESOURCE IMPLICATIONS

Treasury and Capital Management Strategies and procedures ensure that the Council's investments and borrowing are undertaken in such a way as to minimise the Council's exposure to risk. At the same time, they seek to maximise income from investments and minimise the costs of borrowing within the Council's accepted level of risk within a framework that is highlighted elsewhere within this report.

YES	**The Section 151 Officer confirms they have been made aware of the above and any additional comments from them are below:**

The Section 151 Officer is the author of this report.

USE OF RESOURCES AND VALUE FOR MONEY

The following are submitted in respect of the indicated use of resources and value for money indicators:

A) Financial sustainability: how the body plans and manages its resources to ensure it can continue to deliver its services;	This is addressed in the body of the report.
B) Governance: how the body ensures that it makes informed decisions and properly manages its risks, including; and	
C) Improving economy, efficiency and effectiveness: how the body uses information about its costs and performance to improve the way it manages and delivers its services.	

MILESTONES AND DELIVERY

This has been highlighted elsewhere within this report.

ASSOCIATED RISKS AND MITIGATION

The placing of investments involves a number of risks. These risks and how the Council will manage them are set out in the Council's Treasury Management Practices.

Investments are undertaken within an overall risk-averse approach, which is reflected in Treasury Management Practices. With this in mind, a significant level of investment is undertaken with other Local Authorities and with the Government.

As with the recent case with lending money to Birmingham City Council, money lent to other Local Authorities is not at risk of not being repaid, as ultimately the Government would take the necessary steps to ensure liabilities are met as part of any intervention (such as the one at Birmingham). The risk of lending money to another Local Authority is therefore not the same as lending money to a commercial / private organisation, which is one of the reasons why Councils lending to other Councils is common practice nationally.

As reported previously, the performance of the investment property in Clacton, is performing satisfactorily against the financial target set out within the original decision to purchase the property, with budgeted investment income continuing to be achieved each year. It is important to highlight that the rental payments can be seen as paying back the original investment made in purchasing the property. The overall performance of the investment therefore needs to take into account such considerations over the life of the Council's ownership of the property rather any shorter-term position in isolation.

It is worth highlighting that the Council's Commercial Property Investment Policy is underpinned by robust risk management actions, which will respond to any changes to the situation. With the latter point in mind and as set out within the Commercial Property Investment Policy, the Council's wider treasury management activities are designed to ensure that the Council is not faced with a position of having to sell the property for cash flow purposes. This in turn ensures that the Council remains in control of when the property is ever exposed to the market rather than potentially having to sell the property during a period where there may be a downturn in commercial property prices.

When undertaking lending to other Local Authorities, the Council continues to apply as much 'market intelligence' as possible, which would include any adverse reporting in the markets, the media, the risk of S114 reports being issued along with information from our own External Treasury Advisors. The new measures and metrics that have been introduced via the Levelling Up and Regeneration Act 2023 as set out earlier along with any potential indicators introduced by OFLOG will also likely be additional 'tools' that can be used to complement information already applied in managing the Council's day to day treasury management activities. This will be considered as part of developing the strategy in future years.

EQUALITY IMPLICATIONS

There are no direct implications.

SOCIAL VALUE CONSIDERATIONS

There are no direct implications.

IMPLICATIONS FOR THE COUNCIL'S AIM TO BE NET ZERO BY 2030

There are no direct implications.

OTHER RELEVANT CONSIDERATIONS OR IMPLICATIONS

Consideration has been given to the implications of the proposed decision in respect of the following and any significant issues are set out below.

Crime and Disorder	Please see comments above
Health Inequalities	
Area or Ward affected	

PART 3 – SUPPORTING INFORMATION

BACKGROUND AND CURRENT POSITION

The Council has adopted the Chartered Institute of Public Finance and Accountancy's (CIPFA) Code of Practice for Treasury Management in the Public Services. The main reporting elements to comply with this code include the following:

- **An Annual Capital and Treasury Strategy approved by Cabinet after consultation with the relevant overview and scrutiny committee for recommending to Full Council.**

- **Regular monitoring reports that form part of the Council's Corporate Financial Performance Monitoring arrangements during the year.**

- **An annual treasury performance or outturn report for the preceding year that is presented to Cabinet.**

In terms of the second bullet point above, there were no breaches of treasury management practices to report in 2023/24.

This report sets out the necessary information in response to the third bullet point above and provides a summary of the treasury activities undertaken in 2023/24 **(Appendix A)** and final Prudential and Treasury Indicators at the end of 2023/24 **(Appendix B),** with revised figures for 2023/24 where relevant.

During 2023/24 the Council complied with its legislative and regulatory requirements and associated treasury management activity remained in accordance with the Treasury Strategy and Treasury Management Practices with further details in respect of specific borrowing and investment considerations set out in the next section of the report.

BORROWING AND INVESTMENTS 2023/24

Borrowing

The Base Rate set by the Bank of England rose in the first half of 2023/24 and has remained at 5.25% in 2024/25, as set out in the table below.

Date of meeting	New rate	Change
23 March 2023	4.25%	+ 0.25%
11 May 2023	4.50%	+ 0.25%
22 June 2023	5.00%	+ 0.50%
3 August 2023	5.25%	+ 0.25%
21 September 2023	5.25%	0.00%
2 November 2023	5.25%	0.00%
14 December 2023	5.25%	0.00%
1 February 2024	5.25%	0.00%
21 March 2024	5.25%	0.00%
12 April 2024	5.25%	0.00%

09 May 2024	5.25%	0.00%

The latest forecast from the Council's treasury advisors indicates that the base rate is expected to gradually decline from the current level to 5.00% in September 2024 and to then drop further to 4.00% by March 2025. There is expected to a be a further decline to 3.50% in June 2025, and then a fall to 3.00% where it is expected to remain until March 2027.

Public Works Loan Board (PWLB) rates have also risen alongside the base rate with the rates currently at 5.46% for 25 years and 5.24% for 50 years. These rates are all above the target rates set by the treasury advisors and have been since autumn 2022. No external borrowing has therefore, been undertaken during the year. In respect of the General Fund, the Council is also currently maintaining an under-borrowed position. This means that the capital borrowing need (the Capital Financing Requirement), has not been fully funded with external loans, as cash supporting the Council's reserves, balances and cash flow has been used as a temporary measure. This has also been the position with the replacement of HRA borrowing, as a maturity loan of £0.800m was not replaced with PWLB debt in September 2022. While interest rates remain elevated and the Council has sufficient cashflow to allow for internal borrowing, this remains the preferred strategy, with new borrowing only being considered once interest rates fall back to what the treasury advisors view as the 'long term normal level' of around 3%. The Council's current investment property was not financed by loan.

No new borrowing or restructuring of existing debt was undertaken for GF or HRA purposes in 2023/24. Principal on HRA debt continues to be repaid each year in line with the 30-year business plan. Debt rescheduling opportunities are limited in the current economic climate with no debt rescheduling taking place in 2023/24.

No temporary borrowing from the markets was required during the year.

One of the key prudential indicators relates to the Council's Authorised Borrowing Limit. It is therefore worth highlighting that borrowing has been maintained within the Council's Authorised limit as set out below:

Key Indicator	**Limit 2023/24**	**Amount Borrowed (Internal and External)**
Authorised Limit – borrowing	£75.609m	£38.576m

Investments
The year saw continual cumulative growth over the period in investment returns as set out in the table below. Estimates were adjusted in year to reflect the additional income.

Date	**Estimated Amount £m**	**Actual amount £m**
30/4/23	£0.271	£0.271
31/5/23	£0.610	£0.610
30/6/23	£1.056	£1.056
31/7/23	£1.315	£1.315
31/8/23	£1.665	£1.665
30/9/23	£2.017	£2.017
31/10/23	£2.361	£2.361
30/11/23	£2.732	£2.752
31/12/23	£3.094	£3.134

31/1/24	£3.461	£3.521
28/2/24	£3.818	£3.862
31/3/24	£3.818	£4.220

The weighted average length of investments made during 2023/24 was 62 days. This reflects the fact that many deals are placed with the DMO for short periods (total of **£321 million** over the year). The average investment interest rate for the year was **4.85**% and this has been benchmarked against average SONIA benchmarks for 2023/24 in **Appendix A**, where SONIA is the Sterling Overnight Index Average. The average rates for a range of maturities are shown in the table below, compared with the Council's own investment returns

Measure	Bank Rate	SONIA 30 day	SONIA 90 day	SONIA 180 day	Tendring DC
Average rate	5.03	5.02	5.13	5.23	4.81

The Council manages its investments in-house and invests in accordance with the approved strategy. The Council invests for periods of time dependent on the Council's cash flows, the view as to future interest rate movements and the interest rates offered by counterparties whilst balancing various risks such as interest rate risk and counterparty risk.

The Council's investments continued across the following investment types:

- Deposits at fixed rates and for fixed terms with other local authorities and the Government's Debt Management Office (DMO)
- Deposits at fixed rates and for fixed terms with UK-based banks and building societies meeting the counterparty risk criteria
- Treasury bills, which are tradeable but if held to maturity are at fixed rates
- Certificates of deposit, which are tradeable but if held to maturity are at fixed rates
- Use of deposit accounts with UK banks and the two Money Market Funds for liquidity

Further details on how the investment types changed over the year is set out below.

A significant proportion of the Council's investments were still made with other local authorities. Money also continued to be placed with the Bank of England's Debt Management Facility (DMO) throughout the year and treasury bills were also purchased during the year. A total of £**457.049 million** was placed with UK government during the year (with £**460.849 million** repaid). Over the year **£7.000 million** of Certificates of deposit with banks meeting the Council's criteria were purchased, along with some fixed deposits with Building Societies and the call accounts and Money Market Funds, leading to a total of **£42.812 million** placed with UK financial institutions over the year. Both government and local authority investments fit well with the Council's low appetite for risk with the security and liquidity of the investment the prime concern. This level of risk appetite broadly reflects the rate achieved compared to the SONIA benchmarks above, but it is also worth highlighting that it was not significantly less than those comparable rates given the balance between security and liquidity that is aimed for.

The total invested in local authorities at 31 March 2024 was **£64.000 million** out of a total investment of **£72.509 million**, with a further **£1.000 million** invested short term with the Debt Management Office and **£3.527 million** invested in two Money Market Funds. A total of **£1.982 million** was placed in call accounts, and the remaining **£2.000 million** was invested in Certificates of deposit.

Aggregated investments reached just short of **£500 million** for the year as set out in **Appendix A**.

The Council receives regular credit rating updates during the year following which the appropriate action is taken as soon as practical where the credit rating falls below the minimum ratings, which form part of the Council's Treasury Management Practices.

The UK holds an AA rating with one rating agency, AA- with a second and Aa3 with the third, with the lower grades not having a specific adverse impact on the Council's treasury activities at the present time.

In accordance with the Council's Commercial Property Investment Policy, an annual update on the portfolio is set out below.

In August 2017 the Council purchased an investment property in the District. The purchase was financed partly from capital receipts and partly from revenue resources, so there was no increase in indebtedness arising from the purchase. The purchase price, including–stamp duty, was **£3.244 million**. At 31 March 2018 the property had been revalued t**o £3.100 million** (the purchase price less stamp duty tax). In each subsequent year the Council's appointed valuer has revalued the property for the purposes of the Council's Statement of Accounts and the fair value has changed as set out in the table below.

Date	**Comment**	**Value £ million**	**Impairment / (Gain) £ million**
August 2017	Purchase	3.244	0.000
March 2018	Revalued – exclude stamp duty	3.100	0.144
March 2019	Revalued	2.300	0.800
March 2020	Revalued	2.155	0.145
March 2021	Revalued	1.985	0.170
March 2022	Revalued	2.108	(0.123)
March 2023	Revalued	2.364	(0.256)
March 2024	Revalued	2.284	80

A loss of **£0.080 million** is recognised in the Council's 2023/24 statement of accounts, which is charged to revenue within the Comprehensive Income and Expenditure Statement and then reversed out through the Movement in Reserves Statement so that it does not affect the amount that needs to be financed. It is worth highlighting that the above adjustments reflect the necessary end of year accounting adjustments and therefore do not necessarily reflect the value of the property on the open market. This remains as the only property in the portfolio.

In terms of the performance of the property, during the year the rental income was **£0.228 million**. The annualised amount represents an annual rate of return of 7% compared to the purchase price including stamp duty. The property is therefore performing satisfactorily against the financial target with the budgeted investment income achieved for the year. It is important to highlight that the rental payments can be seen as paying back the original investment made in purchasing the property. The overall performance of the investment therefore needs to take into account such considerations over the life of the Council's ownership of the property rather any shorter-term position in isolation.

The original leasehold occupier of the property ceased trading from the property in back in November 2018 with the property remaining sublet, a position expected to remain for the unexpired period of the lease (approximately 2 years). It is worth highlighting that the Council's Commercial Property Investment Policy is underpinned by robust risk management actions, which will respond to any changes to the situation. With the latter point in mind and as set out within the Commercial Property Investment Policy, the Council's wider treasury management activities are designed to ensure that the Council is not faced with a position of having to sell the property for cash flow purposes. This in turn ensures that the Council remains in control of when the property is ever exposed to the market rather than potentially having to sell the property during a period where there may be a downturn in commercial property prices.

It is worth highlighting that as part of developing the 2024/25 forecast / budget, it was recognised that the level of annual rent achievable from this investment property is likely to decrease from 2026/27 based on current market expectations when the current lease expires.

Taking the above into account, there are no additional risks to the Council's long-term forecast or significant changes to the risk of holding commercial property at this time, but this will be reviewed on an on-going basis with any changes required to be made to the forecast set out as part of the financial strategy process over the year.

Compliance with Treasury and Prudential Limits

During the financial year the Council operated within the treasury limits and Prudential Indicators set out in the Council's annual Treasury Strategy. The outturn for the Prudential Indicators is shown in **Appendix B.**

PREVIOUS RELEVANT DECISIONS

Approval of the Annual Capital & Treasury Strategy 2023/24 – Item A.5 Full Council 2 March 2023.

Financial Performance Report 2023/24 – General Update at the end of July 2023 – Item A.5 Cabinet 6 October 2023.

Financial Performance Report 2023/24 – General Update at the end of Q2 September 2023 – Item A.3 Cabinet 10 November 2023.

Updated General Fund Financial Forecast / Budget 2024/25 – Item A.4 Cabinet 15 December 2023.

Updated General Fund Financial Forecast / Budget 2024/25 – Item A.4 Cabinet 26 January 2024.

Executive's Proposals – General Fund Budget and Council Tax 2024/25 – Item A.1 Full Council 14 February 2024.

Executive's Proposals – Housing Revenue Account Budget 2024/25 – Item A.2 Full Council 14 February 2024.

Financial Performance Report 2023/24 and 2024/25 – General Update at the end of Q3 – Item A.3 Cabinet April 2024.

Financial Outturn 2023/24 Report – Agreed by the Portfolio for Finance and Governance 17 July 2024.

BACKGROUND PAPERS AND PUBLISHED REFERENCE MATERIAL
None

APPENDICES	
Appendix A	Treasury Performance figures 2023/24
Appendix B	Prudential and Treasury Indicators 2023/24

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