

CORPORATE AND CUSTOMER SERVICES

Director: Mrs JE Jones

TO: ALL MEMBERS OF THE COUNCIL

Your Ref:

Our Ref: AMcL/SAHC

Please ask for: Mrs S Cole

Direct Line/Extension: (01432) 260249

Fax: (01432) 261868

E-mail: scole@herefordshire.gov.uk

Dear Councillor,

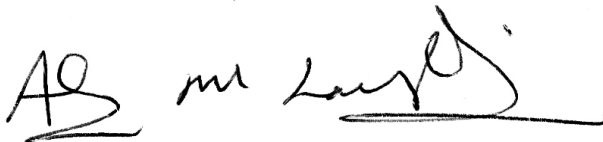
YOU ARE HEREBY SUMMONED to attend the meeting of the County of Herefordshire District Council to be held on **Friday 7 March 2008** at The Shire Hall, St Peters Square, Hereford. at which the business set out in the attached agenda is proposed to be transacted.

The meeting to conclude the business of the Council meeting on 8 February will commence at **10.00 a.m.** Please bring these papers with you to the meeting.

The Council meeting of 7 March will commence at 10.30 am or on conclusion of the reconvened meeting of Council adjourned on 8 February whichever is the later.

Please note that 30 car parking spaces will be reserved at the Shirehall and 10 car parking spaces at the Town Hall for elected Members.

Yours sincerely



A. McLAUGHLIN
HEAD OF LEGAL AND DEMOCRATIC SERVICES



COUNCIL

Date: **Friday 7 March 2008**

Time: **10.00 a.m. (in order to conclude the reconvened meeting of Council adjourned on 8 February.)**

Place: **The Shire Hall, St Peters Square, Hereford.**

Notes: Please note the **time, date** and **venue** of the meeting.

For any further information please contact:

Sally Cole, Committee Manager Executive

**Tel: 01432 260249, e-mail:
scole@herefordshire.gov.uk**

**County of Herefordshire
District Council**

AGENDA

for the Meeting of the COUNCIL

To: All Members of the Council

Pages

1. PRAYERS

2. APOLOGIES FOR ABSENCE

To receive apologies for absence.

3. DECLARATIONS OF INTEREST

To receive any declarations of interest by Members in respect of items on the Agenda.

GUIDANCE ON DECLARING PERSONAL AND PREJUDICIAL INTERESTS AT MEETINGS

The Council's Members' Code of Conduct requires Councillors to declare against an Agenda item(s) the nature of an interest and whether the interest is personal or prejudicial. Councillors have to decide first whether or not they have a personal interest in the matter under discussion. They will then have to decide whether that personal interest is also prejudicial.

A personal interest is an interest that affects the Councillor more than most other people in the area. People in the area include those who live, work or have property in the area of the Council. Councillors will also have a personal interest if their partner, relative or a close friend, or an organisation that they or the member works for, is affected more than other people in the area. If they do have a personal interest, they must declare it but can stay and take part and vote in the meeting.

Whether an interest is prejudicial is a matter of judgement for each Councillor. What Councillors have to do is ask themselves whether a member of the public – if he or she knew all the facts – would think that the Councillor's interest was so important that their decision would be affected by it. If a Councillor has a prejudicial interest then they must declare what that interest is and leave the meeting room.

4. MINUTES

As the meeting of 8 February was adjourned there are no Minutes for signature.

5. CHAIRMAN'S ANNOUNCEMENTS

To receive the Chairman's announcements and petitions from members of the public.

- | | |
|---|-----------|
| 6. QUESTIONS FROM MEMBERS OF THE PUBLIC
To receive questions from members of the public. | 1 - 6 |
| 7. QUESTIONS TO THE CABINET MEMBERS AND CHAIRMEN UNDER STANDING ORDERS
To receive any written questions. | |
| 8. NOTICES OF MOTION UNDER STANDING ORDERS
There are no Notices of Motion. | |
| 9. CABINET
To receive the report and to consider any recommendations to Council arising from the meeting held on 21 February 2008. | 7 - 136 |
| 10. COUNCIL TAX RESOLUTION 2008/09
To set the Council Tax amounts for each category of dwelling in Herefordshire for 2008/09 and to calculate the Council's budget requirements. | 137 - 152 |
| 11. REVIEW OF THE CONSTITUTION IN RESPECT OF FINANCIAL AND CONTRACTUAL PROCEDURES AND QUESTIONS FOR COUNCIL BY COUNCILLORS
To progress elements of the action plan in response to the Special Investigation Report on Financial Governance dated 21st September 2007 which required amendments to the Constitution. | 153 - 206 |

The Public's Rights to Information and Attendance at Meetings

YOU HAVE A RIGHT TO:-

- Attend all Council, Cabinet, Committee and Sub-Committee meetings unless the business to be transacted would disclose 'confidential' or 'exempt' information.
- Inspect agenda and public reports at least five clear days before the date of the meeting.
- Inspect minutes of the Council and all Committees and Sub-Committees and written statements of decisions taken by the Cabinet or individual Cabinet Members for up to six years following a meeting.
- Inspect background papers used in the preparation of public reports for a period of up to four years from the date of the meeting. (A list of the background papers to a report is given at the end of each report). A background paper is a document on which the officer has relied in writing the report and which otherwise is not available to the public.
- Access to a public Register stating the names, addresses and wards of all Councillors with details of the membership of the Cabinet, of all Committees and Sub-Committees.
- Have a reasonable number of copies of agenda and reports (relating to items to be considered in public) made available to the public attending meetings of the Council, Committees and Sub-Committees.
- Have access to a list specifying those powers on which the Council have delegated decision making to their officers identifying the officers concerned by title.
- Copy any of the documents mentioned above to which you have a right of access, subject to a reasonable charge (20p per sheet subject to a maximum of £5.00 per agenda plus a nominal fee of £1.50, for postage).
- Access to this summary of your rights as members of the public to attend meetings of the Council, Cabinet, Committees and Sub-Committees and to inspect and copy documents.
- A member of the public may, at a meeting of the full Council, ask a Cabinet Member or Chairman of a Committee any question relevant to a matter in relation to which the Council has powers or duties or which affects the County as long as a copy of that question is deposited with the County Secretary and Solicitor more than seven clear working days before the meeting i.e. by close of business on a Tuesday in the week preceding a Friday meeting.

Please Note:

Agenda and individual reports can be made available in large print, Braille or on tape. Please contact the officer named below in advance of the meeting who will be pleased to deal with your request.

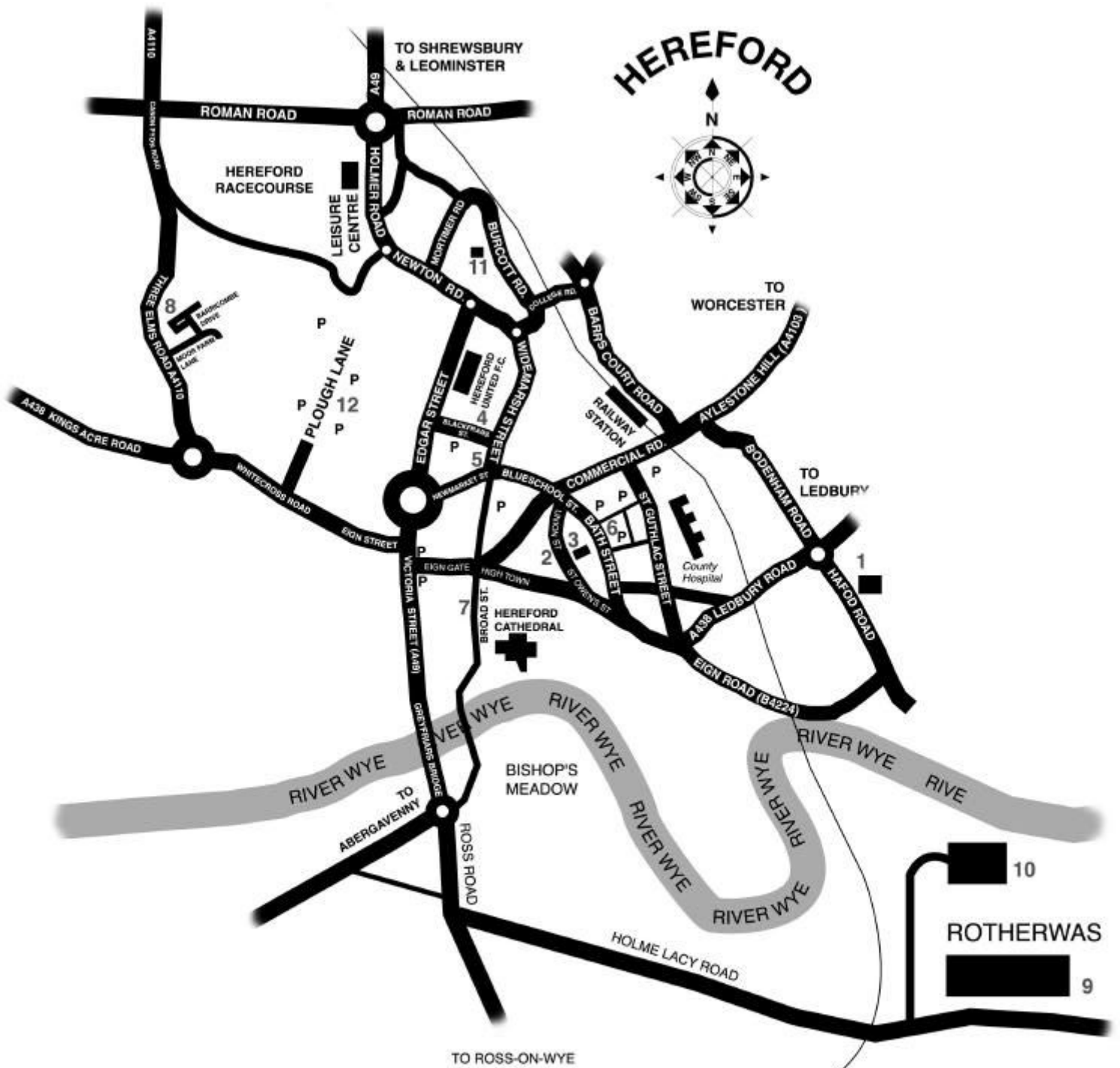
The meeting room is accessible for visitors in wheelchairs via the main entrance by prior arrangement. Please telephone 01432 272395

A map showing the location of the Shirehall can be found opposite.

If you have any questions about this Agenda, how the Council works or would like more information or wish to exercise your rights to access the information described above, you may do so either by telephoning the officer named on the front cover of this agenda on 01432 260249 or by visiting in person during office hours (8.45 a.m. - 5.00 p.m. Monday - Thursday and 8.45 a.m. - 4.45 p.m. Friday) at the Council Offices, Brockington, 35 Hafod Road, Hereford.



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|---|------------------|----|-----------------------------------|
| 1 | Brockington | 7 | Kemble House |
| 2 | Town Hall | 8 | Trinity House |
| 3 | Shire Hall | 9 | Thorn Office Centre |
| 4 | Education Centre | 10 | Herefordshire Commercial Services |
| 5 | Garrick House | 11 | Merchant House |
| 6 | Bath Street | 12 | Plough Lane |

FIRE AND EMERGENCY EVACUATION PROCEDURE

IN CASE OF FIRE

(no matter how small)

1. Sound the Alarm
2. Call the Fire Brigade
3. Fire party - attack the fire with appliances available.

ON HEARING THE ALARM

Leave the building by the nearest exit and proceed to assembly area on:

GAOL STREET CAR PARK

Section Heads will call the roll at the place of assembly.

QUESTIONS FROM MEMBERS OF THE PUBLIC**Report By: Head of Legal and Democratic Services****Wards Affected****Purpose**

To receive any questions from members of the public deposited more than six clear working days before the meeting of Council.

Background

1. Standing Order 4.24 of the Constitution states that: A member of the public may ask a Cabinet Member or Chairman of a Committee any question relevant to a matter in relation to which the Council has powers or duties or which affects the County as long as a copy of that question is deposited more than six clear working days before the meeting i.e. by close of business on a Wednesday in the week preceding a Friday meeting. No supplementary questions may be asked.
2. A total of 25 minutes shall be set aside for the answering of questions from members of the public save that the Chairman, or Vice-Chairman, if presiding, shall have absolute discretion to vary the period of time by making it shorter or longer as he/she considers appropriate. Any questions unanswered at the expiry of the time limit shall be dealt with by way of written reply to the questioner.
3. Any question which contains defamatory material or the publication of which is likely to be detrimental to the Council's interests, may be rejected.

Questions

4. A number of questions have been received by the deadline and are attached at Appendix 1.

Question from Mr Keith W Francis, Ledbury

As Chairman of Ledbury Civic Society which contributed £5,000 towards the Ledbury Area Development Trust Business Plan for the Master's House, Ledbury, I wish to put the following questions to Herefordshire Council as 'Public Questions for Council' at their meeting on 7th March 2008.

'The Master's House in Ledbury is a Herefordshire Council owned building, currently in a poor state of repair, despite being a Grade 2* listed building in the heart of the town. Can the Council confirm that it will commit itself to the full re-development plan for the site, including the building of a new extension to accommodate a new library, as detailed in the Ledbury Area Development Trust Business Plan?

Secondly, over what period of time and how will the redevelopment project be funded and will the work commence in the next financial year?

Question from Mr Roger Steeds, Bringsty, Worcestershire

Ref School Closures

The recent decision by Herefordshire District Council that no secondary school will close during this council (i.e. before May 2011) whilst most welcome is insufficient.

Would the Council please make clear with some urgency that no school which dominates a geographical area, by being say at least 10 miles from the nearest similar establishment, should be considered for closure whilst there are clusters of 3 or more schools (Hereford has 6) grouped around its perimeter all within say 15 miles.

Such a sensible decision would remove the threat that Herefordshire District Council made by singling out Bromyard's Queen Elizabeth Humanities College a threat which it has not withdrawn only masked. It would also prevent the LEA staff wasting time considering unacceptable options if only during this Council.

Question from Mr Roger Steeds, Bringsty, Worcestershire

LINTON TILE WORKS

1. When will Herefordshire District Council take the required steps to ensure essential repairs to the poor public access to their Bromyard recycling centre? This urgent work has been put off repeatedly with vague reference to a long-term development plan.
2. Does such a plan exist? The Parish Council were told it did in July 2007.
3. Are Herefordshire District Council, Marsten Developments Ltd and Advantage West Midlands discussing the plans finances?
4. Are Herefordshire District Council seeking public monies to fill in, at great expense, a substantial hole which may well have significant ecological benefit and is unlikely to bring real benefits?
5. Have Herefordshire District considered the ethics of the situation with two of the more relevant landowners not being involved and where it appears that the council and the developer may be acting as one another's agents?
6. Who is representing Herefordshire District Council in these talks?
7. How did Marsten Developments become involved? Was it by Public Tender? Do Marsten Developments have an option to buy Herefordshire District Council land? Was this acquired by public tender?
8. Does the plan involve scrapping the existing "Travellers" park built at considerable expense with public money and using more public money to replace it with a smaller unit?
9. A group of Burley residents wrote in August 2007 to the Highways Department expressing their concerns over potential HGV access. The local County Councillor was copied. When can they expect a response?

Letter addressed to The Northern Planning Division, copy to The Chair, Northern Area Planning Committee, dated 19 August 2007, referred to in Mr Steed's Question 9 above:

Re: Development of Linton Tile works

At the July meeting of the Parish Council it was announced that plans for the development of Linton Tile works had reached an advanced stage. We, the undersigned Burley residents, urgently seek reassurance that there is no intention of allowing HGV's access to the site from the narrow road over the single track railway bridge on Burley Lane coming from the A44. We would ask for this reassurance to cover both the development and subsequent phases.

We look forward to hearing from you

Signed by 20 residents.

REPORT OF THE MEETINGS OF CABINET

HELD ON 21 February, 2008

Cabinet Members: RJ Phillips (Leader of the Council),
JP French (Deputy Leader),
LO Barnett, AJM Blackshaw, H Bramer,
JA Hyde, JG Jarvis, DB Wilcox.

This report submitted to Council covers the proceedings of the meeting listed above. A supplementary report will be issued covering Cabinet's meeting on 28 February, 2008.

1. DECISIONS RESERVED TO COUNCIL UNDER PART 4 OF THE CONSTITUTION

- 1.1 **Draft Financial Strategy 2008/11** – Cabinet has considered the draft Medium Term Financial Management Strategy (MTFS) for 2008/11 containing recommendations from the Corporate Management Board. In doing so it also took account of the recommendations of the Strategic Monitoring Committee.

The Strategic Monitoring Committee advised Cabinet:

- That there is an urgent requirement to update the MTFS in respect of Council's Accommodation Strategy given the Financial Resource Model in the Report to Cabinet of 24 January 2008 reflects the latest financial assessment as approved by Cabinet in May 2006, now nearly two years ago.
- That the financial position needs to be updated in relation to the Schools Review given that the proposals have now been withdrawn.
- That reports should be brought forward to Cabinet on areas of financial pressure identified in the section of the Director of Resources' report to Cabinet on 24 January headed risk management, as soon as it becomes clear that action needs. Regard should be had to the increasing incremental effect of Prudential Borrowing (eg. On Band 'D' property for year 2008/9 = £36.17, year 2009/10 = £69.89 and year 2010/11 = £83.58).
- That with reference to Corporate Management Board's recommendation, as set out in paragraph 10 of the report to Cabinet on 24 January 2008, that all managers with budget responsibilities should ensure that spending is within the agreed budget, the Medium Term Financial Strategy be amended to state that: "confinement of expenditure within general budgets be defined as the responsibility of budget managers at all levels and, in particular, respective Directors".
- That section 7.3.25 of the MTFS relating to managing external funding should be expanded to make clear that the pursuit of Private Finance initiative funding should only be undertaken subject to the whole life costs of such schemes not being excessive.

Cabinet approved the draft MTFS as presented to it agreeing also that £356,000 be added to the base budget in 2008/09 rising to £750,000 in 2009/10 to fund prudential borrowing.

The reports made to Cabinet on 24 January and 21 February are appended. The version of the MTFS itself which is at Appendix 3 has been updated since those meetings to take account of Cabinet's decisions.

RECOMMENDATION:

Cabinet Recommends to Council the financial strategy 2008/11 as appended to this report.

- 1.2 **Draft Capital Programme 2008/09** – Cabinet has considered the draft Capital programme 2008/09.

The report to Cabinet on 21 February is attached at Appendix 4

The Strategic Monitoring Committee agreed Cabinet be recommended to reconsider the proposals for the development of the Master's House, Ledbury, given concerns about the reputational and legal risks to the Council of not setting out a plan for the building's future use; that Cabinet be advised of the Committee's concern at the need for clarity in relation to the proposals for the replacement of Colwall railway bridge and specifically any costs to be borne by the Council.

RECOMMENDATION

Cabinet Recommends to Council that

- (a) **the funding available be noted;**
- (b) **the funding allocations to capital bids be endorsed;**
- (c) **the impact of capital spend on the replacement Social Care system (Corelogic) in 2008/09 be noted; and**
- (d) **the position on the capital receipts reserve be noted.**

2. NOTICES OF MOTION

- 2.1 No motions to Council were considered by Cabinet at the meeting covered by this report.

3. KEY DECISIONS BY INDIVIDUAL EXECUTIVE MEMBERS WHICH WERE NOT INCLUDED IN THE FORWARD PLAN

- 3.1 No such decisions have been since the last report to Council.

**4. CORPORATE STRATEGY AND FINANCE
(Chairman of Cabinet – Councillor RJ Phillips)**

4.1 Report on Decisions Taken

- (i) **Call-in of Cabinet Decision on Herefordshire Connects – Acquisition of the Preferred Technology to replace the current Client Systems Used Within**

Both Adult Social Care and The Children and Young People's Directorate - Cabinet's decision on 13 December on the acquisition of the preferred technology to replace the current client systems used within both Adult Social Care and the Children and Young People's Directorate was called-in by the Strategic Monitoring Committee. Cabinet has now approved the revised submission prepared in response to the recommendations made by the Strategic Monitoring Committee. It has also approved the Committee's further recommendations in relation to its consideration of this issue and a consolidated report on the Herefordshire Connects programme prepared at that Committee's request.

- (ii) **Managing Performance Management** – Cabinet has considered progress against the action plan developed as the Authority's response to the audit of its performance management arrangements in the autumn of 2006 and the associated communications action plan.

Cabinet has been advised that these action plans now need to be updated to reflect the progress that the council has made in respect of its performance management arrangements in the last year, and the external challenges that it will face in future, including the Comprehensive Area Assessment (CAA). Cabinet has agreed that the plans be updated in the context of the overall CAA preparation programme and that they be submitted to Cabinet in April 2008 with progress against the plans then reported every six months.

- (iii) **Development of the Local Area Agreement** – Cabinet has received a report on progress of the Local Area Agreement 'super refresh' including the Story of Place, list of key priorities and the provisional list of indicators to be included in the final document. Cabinet noted the Local Area Agreement super refresh process and approved the Story of Place and list of key priorities. It also noted the provisional list of indicators to be included in the Local Area Agreement. It further agreed that Cabinet Members; Scrutiny Committee Chairmen and Strategic Monitoring Chairman and Vice-Chairman along with partner organisations be updated weekly on the Local Area Agreement.
- (iv) **Review of the Council's Budget and Policy Framework Procedural Rules Financial and Contractual Rules and Constitution** - Cabinet deferred consideration of this item to its meeting on 28 February 2008. This matter is the subject of a separate agenda item for consideration by Council. See Council Agenda Item No: 11.

5. CHILDREN'S SERVICES
(Cabinet Member: Councillor JA Hyde)

5.1 Report on Decisions Taken

- (i) There were no decisions by Cabinet relating to this portfolio during the reporting period.

6. CORPORATE AND CUSTOMER SERVICES AND HUMAN RESOURCES
(Cabinet Member - Councillor JP French)

6.1 Report on Decisions Taken

(i) **Herefordshire Comprehensive Area Assessment Preparation Programme** – Cabinet considered a proposed action plan to ensure that the Council, together with the Primary Care Trust and its other partners is well placed for the new system of Comprehensive Area Assessment. Cabinet approved the proposed action plan and agreed that it be finalised having regard to discussions with partners and consideration by Strategic Monitoring Committee (SMC) and that progress against the plan be reported to Cabinet and SMC in July and October 2008, and in January and April 2009.

6.2 Report on Items of Interest

(i) **Comprehensive Performance Assessment and Direction of Travel** – Cabinet has noted the Comprehensive Performance Assessment for 2007 and the Direction of Travel statement issued by the Audit Commission on 7 February.

Comprehensive Performance Assessment

The Council's overall CPA score has fallen from 3* to 2*. The Audit Commission assessment is retrospective and relates predominantly to performance to the year-end 31st March 2007. Of the 14 authorities in the West Midlands 4 are 4 star, 7 are three star and 3 are two star.

The application of the rules-based approach used by the Audit Commission has meant that the main determinant in the deteriorating overall score is the change in rating from a 2* to a 1* for Housing. However, it should be noted that although the score for Housing has fallen to 1*, this does not represent a deterioration in performance; instead, this is the result of a one-year change in the selection of housing performance indicators used by the Audit Commission for the purpose of the assessment, which do not reflect the success that the service has had in moving families out of temporary accommodation.

Further changes to the performance indicators used in the housing service assessment for 2008 are expected to return housing to a score of 3, again without this necessarily reflecting any change in aggregate performance. If all other service scores were to be maintained at the 2007 level, the overall 2008 CPA score for the Council, which will be published by the Audit Commission in February 2009, is forecast to remain at 2*. This would come about as a result of the removal of protection of the 2002 Corporate Assessment score, which has been applied since 2005, and of its replacement by the 2005 Corporate Assessment score of 2.

The CPA system will end with the 2008 judgement, being replaced by the new system of the Comprehensive Area Assessment referred to earlier in this report.

Direction of Travel

For the third year running, the Audit Commission has judged the council as **improving adequately**. Of the 14 authorities in the West Midlands 2 are improving strongly, 11 are improving well and Herefordshire is improving adequately.

The following summary has been provided by the Audit Commission to support the 2007 direction of travel statement:

"Herefordshire Council is improving adequately. Performance has improved in most

priority areas. Children's services remain adequate overall with some improvement in exam results and arrangements for looked after children. Progress in adult social care has been steady with more vulnerable people helped to live at home. Tax collection and benefits administration have improved, along with the speed of planning applications, street cleanliness and recycling levels. However, it costs more to collect waste and there has been limited progress on the Council's business transformation programme. The Council continues to contribute to improvements in road safety, regeneration initiatives and better health for children and vulnerable adults through working in partnerships. Value for money is reasonable but is not measured consistently. Progress is being made on most improvement plans but the overall picture is not being reported clearly. Further improvements are expected to result from the new managers of adult social care and a joint head of Human Resources with the Primary Care Trust. Some significant weaknesses in the governance of ICT have been recognised by the Council and plans agreed to address them."

**7. ECONOMIC DEVELOPMENT AND COMMUNITY SERVICES
(Cabinet Member - Councillor AJM Blackshaw)**

7.1 Report on Decisions Taken

(i) There were no decisions by Cabinet relating to this portfolio during the reporting period.

**8. ENVIRONMENT AND STRATEGIC HOUSING
(Cabinet Member: Councillor JG Jarvis)**

8.1 Report on Decisions Taken

(i) There were no decisions by Cabinet relating to this portfolio during the reporting period.

**9. HIGHWAYS AND TRANSPORTATION
Cabinet Member - Councillor DB Wilcox)**

9.1 Report on Decisions Taken

(i) There were no decisions by Cabinet relating to this portfolio during the reporting period.

**10. RESOURCES
(Cabinet Member - Councillor H Bramer)**

10.1 Report on Decisions Taken

(i) **Budget Monitoring 2007/08** – Cabinet considered a report on the Council's performance against revenue capital budgets as at 31 January 2008 and have been provided with an update of the corporate risk register. Details of the remedial action being taken to address areas of underperformance have been considered. Cabinet has approved the report on financial performance to the end of January 2008. In doing so it has also welcomed the news that Government has honoured all the claims made to by the Council under the Bellwin scheme following the July floods. Cabinet has thanked officers and Members for their hard work in achieving this settlement.

**11. SOCIAL CARE ADULTS AND HEALTH
(Cabinet Member Councillor LO Barnett)**

11.1 Report on Decisions Taken

(i) There were no decisions by Cabinet relating to this portfolio during the reporting period.

Background Papers

- Agenda papers of the meeting of Cabinet held on 21 February 2008.

**COUNCILLOR RJ PHILLIPS
LEADER OF THE COUNCIL**

DRAFT FINANCIAL STRATEGY 2008 – 2011

PORTFOLIO RESPONSIBILITY: CORPORATE STRATEGY AND FINANCE

CABINET

21 FEBRUARY 2008

Wards Affected

County-wide.

Purpose

1. For Cabinet to make its final recommendations to Council on the budget, Council Tax and treasury management strategy for 2008/09. The draft financial strategy for 2008 – 2011 encompasses these issues. Approval of the budget, Council Tax and treasury management strategy for 2008/09 and the financial strategy for 2008 – 2011 is a decision reserved to Council. Council will be meeting on 7th March, 2008 to consider these issues.
2. For Cabinet to consider the Strategic Monitoring Committee's views on the draft financial strategy 2008 – 2011 as it finalises its recommendations to Council.

Key Decision

This is a Key Decision because it is likely to result in the Council incurring expenditure above agreed budgets for the service or function (shown as a line in the budget book) to which the decision relates but allowing for virements between budget heads and savings within budget heads of up to £500,000; and it is likely to be significant in terms of its effect on communities living or working in Herefordshire in an area comprising one or more wards.

It was included in the Forward Plan.

Recommendation(s)

THAT Cabinet considers the draft financial strategy 2008–2011 attached to this report and recommends its approval to Council on 7 March 2008.

Reasons

To ensure that the Council Tax and supporting decisions are taken in accordance with statutory obligations.

Considerations

3. Cabinet received a report from the Director of Resources on 24th January, 2008 that set out the Corporate Management Board's (CMB) detailed recommendations for updating the current financial strategy to cover the 2008 – 2011 period. A copy of that report is attached for ease of reference.

Further information on the subject of this report is available from
Sonia Rees, Director of Resources on (01432) 383519

4. Following detailed consideration of that report, Cabinet resolved to approve CMB's recommendations subject to:
 - a. Inclusion of the final local government finance settlement figures for Herefordshire for 2008/09 and the indicative figures for 2009/10 and 2010/11.
 - b. A revised planning assumption for a Council Tax increase of 4.4% in 2008/09.
 - c. Continued discussion on the level of reserves in the light of a. and b. above.
5. The draft Medium Term Financial Management Strategy 2008 – 2011 attached as an appendix to this report takes into account the approach recommended by CMB as amended by Cabinet. It also includes the draft Treasury Management Strategy for 2008/09 as it impacts directly on both the capital and revenue spending plans for the year.
6. The Financial Resource Model included in the financial strategy document attached to this report includes a 4.4% increase in Council Tax for 2008/09 and the final local government finance settlement figures.
7. The Financial Resource Model included in the financial strategy document attached to this report includes further amendments as follows:
 - a. The results of the latest triennial actuarial valuation of the pension fund received since Cabinet on 24th January, 2008. Assumptions in the Financial Resource Model about the likely level of increase have therefore been replaced with firm figures.
 - b. The final local government finance settlement has changed the amount of supported borrowing for capital projects the authority has to repay following a shift from grant to this funding source. Central government had indicated in consultation on the provisional local government finance settlement that this would not happen.
 - c. Revised assumptions on increases in the Council Tax base following a review of this element of the Financial Resource Model.
 - d. Inclusion of the very latest information on the capital programme and related capital financing costs.
8. The effect of the changes outlined in paragraphs 6 and 7 above is a reduction in the total budget for 2009/10 of £142k and a further £145k in 2010/11.
9. The following table shows how the financial capacity figures have changed between those forecast in the report to Cabinet on 24th January, 2008 to those now presented in the Financial Resource Model included in the draft financial strategy 2008 – 2011:

<i>(All figures in £000's)</i>	2008/09	2009/10	2010/11
Estimated financial capacity as reported to Cabinet on 24th January, 2008	542	3,002	4,689
Less:			
Reduction in income resulting from lower planning assumption for Council Tax increase	-221	-234	-247
Reduction in the local government finance settlement figures and transfers in to Formula			

Grant for borrowing costs	-76	-66	-62
Increased superannuation costs	-43	-85	-88
Capital programme updates	+9	-475	-629
Plus:			
Additional growth in Council Tax base	+145	+153	+161
Change in total budget	0	+142	+147
Updated estimate of financial capacity as a result of the above	356	2,437	3,971

10. The overall impact of the above changes is a reduction in estimated financial capacity in 2008/09 of £186k and a corresponding reduction in the amount estimated to be available to establish an earmarked reserve for Modernisation Plans (paragraph 42 of the Cabinet report attached as an appendix refers). The estimated sum now available is £2.056m compared to £2.242m.
11. Cabinet decided to monitor the impact of any reduction in estimated financial capacity on the level of reserves. The month 10 financial monitoring reports will be available when Cabinet considers this report. Further improvement on corporate budget headings is indicated. It is therefore likely that the sum available to establish the earmarked reserve for Modernisation Plans will be greater than the lower level of £2.056m.
12. The proposed revision to the financial policy for general reserves set out in section 6.4 of the financial strategy remains prudent in terms of:
 - a. Best practice guidance.
 - b. Advice from the external auditor to continue developing policies on reserves and balances.
 - c. The level of risk associated with changes in the key variables within the Financial Resource Model as outlined in section 7.5 of the financial strategy.

Financial Implications

As outlined in the draft Medium Term Financial Strategy 2008 – 2011 appended to this report.

Risk Management

As outlined in the draft Medium Term Financial Strategy 2008 – 2011 appended to this report.

Alternative Options

The CMB considered a number of options for managing the financial pressures to produce a balanced revenue budget for 2008/09 with cash allocated to priorities and flexibility for the future. The reasoning underpinning the recommended approach is explained in the body of the report on the draft financial strategy considered by Cabinet on 24th January, 2008.

Consultees

The Strategic Monitoring Committee has been consulted on Cabinet's draft budget and

financial strategy proposals.

Appendices

The Director of Resources' report for Cabinet dated 24th January, 2008 entitled 'Draft Financial Strategy 2008 – 2011' is appended to this report for ease of reference.

The draft Medium Term Financial Management Strategy 2008 – 2011 prepared in the light of Cabinet's decisions on 24th January, 2008 is appended to this report.

Background Papers

None identified.

DRAFT FINANCIAL STRATEGY 2008 – 2011

PROGRAMME AREA RESPONSIBILITY: CORPORATE STRATEGY AND FINANCE

CABINET

24TH JANUARY 2008

Wards Affected

County-wide.

Purpose

Council approved the Medium Term Financial Strategy (MTFS) for 2007 – 2010 when the budget for 2007/08 was set in March 2007. This report is seeking Cabinet approval to Corporate Management Board's (CMB's) recommendations for updating the current MTFS for the 2008 – 2011 period. The report has been drafted by the Director of Resources in consultation with the CMB.

Cabinet will receive a further report on the MTFS for 2008 – 2011 from the CMB at its meeting on 24th February 2008 that will include details of the final local government finance settlement and any other suggested changes. Cabinet will also consider views expressed by the Strategic Monitoring Committee (SMC) on this report and finalise its recommendations to Council on the financial strategy for 2008 – 2011, budget for 2008/09 and Council Tax for 2008/09 at that meeting.

Key Decision

This is not a Key Decision.

Cabinet will not be confirming its financial strategy recommendations to Council until 24th February 2008. Council will be meeting on 7th March 2008 to set the budget and Council Tax for 2008/09.

Recommendation

THAT Cabinet approves the CMB's recommendations for updating the current medium term financial strategy and resource model highlighted in the body of this report.

Reasons

The current financial strategy set the financial framework within which corporate and service planning for 2008 – 2011 has been taking place. This strategy now needs updating in the light of the:

- a) Pressures revealed by the corporate and service planning process.
- b) Provisional local government finance settlement for 2008/09 – 2010/11.
- c) External assessments and reviews that have taken place since March 2007.

Further information on the subject of this report is available from Sonia Rees, Director of Resources, on (01432) 383519

- d) Refresh of the Corporate Plan for the 2008 – 2011 period that is currently underway.
- e) Continuing need to modernise and improve internal business processes and key services to the public.
- f) Plans to modernise the way in which Herefordshire Council and Herefordshire Primary Care Trust (PCT) work together to better meet the needs of the community.
- g) Latest view of corporate financial risks – reflecting quantifiable pressures within policies for balances and reserves and highlighting other potential issues.
- h) Latest view of likely outturn for the current financial year.

The external auditor commented favourably on the Council's MTFs for 2007 – 2010 in her Use of Resources report for 2007. The CMB's recommended updates endeavour to ensure that the financial strategy continues to support corporate priorities, despite the pressures listed above, whilst maintaining as much flexibility as possible to respond to the emerging agenda for change.

Considerations

2007/08 Revenue Budget Summary

1. Council set a net revenue budget excluding specific grant funding for schools of £122m for 2007/08. Herefordshire Council's element of householders' overall Council Tax bill was increased by 3.8%. This resulted in a Band D Council Tax of £1,083.44 for Herefordshire Council services. Schools funding provided by the government in the form of Dedicated Schools Grant (DSG) amounted to £78m.
2. The net revenue budget excluding schools is funded as follows:

Source of funding	£m	%
Herefordshire's share of national business rates provided by the government	41	34
Revenue Support Grant provided by the government	7	6
Herefordshire's Council Tax	74	60
TOTAL	122	100

3. The revenue budget allocated to each of the Council's core service areas (excluding schools) amounts to £111.4m out of the total net revenue budget available for 2007/08. The remaining £10.6m is spent on corporate budgets such as:
 - a) The net cost of borrowing.
 - b) Local Authority Business Growth Incentive (LABGI) grant.
 - c) Funding set aside for modernising social care services and business processes.
 - d) Contingency funding for social care services.
4. The following table shows how resources for core services have been allocated in the

current financial year:

CORE SERVICE BUDGET 2007/08	£m	%
Adult & Community Services	44.5	40
Central Services	3.4	3
Children & Young People's Services	23.2	21
Corporate & Customer Services	7.9	7
Environment	24.8	22
Human Resources	1.4	1
Resources	6.2	6
TOTAL CORE SERVICE BUDGET	111.4	100

5. In setting the budget for 2007/08, Council ensured that cash resources were allocated in line with priorities. A corporate contingency of £1.3m for social care services was maintained within the base budget. A £2.7m 'Invest to Save / Mitigate' (increasing demand pressures) budget was created and held corporately to support a modernisation programme for adult social care services (older people and learning disabilities). A £824k 'Invest to Save / Mitigate' (increasing demand pressures) budget was also created and held corporately to support a modernisation programme for children's social care services. More minor adjustments to core service base budgets were also made. A tough policy of no inflation on non-pay budgets provided the scope to create additional resources for the priority areas of the budget and ensured that all core services continued to deliver improved levels of efficiency.

2007/08 Forecast Outturn

6. The latest forecast of revenue outturn for the current financial year (the Integrated Performance Report for the year to 30th November 2007 refers) predicts an over spend of £4.7m on core service budgets and an under spend of £3.7m on corporate budgets giving rise to an overall over spend of £1m. The position is summarised in the following table:

FORECAST OUTTURN 2007/08	NET BUDGET £m	OVER / UNDER (-) £m	%
Adult & Community Services	44.5	3.7	8.3
Central Services	3.4	- 0.4	- 11.8
Children & Young People's Services	23.2	0.7	3.0
Corporate & Customer Services (including cost of Siemens contract not currently in the revenue budget)	7.9	1.2	15.2

Environment	24.8	- 0.4	- 1.6
Human Resources	1.4	0	0
Resources	6.2	- 0.1	- 1.6
FORECAST OUTTURN FOR SERVICE BUDGETS	111.4	4.7	4.2
FORECAST OUTTURN FOR CORPORATE BUDGETS			
	10.6	- 3.7	-34.9
FORECAST OUTTURN FOR THE REVENUE BUDGET			
	122	1.0	0.8

7. The position outlined in the table shown in paragraph 6 could improve further if:
- Delays in revenue and capital programmes continue.
 - The reduction in the forecast over spend for adult social care services detected for the first time between September and November 2007 for 2007/08 continues a downward trend.
 - More LABGI grant is awarded.
 - The outturn cost of the June and July flood repairs and the settlement of the Belwin grant claim.
8. The table in paragraph 6 shows an overall over spend of 0.8% of the total net revenue budget is currently forecast for 2007/08. This is within the Council's current policy of managing to within a +1% tolerance of net budget. There are three points to note however:
- The current practice of holding the social care contingency in the corporate base budget distorts the over spend position for the Adult & Community Services and Children & Young People's core service budgets.
 - The current practice of holding the modernisation funding for adult social care and children's social care in the corporate base budget distorts the over spend position for these service budgets and for corporate budgets.
 - The current policy of requiring core services to manage within a +1% tolerance of net budget means that managers potentially do not achieve excellence in financial management.
9. The presentational issues outlined in 8 a) and 8 b) above are important in terms of the Council's Use of Resource assessment. Given the Comprehensive Spending Review 2007 (CSR07) sets out a challenging agenda for public services within challenging financial constraints, a policy of allowing a +1% tolerance on net revenue spending compared to budget cannot be sustained. Managers at all levels must achieve efficiency and performance improvements in support of corporate plans within the agreed budget.
10. **The CMB therefore recommends the following amendments to the current MTFS to**

address the issues identified in paragraph 8:

- a) That the social care contingency of £1.3m in the corporate base budget be shared equally between the adult and children's social care base budgets.
- b) That the adult social care modernisation funding of £2.7m be transferred from the corporate base budget to a ring-fenced budget within the Adult & Community Services service budget and that it is released by the Director of Adult & Community Services in consultation with the Director of Resources.
- c) That the children's social care modernisation funding of £824k be transferred from the corporate base budget to a ring-fenced budget within the Children & Young People's Services core service budget and that it is released by the Director of Children & Young People's Services in consultation with the Director of Resources.
- d) That all managers with budget responsibilities shall ensure that spending is within the agreed budget.

Provisional Local Government Finance Settlement 2008/09 – 2010/11

11. The provisional local government finance settlement for 2008/09 – 2010/11 was announced on 6th December 2007. In overall terms, it was in line with the funding allocated within CSR07 for local government spending programmes and was widely heralded as the worst settlement for 10 years.

12. The provisional Formula Grant funding figures for Herefordshire for the next three years are as follows:

Year	Formula Grant £m	Increase £m	Increase
2008/09	53.373	2.569	5.1%
2009/10	55.445	2.143	4.0%
2010/11	57.652	2.234	4.0%

13. The table in paragraph 12 indicates that Herefordshire's cash increase on a like-for-like basis is 5.1% for 2008/09 falling to 4% in the following two years. Using the government's inflation figure of 2.75%, this represents a real terms increase of 2.35% in 2008/09 and 1.25% thereafter. The increase for 2008/09 matches the average increase for shire unitaries without fire service responsibilities. Cabinet considered the outcome of the provisional local government finance settlement in more detail at its meeting on 13th December 2007.

14. The current MTFs assumed there would be a cash standstill in Formula Grant for 2008/09 and 2009/10. When the MTFs was agreed in March 2007, the prognosis for CSR07 was that it would prove very challenging and there were concerns that proposed changes to the distribution formulae would have an adverse effect. The Council's assumptions were in line with those made by most other authorities when setting their budgets for 2007/08.

15. The CMB recommends that the Financial Resource Model (FRM) within the MTFs is updated with the provisional Formula Grant figures for the next three financial

years and for known transfers in and out of the local government finance system.
The resource model will be updated again when the final figures have been announced later this month. A financial risk is that the final figures may vary from the provisional more significantly than was the experience for 2007/08.

Financial Resource Model (FRM) 2008/09 – 2010/11

16. The CMB has reviewed the FRM within the current MTFs and has a series of recommendations to make to Cabinet for the FRM within the draft MTFs for 2008 – 2011 concerning:

- a) Future Council Tax increases.
- b) Inflation uplifts.
- c) Deliverable efficiency gains.
- d) Base budget adjustments.
- e) Funding for modernisation and integration programmes.

Future Council Tax Increases

17. The current MTFs assumes Council Tax increases of 4.7%. The government has been clear about its expectation for an **average** Council Tax increase of well below 5% in 2008/09. Whilst the situation will need to be carefully monitored, a 4.7% increase is not expected to present a difficulty in terms of the government's stated policy intention. A 1% increase in Council Tax represents approximately £750k of additional cash resource in the first year it is generated, a figure that compounds over time with subsequent increases. A corresponding reduction in planned spend would be required if the Council Tax were lower than the planning assumption which would affect the Council's ability to improve services in line with corporate priorities. **The CMB therefore recommends that the 4.7% planning assumption for Council Tax increases is retained for the draft MTFs for 2008 – 2011.**

Inflation Uplifts

18. The current FRM for 2007 - 2010 includes 2% for pay inflation in each year in line with government assumptions at the time. The pay award for 2007/08 was settled at 2.475%. The government's assumption for pay inflation for the next three financial years remains at 2% and its stated intention is to negotiate a three-year pay agreement for public sector workers. **The CMB therefore recommends that the 2007/08 salary base budget be uplifted by an additional 0.475% and that the policy of a 2% uplift for pay inflation be retained for the draft MTFs for 2008 – 2011.**

19. The current FRM for 2007 – 2010 does not provide for an inflationary uplift on non pay expenditure budgets. This challenging policy ensures that managers:

- a) Negotiate robust contracts for the provision of services.
- b) Manage contracts and contractor performance effectively.
- c) Continually review service delivery arrangements to ensure improvements in efficiency and value for money.

20. The CMB has checked that this approach to securing efficiency gains for 2008/09 – 2010/11 in can be achieved in all service areas through better use of resources without any significant reductions in the level of service provided. The following table identifies the core services where this policy creates the most financial pressure in absolute terms and explains how CMB expects that pressure to be managed:

Core Service	Estimated Financial Pressure	Management action
Adult social care	£880k	This pressure reduces to £596k after allowing for additional income from Fairer Charging in the FRM and the effect of the proposed efficiency targets outlined in paragraph 23 of this report. The Director of Adult & Community Services advises that this pressure cannot be managed without a reduction in the level of service provided. He further advises that he will have an efficiency plan in place by the end of March 2008 designed to manage this pressure without a reduction in the level of service provided. The CMB recommends that the adult social care base budget should be increased by £596k in order to avoid service cuts.
Waste	£360k	The Environment Directorate's efficiency plan is designed to manage this pressure without a reduction in the level of service provided.
Children's social care	£220k	This pressure can be managed by allocating £650k from the social care contingency currently in the corporate base budget to the service base budget.
Highways	£200k	The Environment Directorate's efficiency plan is designed to manage this pressure without a reduction in the level of service provided.
Schools Transport	£180k	The Director of Children's Services plans to review the school transport policy.

21. The CMB has only identified one significant example of the current policy for efficiency gains causing difficulty if retained for the FRM for 2008 – 2011. A reduction in the level of adult social care services that can be provided is clearly not acceptable given this service is a corporate priority. **The CMB therefore recommends that the current policy is retained as an incentive to improve efficiency and value for money with the exception of a one-off increase of £596k to the base budget for adult social care.**

22. The current FRM assumes inflation on client and customer receipts budgets of 2.5%. The key exceptions are income budgets where the fee is dictated by a statutory arrangement. **The CMB recommends that this policy is retained for the draft FRM for 2008 – 2011 and that the review of all fees and charges is integrated into the budget policy framework.**

Deliverable Efficiency Gains

23. The CMB has assessed corporate opportunities to reflect the efficiencies managers deliver on a day-to-day basis in the base budget for core services. **The CMB recommends that the following efficiency gains that are already delivered on a routine basis are included in the draft FRM for 2008 – 2011:**

- a) A vacancy turnover rate of 1% thereby reducing the Council's overall pay bill by £500k.
- b) A reduction in expenditure on supplies and services of 1% thereby reducing overall expenditure by £200k.
- c) A further reduction in the cost of employing agency and temporary staff of £100k through consistent use of the new framework contract.

24. The CMB has also reviewed proposals from the Benefits Group that exists as part of the governance arrangements for the Herefordshire Connects programme on efficiencies both within that programme and outside of it that can be delivered whilst waiting for final approval to proceed with the programme. In total, further efficiency gains totalling £750k a year from 1st April 2008 have been identified as follows:

Efficiency Gain	Estimated Saving
Printer / copier rationalisation	£100k
New mobile telephone tariff	£25k
New postal services contract	£70k
New BT line rental contract	£10k
New PC supplier contract	£10k
Improved WMS usage	£50k
Increase in WMS dividend	£90k
Externalise travel management arrangements	£10k
Standardisation of PC specification	£200k
Purchasing card rebate	£25k
Strategic sourcing	£160k
TOTAL	£750k

25. **The CMB recommends that the efficiency gains outlined in the table in paragraph 24 are included in the FRM within the draft MTFS for 2008 – 2011.**

26. The Director of Environment is in the process of implementing a plan to achieve efficiencies and improvements in service delivery within the limits of the cash allocations for his area of responsibility. The CMB supports this proactive approach to financial management and service improvement as an example of good practice in obtaining value for money from public money.

27. The Director of Adult & Community Services is currently preparing an efficiency plan to ensure services are delivered within budget without the need for any significant change in the level of service provided. This efficiency plan will need to complement the service modernisation plan for adult social care. The CMB endorses this approach as an essential component of every Director's financial management responsibilities. The plans need to be finalised and formally approved as a matter of urgency in readiness for the new financial year.

Base Budget Adjustments

28. The current FRM needs to be continually reviewed to refine the way the model works and to reflect the most up-to-date information that is available.

29. **The CMB recommends removing grant budgets from the list of income budgets to be inflated by the agreed uplift of 2.5%.** This will make the model more precise and avoid creating unrealistic income expectations.
30. **The CMB recommends that the following adjustments to the FRM are made to reflect the latest available information:**
- a) **Updating capital financing costs to reflect slippage in the approved capital programme and a prudent level of additional borrowing to fund new capital investment.**
 - b) **Removing £100k spare capacity in corporate budgets such as banking, insurance and audit fees.**
 - c) **Adding £1.1m to revenue to cover the net revenue cost of the Siemens contract (Community Network Upgrade or CNU project).**
 - d) **Additional property related pressures due to changes in the empty properties rate relief scheme (£126k), loss of income following the sale of industrial units (£201k) and service charges for Plough Lane (£100k).**
 - e) **Additional funding needed to prepare the Local Development Framework (£500k in 2009/10 and 2010/11).**

Modernisation Funding

31. The current FRM allows £2.7m a year to support the modernisation of adult social care services for older people and those with learning disabilities. This funding was allocated following a detailed needs analysis for these particular client groups. The needs analysis for adults with mental health and physical disabilities has now been completed and modernisation funding for these services of £275k in 2008/09 rising to £550k in 2009/10 is required. **The CMB recommends that modernisation funding for adult social care services:**
- a) **Is included in the FRM within the draft MTFS for 2008 – 2011 as modernisation of these services is a key corporate priority.**
 - b) **Is ring-fenced within the base budget for adult social care for modernisation purposes only.**
 - c) **Is released by the Director of Adult & Community Services following consultation with the Director of Resources.**
32. The CMB anticipate that plans to modernise both service provision and support services will start to take shape now that the new joint Chief Executive has taken up post. The PCT has already taken an opportunity to set aside some cash to help support implementation of emergent plans for modernisation. The PCT will transfer £300k to the Council to manage on its behalf. **The CMB recommends that the FRM within the draft MTFS for 2008 – 2011 includes a Council match funding contribution to be held in an earmarked reserve called ‘Modernisation Plans’ until such times as an modernisation plan for the two organisations has been formally approved.**
33. The Council has been developing a corporate programme to modernise the way in which day-to-day business is transacted to deliver improved value for money and better services for the community. That programme – Herefordshire Connects – is poised at a

strategic decision making point pending conclusion of discussions on the affordability of the programme in the context of the MTFs and to give the new Chief Executive the opportunity to influence the way forward.

34. The FRM within the MTFs for 2007 – 2010 includes the financial envelope for Herefordshire Connects programme as outlined in April 2006 but adjusted to reflect estimated timings of investment and benefits as at March 2007. The passage of time means that the original financial model is now too old to be a reliable basis for the FRM within the draft MTFs for 2008 – 2011. Much work has been done since Deloitte were appointed as the preferred supplier to revise the financial envelope. **However, the CMB recommends that the assumptions in the current FRM about the Herefordshire Connects programme are removed and replaced with the following:**

- a) **The investment requirement for a replacement social care management information system (£706k in 2008/09 reducing to £154k thereafter – subject to the call-in process).**
- b) **Funding for the Herefordshire Connects Core Team so there is a resource to maintain a Council-wide modernisation programme (£450k in 2008/09 reducing to £300k in 2009/10 and £200k in 2010/11).**
- c) **Funding for urgent ICT strategy work needed to support the Herefordshire Connects programme and ICT infrastructure (£247k in 2008/09 rising to £647k thereafter).**
- d) **The Herefordshire Connects programme is a modernisation programme awaiting review and formal decision. Detailed financial information is yet to be finalised pending that review and may not be available in time for decisions on the budget for 2008/09. The CMB therefore recommends that the financial capacity to support the programme is provided through a new earmarked reserve called 'Modernisation Plans' rather than through the FRM until such times as a formal decision on the way forward has been taken.**

Financial Capacity 2008 - 2011

35. Were Cabinet minded to agree the CMB's recommendations for updating the MTFs and FRM outlined in this report so far, the updated FRM for 2008 – 2011 indicates financial capacity figures as follows:

- a) 2008/09 – financial capacity £542k.
- b) 2009/10 – financial capacity £3.002m.
- c) 2010/11 – financial capacity £4.689m.

36. The CMB is acutely aware that the agenda for change is significant in terms of the need to modernise:

- a) Transactional business processes – the Herefordshire Connects programme.
- b) Working practices – introducing alternatives to having a fixed office base where that supports business need more efficiently and supporting better use of ICT.

- c) Schools infrastructure – supporting plans to make more efficient use of cash and assets to release resources for improving educational attainment and supporting plans to structure the Children & Young People’s Directorate by September 2008.
 - d) Services other than those mentioned already in this report – the learning disability service is one such proposal in the pipeline. A new accommodation and support contract may be agreed by Cabinet in 2008.
 - e) Office accommodation – improving value for money and efficiency.
 - f) Positively in response to the Crookall report – including investing in additional strategic procurement and ICT audit capacity.
 - g) Council and PCT service provision and support functions (paragraph 32 refers).
37. There are a range of strategic issues that need to be brought together into one coherent plan for modernisation that the Council will need help and support to develop over the next 5 – 6 months. **The CMB therefore propose that the financial capacity available in 2008/09 (currently estimated at £542k) is used as an initial contribution to a proposed earmarked reserve to be called ‘Modernisation Plans’ to be released as such plans are formally approved.**
38. The FRM indicates financial capacity of approximately £3.0m for 2009/10 and £4.7m for 2010/11. This flexibility is most welcome but CMB would caution against allocating that resource in advance of the modernisation plan referred to in the preceding paragraph so that cash can be allocated in line with corporate priorities yet to be established. **The CMB therefore recommends that the financial capacity indicated in the updated FRM for 2009/10 and 2010/11 be allocated in line with corporate priorities for modernisation as these are distilled in the coming months.**

Reserves and Balances

39. The CMB has identified an opportunity to use an earmarked reserve that is no longer needed to provide for another purpose. An earmarked reserve was created at the end of 2007/08 for £505k to deal with an expected change in the accounting treatment for a certain type of loan instrument. The proposed change has been dropped and the earmarked reserve is no longer needed for this purpose. **The CMB recommend that this funding is used to create an earmarked reserve to cover the Bellwin threshold to be called the ‘Bellwin Threshold Reserve’ in the event it is triggered due to flooding or other eligible emergency.**
40. The audited accounts for the 2006/07 financial year confirmed an opening position on the general reserve for the current financial year of £8m. The MTFs for 2007 – 2010 included planned use of balances of £1.4m that would reduce this figure to £6.6m. This figure may reduce by up to a £1m on the basis of the current forecast for outturn. At £5.6m, the level of general reserve balance is comfortably in excess of the Council’s current policy to retain a minimum of £3m. However, the £3m minimum represents just 2.5% of the current net revenue budget and is at the low end of the 2.5% to 5% recommended by the Chartered Institute of Public Finance & Accountancy (CIPFA).
41. The external auditor commented favourably on the Council’s improved approach to managing reserves and balances as set out in the MTFs for 2007 – 2010 but she also noted that there was scope for further improvement. **The CMB therefore recommends the following changes to the current MTFs for the draft MTFs for 2008 – 2011:**

- a) **The policy for a minimum general reserve balance be increased to £4.5m (approximately 3.5% of the net revenue budget) to provide adequate cover for demand pressures that are volatile, difficult to predict or unforeseen at the time the budget is set.**
- b) **That the excess above the £4.5m minimum requirement for the general reserve is allocated to the proposed earmarked reserve to be called 'Modernisation Plans' to be released as such plans are formally approved.**

42. Application of this policy, based on the latest assessment of outturn for the current financial year, the changes to the FRM outlined in this report and the provisional local government finance settlement figures, would establish an earmarked reserve for Modernisation Plans totalling approximately £2.242m (estimated £1.1m excess on the general reserve, estimated financial capacity in 2008/09 of £542k and £600k funding set aside by the Council and PCT for modernising health & social care services).

Financial Implications

43. As outlined in the body of the report.

Risk Management

- 44. The CMB recognises that core service areas need to manage financial pressures within the resources made available for each area. This section of the report highlights potential risks that Directors consider might be difficult to contain within the resource allocation. This list will be kept under review and may change as new pressures emerge or potential ones are absorbed within budget. Formal agreement to over spend must be sought (emergency situations are allowed for within the Constitution) before a commitment to over spend is entered into.
- 45. ICT budgets could potentially experience pressure in the future as measures to balance the budget in the current financial year have been incisive. It has not yet certain that the cuts are sustainable in the long term. There may be a need for further investment in the ICT infrastructure due to the increasing level of risk associated with some elements of the ICT platform that have not be upgraded due to expected replacement through the Herefordshire Connects programme.
- 46. Customer Services budgets are supported through to the end of 2008/09 with additional funding of £500k a year as frontline services transfer from Directorates to the Customer Services team. Progress with implementing this policy needs to be carefully tracked against the current financial resource provision.
- 47. There may be financial pressure on the Coroners budget if the Herefordshire Coroner is required to assist with an increased number of inquests into the deaths in service of members of the armed forces.
- 48. Pressure on Democratic Services continues to grow with the volume of scrutiny work that is under way that requires officer support. This is a position that is being carefully monitored.
- 49. If Council opts to carry out a strategic consultation exercise on corporate priorities later in the year, this would involve currently unplanned expenditure of approximately £32k.
- 50. Full details of how the new Area Based Grant (ABG) will work are awaited. The ABG will comprise 38 former specific and special grants totalling approximately £8.8m that

currently make a significant contribution to the Council's financial capacity and ability to deliver core services.

Alternative Options

The CMB considered a number of options for managing the financial pressures to produce a balanced revenue budget for 2008/09 with cash allocated to priorities and flexibility for the future. The reasoning underpinning CMB's recommended approach is explained in the body of the report.

Consultees

The CMB and the Monitoring Officer have been consulted on the content of this report.

Appendices

Appendix 1 – CMB's draft Financial Resource Model (FRM) 2008 – 2011.

Background Papers

Medium Term Financial Management Strategy 2007 – 2010.
Provisional local government finance settlement 2008/09 – 2010/11.

Glossary

CMB – Corporate Management Board; the most senior management team within the Council.

CSR07 – Comprehensive Spending Review 2007; the government's review of its public spending priorities for 2008 – 2011 published in October 2007.

DoH – Department of Health; the government department responsible for the National Health Service.

DSG – Dedicated Schools Grant; ring-fenced grant funding provided for the government to run schools, calculated on a per capita basis.

FRM – Financial Resource Model; a term used within the Council to refer to the financial model for the revenue account in future years.

LABGI – Local Authority Business Growth Incentive; a grant allocation from government redistributing additional national business rate income.

MTFS – Medium Term Financial Strategy; a term used within the Council to refer to the financial strategy for the revenue account, the capital account, treasury management, reserves and balances, financial management etc.

NHS – National Health Service; needs no further explanation.

PCT – Primary Care Trust; commissioners / providers of public health services.

SHA – Strategic Health Service; represent the Department of Health at regional level.

SMC – Strategic Monitoring Committee; the Council's over-arching policy scrutiny

committee.

Medium Term Financial Management Strategy (MTFMS) 2008 - 2011

Foreword by the Leader & Cabinet Member (Resources)

This is Herefordshire's refreshed Medium Term Financial Management Strategy (MTFMS). Its predecessor was agreed by Council in early 2007 and at that time represented a significant shift in the Council's financial management. It is not too dramatic to say that the move to a three year financial plan was evidence of the need to change the Council's financial culture from one centred on short-term budget setting to a more considered and adaptable medium-term model able to support service improvement.

Since the original MTFMS was agreed last year much has changed. Herefordshire is the first place in the country to have a single chief executive running both the council and the primary care trust and at a national level a new Prime Minister has confirmed that the pace of change in the public sector will not slow down. We will shortly see our performance measured within a new Comprehensive Area Assessment (CAA) framework. The new Area Based Grant (ABG) will be a significant force for change in 2008 as it pools over £8m of Herefordshire's specific grants into a single "pot" to deliver area based improvements. The MTFMS has had to reflect all these developments along with the outcome of national reports such as the Lyons Review.

Locally we have continued to see challenges and change affect the way we do business. The MTFMS is accompanied by a new set of Contract Procedure Rules and Financial Procedure Rules that support implementation of the financial strategy. Our new set of detailed policies and procedures will ensure budget holders have proper regard to the management of finance and ensure that the cash follows our priorities.

The challenges and opportunities that modernisation of service provision will bring are supported by the way we allocate our money. The refreshed MTFMS signals the establishment of a Modernisation Fund will include a £300,000 contribution from the Herefordshire Primary Care Trust (PCT). This is matched by the same amount from the Council and is strong evidence of a clear commitment by Herefordshire to ensure greater partnership working and value for money, ensuring Herefordshire continues to make decisions on how public services are delivered.

Cllr Roger Phillips
Leader of the Council

Cllr Harry Bramer
Cabinet Member (Resources)

Foreword by the Chief Executive & Director of Resources

As a public body, Herefordshire has special accountabilities for the stewardship and use of public money and for ensuring financial stability and sustainability into the future. Last year, we recognised that we could no longer rely on an annual budget process to guarantee Herefordshire's long-term financial health. Year-on-year changes at the margin to match budgeted income and expenditure will not support the transformation in services we aspire to achieve, the Government is seeking and, most importantly, our communities deserve.

The outcome of the Comprehensive Spending Review 2007 (CSR07) will provide a financial challenge over the next three years every bit as difficult as we predicted last year. Whilst Herefordshire's financial settlement provided some headroom the Council must meet increasing demands for services in the years ahead. The Medium-Term Financial Management Strategy (MTFMS) now forms an important part of our financial governance and leadership arrangements. It sets out our approach to strategic financial management, concentrating on longer-term financial planning in support of longer-term corporate and service priorities.

The MTFMS is helping to ensure a change in Herefordshire's financial management culture takes shape and we change the way we use our financial resources. Whilst the Director of Resources is responsible for leading and advising on financial issues, budget managers are responsible for delivering their services within the budget made available to them and in line with the Council's financial policies and procedures. Financial management is a part of everyone's job and is a critical success factor for the Council as growth in public spending reduces significantly.

Chris Bull
Chief Executive

Sonia Rees
Director of Resources

Statutory Statement by the Chief Finance Officer

The purpose of this statement is to comply with the requirements of the Local Government Act 2003 whereby the Chief Finance Officer, in the Council's case the Director of Resources must report on the:

- a) Robustness of the estimates made for the purposes of the budget calculations.
- b) Adequacy of the proposed financial reserves.

Section 25 of the Local Government Act 2003 requires the Director of Resources to report to the Council when it is setting the budget and precept (council tax). The Council is required to take this report into account when making its budget and precept decision. The Director of Resources' report must deal with the robustness of the estimates included in the budget and the adequacy of reserves.

The Director of Resources states that to the best of her knowledge and belief these budget calculations are robust and have full regard to:

- The Council's corporate plans and strategies;
- The Council's budget strategy;
- The need to protect the Council's financial standing and manage corporate financial risks;
- This year's financial performance;
- The Government's financial policies;
- The Council's medium-term financial planning framework;
- Capital programme obligations;
- Treasury Management best practice;
- The strengths of the Council's financial control procedures;
- The extent of the Council's balances and reserves; and
- Prevailing economic climate and future prospects.

Sonia Rees
Director of Resources

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1. Executive Summary

- 1.1 Herefordshire Council's Medium-Term Financial Management Strategy 2008-2011 (MTFMS) sets out how the Council intends to maintain financial stability, support investment in priority services, allocate resources, deliver improved Value for Money and manage risk as we face up to very challenging times for local government.
- 1.2 Whilst building on the previous strategy the emphasis remains one that supports the Council's financial management culture where everyone strives for a greater shared understanding of the pressures the Council is working to address. Financial objectives and policies are no longer something that is only of interest to accountants but to all colleagues concerned with service delivery and improvement.
- 1.3 In the year since the publication of the MTFMS 2007-2010, public service reform has remained high on the government's agenda, with local providers required to work together more closely than ever before. In Herefordshire, the agreement to develop proposals for establishing Herefordshire Public Services (HPS) is evidence of a commitment to deliver modern effective services.
- 1.4 Herefordshire is an under-resourced council, stretched to deliver services throughout a large, sparsely populated area. Our government funding is approximately 18% lower per head of population than the average for similar authorities and we have a lower than average Council Tax too. Capital resources are also limited.
- 1.5 Sound financial governance is vital as we enter the most challenging period the Council has faced since it came into being. Our key financial objectives for improving our service and financial performance are to continue to ensure that budget plans are realistic and support corporate priorities, to maintain an affordable Council Tax, to protect the vulnerable, to deliver services within budget and to ensure an integrated approach to service and financial planning.
- 1.6 The MTFMS encompasses revenue spending, capital investment, efficiency improvement and treasury management in order to achieve these objectives, ensuring complete transparency about what is and what is not resourced. The factors that will underpin the Council's ability to maintain its current financial standing into the future and achieve its service improvement aspirations are strong corporate working supported by open book accounting and good financial management systems.

2. Introduction

2.1 Background

- 2.1.1 This is a comprehensive Medium-Term Financial Management Strategy (MTFMS) for Herefordshire covering the financial years 2008/09 to 2010/11 and it sets out Herefordshire's key financial aims and objectives. It shows how it intends to manage its financial affairs in order to maintain financial stability over the challenging period faced by local government.
- 2.1.2 The MTFMS forms part of Herefordshire's integrated corporate, service and financial planning cycle. This cycle is designed to ensure that corporate and service plans are developed in the context of available resources and that those resources are allocated in line with corporate priorities.
- 2.1.3 The MTFMS is reviewed annually at the start of the integrated financial and service planning cycle. Any material changes to the assumptions it contains will be reported in the routine Integrated Performance Reports produced for Cabinet at the end of months 4, 6, 8 and 10.

2.2 Aim

- 2.2.1 The MTFMS aims to ensure that the Council has a stable and sustainable financial basis for supporting investment in priority services.

2.3 Purpose

- 2.3.1 The purpose of this strategy is to show how the Council's cash resources will be used to support achievement of the objectives set out in the:
- a) Herefordshire Community Strategy (HCS).
 - b) Local Area Agreement (LAA).
 - c) Local Public Service Agreement (LPSA2).
 - d) Corporate Plan.
 - e) Annual Operating Plan (AOP).

2.4 Objectives

2.4.1 The objectives of the MTFMS are to:

- a) Define the financial context for future service improvement decisions.
- b) Set a baseline for reviewing resource availability & financial performance.
- c) Establish and maintain a balanced budget.
- d) Ensure corporate priorities drive the allocation of cash resources.
- e) Promote strong financial governance at all levels within the Council.
- f) Manage risks by keeping reserve funding and debt at appropriate levels.
- g) Plan for Council Tax increases in line with national guidance.
- h) Provide a focus on delivering improving efficiency & Value for Money.

2.5 Coverage

2.5.1 The MTFMS contains:

- a) An overview of the financial outlook for local government and how we expect that to impact on Herefordshire.
- b) A revenue budget strategy that sets out how we will achieve improving efficiency and Value for Money.
- c) A medium-term financial plan for the revenue account.
- d) A capital strategy covering investment decisions including ICT.
- e) A medium-term capital investment plan.
- f) A treasury management strategy setting out our view of likely interest rate movements, timing of investment and borrowing decisions, how we will deal with risk in our treasury management activities and our view on affordable debt limits.
- g) A detailed financial risk assessment that shows the major areas of financial uncertainty, their likelihood of occurrence, their potential impact and how we propose to mitigate those risks.
- h) A sensitivity analysis that shows the impact of adverse variations in key assumptions in the Financial Resource Model (FRM) included in the MTFMS.

2.6 Summary

- 2.6.1 Herefordshire faces a series of significant challenges and opportunities over the next three years. This situation can be assisted by adopting a corporate approach to financial management as outlined in the MTFMS.

3. National Policy Context

3.1 Introduction

3.1.1 Change in the public sector has been extensive in recent years and this trend is set to continue for the foreseeable future, not least because the UK has a new Prime Minister and Cabinet. It is important to set the MTFMS in the context of the changing policy context at national level so we have the financial capacity and flexibility to deal with the change as it happens.

3.1.2 The following national policy documents have been published in the last 12 months that have significant implications for local government:

- a) The Local Government and Public Involvement in Health Bill (December 2006).
- b) The Transition from Comprehensive Performance Assessment to Comprehensive Area Assessment (Audit Commission - April 2007).
- c) Place-shaping: a shared ambition for the future of local government (final report of the Lyons Inquiry - March 2007).
- d) Review of sub-national economic development and regeneration (HM Treasury - July 2007).
- e) Comprehensive Spending Review 2007 (CSR07).

3.1.3 These build on and develop ideas from the Local Government Association (Closer to People and Places – a new vision for Local Government); the Local Government White Paper – strong and prosperous communities as well as the Prime Minister’s Strategy Unit’s report – the UK government’s approach to public service reform.

3.1.4 A brief summary of these papers is provided below in sections 3.2 to 3.5 respectively.

3.1.5 Finally, section 3.6 of the MTFMS identifies the key pieces of new legislation that are likely to impact on service delivery.

3.2 Place-shaping: a shared ambition for the future of local government

3.2.1 Sir Michael Lyons published his final report on the future role and function of local government on 21 March 2007.

3.2.2 In his report, Sir Michael called for a new partnership between central and local government. This needed to be based on changes in behaviour from all tiers of government to achieve a stronger relationship – creating a shared ambition for the future.

- 3.2.3 Sir Michael argued that central government needed to leave more room for local discretion and recognise the value of local choice; while local government needed to strengthen its own confidence and capability, engage more effectively with local people, make the best use of existing powers and stop asking for central direction.
- 3.2.4 Sir Michael concluded that council tax was not 'broken' but is seen as unfair and had been put under too much pressure.
- 3.2.5 The budget statement confirmed the Government's response to the Lyons report and indicated it would:
- a) Examine the local government grant system for potential to provide greater rewards to councils delivering increased economic prosperity in their areas.
 - b) Set targets for reducing specific grants, ring fenced funding, complex time consuming reporting and data provision.
 - c) Continue with capping powers.
 - d) Consider the proposal relating to Council tax benefit.
 - e) Modernise the empty business property rate scheme.
 - f) Not revalue Council Tax during this Parliament thus ruling out any changes to the banding structure.
 - g) Not introduce any tourism tax.

3.3 Review of sub-national economic development and regeneration

- 3.3.1 This further piece of work also provided context for the CSR07 and was published in July. This policy document proposed significant changes to the roles and balance between regional and sub-regional bodies and placed emphasis on improving their working relationships in future.
- 3.3.2 The review was based on three principles:
- a) Managing policy at a spatial level.
 - b) Ensuring clarity of roles.
 - c) Enabling places to reach their potential.
- 3.3.3 Key policy proposals were:
- a) A duty on upper tier local authorities to carry out an economic assessment of their area along with a requirement / duty for named bodies to co-operate in its production.
 - b) To devolve budgets to local authorities and to strengthen local decision making and leadership.
 - c) To transfer funding for 14-19 year olds back from the Learning and Skills Councils to local authorities.

- d) To encourage sub regional working through the development of Multi Area Agreements (MAAs), with the first MAAs in place by mid 2008.
- e) To enable local authorities to pool resources and develop / implement policies on a sub regional level.
- f) That Regional Development Agencies (RDAs) produce a combined regional economic and spatial strategy, taking the role of Regional Planning Body from the Regional Assembly.
- g) That local authorities be given responsibility for scrutinising RDA performance.
- h) The government would strengthen the RDA performance management framework.
- i) Regional assemblies would be abolished by 2010.
- j) That each region have a ministerial champion – Liam Burn MP has since been appointed for the West Midlands.

3.3.4 In summary, the sub national review is a package of change across government in response to the Lyons Inquiry into local government, the Barker Review of land use planning, the Eddington transport study and the Leitch review of skills.

3.4 The Local Government and Public Involvement in Health Act

3.4.1 The Act impacts on council restructuring, designated political leadership models, creating a duty for councils to develop and create local involvement networks (LINKS).

3.4.2 The Act takes forward the decentralisation and deregulation proposals in the Local Government White Paper 2006 but does not address the recommendation in the Lyons Inquiry report on the future role and funding of local government. In summary the Act:

- a) Restructuring in nine areas of the country and the creation of new unitary authorities in what are currently two tier areas.
- b) The introduction of Comprehensive Area Assessments from 2009.
- c) A reduced national data set of performance indicators for local government.
- d) The adoption of one of three forms of political management arrangements.
- e) A statutory framework for local area agreements across the country supported by a duty of co-operation on a wide range of public bodies.
- f) The introduction of community calls for action and LINKS to offer more health and social care accountability.

3.5 The transition from CPA

3.5.1 Work has already begun on the practical aspects of the new performance framework for local government – the Comprehensive Area Assessment (CAA) - set out in the Local Government and Public Involvement in Health Bill. The Audit Commission have published three reports:

- a) The evolution of regulation.
- b) The transition from CPA to CAA.
- c) CPA - the harder test framework.

3.5.2 The CAA is a fundamentally different approach to assessment that is area based, risk focussed and more forward looking than CPA. It will take account of how services are delivered across areas and focus on outcomes and the active engagement of people in the design, delivery and assessment of services.

3.5.3 At the core of CAA lie:

- a) An area based risk assessment on the chances of the successful achievement of an area's priority outcomes.
- b) A direction of travel assessment building on those that already exist for individual public bodies.
- c) A use of resources judgement.
- d) A national data set of 198 indicators with an emphasis on perception indicators.

3.5.4 Future inspection will be targeted on areas with specific weaknesses in any respect. CAA will be introduced in the Spring of 2009.

3.6 Other Government Policy Initiatives

3.6.1 On Tuesday 6th November 2007 the Queen's speech indicated the Government will bring forward legislation that will have varying levels on impact on local government. The key bills for local government and their potential impact are set out below:

3.6.2 Housing and Regeneration Bill:

- a) Establishes the **Homes and Communities Agency (HCA)** in England – merging the Housing Corporation and English partnerships.
- b) Creates the Office for Tenants and Social Landlords – a new, independent regulator for the social housing sector.

- c) Introduces the statutory planning charge to fund infrastructure, this is the government's alternative to the Planning Gain Supplement.
- d) Allows "eco towns" – with zero or low carbon housing – to be built more quickly.

3.6.3 Health & Social Care Bill:

- a) The creation of a new single and integrated regulator for health and adult social care – the Care Quality Commission - bringing together the three existing health and social care regulators.
- b) Following on from the Shipman inquiry, this Bill will form part of government's response to reform professional regulation which will enhance public and professional confidence and strengthen clinical governance.
- c) Amending the Public Health (Control of Diseases) Act 1984 including port health requirements, to take into account emerging threats, human rights legislation and worldwide developments.
- d) The bill announces new provisions where a one off payment will be made to all expectant mothers from the 29th week of pregnancy.

3.6.4 Climate Change Bill:

- a) Pilot scheme for reducing waste – provide a power for local authority incentives for household waste minimising and recycling.
- b) Setting a 60% reduction in CO₂ by 2050 in statute – along with a set of measures to pave the way to this target.
- c) The establishment of a Committee on Climate Change – to provide an institutional framework to manage the transition to a lower carbon economy.
- d) Powers to introduce trading schemes – the draft bill proposes powers to enable the government to introduce measures to help achieve the targets through secondary legislation.
- e) Proposals for reporting – the proposed Committee on Climate Change will be required to review progress on adaptation.

3.6.5 Draft Constitutional Renewal Bill:

- a) Aims to rebalance power between parliament and government, and to give parliament more ability to hold government to account.
- b) Measures to strengthen democracy and increase participation in decision-making.
- c) Clarification of the role of both central and local government.
- d) Placing on a statutory footing the role of parliament in the process for ratifying treaties.

3.6.6 Children and Young Persons Bill:

- a) Reforms the statutory framework around the care system focussed on the needs of the child.
- b) Councils given power to test a different model of organising social care, by commissioning and regulating services from “Social Work Practices”.
- c) Placing the role of the designated teacher on a statutory footing, and ensuring that children in care do not move schools in Year 10 and 11 except in exceptional circumstances.
- d) Improving the financial support available to care leavers who go on higher education.
- e) Ensuring children in care and custody are visited regularly and have a voice in the decision making when they move into independence.
- f) Extending the duty to visit children in youth custody.
- g) Seeking to improve the support for children cared for by family and friend carers.

3.6.7 Citizenship and Immigration Bill:

- a) This Bill will take forward recommendations emerging from the Goldsmith review of Citizenship. The review was trailed in *The Governance of Britain*, launched formally on 5th October 2007 and due to report by the end of March 2008.
- b) Much of the review – and likely focus of subsequent legislation – will focus on technical and legal issues around the formal rights, responsibilities and status of British citizenship.

3.6.8 Education and Skills Bill:

- a) Provisions to raise the minimum age at which young people can leave education or training to 18. It also establishes an enforcement process with a system of penalties for those who do not participate up to 18.
- b) Implement key elements of the Leitch Review into the long term skills needs.
- c) New duties which will be placed on young people and on parents and employers to take reasonable steps to ensure or encourage children to participate in education.
- d) New registration duties on providers and local authorities in relation to young people with special educational needs, and possibly some other groups.

3.6.9 Local Transport Bill:

- a) The bill, published in draft in May 2007, aims to tackle congestion and improve public transport by giving councils more power to develop local solutions to local transport challenges.

3.6.10 Planning Reform Bill:

- a) Establishes an infrastructure planning commission, its powers and functions; a single consent regime for nationally significant projects and a streamlined process for considering applications.
- b) Changes to process for local development plan documents and establishing arrangements for local authorities to decide appeals on minor planning applications.
- c) Introduces Housing and Planning Delivery Grant to incentivise local planning authorities.

3.6.11 Adult & Community Services:

The following government policy issues will heavily influence service delivery plans for the future in this Directorate:

- a) **Herefordshire Public Services:** the Council has committed to establishing joint working arrangements between health and social care services in Herefordshire.
- b) **Housing Related Funding:** responding to the government's changed approach to funding the Supporting People Programme and allocating capital resources for housing renewal to focus resources on affordable housing.
- c) **City Region Proposals:** responding to government proposals for the establishment of a City Region for the West Midlands

based on the metropolitan areas. The governance and funding arrangements will have implications for the non-metropolitan areas.

3.6.12 Children & Young People:

The following government policy issues will heavily influence service delivery plans for the future in this Directorate:

- a) **Every Child Matters Change Programme:** will require continued effort to put planned reforms in place.
- b) **Youth Matters Change Programme:** will require strengthened links to the Youth Council and new service approaches.
- c) **Education & Inspections Bill:** will require new relationships with schools.
- d) **Dedicated Schools Grant (DSG):** this grant covers both individual schools budgets and support services provided for schools such as Special Education Needs (SEN) support services. DSG gives schools much greater choice on how to procure such services. Over spends on DSG are carried forward to count against the following year's grant allocation. Under spends are returned to the Department for Children, Schools and Families (DCFS). Efficiency gains within DSG can be kept within DSG and will be essential to help offset reductions in DSG from falling pupil numbers. DSG distribution was reviewed for the 3-year period covered by Comprehensive Spending Review (CSR07).
- e) **E-learning, E-admissions, Integrated Children's System and Information Sharing Index:** will require transformation of service arrangements.
- f) **Safeguarding Guidance & Looked After Children Green Paper:** will require new arrangements and targets to be resourced.

3.6.13 Corporate & Customer Services (including Human Resources):

The following government policy issues will heavily influence service delivery plans for the future in this Directorate:

- a) **Unification Project for Registration Services:** potential for significant changes in existing service delivery arrangements.
- b) **Further development of the LAA framework:** with potentially both corporate and directorate implications.
- c) **Support services:** ensuring all support services are adequately resourced to provide the level of service needed to achieve national and local priorities.

- d) **Adult & Children's Services Workforce Strategies:** the requirement to deliver integrated strategies with health.
- e) **Welfare to Work Reforms:** ongoing requirement including reducing the numbers of people on benefit by providing work.
- f) **Local Government Pension Scheme:** advising employees on the agreed changes as from 1st April 2008.
- g) **Changes in employment legislation:** embedding age and disability legislation.
- h) **National Skills Agenda:** new frameworks for social work and priority training for minimum skills standards.

3.6.14 Environment:

The following government policy issues will heavily influence service delivery plans for the future in this Directorate:

- a) **Landfill Diversion:** targets are increasingly more challenging requiring either increased resources and / or radical changes to service delivery.
- b) **Respect Agenda:** community safety including anti-social behaviour, cleaner neighbourhoods and improvements to the street scene.
- c) **Transport Innovation:** funding based on innovative proposals to relieve congestion, create better integrated transport provision and in particular better quality bus services and national concessionary travel.
- d) **Reform of the Planning System:** roll-out of the local development framework and proactive response to further proposals for change from the government.
- e) **Improving Road Conditions:** government targets require sustained and increasing investment.

3.6.15 Resources:

The following government policy issues will heavily influence service delivery plans for the future in this Directorate:

- a) **Reform of the local government finance system:** may affect billing services.
- b) **Comprehensive Spending Review 2007:** extra demands on the Resources Directorate to provide leadership in the management of corporate resources.
- c) **Green Paper on Welfare Reform:** Local Housing Allowances will impact on benefit services.

- d) **Efficiency gains:** increasing pressure on strategic procurement services to make significant and demonstrable efficiency gains was confirmed in CSR07.
- e) **National Procurement Strategy for Local Government:** increasing need to deliver key milestones in the Council's procurement strategy.
- f) **Use of Resources Assessment:** increasing pressure to demonstrate the effectiveness of the Council's overall governance arrangements. There will be a new assessment framework for 2008.

3.7 Summary

3.7.1 The evidence is that the new Prime Minister will continue to reform public services over the medium-term.

3.7.2 Some of the common themes in the key discussion papers on the nature of the public service reform are as follows:

- a) The agenda will accelerate the move to greater localism, not just to local authorities but also to the individual neighbourhoods within them.
- b) Integral to this will be an even stronger expectation, amounting to a requirement, that public services in an area will deliver measurable improvements by working together to a common agenda.
- c) There will be more powers and duties underpinning local government's community leadership and well-being responsibilities.
- d) Greater freedom for local government will be matched by more effective and more streamlined systems of performance management.
- e) Achieving quality, efficiency and Value for Money in service provision will remain a high priority.
- f) Services will need to be citizen-centred and service users will have a greater say in the design of services.
- g) More will be done to ensure social justice and close the widening social divisions.
- h) There will be greater pooling of resources as LAAs are developed and funded by the new Area Based Grant.

4. National Financial Context

4.1 Introduction

4.1.1 This section of the MTFMS sets out the financial context at national level for local government. It provides an assessment of the outcome of CSR07 following its announcement on 9th October 2007.

4.2 National economy

4.2.1 The government has signalled that the growth expectation for the UK economy will be lower in the future. This has a direct impact on local government and the rest of the public sector. Much of the increased investment in recent years has been provided by an unprecedented economic expansion.

4.3 Comprehensive Spending Review 2007

4.3.1 In July 2005, the Chief Secretary to the Treasury announced that the government intended to launch a second Comprehensive Spending Review (CSR07) report in 2007 to identify what further investments and reforms were needed to equip the UK for the global challenges of the decade ahead.

4.3.2 CSR07 sets the Departmental Expenditure Limits (DEL) for all Government departments including local government spending programmes. The Public Service Agreements (PSAs), announced alongside the DELs detail the key improvements the public can expect from these resources.

Key challenges for local government

4.3.3 Adult social care and waste have been included as key challenging areas for local government. The four key headlines were:

- a) Adult social care - rising demands due to long-term demographic changes.
- b) Waste - pressure to radically reduce household landfill to meet EU commitments.
- c) Communities - increasing place-shaping role for local councils.
- d) Services - rising expectation for modern and personalised services.

Value for Money

4.3.4 For the three-year CSR07 period authorities can now expect:

- a) 3% annual cashable efficiency savings.
- b) 5% annual cap in Council Tax increases with actual increases expected to be “well below” that figure.

- c) £150m efficiency support over the CSR07 period.

4.3.5 The Government has also published a corporate report on Value for Money entitled ‘**Delivering Value for Money in Local Government: Meeting the challenge of CSR07**’. The document outlines the ways in which councils may deliver this expectation and the activities planned to support their implementation.

Performance Framework

4.3.6 Announcements surrounding the performance framework for local government were as follows:

- a) A single set of local government priorities in Public Service Agreements and Departmental Strategic Objectives.
- b) A set of 198 national performance indicators.
- c) A maximum of 35 national targets (plus a statutory 17 for education) negotiated through the LAAs.
- d) A third round of LAA Reward Grant to incentivise partnership working.
- e) An asset Management Programme to help improve local authorities’ capacity - updating existing guidance to place a greater emphasis on asset management.

Funding Streams

4.3.7 Enforcing the Government’s commitment to reduce specific and ring-fenced grant, local authority funding will be delivered through Formula Grant and Area Based Grant (ABG). Specific grants that will be delivered via Formula Grant from 2008/09 include:

- a) Access and Systems Capacity.
- b) Delayed Discharges.
- c) Children's Services.
- d) Waste Performance and Efficiency.

4.3.8 Area-Based Grant (ABG) (previously known as LAA grant) includes various previous specific grants. Ring fenced grants will only be used where a programme is particularly novel or expenditure has little or no discretionary element at local level.

4.3.9 The ABG includes the following grants:

Grant	Government Department
14-19 Flexible Funding Pot	DCSF

Adult Social Care Workforce	DH
Aggregates Levy Sustainability Fund	DEFRA
Care Matters White Paper	DCSF
Carers	DH
Child and Adolescent Mental Health Services	DH
Children's Social Care Workforce	DCSF
Children's Fund	DCSF
Choice Advisers	DCSF
Cohesion	DCLG
Connexions	DCSF
Crime Reduction, Drugs Strategy and Anti Social Behaviour	HO
Detrunking	DfT
Education Health Partnerships	DCSF
Extended Rights to Free Transport	DCSF
Extended Schools Start Up Costs	DCSF
Local Enterprise Growth Initiative	DCLG
Local Involvement Networks	DH
Mental Capacity Act and Independent Mental Capacity Advocate Service	DH
Mental Health	DH
Positive Activities for Young People	DCSF
Preserved Rights	DH
Secondary National Strategy–Behaviour and Attendance	DCSF
Secondary National Strategy – Central Coordination	DCSF
Preventing Extremism	DCLG
Primary National Strategy – Central Coordination	DCSF
Respect	HO

Road Safety Grant	DfT
Rural Bus Subsidy	DfT
School Development Grant	DCSF
School Improvement Partners	DCSF
School Intervention Grant	DCSF

4.3.9 In addition, CLG aim to include the Supporting People programme grant within the Area Based Grant from 2009/10. The DCSF aim to include Contact Point (formerly Sharing IS Index grant in ABG) from 2010/11.

4.4 Formula Grant Review Issues

4.4.1 The Government has recently consulted on proposed changes to the system of local government finances.

4.4.2 The consultation, like the series of settlement working group (SWG) meetings that preceded it, looks at the assumptions the system for distributing formula grant makes about local authorities' needs. These relate to the provision of fire and police services; adult and children's social services; highways maintenance; and environmental, protective and cultural services. It questions their validity and suggests options for change.

4.4.3 One of the biggest issues noted was to find a way to distribute the extra £212m for national concessionary bus fares for older and disabled people without adverse impacts on other services. The various local government groups were in agreement: allocate the cash through a specific grant.

4.4.4 There were other topics of discussion, none more contentious than the potential removal of damping in the children and younger adults relative needs formulae.

4.4.5 The consultation paper was clear about the problem. It says "the government remains committed to fully implementing the new formulae which better reflect the current patterns of relative need than those they replaced. This however needs to take account of the government's policy in favour of stability and predictability".

4.5 Summary

- 4.5.1 Since Council approved the MTFMS 2007-2010 in March 2007, the financial pressures for local government have increased as planned growth in public spending will slow as set out in CSR07.
- 4.5.2 The local government finance settlement and DSG settlement announcements that followed on from CSR07 set out the level of funding we can expect for non-school and school services respectively for 2008/09 to 2010/11.

5. Herefordshire's Policy Context

5.1 Introduction

5.1.1 This section of the MTFMS describes the local policy context for Herefordshire. Our priorities are closely aligned with the government's priorities for public services as described in section 3. The vision for Herefordshire and how it will be achieved are set out in the *Herefordshire Community Strategy (HCS) 2006 – 2020*. This has been developed, and is being delivered, by *The Herefordshire Partnership*, which comprises the Council and its major partner organisations across the public, private and voluntary and community sectors.

5.1.2 The Council's 3-year Corporate Plan sets out what the Council will do to fulfil its contribution to delivering the HCS (as well as what the Council will do internally to be as efficient and effective as possible). The Council's Annual Operating Plan sets out, in more detail, what it will do each year to those ends. This is followed through in the plans for individual directorates and services, and then on to the plans of individual teams and the objectives and targets set annually for individual managers and their staff.

5.2 Herefordshire Community Strategy

5.2.1 The Herefordshire Community Strategy – A Sustainable Future for the County was the culmination of a major review in 2005 of the Herefordshire Plan.

5.2.2 The HCS sets our aspirations for the County by 2020 and how they might be achieved. The HCS sets out a shared vision for the future of Herefordshire. This gives an idea of the sort of place that people would like it to be in 2020. If the outcomes identified in the HCS are achieved, the County will be much closer to achieving the vision.

5.2.3 To achieve the vision, organisations, groups and service providers work together in the Herefordshire Partnership. This is a non-statutory, voluntary partnership, otherwise known as the Local Strategic Partnership (LSP). Partners include:

- a) Chamber of Commerce Herefordshire and Worcestershire, and Business Link West Mercia.
- b) Herefordshire Association of Local Councils.
- c) Herefordshire Council.
- d) Herefordshire Primary Care Trust.
- e) Learning & Skills Council, Herefordshire and Worcestershire.
- f) Voluntary Organisations.
- g) West Mercia Constabulary.

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5.2.4 In addition, many other groups and organisations are involved in the Herefordshire Partnership and contribute to achieving the vision. Examples include Advantage West Midlands and the Government Office for the West Midlands.

5.2.5 The HCS consists of:

One vision – Herefordshire will be a place where people, organisations and businesses, working together within an outstanding natural environment, will bring about sustainable prosperity and well-being for all.

Five guiding principles - to:

- a) Realise the potential of Herefordshire, its people and communities.
- b) Integrate sustainability into all our actions.
- c) Ensure an equal and inclusive society.
- d) Build on achievements of partnerships working and ensure continual improvement.
- e) Protect and improve Herefordshire's distinctive environment.

Outcomes covering four themes – which are:

- a) Economic development and enterprise.
- b) Healthier communities and older people.
- c) Children and young people.
- d) Safer and stronger communities.

5.3 Herefordshire Corporate Plan & Annual Operating Plan

5.3.1 Herefordshire's Corporate Plan for 2008 – 2011 sets out the Council's objectives for the next three years in support of the Herefordshire Community Strategy.

5.3.2 Subject to the approval of Council in May 2008, the Council's top priorities for the period of the Plan are:

- The best possible life for every child, safeguarding vulnerable children and improving educational attainment
- Reshaped adult health and social care, so that many more older and other vulnerable people maintain control of their lives
- The essential infrastructure for a successful economy, enabling sustainable prosperity for all

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- Affordable housing to meet the needs of local people
- Better services, outcomes for people and value for money, particularly by working in partnership with the Herefordshire Primary Care Trust and other local organisations

5.4 The Performance Challenge

5.4.1 Under the Comprehensive Performance Assessment (CPA) Harder Test, Herefordshire's score is currently 2 (out of a possible 4). This compares with a score of 3 in 2006. This happened because housing receiving a 1 star rating as a result of a one-year only change in the indicators used to assess housing performance, which did not reflect actual improvements, particularly a huge reduction in the number of families in bed and breakfast accommodation.

5.4.2 For the third year running, the Council has been adjudged in 2007 to be improving adequately, with performance having improved in most priority areas. Improvements include examination results, arrangements for looked-after children, helping vulnerable people to live at home, tax collection, benefits administration, the speed of dealing with planning applications, street cleanliness and recycling. On the other hand, it costs more to collect waste and there has been limited progress with the Council's transformation programme. Also, although value for money is judged by the Audit Commission to be reasonable, it isn't measured consistently across the Council. Because of this, and the identification of significant weaknesses in the governance of ICT (in respect of which remedial plans are being implemented), the Council's Use of Resources Score for 2007 has fallen from 3 to 2.

5.5 Herefordshire's Business Transformation Programme

5.5.1 At the time Council approved the MTFMS for 2008 – 2011, the remainder of the Herefordshire Connects programme was being reviewed by the new joint Chief Executive and his team of Directors from the Council and PCT. Much has been achieved with plans now in place to update the social care management information system. The MTFMS 2008 – 2011 includes the savings to be generated from more efficient procurement practices and the cost of the new social care system. Financial capacity is included in the MTFMS 2008 – 2011 to support the remainder of the transformation programme, to be released as those plans are developed and approved.

5.6 Office Accommodation

5.6.1 The Council originally approved an Accommodation Strategy in May 2005. It approved an updated business case in May 2006 and put both the revenue and capital budget in place to implement the strategy.

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- 5.6.2 It became clear at the end of September 2006 that the full 2-phase plan for occupying Plough Lane with the option to extend the building was no longer available as the landlord had revised its plans for the site.
- 5.6.3 The Plough Lane building has been secured until 31st December 2010 – including the middle floor. This provides the certainty needed to reconsider both medium term and long term options for office accommodation in conjunction with the Council's strategic partners.

5.7 Summary

- 5.7.1 This section of the MTFMS shows how the Council's objectives and targets cascade down the organisation to ensure we work as one organisation with all parts pulling in the same direction. It also shows how corporate priorities are being progressively integrated to the maximum extent possible with our key partners and the Herefordshire Partnership generally.

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- 5.6.2 Herefordshire has entered the most challenging period it has faced since it came into being in 1998, with demands all round for improvement at a time when cash resources are not going to increase at the rate previously experienced by local government. Sound financial governance will be essential to ensure the Council's continued financial health.
- 5.6.3 The next section of this MTFMS sets out the financial context at the local level before moving on in the following section to describe the Council's approach to strategic financial management during this difficult period.

6. Herefordshire's Financial Context

6.1 Introduction

6.1.1 This section of the MTFMS describes Herefordshire's financial position. It is important to set the scene locally before considering the best approach to the high-level management of the Council's financial resources to ensure cash follows priorities.

6.2 Background

6.2.1 On 6th December 2007 the Minister of State for Local Government announced the provisional three year settlement for local government covering 2008/09 to 2010/11. The announcement has a direct impact on the level of financial resources Herefordshire will have over the next three years and is reflected in the Medium Term Financial Management Strategy (MTFMS). The final settlement was announced on 24th January 2008.

6.2.2 Key national points:

- a) In total, government revenue funding for local authority services will be £70.4 billion in 2008/09; £73.5 billion in 2009/10 and £76.7 billion in 2010/11.
- b) These are increases of 4.0%, 4.4% and 4.3% respectively – an annual average increase of 1.5% above inflation.
- c) Every authority will receive a Formula Grant increase in every year.
- d) The Formula Grant is made up of Revenue Support Grant (RSG) and National Non-Domestic Rates (NNDR). For 2008/09 the amount of NNDR for England has increased by 10.8% to £20.5bn. This is due to the extension of business rates to empty properties.

6.2.3 Key points for Herefordshire:

- a) The announcement on 24th January provided notification of the level of Formula Grant to be received by Herefordshire over the next three years as follows:

	Formula Grant Amount £m	Adjusted Increase £m	Percentage Increase
2008/09	53.307	2.419	4.8%
2009/10	55.379	2.143	4.0%
2010/11	57.584	2.232	4.0%

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- b) The above indicates that Herefordshire's 2008/09 increase on a like-for-like basis is 4.8%. Herefordshire, in common with most unitary authorities and county councils, had a better than expected settlement.
- c) Herefordshire's assumptions about a cash standstill and likely efficiency savings for 2008/09 were in line with other authorities and based on the widely accepted assessment that Comprehensive Spending Review 2007 (CSR07) would be "tight". There was also concern that changes made to the distribution formula would adversely affect Herefordshire.
- d) As part of the CSR07, it was announced that the following grants would be delivered via the overall Formula Grant. The adjustments to base budgets for 2008/09 are in brackets:
 - i) Children's Services (£490k).
 - ii) Delayed Discharges (£384k).
 - iii) Access and Systems Capacity (£2.059m).
 - iv) Waste Performance and Efficiency (£183k).
 - v) Contaminated Land (£1k).
 - vi) Food Hygiene Enforcement on Farms (£28k).
 - vii) New Conduct Regime (£9k).
 - viii) Animal Feed (£4k).
 - ix) New Conduct Regime (£9k).
 - x) Student Finance (a reduction of £24k).
- e) Councils are expected to agree Council Tax increases 'well below 5%'. There is some debate about whether the Government means an individual council must set its Council Tax 'well below 5%' or whether this refers to the overall position across the country. With some councils getting a settlement in high single figures it may be that the Government will expect very low or no increase in some cases.

6.3 Relative Funding Position

- 6.3.1 As our inspectors have acknowledged, government funding per head of population in Herefordshire is significantly below the average for all-purpose authorities. The inspectors noted that our funding per head of population was 18% below the average in our last Corporate Assessment report.

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6.3.2 Updating the position for the 2008/09 settlement figures reveals that the gap in funding has widened. The figures for this year are as follows:

- a) Formula Grant per head of population is £296 – 23% below the unitary authority average of £383.
- b) Indicative Dedicated Schools Grant per head of population is £469 – 19% below the unitary authority average of £575.
- c) Formula Grant plus indicative Dedicated Schools Grant per head of population is £764 – 19% below the unitary authority average of £946.

6.4 Reserves

Revenue Reserves

6.4.1 Herefordshire has 2 main sources of reserve funding to support its day to day spending that is recorded in the revenue account – the General Fund balance and Specific Reserves. As the titles suggest, the latter are held for a specific purpose whilst the former could be considered a general contingency.

6.4.2 The following table shows the balance on the General Fund and the level of Specific Reserves at the end of the last 4 financial years plus an indicative forecast of the position at the end of 2007/08 based on projected 2007/08 outturn at the end of January 2008..

(All figures £000k)

Balance as at:	General Fund	Specific Reserves		Total
		Schools	Other	
31st March 2004	9,847	6,845	2,562	19,254
31st March 2005	14,491	8,919	2,325	25,735
31st March 2006	14,525	8,739	5,203	28,467
31st March 2007	8,023	8,137	11,637	27,797
31st March 2008 (estimated)	6,168	7,730	6,226	20,117

6.4.3 There are a number of important points to note about the figures in this table:

- a) A significant proportion of the Specific Reserves belong to our schools and cannot be used to help pay for non-schools services.
- b) The General Fund balance at 31st March 2007 included £157,000 of budgets carried forward into the current financial year and £1m of LABGI grant to be used in 2007/08.
- c) The large increase in Other Specific Reserves as at 31st March 2007 was due to a specific policy change signalled in last year's

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MTFMS of earmarking funds for specific purposes in order to give greater transparency.

6.4.4 From 1st April, 2008, the Council's policy will be to maintain the General Reserve at £4.5m (approximately 3.5% of the net revenue budget). This level of General Reserve balance is in line with recommended best practice and is consistent with the approach other similar authorities take. The Director of Resources is content to make her statutory declaration that this level of General Reserves is prudent as it provides adequate cover for:

- a) Demand pressures that are volatile, difficult to predict or unforeseen at the time the budget is set and that are not covered by an earmarked reserve.
- b) The contingent liabilities at the end of the 2006/07 financial year as set out in the annual Statement of Accounts (£726k).
- c) An adverse change in the key variables within the Financial Resource Model (FRM) as identified in section 7.5 of the MTFMS 2008 – 2011.
- d) Daily cash flow needs.

6.4.5 The excess above a general reserve level of £4.5m is to be allocated to an earmarked reserve to be called 'Modernisation Plans' with money to be released as such plans are formally approved. This ensures that Council Tax payers' money is spent improving priority areas such as service delivery and transactional processes rather than it being held in excessively high levels of reserves and balances.

Capital Reserves

6.4.6 There is one capital reserve that represents cash available to support spending on the creation or enhancement of assets that is recorded in the capital account. It is known as the Usable Capital Receipts Reserve.

6.4.7 The following table compares the final capital budgets for the last 3 financial years to actual spend together with a forecast outturn for the current year.

(All figures in £000k)

Financial Year	Original capital budget	Capital outturn	Over / (under) spend for year
2004/05	40,100	33,198	(6,902)
2005/06	37,131	31,845	(5,286)
2006/07	58,977	39,542	(19,435)
2007/08 (Estimate)	65,462	53,418	(12,044)

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- 6.4.8 The Council agreed a strategy for disposing of surplus assets as part of the Asset Management Plan (AMP). Capital receipts will be generated over the medium-term as these assets are vacated and sold but they will be used to reduce the potential borrowing requirement for future years.
- 6.4.9 The Council has set the Smallholdings Estate an annual target of realising £1m capital receipts net of capitalised repairs and maintenance expenditure. This policy ensures a steady but modest stream of new capital receipts each year.
- 6.4.10 The Council has a policy that ensures capital cash resources are used effectively in support of corporate priorities. As a result all capital receipts are a corporate resource unless allocated for a specific purpose.

6.5 Trends in Outturn

Revenue Overview

- 6.5.1 The table below compares the actual use of General Fund balances to planned use for the last 4 financial years and an estimate for 2007/08 based on the latest Integrated Performance Report covering the period to the end of January 2008.

(All figures in £000k.)

Financial Year	Planned use of General Fund balances ¹	Actual use of General Fund balances ²	Improvement in financial performance ³
31st March 2004	(2,942)	3,479	+6,421
31st March 2005	(3,176)	4,644	+7,820
31st March 2006	(4,063)	34	+4,097
31st March 2007	(8,890)	(6,502)	+2,388
31st March 2008 (estimated)	(1,157)	(698)	+459

Notes

1 – brackets means there was planned contribution from the General Fund balances to the revenue account – a top-up from the general contingency to get the budget to balance for the year.

2 – no brackets means that there was actually a surplus on the revenue account for the year that was used to top the general contingency.

3 - a plus sign means actual financial performance was better than planned whilst a minus sign means that actual performance is worse than planned.

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6.5.2 The table in the preceding paragraph shows that financial capacity is decreasing year on year. There is an urgent need for all Directors to commit their emerging budget strategies to paper and seek help and guidance from Financial Services to assess the benefits and cash savings.

6.6 Local Spending Pressures

6.6.1 The audited outturn position for 2006/07 provided evidence of Herefordshire's spending pressures for the future, many of which reflect the national trends identified in section 4.4 of the MTFMS. The projected outturn for 2007/08 is further evidence of these pressures.

6.6.2 As in the MTFMS for 2007-2010 the key concern is the Adult Social Care service budgets. The base budget funding position for these services in 2006/07 was enhanced with real terms growth for at least the 3rd successive year in a row. In 2007/08 this area also received £2.7m of additional recurring funding to improve outcomes for the Older People and Learning Disabilities service areas.

6.6.3 The additional resource for Adult Services is based on the findings of research into the impact that Herefordshire's ageing population and other factors will have on demand for social care services and the options for the patterns and levels of services needed to meet them. Further needs analysis work on Mental Health and Physical Disabilities services indicates financial support is required. In 2008/09 an additional £275k will be provided with a further £275k in 2009/10. these amounts will be ring-fenced to these service areas.

6.6.4 The 2007/08 projected outturn for social care across both adults and children's services is an overspend of £4.2m before use of the £1.3m centrally held contingency and spend to save resources.

6.6.5 Other spending pressures that need consideration include:

- a) Waste disposal – the Specific Reserve for this issue stands at £2.3m but needs review as the date for agreeing changes to the original PFI contract continues to slip and waste tonnages continue to grow.
- b) Contingent liabilities – there is no provision for these items of expenditure which could cost up to £726,000 if the liability was confirmed (the Statement of Accounts for 2006/07 refers).
- c) The Council has committed to a programme of review of its school provision. This may create spending pressures for the future.

6.7 Summary

6.7.1 Herefordshire is not a well-resourced council. Government grant systems attempt to make allowance for the additional cost and complexity of delivering services in a sparsely populated area but do

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not do enough for councils like Herefordshire where its sparse population is more evenly distributed throughout the area. Many sparsely populated councils – such as Cornwall, Devon or Cumbria – have great tracts of land that people just do not live in.

- 6.7.2 Despite the challenges to date, financial performance has been good in overall terms providing a healthy level of reserves. There are however some areas – notably social care – that continue to need attention.
- 6.7.3 The MTFMS thus far has set out the national and local policy and financial context for Herefordshire. Having set the scene, it is now possible to describe a medium-term financial management strategy to ensure that we preserve our financial health through a period of significant change and improvement whilst growth in financial support from the government decreases.

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7. Financial Management Strategy

7.1 Introduction

7.1.1 The first Herefordshire MTFMS 2007-2010 indicated it supported all of Herefordshire's other resource management and service delivery strategies. This remains the case in this update.

7.1.2 This section of the MTFMS therefore sets out to describe Herefordshire's corporate financial objectives given the national and local context and its financial management strategies for:

- a) Revenue spending.
- b) Capital investment.
- c) Efficiency review and improving Value for Money.
- d) Treasury management.

7.1.3 Active risk management is a key component of the Council's corporate governance arrangements. This section of the MTFMS therefore sets out the key corporate and financial risks the Council will be monitoring to ensure it stays on course to deliver its overall objectives.

7.2 Corporate Financial Objectives

7.2.1 Herefordshire's corporate financial management objectives are to:

- a) Ensure budget plans are realistic, balanced and support corporate priorities – especially those that protect the vulnerable in our communities.
- b) Maintain an affordable Council Tax – the Financial Resource Model (FRM) in the MTFMS assumes a sub-5% increase. This has proven correct given the recent CSR07 announcement.
- c) Manage spending within budgets – Directorates are required as a 'non-negotiable' to manage outturn expenditure for each financial year within budget.
- d) Ensure sustainable balances, reserves and provisions – within a reasonable limit consistent with the corporate financial risks without tying up public resources unnecessarily.
- e) Create the financial capacity for strategic priorities for service improvement.
- f) Support a prudent level of capital investment to meet the Council's strategic requirements.
- g) Maintain a strong balance sheet position.
- h) Deliver year on year efficiency and Value for Money improvements.
- i) Ensure an integrated approach to corporate, service and financial planning in full consultation with key stakeholders.

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- j) Ensure a whole-life costing approach is taken to both revenue and capital spending decisions.

7.3 Financial Management Strategy for the Revenue Account

7.3.1 This section of the MTFMS sets out Herefordshire's financial management proposals for achieving the corporate financial objectives outlined above.

Managing the General Fund Balance & Specific Reserves

7.3.2 Herefordshire's General Fund balance at the start of 2007/08 was £8.023m. This is significantly in excess of the policy in place at that time to maintain a minimum balance of £3m.

7.3.3 Herefordshire's financial management strategy is to maintain Specific Reserves to deal with the key corporate financial risks reducing the need for a higher level of General Fund balances. This strategy will ensure there is complete transparency about what is and what is not resourced for corporate financial risks that, if realised, would affect the Council's financial standing. It represents an 'open-book' approach to accounting.

7.3.4 All Directorates will be expected to manage budget pressures within the overall requirement to deliver an outturn at or below budget.

7.3.5 The need for the range and level of Specific Reserves and the policy for minimum General Fund balances will be continually reviewed as part of the financial planning, monitoring and outturn processes. The strategy described here provides cover for the key corporate financial risks. Part of the review of General Fund balances indicates it is now appropriate to maintain a level of £4.5m (3.5%) to provide adequate cover for demand pressures. The excess above £4.5m will be allocated to the proposed earmarked reserve to be called Modernisation Plans.

Managing a balanced budget

7.3.6 Over the years Herefordshire has sought to ensure that all services are adequately funded given available resources. Keeping up with increasing demand for services – particularly in social care – has been difficult but Herefordshire can show that it has consistently provided real terms growth for these services over the years although it recognises more will be needed to meet future demand.

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7.3.7 The impact on General Fund balances in 2007/08 is illustrated in the following table:

	£000	£000
General Fund balance on 1st April 2007		8,023
Less		
Possible 2007/08 overspends (Month 10 IPR)	698	
LABGI grant carried forward	1,000	
Carry forward budgets from 2006/07	157	-1,855
General Fund Balance on 31st March 2008		6,168

7.3.8 The above table makes a number of assumptions but shows the likely pressure on General Fund balances. The key pressure will arise from possible overspends in 2007/08 that will need to be covered by the General Fund.

Managing financial performance

7.3.9 Maintaining strong financial control is a prerequisite to achieving the Council's corporate priorities and the integrity of the MTFMS. Good systems and procedures are in place for reporting on financial performance as part of the Integrated Performance Reporting framework.

7.3.10 Non-financial information was incorporated into the routine bi-monthly financial performance reports that form part of the Integrated Performance Report.

7.3.11 Certain types of income and expenditure budgets are classified as 'non-controllable'. In the main, these are budgets that are allocated to Directorates on a recharge basis (e.g. support service recharges, insurances). The support service provider will exercise the budgetary control for these services.

Managing budget carry forwards

7.3.12 The Council's Financial Procedure Rules have been amended to ensure the cash resource redeployed through the year-end budget carry forward arrangement is allocated in line with corporate priorities.

7.3.13 Budgets are now only carried forward if there is an under spend on the Council's overall Revenue Account and at Directorate level. Such under spends are top-sliced if necessary to ensure corporate priorities and financial risks are funded. Budget carry forwards can only be used to fund one-off spending.

7.3.14 Budget carry forwards on support service and other recharged items are not to be permitted. Budget carry forwards on income budgets such as car park charges, planning fees and investment property income will not generally be permitted either.

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Managing Directorate base budgets

7.3.15 Base budget needs to be in the right place at Directorate level as well as the corporate level to support effective financial management and to avoid repeated over spends in one area being consistently offset by under spends in others.

7.3.16 A virement process that allows the transfer of resources between budget headings is in place. This financial management strategy will actively encourage Directorates to use this facility to ensure there is an 'open book' approach to accounting at Directorate level, ensuring such virements support corporate priorities.

Managing growth and inflationary pressures

7.3.17 The current FRM includes 2% for pay inflation in each year in line with government assumptions at the time. The pay award for 2007/08 was settled at 2.475%. The government's assumption for pay inflation for the next three financial years remains at 2% and its stated intention is to negotiate a three-year pay agreement for public sector workers. The CMB therefore recommends that the 2007/08 salary base budget be uplifted by an additional 0.475% and that the policy of a 2% uplift for pay inflation be retained for the draft MTFMS for 2008 – 2011.

7.3.18 The current FRM for 2007 – 2010 does not provide for an inflationary uplift on non pay expenditure budgets as an inbuilt efficiency target. This challenging policy ensures that managers:

- a) Negotiate appropriate contracts for the provision of services.
- b) Manage contracts and contractor performance effectively.
- c) Continually review service delivery arrangements to ensure improvements in efficiency and value for money.

7.3.19 Corporate Management Board (CMB) has checked that this approach to securing efficiency gains for 2008/09 – 2010/11 can be achieved in all service areas through better use of resources without any significant reductions in the level of service provided. The following table identifies the core services where this policy creates the most financial pressure in 2008/09 and explains how CMB expects that pressure to be managed:

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Core Service	Estimated Financial Pressure	Management action
Adult social care	£880k	This pressure reduces to £596k after allowing for additional income from Fairer Charging in the FRM and the effect of the proposed efficiency targets. The Director of Adult & Community Services advised that this pressure could not be managed without a reduction in the level of service provided. He further advised that he will have an efficiency plan in place by the end of March 2008 designed to manage this pressure without a reduction in the level of service provided. The FRM allows for the adult social care base budget to be increased by £596k in order to avoid service cuts.
Waste	£360k	The Environment Directorate's efficiency plan is designed to manage this pressure without a reduction in the level of service provided.
Children's social care	£220k	This pressure can be managed by allocating £650k from the social care contingency currently in the corporate base budget to the service base budget.
Highways	£200k	The Environment Directorate's efficiency plan is designed to manage this pressure without a reduction in the level of service provided.
Schools Transport	£180k	The Director of Children's Services plans to review the school transport policy.

7.3.20 CMB has only identified one significant example of the current policy for efficiency gains causing difficulty if retained for the FRM for 2008 – 2011. A reduction in the level of adult social care services that can be provided is clearly not acceptable given this service is a corporate priority. The CMB therefore recommends that the current policy is retained as an incentive to improve efficiency and value for money with the exception of a one-off increase of £596k to the base budget for adult social care.

7.3.21 The current FRM assumes inflation on client and customer receipts budgets of 2.5%. The key exceptions are income budgets where the fee is dictated by a statutory arrangement. This policy is to be retained for the draft FRM for 2008 – 2011 and there will be a review of all fees and charges so that these can be integrated into the budget policy framework.

7.3.22 The MTFMS covers income generation. The overall approach is to:

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- a) Ensure income budgets reside with the client service where the service is responsible for determining service strategy.
- b) Adopt an entrepreneurial approach to generating income from investment properties, commercial properties and trading activities with risks being managed in line with the Council's risk management procedures.
- c) Focus on debt collection by setting targets for improvement.
- d) Building on the agreed revised charging structure for Adult Services consider the scope for higher levels of charging for services elsewhere especially where there is clear evidence that Herefordshire attracts much lower levels of income than comparator authorities.
- e) Investigate new freedoms to charge for services.

Managing partnership resources

7.3.23 Herefordshire welcomes the opportunity to work with strategic partners to improve outcomes. But, in order to achieve its corporate financial management objectives, we will always seek to ensure:

- a) The financial viability of partners before committing to an agreement.
- b) There is clarity of respective responsibilities and liabilities.
- c) The accounting arrangements are established in advance of operation.
- d) The implications of terms and conditions on any associated funding are considered in advance of operation.

7.3.24 From 2008/09 the new Area Based Grant will be a significant component of partnership working. It is likely that governance arrangements will be shaped by forthcoming guidance from central government.

Managing external funding

7.3.25 External funding provides another opportunity to increase financial capacity. The MTFMS will be to actively pursue such opportunities, including Public Finance Initiative (PFI) funding, providing that:

- a) Match funding requirements are considered in advance.
- b) They support corporate priorities.
- c) They do not conflict or distract from corporate priorities.
- d) They have no ongoing commitment that cannot be met by base budget savings.
- e) They do not put undue pressure on existing resources.
- f) The net cost overall is not excessive.

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Managing Developer Contributions

7.3.26 This is another source of external funding that can be secured through the planning system. It may be possible to secure funding to support the cost of day-to-day services (e.g. commuted sums for maintenance of public open spaces). Support for capital infrastructure can also be achieved in this way (e.g. developer contributing to cost of new access roads).

7.3.27 The MTFMS is to maximise the potential for increasing financial capacity and / or managing growth in volumes through s106 agreements. This will involve a much more commercial and co-ordinated approach to such opportunities. To achieve better monitoring of these agreements a new post has been agreed with the Environment Directorate.

Managing Modernisation Initiatives in Social Care Services

7.3.28 The following amendments to the current MTFMS reflect the relevant Director's accountability for financial management:

- a) The social care contingency of £1.3m in the corporate base budget be allocated in equal shares to the adult and children's social care base budgets.
- b) The adult social care modernisation funding of £2.7m will be transferred from the corporate base budget to a ring-fenced budget within the Adult & Community Services service budget for release by the Director of Adult & Community Services in consultation with the Director of Resources in support of modernisation plans.
- c) The children's social care modernisation funding of £824k will be transferred from the corporate base budget to a ring-fenced budget within the Children & Young People's Services core service budget for release by the Director of Children & Young People's Services in consultation with the Director of Resources in support of modernisation plans.

Modernisation Plans:

7.3.29 The needs analysis for adults with mental health and physical disabilities has now been completed and modernisation funding for these services of £275k in 2008/09 rising to £550k in 2009/10 is required. It is recommended that modernisation funding for adult social care services:

- a) Is included in the FRM within the draft MTFMS for 2008 – 2011 as modernisation of these services is a key corporate priority.
- b) Is ring-fenced within the base budget for adult social care for modernisation purposes only.
- c) Is released by the Director of Adult & Community Services following consultation with the Director of Resources.

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Managing Value Added Tax (VAT)

- 7.3.30 To preserve financial capacity, Herefordshire will continue to actively manage business activity that is classed as 'exempt' under current VAT legislation to ensure that the partial exemption limit is not breached. We are allowed to reclaim the VAT on exempt business activities providing it does not exceed 5% of our total VAT liability. If we breach the 5% limit, HM Customs & Revenues will expect us to hand over the VAT on exempt activity too – approximately £750k a year.
- 7.3.31 VAT is a particularly specialised field within the accountancy profession and we supplement in-house resources with external consultancy support when needed. The Technical Accounting Team will continue to ensure service managers are aware of the circumstances that represent greatest financial risk in terms of the Council's overall VAT liability so they can seek the specialist advice.

7.4 Medium-Term Financial Resource Model (FRM)

- 7.4.1 The FRM is designed to provide an assessment of the overall resource availability for the revenue account over the medium-term. This sets the financial context for the corporate and service planning so that the two planning processes are fully integrated. It covers the period from 2008/09 to 2010/11.
- 7.4.2 Cabinet has decided to retain the policy for a planned increase in council tax of 4.7%. The actual increase for 2007/08 was 3.8% which reduced council tax income by £560k per annum. The proposed council tax level for 2008/09 is a 4.4% increase representing a potential £225k reduction in council tax income.
- 7.4.3 The FRM shown in Appendix A takes into account the corporate financial objectives and MTFMS proposed in this document. It also makes a number of other assumptions. These are summarised below to ensure the financial planning process is open and transparent:
- a) **Herefordshire Connects** – the FRM includes funding the social care solution.
 - b) **Office Accommodation Strategy** – the FRM reflects the latest financial assessment approved by Cabinet in May 2006.
 - c) **Customer Services Strategy** – the FRM provides £500k per annum in each of 2007/08 and 2008/09 to support the strategy. It should be noted this ends in 2009/10 by which time the service model is to deliver compensating savings thus removing the needs for financial support.
 - d) **Capital Investment** – the FRM reflects the revenue implications (cost of prudential borrowing) of the capital programme approved by Council in 2007 plus slippage from 2006/07 and 2007/08 as well as the draft capital programme presented to Cabinet on 24th January 2008. It allows for £1m of new

Medium Term Financial Management Strategy (MTFMS)

prudential borrowing in 2008/09 and each year thereafter. It also reflects Cabinet's decision to put £356k into capital financing costs in 2008/09 and an additional £394k in 2009/10. the overall total of £750k is therefore evident in 2009/10 onwards.

- e) **Formula Grant** – the FRM reflects the final local government finance settlement for 2008/09 and indicative figures provided by the government for 2009/10 and 2010/11.
- f) **Dedicated Schools Grant** – the FRM reflects the 4.3% increase for 2008/09 and assumes a 2% increase in following years.
- g) **Employers' superannuation costs** – the FRM includes increases in employers' contributions rates in line with latest actuarial advice.
- h) **Interest Rates** – the FRM reflects interest rate assumptions for investment income and new borrowing costs in line with the Treasury Management Strategy for 2008/09 included at Appendix C.
- i) **National Taxation** – the FRM assumes there will be no significant change to national taxation systems.
- j) **Local government finance system** – the FRM assumes the status quo with no change to the grant distribution system, Council Tax or National Non-Domestic Rates. This is a key area and will be amended in the future for the outcome of the Government's review when it is announced.
- k) **Housing Benefit / Council Tax Benefit Administration Subsidy** – the FRM reflects the implications of a 5% real terms cut in this subsidy each year starting from 2007/08;
- l) **Local Authority Business Growth Incentive Grant** – the FRM assumes no further grant income after the current scheme ceases in March 2008.
- m) **Council Tax Income** – 4.4% for 2008/09 and 4.7% for the remaining two years of the MTFMS.
- n) **Local Development Plan** - £500k allowed in 2009/10 and 2010/11 for implementing the new planning framework.

7.4.4 The FRM sets the overall financial context for corporate and service planning and the detailed budget work prior to setting the Council Tax. Given the assumptions outlined above, the following table summarises the potential financial capacity in the revenue account:

Medium Term Financial Management Strategy (MTFMS)

	2008/09	2009/10	2010/11
Potential financial capacity in the base budget.	0	£2.043m	£3.971m

- 7.4.5 The above table demonstrates that the total budget in 2008/09 meets estimated resource requirements given current planning assumptions.
- 7.4.6 To summarise, the FRM looks at the totality of the revenue account and identifies indicative cash limits at the corporate level.
- 7.4.7 Plans to modernise both service provision and support services will start to take shape now that the new joint Chief Executive has taken up post. The Primary Care Trust (PCT) has already taken an opportunity to set aside some cash to help support implementation of emergent plans for modernisation. The PCT will transfer £300k to the Council to manage on its behalf. The FRM within the draft MTFMS for 2008 – 2011 includes a Council match funding contribution to be held in an earmarked reserve called ‘Modernisation Plans’ until such times as an modernisation plan for the two organisations has been formally approved.
- 7.4.8 The Council has been developing a corporate programme to modernise the way in which day-to-day business is transacted to deliver improved value for money and better services for the community. That programme – Herefordshire Connects – is being reviewed by the new Chief Executive and his team of Directors from the Council and the PCT.
- 7.4.9 The FRM within the MTFMS for 2007 – 2010 included the financial envelope for Herefordshire Connects programme as outlined in April 2006 but adjusted to reflect estimated timings of investment and benefits as at March 2007. The passage of time means that the original financial model was too old to be a reliable basis for the FRM within the MTFMS for 2008 – 2011. Decisions have been made about the social care management information system. This decision, and the fact that the programme is now under review, is reflected in the FRM in the MTFMS for 2008 – 2011 as follows:
- a) Inclusion of the investment requirement for a replacement social care management information system (£687k in 2008/09 reducing to £154k thereafter – subject to the call-in process).
 - b) Inclusion of the funding for the Herefordshire Connects Core Team so there is a resource to maintain a Council-wide modernisation programme (£450k in 2008/09 reducing to £300k in 2009/10 and £200k in 2010/11).
 - c) Inclusion of the funding for urgent ICT strategy work needed to support the Herefordshire Connects programme and ICT infrastructure (£247k in 2008/09 rising to £647k thereafter).

Medium Term Financial Management Strategy (MTFMS)

7.4.10 The Herefordshire Connects programme is a modernisation programme under review. As detailed financial information is not yet available, the financial capacity to support the programme is to be provided through a new earmarked reserve called 'Modernisation Plans' rather than through the FRM until such times as a formal decision on the way forward has been taken.

7.5 Sensitivity Analysis

7.5.1 The projected budgets make assumptions about likely levels of funding. The variable nature of these factors could impact on the budget and the following gives an indication of the extent of the possible changes:

- a) An increase or decrease of 0.5% in the Council Tax Base impacts the budget by £410k in 2008/09.
- b) 1% variance in Council Tax inflation impacts the budget by £765k for 2008/09, increasing to £840k by 2010/2011.
- c) A figure of 0.5% for losses on collection would result in a reduction in the tax base for 2008/09 of 347 units of band D equivalents.
- d) A £100k increase in budget increases council tax by up to 0.13%.
- e) An increase of 1% in average base rates would also have an impact. Existing debt is at fixed rate and increases in base rates have little impact upon long term (50 year) borrowing rates from the Public Works Loan Board (PWLB), so the impact on cost of borrowing is marginal. Investments would generate an extra £272k, based on an average cash balance of £27.2m (Historically); therefore an increase in base rates means the net effect is we generate greater investment income.
- f) The risk of base rates going up appears at the present time to be very low but that could easily change.
- g) An increase of 1/4% in base rates would be expected to generate an extra £68k per year investment income (£5.7k per month).
- h) The impact on borrowing rates is difficult to determine because the source of borrowing we tend to use is not linked directly to the base rate. In practice we would probably be able to adjust the maturity period from our original intention to make the impact negligible.
- i) There is a risk that the government's formula grant figures are lower than the amount indicated. If so, a 1% drop equates to £530k per annum.
- j) Every 1% in discretionary fees and charges equates to approximately £70k.

Medium Term Financial Management Strategy (MTFMS)

- k) If the pay settlement varies by 1% from the FRM's assumption this has an impact of approximately £560k.
- l) If volume percentages in the current waste contract increase by 1% this would create an additional £300k spending pressure.

7.6 Financial Management Strategy for Capital Investment

- 7.6.1 The capital receipts reserve totalled £22.426m as at 1st April, 2007. Receipts of £1.8m have been received to date in 2007/08. Expected capital receipt reserve spending in 2007/08 totals £7.104m leaving a balance of £17.122m to be carried forward into 2008/09. This may change if additional receipts arise before 31st March 2008 and depending on final funding decisions for capital spending in 2007/08 when the annual accounts are prepared.
- 7.6.2 Capital receipts reserve funding of £10.108m has been committed to fund the 2008/09 capital programme however additional capital receipts from the sale of smallholdings and the old Whitecross High School site are expected.
- 7.6.3 The FRM for the revenue account reflects the new borrowing requirement implied by the Treasury Management Strategy (see section 7.8) to support the capital programme. Potential capacity in the revenue account to absorb the revenue implications of yet more borrowing is limited.
- 7.6.4 This leaves limited capacity in the revenue account to accommodate new projects unless ongoing efficiency savings can match the additional borrowing costs. This is a problem because there are a number of projects that are likely to be a high priority for the Council such as:
- a) The provision of a new Cattle Market.
 - b) Repairs, maintenance and enhancement of corporate assets such as property assets and ICT.
 - c) Investment in property assets needed to deliver the changes needed in adult social care.
 - d) ICT Strategy to support the Business Transformation programme.
 - e) Edgar Street Grid (ESG).
 - f) Office Accommodation Strategy.
- 7.6.5 The Council has an Asset Management Plan and Capital Strategy that has been given top marks by the Government Office for the West Midlands. These documents need fine-tuning to help address the impact of there being a scarcity of capital resources.

Medium Term Financial Management Strategy (MTFMS)

7.6.6 The financial management strategy for increasing capital investment capacity centres on:

- a) Maximising developers' contributions as outlined in the financial management strategy for the revenue account.
- b) Effective project management of capital schemes to ensure they stay within budget.
- c) Creating the capacity to implement the property review arrangements set out in the Asset Management Plan to see what further opportunities there are for rationalising property assets and releasing resources (capital and revenue).
- d) Maintaining our successful track record for innovative capital investment schemes – e.g. the Whitecross PFI project and the Edgar Street Grid redevelopment project.
- e) Attracting external funding such as the recent grant allocation under the government's Building Schools for the Future programme.

7.6.7 The financial management strategy for capital investment also focuses on making sure the available resources are allocated in line with corporate priorities. To achieve this we will:

- a) Treat property assets as a corporate resource and move to a corporate landlord arrangement to provide greater flexibility in matching property assets to service needs.
- b) Ensure that corporate assets (including property assets and ICT infrastructure) are not neglected.
- c) Develop a corporate approach to maintaining and developing corporate assets.
- d) Reallocate existing resources in Directorate base budgets used for this purpose to boost the corporate maintenance fund.

Capital Programme 2008/09

7.6.8 Schemes recommended for funding by Prudential Borrowing are as follows:

- a) Strangford landfill site
There is a legal requirement to assess the impact of the landfill site on groundwater. The scheme will provide groundwater monitoring boreholes.
- b) Holmer School Flood alleviation
This will fund remedial works to the school to prevent a re-occurrence of the flooding problems experienced in July 2007.
- c) Legionella prevention work
This scheme upgrades hot water installations to meet code of practice requirements in council owned buildings across the county.

Medium Term Financial Management Strategy (MTFMS)

- d) Prospect Wall repairs
Part of the existing retaining wall between The Prospect in Ross-on-Wye and the adjacent graveyard has collapsed. A large section of the wall needs to be rebuilt.
- e) Sustrans Lottery Match Funding
This covers the estimated match funding needed for a walking and cycling route exploiting an existing bridge over the River Wye by the Welsh Water treatment works. The current scheme includes extending the route along the disused Hereford to Ross railway line between Rotherwas and Holme Lacy. There is a requirement to get clarity from Sustrans about the timing of funding and the £300k represents an estimate of the 2008/09 requirement.

7.6.9 Directorates have been encouraged to bring forward schemes that can be funded by revenue savings or budget to make the prudential borrowing repayments. The following fall into this category:

- a) Development of Specialised Adults With Learning Difficulties Day Opportunities
A scheme funded by £40k annual savings. Savings need to be signed off, but once this is confirmed the scheme could proceed.
- b) Development of Community Support Centres
A scheme funded by £65k annual savings. Scheme rises to £100k in 2009/10. Savings need to be signed off, but once confirmed the scheme could proceed.
- c) Server virtualisation
This scheme can be funded by the additional resources for the ICT Strategy built in to the financial model. The scheme is one of the 'top 10' projects identified by ICT.
- (d) Salix funded Schemes
The Council has been awarded £100k towards carbon reduction works. This grant is based on match funding of £100k from the Council. The £200k is then 'lent' to the relevant properties and paid back. The ability to fund repayments needs to be signed off.

7.6.10 The estimated capital financing costs for the above schemes totals £61k in 2008/09, £168k in 2009/10 and £175k in 2010/11 with annual reductions in repayments thereafter.

7.6.11 The Council is involved in either facilitating or delivering a number of capital schemes funded from external sources. In some cases these schemes have cash flow implications that may have an impact in future years. The opportunity cost to the Council of temporarily funding external capital expenditure pending receipt of the anticipated external funding contribution has been built into the FRM. Schemes where this may apply are as follows:

Medium Term Financial Management Strategy (MTFMS)

- Rotherwas Futures
- Edgar Street Grid.
- Grant funded schemes such as the Building Schools for the Future programme.

7.7 Medium-Term Capital Plan

7.7.1 A summary of the approved capital investment programme is provided in Appendix B.

7.7.2 The following table summarises the existing capital investment programme updated for slippage. The table sets out the updated position.

	2007/08	2008/09	2009/10	2010/11
	Budget	Budget	Budget	Budget
	£'000	£'000	£'000	£'000
Children and Young People's Services	12,251	15,582	30,993	25,769
Resources	2,296	4,436	2,910	8,600
Corporate and Customer Services	322	669	-	-
Adult and Community Services	10,020	16,310	3,105	2,329
Environment Services	27,585	16,203	13,407	13,620
Available funding not yet allocated	-	4,188	5,221	646
Herefordshire Connects	944	508	-	-
	53,418	57,896	55,636	50,964
Funded by:				
Supported Capital Expenditure (Revenue)	9,963	12,750	13,567	13,230
Prudential Code Borrowing	9,277	14,911	9,256	9,740
Capital Receipts Reserve	7,136	10,104	1,347	745
Revenue Contribution	161	170	-	-
Government Grants & Contributions	26,881	19,961	31,466	27,249
	53,418	57,896	55,636	50,964

7.8 Efficiency Review & Value for Money

Efficiency Review

7.8.1 Herefordshire's strategy for securing efficiency gains is to seek continual improvement in the productivity of all our resources – people, land & property, ICT and cash.

7.8.2 Herefordshire has had a good track record for delivering on its 2.5% overall Gershon efficiency gains target as can be evidenced in its Annual Efficiency Statements. This is helpful given the move to a 3% cashable target in 2008/09.

Medium Term Financial Management Strategy (MTFMS)

- 7.8.3 Given the tight funding levels for local government over the period covered by CSR07, and that the government has indicated a 3% “cashable” target over the term of the CSR we will use our existing experience of exceeding government targets to deliver the new required level of efficiencies.
- 7.8.4 Under the requirement of the annual efficiency process Herefordshire Council needs to identify as a minimum a cumulative savings target of £6.619m by the end of 2007/08 to meet the ‘Gershon’ savings target.
- 7.8.5 The target for 2008/09 will be an additional £3.75m which must be cashable. The resulting cumulative target to be achieved by the end of 2008/09 is £10.4m.
- 7.8.6 CMB has also reviewed proposals from the Benefits Group (that exists as part of the governance arrangements for the Herefordshire Connects programme) on efficiencies both within that programme and outside of it that can be delivered whilst waiting for final approval to proceed with the programme. In total, further efficiency gains totalling £750k a year from 1st April 2008 have been identified as follows:

Efficiency Gain	Estimated Saving
Printer / copier rationalisation	£100k
New mobile telephone tariff	£25k
New postal services contract	£70k
New BT line rental contract	£10k
New PC supplier contract	£10k
Improved WMS usage	£50k
Increase in WMS dividend	£90k
Externalise travel management arrangements	£10k
Standardisation of PC specification	£200k
Purchasing card rebate	£25k
Strategic sourcing	£160k
TOTAL	£750k

- 7.8.7 The Director of Environment is in the process of implementing a plan to achieve efficiencies and improvements in service delivery within the limits of the cash allocations for his area of responsibility. The CMB supports this proactive approach to financial management and service improvement as an example of good practice in obtaining value for money from public money.
- 7.8.8 The Director of Adult & Community Services is currently preparing an efficiency plan to ensure services are delivered within budget without the need for any significant change in the level of service provided. This efficiency plan will need to complement the service modernisation plan for adult social care. The CMB endorses this approach as an essential component of every Director’s financial management responsibilities. The plans need to be finalised and formally approved as a matter of urgency in readiness for the new financial year.

Medium Term Financial Management Strategy (MTFMS)

Value for Money (VfM)

7.8.9 Herefordshire is committed to routinely using VfM information and benchmarking data to review and challenge VfM throughout services and corporately, supporting continuous service improvement and the drive for efficiencies. This is an integral component of the new Performance Improvement Cycle.

7.8.10 We support the drive for VfM through the following mechanisms:

- a) Ensuring service managers deliver the outputs and outcomes agreed for their service area within budget – managing within budget is a key responsibility for all budget holders embedded in our staff review and development procedures.
- b) Appointment of a Procurement & Efficiency Review Manager and reviewing the level of corporate resource for this critical function with the West Midlands Centre for Excellence.
- c) Integrating corporate, service and financial planning processes.
- d) Planning over the medium-term as well as the short-term.
- e) Developing our routine financial performance monitoring reports for Cabinet to include VfM reviews.
- f) Benchmarking our costs and activities with other authorities.
- g) Through internal and external audit reviews.
- h) Through scrutiny reviews.

7.8.11 A key development is including non-financial performance information in our routine financial performance monitoring.

7.9 Treasury Management Strategy

7.9.1 The Council is required to approve an annual treasury management strategy each year as part of the budget setting process. Herefordshire's Treasury Management Strategy for 2007/08 complies with the detailed regulations that have to be followed. The 2008/09 strategy and prudential indicators is attached at Appendix C.

7.9.2 The Treasury Management Strategy is a key element of the overall financial management strategy. It supports achievement of several corporate financial objectives, including creating financial capacity within the revenue account as it aims to optimise investment and borrowing decisions.

7.9.3 It is not necessary to include the full Treasury Management Strategy in the MTFMS although the two documents do complement each other.

7.9.4 In summary, the Treasury Management Strategy sets out the Council's strategy for making borrowing and investment decisions during the year in the light of its view on future interest rates. It identifies the types of investment the Council will use and the limits for non-specified

Medium Term Financial Management Strategy (MTFMS)

investments. On the borrowing side, it deals with the balance of fixed to variable rate loan instruments, debt maturity profiles and rescheduling opportunities.

7.9.5 The Treasury Management Strategy also sets the Prudential Code limits for the year. These limits define the framework within which the Council self-regulates its borrowing based on long-term affordability. These link back to the overall size of the capital investment programme and the FRM.

7.9.6 The current forecast for interest rates as suggested by Sector Treasury Services Limited, who are the Councils external Treasury Management advisors, is that the bank base rate will:

- Fall to 5.50% in the first quarter of 2008.
- Then fall to 5.25% in the second quarter of 2008.
- Then fall to 5% by in the second quarter of 2009.

7.9.7 These forecasts form part of our Treasury Management Strategy helping us to plan our borrowing and investment activity. Crucially the assessments inform decisions about changing any existing investments activity to increase the level of interest we receive.

7.10 Key Corporate & Financial Risks

7.10.1 Herefordshire sees risk management as an essential element of the corporate governance framework. We have done much in recent months to promote our corporate Risk Management Strategy with our Audit Committee, councillors, Corporate Management Board, Directorate Management Team and our Senior Management Team. In late 2007 and early 2008 we held additional training to ensure this is part of Service Planning arrangements.

7.10.2 All formal reports include a risk management assessment. The Cabinet receives regular updates on the corporate risk register following review by CMB as part of our Integrated Performance Reporting arrangements.

7.10.3 Corporate Management Board and Directorate Management Teams can demonstrate that their risk registers are regularly reviewed. Risks are regularly discussed in performance review meetings at all levels although at lower levels they might not be recognised as such. To help deliver this change the Insurance Manager's post was redesignated Corporate Risk Manager in April 2007.

7.10.4 The most recent update of the Corporate Risk Register is provided for information at Appendix D.

7.10.5 The assumptions underpinning the MTFMS and the FRM and Capital Investment Plan are identified in the relevant section of this document.

Medium Term Financial Management Strategy (MTFMS)

7.11 Summary

7.11.1 There are 3 key things that will underpin the Council's ability to maintain its current financial standing into the future and achieve its service improvement aspirations:

- a) Strong corporate working supported by open book accounting.
- b) Strong financial management.
- c) Successful and timely delivery of the business transformation programme.

7.11.2 The corporate financial objectives and financial management strategies set out in this section of the MTFMS all support these three pre-requisites, providing the financial ground rules within which medium-term service plans can be developed.

Medium Term Financial Management Strategy (MTFMS)

Appendix A

MTFRM	2008/2009 Budget £'000	2009/2010 Budget £'000	2010/2011 Budget £'000
Base Budget	122,371	131,778	138,455
Inflation - Staff	1,602	1,375	1,450
Inflation - Income	(310)	(318)	(326)
	123,663	132,835	139,579
Deliverable Efficiency Gains			
- Audit Fees/bank charges/insurance	(100)	0	0
- Employee savings	(500)	0	0
- Supplies & Services savings	(200)	0	0
- Pertemps Saving	(100)	0	0
Transfers to/from RSG			
- Children's Services Grant	490	0	0
- Delayed Discharge	384	0	0
- Access Systems Capacity	2,059	0	0
- Waste PEG	183	0	0
- Gower Review	13	0	0
- Dog Control	12	0	0
- Food Hygiene Enforcement on Farms	28	0	0
- Animal feed	4	0	0
- Contaminated land	1	0	0
- New conduct regime	7	0	0
- Student Finance	(24)	(71)	(27)
MTFMS changes			
- Waste management - PFI Contract (net of £2m reserve)*	450	500	500
- Whitecross PFI requirement (net of schools contribution)	0	0	168
- Queenswood Park	0	0	0
- Procurement & Efficiency Staff	0	0	0
- Herefordshire Matters	0	0	0
- Chief Executives Development Fund	0	0	0
- HB & CT Benefit Administration	0	0	0
- Support Services Review	0	0	0
- ESG	0	0	(225)
- Local Development Framework	0	500	0
Herefordshire Connects (revenue)			
- Herefordshire Connects - Revenue Costs	0	0	0
- Herefordshire Connects - Revenue Savings	(750)	0	0
- Backfilling of seconded posts	0	0	0
- Legacy systems	0	0	0
- Social Care System	687	(533)	0
- Core team costs	450	(150)	(100)
Capital Financing Costs			
- Accommodation Strategy	146	254	492
- Repayment of LGR SCA	(453)	(334)	(230)
- Existing SCE(R) & Prudential Borrowing	482	1,088	1,015
- New Prudential Borrowing Bids	379	506	112
- Cash flow implications of externally funded projects	0	0	0
- Social Care System	225	89	(13)

Medium Term Financial Management Strategy (MTFMS)

Funding Sources

- Use of existing Herefordshire Connects Reserve	1,500	0	0
- Transfer of Part of Social Care Contingency Reserve	1,300	0	0
- Transfer of Budget Management Reserve	1,100	0	0
- LABGI Grant	2,000	0	0
- Increased Cash Transactions Income	0	0	0
- Balance Sheet Review	300	0	0
- Procurement & Efficiency	0	0	0
- Use of 2008/09 capacity reserve	(1,500)	1,500	0
- Use of reserves to maintain capacity	0	0	

Emerging Pressures

- Student Finance	36	53	(42)
- Customer Services Division	0	(500)	0
- Corporate Capacity	0	0	0
- Community Network Upgrade	1,100	0	0
- ICT Strategy	247	400	0
- Adult Social Care	596	0	0
- Match funding contribution to proposed Integration Plans Res	300	0	0
- Plough Lane Service Charge	100	0	0
- NNDR Empty Properties	126	0	0
- Rotherwas Loss of Income	201	0	0

Capacity to achieve desired Tax increase			
2008/09 capacity reserve	(1,500)	0	0
Herefordshire Connects	(1,939)	0	0
Invest to save			
Needs Analysis Mental Health/Physical Disabilities	275	275	
Capacity	0	2,043	3,971

TOTAL BUDGET

131,778	138,455	145,200
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Council Tax increase

4.40%	4.70%	4.70%
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Assumptions

Assumed Pay and Price Increase

Employees	2.5%	2.0%	2.0%
Employers pension contributions - additional on basic pay	0.7%	0.7%	0.8%
Other Expenditure	0.0%	0.0%	0.0%
Income C & CR only 08/09,09/10,10/11	2.5%	2.5%	2.5%
Prov Formula Grant increase on adjusted baseline	4.8%	4.0%	4.0%
Assumed Collection Fund Surplus (£'000)	-	300	300
Assumed Taxbase Increase	0.75%	0.75%	0.75%
New prudential borrowing (£m)	1.00	1.00	1.00

Dedicated Schools Grant b/fwd

81,892	84,484	86,272
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Increase

2,592	1,788	2,707
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Dedicated Schools Grant

84,484	86,272	88,979
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DSG % increase

3.2%	2.1%	3.1%
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Medium Term Financial Management Strategy (MTFMS)

APPENDIX B

MEDIUM-TERM CAPITAL PLAN

	2007/08	2008/09	2009/10	2010/11
	Budget	Budget	Budget	Budget
	£'000	£'000	£'000	£'000
Children and Young People's Services	12,251	15,582	30,993	25,769
Resources	2,296	4,436	2,910	8,600
Corporate and Customer Services	322	669	-	-
Adult and Community Services	10,020	16,310	3,105	2,329
Environment Services	27,585	16,203	13,407	13,620
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	53,418	57,896	55,636	50,964
Funded by:				
Supported Capital Expenditure (Revenue)	9,963	12,750	13,567	13,230
Prudential Code Borrowing	9,277	14,911	9,256	9,740
Capital Receipts Reserve	7,136	10,104	1,347	745
Revenue Contribution	161	170	-	-
Government Grants & Contributions	26,881	19,961	31,466	27,249
	53,418	57,896	55,636	50,964

TREASURY MANAGEMENT STRATEGY 2008/09

1. INTRODUCTION

- 1.1 The Financial Services Technical Team is responsible, under the direction of the Director of Resources for the day-to-day management of the Council's treasury management activities. The Treasury Management Strategy for borrowing and Annual Investment Strategy for 2008/09 details the expected activities for the Team in the coming financial year and has been produced in accordance with the Council's approved Treasury Management Policy Statement.
- 1.2 The 2003 Prudential Code for Capital Finance in local authorities introduced new requirements for the manner in which capital spending plans are to be considered and approved, and in conjunction with this, the development of this integrated Treasury Management Strategy.
- 1.3 The Treasury Management Strategy covers the:
- current treasury portfolio position;
 - treasury limits for 2008/09;
 - prudential indicators for 2008/09 – 2010/11;
 - prospects for the economy and interest rates;
 - borrowing strategy;
 - debt rescheduling opportunities;
 - specified and non-specified investments;
 - investment objectives;
 - security of capital: the use of credit ratings;
 - investment strategy;
 - externally managed funds; and
 - end of year report.

It is a statutory requirement under Section 33 of the Local Government Finance Act 1992, for the Council to produce a balanced budget. A local authority is required to calculate its budget requirement for each financial year to include the revenue costs that flow from capital financing decisions. This, therefore, means that increases in capital expenditure must be limited to a level whereby increases in charges to revenue from: -

- a) increases in interest charges caused by increased borrowing to finance additional capital expenditure, and
- b) any increases in running costs from new capital projects

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are limited to a level which is affordable within the projected income of the Council for the foreseeable future.

2. CURRENT TREASURY PORTFOLIO POSITION

2.1 The Council's treasury portfolio position as at 7th January 2008 is as follows:

DEBT POSITION	Principal (£)	Borrowing Rate (%)
Public Works Loan Board	91,572,716	4.5
Market Debt *	12,000,000	4.5
Total Debt	103,572,716	4.5

Estimated Borrowing Requirement 2008/09 – supported borrowing approvals of approximately £12.75 million, plus the potential for an additional £14.91 million unsupported borrowing under the Prudential Code (which includes slippage from previous year). In addition refinancing of maturing debt of £486,000 in the year will be required, plus there is the potential for the market debt of £12,000,000 to be recalled and require refinancing.

* The Market debt refers to two LOBO (Lender Option Borrower Option) loans that were taken out at low interest rates fixed for 2 years with the remaining 48 years of the loans currently running at an interest rate of 4.50%

INVESTMENT POSITION	Principal (£)	Rate of Return (%)
Internally managed funds	55,460,000	6.16
Externally managed funds**	0	n/a
Total Investments	55,460,000	6.16

**The externally invested funds were brought back in house during 2007/08.

3. TREASURY LIMITS FOR 2008/09

3.1 It is a statutory duty under Section 3 of the Local Government Act 2003, and supporting regulations, for the Council to determine and keep under review how much it can afford to borrow. The amount so determined is termed the "Affordable Borrowing Limit". The authorised limit represents the legislative limit specified in Section 3 of the Local Government Act 2003.

3.2 The Council must have regard to the Prudential Code when setting their Affordable Borrowing Limit, which essentially requires it to ensure that total capital investment remains within sustainable limits and, in particular, that the impact upon its future council tax levels is 'acceptable'.

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- 3.3 Whilst termed an “Affordable Borrowing Limit”, the capital plans to be considered for inclusion incorporate those planned to be financed by both external borrowing and other forms of liability, such as credit arrangements. The affordable borrowing limit is to be set, on a rolling basis, for the forthcoming financial year and two successive financial years.

4 PRUDENTIAL INDICATORS FOR 2008/09 – 2010/11

- 4.1 The following prudential indicators are relevant for the purposes of setting an integrated Treasury Management Strategy.

PRUDENTIAL INDICATOR	2007/08	2008/09	2009/10	2010/11
(1). Budget Setting Indicators				
	£'000	£'000	£'000	£'000
Capital Expenditure	53,418	57,896	55,636	50,964
Ratio of financing costs to net revenue stream				
Net Revenue Stream	122,371	131,778	138,455	145,200
Financing Costs	9,364	10,546	12,363	13,389
Ratio of financing costs to net revenue stream	7.65%	8.00%	8.93%	9.22%
		2008/09	2009/10	2010/11
Incremental effect of Prudential Borrowing				
		£ p	£ p	£ p
Existing Prudential Borrowing allocations		39.56	51.12	58.82
New Prudential Borrowing bids		5.46	12.66	14.16
Total		45.02	63.78	72.98
Contributions from existing revenue budgets		(9.19)	(12.19)	(7.13)
Net Band D Impact		35.83	51.59	65.85
Capital Financing Requirement (as at 31/3)				
	£'000	£'000	£'000	£'000
Total	138,189	158,805	173,694	188,223
(2). Treasury Management Prudential Indicators				
Authorised Limit for External Debt				
	£'000	£'000	£'000	£'000
Borrowing	166,000	175,000	195,000	210,000
Other Long Term Liabilities	3,000	10,000	10,000	10,000
Total	169,000	185,000	205,000	220,000
Operational Boundary				
	£'000	£'000	£'000	£'000
Borrowing	130,500	152,000	164,000	174,000
Other Long Term Liabilities	1,500	6,000	6,000	6,000
Total	132,000	158,000	170,000	180,000

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Upper Limit for Fixed Interest Rate Exposure	£ or %	£ or %	£ or %	£ or %
Net principal re fixed rate borrowing / investments	100%	100%	100%	100%

Upper Limit for Variable Interest Rate Exposure	£ or %	£ or %	£ or %	£ or %
Net principal re variable rate borrowing / investments	50%	50%	50%	50%

Maturity Structure of new fixed rate borrowing during 2007/08	Upper Limit	Lower Limit
Under 12 Months	50%	0%
12 months and within 24 months	50%	0%
24 months and within 5 years	100%	0%
5 years and within 10 years	100%	0%
10 years and above	100%	0%

Upper Limit for total principal sums invested for over 364 days	2007/08 £'000	2008/09 £'000	2009/10 £'000	2010/11 £'000
	10,000	10,000	10,000	10,000

5. PROSPECTS FOR THE ECONOMY & INTEREST RATES

5.1 The Council currently has Sector Treasury Services Limited as its treasury advisers and part of their service is to assist in forming a view on economic trends and the effect on interest rates. This section of the strategy outlines the Council's view of the economy and interest rates based on the advice of its treasury advisers.

Economic Background

The sub prime crisis and the major downturn in the housing market in the United States has prompted fears around the world of the potential impact on world banking systems and on world growth. This has led to a sharp downturn in economic sentiment at the start of 2008 which caused the U.S. Fed to take emergency action in January to counteract these hugely negative developments. These have led some forecasters to make a sharp downward re-assessment of forecast interest rates in 2008 and 2009.

UK

- Gross Domestic Product (GDP): growth has been strong during 2007 and hit 3.3% year on year in Q3 and 2.9% in Q4 despite expectations of a significant slowdown in the pace of the economy. Growth is expected to cool to 2.0% in 2008.
- Higher than expected immigration from Eastern Europe has underpinned strong growth and dampened wage inflation.
- House prices started on the downswing in Q3 2007 and this is expected to continue into 2008.

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- The combination of increases in Bank Rate and hence mortgage rates, short term mortgage fixes expiring and being renewed at higher rates, food prices rising at their fastest rate since 1993 and increases in petrol prices, have all put consumer spending power under major pressure.
- Banks have also tightened their lending criteria since the sub prime crisis started and that will also dampen consumer expenditure via credit cards and on buying houses through obtaining mortgages.
- Government expenditure will be held under a tight reign for the next few years, undermining one of the main props of strong growth during this decade.
- The Monetary Policy Committee (MPC) is very concerned at the build up of inflationary pressures, especially the rise in the oil price to reach \$90 – 100 per barrel from time to time (was \$30 in 2003) and the consequent likely knock on effects on general prices. The price of UK manufactured goods has risen at the fastest rate in 16 years in December 2007 – 5.0%. Food prices have also risen at their fastest rate for 14 years (7.4% annual increase) driven by strong demand from China and India. Consequently, the MPC is going to be much more cautious about cutting rates compared to the Fed in the face of these very visible inflationary pressures. In addition, UK growth was still strong in Q4 (despite expectations of a significant cooling off). The downward trend in Bank Rate is now expected to be faster than at first thought after the initial cut in December 2007 to 5.50% in view of the MPC minutes, which showed a unanimous MPC vote for a cut and the consideration given to a half per cent cut. This demonstrated how concerned the MPC is at the potential impact of the credit crunch on the economies of the western world. However, the MPC's room for cutting rates is currently limited by concerns over inflationary pressures. If those pressures subside, then there is further downward risk to the Sector forecast which currently only allows for 0.25% cuts to reach 4.75% in Q3 2008.

International

- The US, UK and EU economies have all been on the upswing of the economic cycle during 2005 and 2006 and so interest rates were successively raised in order to cool their economies and to counter the build up of inflationary pressures.
- The US is ahead of both the UK and EU in the business cycle and started on the downswing of the economic cycle during 2007. The Fed. rate peaked at 5.25% and was first cut in September by 0.5% to 4.75%. This was a response to the rapidly deteriorating prospects for the economy in the face of the downturn in the housing market, the sub prime mortgage crisis and the ensuing liquidity crisis which started in August 2007 and has subsequently resulted in banks making major write offs of losses on debt instruments containing sub prime mortgages. Banks have also tightened their lending criteria which has hit hard those consumers

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with poor credit standing.

- The Fed cut its rate again, to 4.5% in October 2007 and to 4.25% in December. A steep plunge in equity markets around the world in January precipitated by widespread concerns as to recession in the US, the financial viability of bond insurers in the US as a result of the sub-prime crisis and the unwinding of huge unauthorised positions taken by a rogue trader at the French bank SocGen, triggered an emergency between meetings cut of 0.75% by the Fed. This was followed by another cut of 0.50% at its regular meeting a few days later on 30 January.
- More cuts may be required to try to further stimulate the economy and to ameliorate the extent of the expected downturn. However, the speed and extent of these cuts may be inhibited by inflationary pressures arising from oil prices, the falling dollar increasing the costs of imports, etc. The US could be heading into stagflation in 2008 – a combination of inflation and a static economy (but the economy could even tip into recession if the housing downturn becomes severe enough).
- The major feature of the US economy is a steepening downturn in the housing market which is being undermined by an excess stock of unsold houses stoked by defaulting sub prime borrowers pushed into forced sales. Falling house prices will also undermine household wealth and so lead to an increase in savings (which fell while house prices were rising healthily) and so conversely will lead to a fall in consumer expenditure. Petrol prices have trebled since 2003 and, with similar increases in the price of home heating oil, this will also depress consumer spending with knock on effects on house building, employment etc.
- The downturn in economic growth in the US in 2008 will depress world growth, (especially in the western economies), which will also suffer directly under the impact of high oil prices. However, strong growth in China and India will partially counteract some of this negative pressure.
- EU growth has been strong during 2006 and 2007 but will be caught by the general downturn in world growth in 2008.

Interest rate forecast

Base Rate:

Sector's current interest rate view is that the Bank (base) Rate: -

- started on a downward trend from 5.75% to 5.50% in December 2007
- to be followed by further cuts in Q1 2008 to 5.25%, to 5.00% in Q2 2008 and to 4.75% in Q3 2008
- then unchanged until an increase in Q4 2009 to 5.0%
- unchanged then for the rest of the forecast period

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- there is downside risk to this forecast if inflation concerns subside and therefore opens the way for the MPC to be able to make further cuts in the Bank Rate

Long Term Rates:

- The 50 year PWLB rate is expected to fall marginally from 4.50% in Q1 2008 to 4.45% in Q2 2008 before rising back again to 4.50% in Q2 2009 to eventually reach 4.65% in Q2 2010.
- The 25 year PWLB rate is expected to fall from 4.55% to 4.50% in Q2 2008 and then to rise in gradual steps from Q2 2009 to reach 4.75% in Q3 2010.
- The 10 year PWLB rate is expected to fall from 4.60% in Q1 2008 to 4.55% in Q2 and to 4.50% in Q3 2008 and to then gradually rise from Q1 2009 to reach 4.85% in Q3 2010.
- The 5 year PWLB rate is expected to fall from 4.55% in Q2 2008 to 4.50% in Q3 2008 and to then gradually rise starting in Q1 2009 to reach 4.85% in Q2 2010.

5.2 Having set the scene in economic terms, the likely impact for interest rates can be assessed and is illustrated in the following tables.

Table 1 Sector Treasury - Interest Rate Forecast

(This table represents the view of the Council's Treasury advisors as at February 2008)

%	Q1 2008	Q2 2008	Q3 2008	Q4 2008	Q1 2009
Base Rate	5.25	5.00	4.75	4.75	4.75
5 Year PWLB	4.55	4.55	4.50	4.50	4.55
10 Year PWLB	4.60	4.55	4.50	4.50	4.55
25 Year PWLB	4.55	4.50	4.50	4.50	4.50
50 Year PWLB	4.50	4.45	4.45	4.45	4.45

Table 2 Summary of Independent Forecasts of Base Rate

(This table represents the views of independent forecasters' views of base rate as at January 2008)

%	2008 Q4	2009 average	2010 average	2011 average
Median	4.88%	5.20%	5.24%	5.27%
Highest	6.25%	6.25%	6.25%	6.25%
Lowest	4.25%	4.80%	4.50%	4.50%

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6 BORROWING STRATEGY

6.1 Based upon the prospects for interest rates, there is a range of options available for borrowing strategy for 2008/09. Variable rate borrowing is expected to be more expensive than long term borrowing and will therefore be unattractive throughout the financial year compared to taking fixed rate borrowing. There is expected to be little difference between 5 – 50 year PWLB rates so this may open up a range of choices for new borrowing for authorities that want to spread their debt maturities away from a concentration in long dated debt. There is also expected to be little variation in rates during the year so borrowing could be undertaken at any time in the year.

6.2 The main strategy is therefore as follows:

- To undertake new borrowing over the longer term (50 year will be marginally cheaper than 25-30 year borrowing) and at any time in the financial year. A suitable trigger point for considering new fixed rate long term borrowing would be 4.5%.
- If shorter term rates become available around this rate they will also be considered.
- To take account of future rescheduling opportunities by reviewing the differentials between new borrowing rates and rates for early repayment of debt, which are the basis of the calculation of premiums and discounts. Currently the 25 -30 year loans are more attractive for rescheduling.
- To maintain an even spread debt maturity profile.
- Money Market debt will also be considered where opportunities are available to minimise borrowing costs. The Director of Resources will carefully monitor the interest rates available and take advice from the Treasury Management Consultants.

6.3 Against this background caution will be adopted with the 2008/09 treasury operations. The Director of Resources will monitor the interest rate market and adopt a pragmatic approach to any changing circumstances.

Sensitivity of the forecast - The main sensitivities of the forecast are likely to be the two scenarios below. The Council officers, in conjunction with the treasury advisers, will continually monitor both the prevailing interest rates and the market forecasts, adopting the following responses to a change of sentiment:

- ***if it were felt that there was a significant risk of a sharp rise in long and short term rates***, perhaps arising from a greater than expected increase in world economic activity or further increases in inflation, then the portfolio position will be re-appraised with the likely

Medium Term Financial Management Strategy (MTFMS)

action that fixed rate funding will be drawn whilst interest rates were still relatively cheap.

- *if it were felt that there was a significant risk of a sharp fall in long and short term rates*, due to e.g. growth rates weakening, then long term borrowings will be postponed, and potential rescheduling from fixed rate funding into short term funding will be considered.

7. DEBT RESCHEDULING OPPORTUNITIES

The introduction of different PWLB rates on 1 November 2007 for new borrowing as opposed to early repayment of debt, and the setting of a spread between the two rates (of about 40 – 50 basis points for the longest period loans narrowing down to 25 – 30 basis points for the shortest loans), has meant that PWLB to PWLB debt restructuring is now much less attractive than before that date. However, significant interest savings may still be achievable through using LOBOs (Lenders Option Borrowers Option) loans and other market loans.

The Director of Resources will actively give consideration during the year to undertaking rescheduling in line with the strategy set out in paragraph 6 above.

The reasons for any rescheduling to take place will include:

- the generation of cash savings and / or discounted cash flow savings;
- help fulfil the borrowing strategy ; and
- enhance the balance of the portfolio (amend the maturity profile and/or the balance of volatility).

8 SPECIFIED AND NON-SPECIFIED INVESTMENTS

8.1 Under CIPFA's Treasury Management Code of Practice and the ODPM's Guidance on Local Government Investments issued in March 2004 the Council is required to formulate a strategy each year regarding its investments.

8.2 This Annual Investment Strategy states which investments the Council may use for the prudent management of its treasury balances during the financial year under the headings of **Specified Investments** and **Non-Specified Investments** as detailed in **Annex A**.

8.3 This Annex sets out:

- The procedures for determining the use of each category of investment (advantages and associated risk), particularly if the investment falls under the category of "non-specified investments."

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- The maximum periods for which funds may be prudently committed in each category.
 - If non-specified investments are to be used, whether prior professional advice is to be sought from the Council's treasury advisors (Sector Treasury Services Ltd).
- 8.4 With regard to the Council's Joint Ownership of West Mercia Supplies and the level of balances held by this organisation; the Council may, if deemed in the best interest of prudent management of the West Mercia business undertake transactions pertaining to foreign currencies, such as foreign exchange deals and investments. Such dealings must have **relevance to the course of business of West Mercia Supplies**. These dealings will be classified as **non-specified** as they are not sterling denominated.

9 INVESTMENT OBJECTIVES

- 9.1 All investments will be in sterling. The general policy objective for Herefordshire Council is the prudent investment of its treasury balances*. The Council's investment priorities are:
- (a) the **security** of capital; and
 - (b) **liquidity** of its investments.

The Council will aim to achieve the optimum return on its investments commensurate with the proper levels of security and liquidity. This includes monies borrowed for the purpose of expenditure in the reasonably near future (i.e. borrowed 12-18 months in advance of need).

- 9.2 The borrowing of monies purely to invest or on-lend and make a return is unlawful and the Council will not engage in such activity.

10. SECURITY OF CAPITAL: THE USE OF CREDIT RATINGS

- 10.1 The Council relies on credit ratings published by *Fitch Ratings* and *Moody's Investors Service* to establish the credit quality of counterparties and investment schemes. The Council has also determined the minimum long-term, short-term and other credit ratings it deems to be "high" for each category of investment in conjunction with its Treasury Management advisor.

Monitoring of credit ratings:

- All credit ratings will be monitored monthly: The Council has access to Fitch and Moody's Investors Service credit ratings and is alerted to changes from its Treasury Management advisor.
- If a counterparty's or investment scheme's rating is downgraded with the result that it no longer meets the Council's minimum criteria, the further use of that counterparty/investment scheme as a

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new investment will be withdrawn immediately. Any intra-month credit rating downgrade, which the Council has identified, that affects the Council's pre-set criteria will also be similarly dealt with.

11. INVESTMENT STRATEGY

- 11.1 The Director of Resources manages the Council's investment portfolio. Investments managed by the in-house team are generally temporary in nature and short-term. All decisions are made in the light of the Council's forecast cash flow requirements.
- 11.2 Sector is forecasting that Bank Rate has now started on a downward trend from 5.75% to 5.50% in December 2007, and to 5.25% in February. This will continue with further cuts forecast to 5.00% in Q2 2008 and 4.75% in Q3. It is then expected to remain unchanged until Q4 2009.

12. EXTERNALLY MANAGED FUNDS

- 12.1 For a number of years the Council had a fund management agreement with Investec, who managed a proportion of the Council's investments. However, during 2007/08 these funds were called back to be managed internally as the fund had not been performing as well as expected.

END OF YEAR REPORT

- 13.1 At the end of the financial year, the Council will prepare a report on its investment activity as part of its Annual Treasury Report.

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HEREFORDSHIRE COUNCIL

PRUDENTIAL INDICATORS 2008/09

1 INTRODUCTION

The PIs set out below are recommended by the Prudential Code. However members may prefer additional or alternative indicators that will help with the decision making process.

2 ACTUAL AND ESTIMATED CAPITAL EXPENDITURE

2.1 This table takes into account new borrowing for which the government is providing support, government grants, capital receipts, other funding (including s106 receipts) and Prudential Borrowing. The second table shows how this programme would be funded.

Any further allocations of funding will be added to the Capital Programme and reported as part of the Capital Monitoring process.

	Forecast Outturn 2007/08 £'000	Estimated 2008/09 £'000	Estimated 2009/10 £'000	Estimated 2010/11 £'000
Capital Programme Area: -				
Children and Young People's Services	12,251	15,582	30,993	25,769
Resources	2,296	4,436	2,910	8,600
Corporate and Customer Services	322	669	-	-
Adult and Community Services	10,020	16,310	3,105	2,329
Environment Services	27,585	16,203	13,407	13,620
Available funding not yet allocated	-	4,188	5,221	646
Herefordshire Connects	944	508	-	-
	53,418	57,896	55,636	50,964
By funding				
Supported Capital Expenditure (Revenue)	9,963	12,750	13,567	13,230
Prudential Code Borrowing	9,277	14,911	9,256	9,740
Capital Receipts Reserve	7,136	10,104	1,347	745
Revenue Contribution	161	170	-	-
Government Grants & Contributions	26,881	19,961	31,466	27,249
	53,418	57,896	55,636	50,964

3. RATIO OF FINANCING COSTS TO NET REVENUE STREAM

3.1 The net revenue stream is the budget amount to be met from Formula Grant and Council Tax income (the budget requirement) and no longer includes the Education element now funded by the Dedicated Schools Grant. The ratio is the proportion of the budget requirement that relates to the ongoing capital financing costs.

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	2007/08	2008/09	2009/10	2010/11
	£'000	£'000	£'000	£'000
Net Revenue Stream	122,371	131,778	138,455	145,200
Capital Financing Costs	9,364	10,546	12,363	13,389
Ratio of financing costs to net revenue stream	7.65%	8.00%	8.93%	9.22%

4 CAPITAL FINANCING REQUIREMENT

4.1 This indicator represents the underlying need to borrow for a capital purpose.

	2007/08	2008/09	2009/10	2010/11
	£'000	£'000	£'000	£'000
Capital Financing Requirement (as at 31/3)	138,189	158,805	173,694	188,223

5 AUTHORISED LIMIT FOR EXTERNAL DEBT

5.1 The Authorised Limit for external debt represents the absolute maximum level of debt that may be incurred. This limit would only be reached in exceptional circumstances.

	2007/08	2008/09	2009/10	2010/11
	£'000	£'000	£'000	£'000
Borrowing	166,000	175,000	195,000	210,000
Other Long Term Liabilities	3,000	10,000	10,000	10,000
Total	169,000	185,000	205,000	220,000

6 OPERATIONAL BOUNDARY FOR EXTERNAL DEBT

6.1 The Operational Boundary for external debt is the prudent expectation of the maximum level of external debt.

	2007/08	2008/09	2010/11	2010/11
	£'000	£'000	£'000	£'000
Borrowing	130,500	152,000	164,000	174,000
Other Long Term Liabilities	1,500	6,000	6,000	6,000
Total	132,000	158,000	170,000	180,000

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7 COUNCIL TAX IMPLICATIONS OF THE INCREMENTAL EFFECT OF CAPITAL DECISIONS

7.1 This indicator represents the increases in Council Tax resulting from unsupported Prudential Borrowing decisions taken by Council.

Increase in council tax (Band D, per annum) for the Capital Financing costs of the following:	2008/09	2009/10	2010/11
	£ p	£ p	£ p
Existing Prudential Borrowing allocations	39.56	51.12	58.82
New Prudential Borrowing bids	5.46	12.66	14.16
Total	45.02	63.78	72.98
Contributions from existing revenue budgets	(9.19)	(12.19)	(7.13)
Net Band D Impact	35.83	51.59	65.85

8 TREASURY MANAGEMENT INDICATORS

8.1 These are specific indicators which relate to the management of the Treasury Management process.

	2007/08	2008/09	2009/10	2010/11
Upper Limit for Fixed Interest Rate Exposure				
Net principal re fixed rate borrowing / investments	100%	100%	100%	100%
Upper Limit for Variable Interest Rate Exposure				
Net principal re variable rate borrowing / investments	50%	50%	50%	50%
Maturity Structure of new fixed rate borrowing during 2006/07	Upper Limit	Lower Limit		
Under 12 Months	50%	0%		
12 months and within 24 months	50%	0%		
24 months and within 5 years	100%	0%		
5 years and within 10 years	100%	0%		
10 years and above	100%	0%		
Upper Limit for total principal sums invested for over 364 days	2007/08	2008/09	2009/10	2010/11
	£'000	£'000	£'000	£'000
(per maturity date)	10,000	10,000	10,000	10,000

SPECIFIED INVESTMENTS

All specified investments will be sterling-denominated with maturities up to a maximum of 1 year.

Investment	Security / Credit Rating	Circumstance of use
Debt Management Agency Deposit Facility (DMADF)	Govt-backed	In-house
Term deposits with the UK government or with UK local authorities <i>(i.e. deposits with local authorities as defined under Section 23 of the 2003 Act)</i>	High security although LAs not credit rated.	In-house
Term deposits with credit-rated deposit takers <i>i.e. deposits with banks and building societies, (including callable deposits), with maturities up to 1 year</i>	Yes-varied <i>Minimum rating "A" Long-term and "F1" Short-term (or equivalent)</i>	In-house
Certificates of Deposit issued by credit-rated deposit takers <i>(i.e. a certificate issued for deposits made with a bank or building society, who agree to pay a fixed rate of interest for the specified period of time and repay the principal at maturity) up to 1 year.</i> <i>Custodial arrangement required prior to purchase</i>	Yes-varied <i>Minimum rating "F1+" Short-term (or equivalent)</i>	External fund manager
Gilts: up to 1 year <i>(a fixed interest security issued or secured by the British Government)</i> <i>Custodial arrangement required prior to purchase</i>	Govt-backed	Buy and hold to maturity: to be used in-house after consultation with Treasury Management advisor
Money Market Funds <i>(a AAA credit rated collective investment scheme such as a mutual fund or a unit trust, as defined in Statutory Instrument 2004 No. 534, that invests exclusively in money market securities)</i>	Yes-varied <i>Minimum AAA credit rated</i>	In-house after consultation with Treasury Management advisor
Forward deals with credit rated banks and building societies < 1 year <i>(i.e. a deal negotiated before the deposit is paid, with the negotiated deal period plus period of deposit < 1 year)</i>	Yes-varied <i>Minimum rating "A" Long-term and "F1" Short-term (or equivalent)</i>	In-house

NON-SPECIFIED INVESTMENTS

All investments listed below must be sterling-denominated

Investment	Security / Minimum credit rating	Circumstance of use	Max % of overall investments	Maximum maturity of investment
Term deposits with credit rated deposit takers (banks and building societies) with maturities greater than 1 year	YES-varied <i>Minimum rating "AA-" Long-term and "F1" Short-term (or equivalent) Support 1,2 or equivalent</i>	In-house	25%	5 years
Certificates of Deposit with credit rated deposit takers (banks and building societies) with maturities greater than 1 year <i>Custodial arrangement required prior to purchase</i>	YES-varied <i>Minimum rating "AA" Long-term and "F1+" Short-term (or equivalent)</i>	In-house after consultation with Treasury Management advisor	20%	5 years
Callable deposits with credit rated deposit takers (banks and building societies)	YES-varied <i>Minimum rating "AA-" Long-term and "F1" Short-term (or equivalent) Support 1,2 or equivalent</i>	In-house after consultation with Treasury Management advisor	20%	5 years in aggregate
Range trade deposits with credit rated deposit takers (banks and building societies)	YES-varied <i>Minimum rating "AA-" Long-term and "F1" Short-term (or equivalent) Support 1,2 or equivalent</i>	In-house after consultation with Treasury Management advisor	20%	5 years
Snowballs with credit rated deposit takers (banks and building societies)	YES-varied <i>Minimum rating "AA-" Long-term and "F1" Short-term (or equivalent) Support 1,2 or equivalent</i>	In-house after consultation with Treasury Management advisor	20%	5 years
Gilt Funds and other Bond Funds*** <i>[These are open-end mutual funds investing predominantly in UK govt gilts and corporate bonds. These funds do not have any maturity date. These funds hold highly liquid instruments and the Council's investments in these funds can be sold at any time.]</i>	<i>Minimum rating "AA-"</i>	External fund manager only subject to guidelines and parameters agreed with them	20%	10 years

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ANNEX A

Investment	Security / Minimum credit rating	Circumstanc e of use	Max % of overall investment s	Maximum maturity of investme nt
UK government gilts <i>Custodial arrangement required prior to purchase</i>	Govt backed	Buy and hold to maturity: in-house after consultation with Treasury Management advisor	20%	10 years (but also including the 10 year benchmark gilt)
Treasury bills <i>[Government debt security] Custodial arrangement required prior to purchase</i>	Govt backed	In-house after consultation with Treasury Management advisor	20%	5 years
Forward deposits with credit rated banks and building societies for periods > 1 year (i.e. negotiated deal period plus period of deposit)	Yes-varied <i>Minimum rating "AA-" Long-term and "F1" Short-term (or equivalent) Support 1,2 or equivalent</i>	In-house after consultation with Treasury Management advisor	20%	5 years
Deposits with unrated deposit takers (banks and building societies) but with unconditional financial guarantee from HMG or credit-rated parent institution: any maturity	Not rated in their own right, but parent must be rated. <i>Minimum rating for parent "AA-" Long-term and "F1" Short-term (or equivalent) Support 1,2 or equivalent</i>	In-house	20%	1 year
Bonds issued by a financial institution that is guaranteed by the UK Government (as defined in Statutory Instrument 2004 No. 534) <i>Custodial arrangement required prior to purchase</i>	AAA / Govt guaranteed	Buy and hold to maturity: in-house after consultation with Treasury Management advisor	20%	10 years
Bonds issued by multilateral development banks (as defined in Statutory Instrument 2004 No. 534) <i>Custodial arrangement required prior to purchase</i>	AAA / Govt guaranteed	Buy and hold to maturity: in-house after consultation with Treasury Management advisor	20%	10 years

Medium Term Financial Management Strategy (MTFMS)

HEREFORDSHIRE COUNCIL

TREASURY MANAGEMENT POLICY STATEMENT

Statement of Purpose

1. Herefordshire Council adopts the key recommendations of CIPFA's *Treasury Management in the Public Services: Code of Practice*) and: -
 - will put in place formal and comprehensive objectives, policies and practices, strategies and reporting arrangements for the effective management and control of its treasury management activities
 - will make effective management and control of risk the prime objectives of its treasury management activities
 - acknowledge that the pursuit of best value in treasury management, and the use of suitable measures of performance measures, are valid and important tools to employ in support of business and service objectives;
 - that, within the context of effective risk management, will ensure that its treasury management policies and practices reflect the pursuit of best value;
 - formally adopts Section 5 of the Code
 - will adopt a treasury management policy statement as recommended in Section 6 of the Code
 - will follow the recommendations in Section 7 of the Code concerning treasury management practice statements.

Definition of Treasury Management

2. Herefordshire Council defines its treasury management activities as: -

'The management of the organisations cash flows, its banking, money market and capital market transactions; the effective control of the risks associated with those activities; and the pursuit of optimum performance consistent with those risks.'

Policy Objectives

3. Herefordshire Council regards the successful identification, monitoring and control of risk as the prime criteria by which the effectiveness of its treasury management activities will be measured. Accordingly, the analysis and reporting of treasury management activities will focus on their risk implications for the Council.
4. Herefordshire Council acknowledges that effective treasury management will provide support towards the achievement of its business and services objectives. It is therefore committed to the principles of achieving best value in treasury management, and to employing suitable performance measurement techniques within the context of effective risk management.

Medium Term Financial Management Strategy (MTFMS)

Delegation & Reporting

5. Herefordshire Council retains responsibility for approving the Council's Treasury Management Policy and will consider amendments to it on the advice of Cabinet.
6. Herefordshire Council delegates responsibility for approving an annual Treasury Management Strategy to Cabinet as the mechanism for implementing the Treasury Management Policy.
7. Herefordshire Council delegates responsibility for monitoring that treasury management activity is in accordance with the approved policies, strategies and practices to Cabinet.
8. Herefordshire Council delegates responsibility for the development and maintenance of suitable Treasury Management Practice Statements to the Director of Resources.
9. Herefordshire Council delegates responsibility for the administration of treasury management decisions to the Director of Resources who will act in accordance with the approved Treasury Management Policy Statement, Treasury Management Strategy and Treasury Management Practice Statements. If the Director of Resources is a member of CIPFA, he/she shall also comply with CIPFA's Standard of Professional Practice on Treasury Management.
10. Herefordshire Council will receive reports from the Director of Resources on its treasury management policies, strategy, practices and activities, including, as a minimum, an annual strategy in advance of the year and an annual report after its close, in the form prescribed in the Council's Treasury Management Practice Statements.

Medium Term Financial Management Strategy (MTFMS)

APPENDIX D

Managing Risks – Corporate Risks November 2007

Stage 1					Stage 2					Stage 3		
Identified Risk Area	Risk Ref No	Impact (Severity)	Likelihood (Probability)	Priority Rating	Potential Mitigation Strategy Summary	Responsible Directors	Impact (Severity)	Likelihood (Probability)	Residual Priority Rating	Action Description	Action Owner	Target/ Review Date
Corporate spending pressures outweigh the level of resources available to meet them. Particular pressures prevalent in Adult Social Care, Childrens Social Care and ICT & Customer Services	CR2	4	4	High	The Council's Medium Term Financial Management Strategy highlights the requirements for all Directorate budgets to be managed within a 1% overspend tolerance. Budgetary pressures continue for both adult and children social care services. Contingency funding has been set aside within the Council's budget plan to help mitigate this risk. A significant overspend on social care budgets is currently expected. The forecast outturn for ICT & Customer Services is now expected to be within budget for the year but there will be significant under and over spends within that position. Additional budget pressures include flood recovery costs and unbudgeted revenue costs of the Siemens contract. A new potential pressure is grant clawback on the ARCH programme.	ALL/SR	3	3	High	1. Budget management plan for A&CS agreed. 2. Budget management plan for C&YP agreed. 3. ICT base budget issues being examined by DC&CS with support from financial services. 4. Robust challenge of monthly budget monitoring reports from Directorates by financial services. 5. Robust challenge of Directorate budget management plans for the further through the Performance Improvement Cycle process. 6. Medium Term Financial Strategy being reviewed.	GH SM JEJ DP DP DP	Ongoing Complete Jan 2008
Failure to maintain CPA 3 start rating and move from improving adequately to improving strongly	CR4	4	4	High	The key threats to the direction of travel are now a failure to increase the proportion of satisfaction indicators that are improving year on year, data quality and adverse inspection results, recent governance/control issues and uneven annual service scores. The removal of the Council's current 'protected' corporate assessment score in 12008/09 will affect our start rating unless the national rules are changed or we achieve at least a score of ¾ in each of the three 'first tier' services. The impact of the rules base approach to service scores could mean a drop in our start rating if any service dropped below a 2/4. Use of Resources Improvement Plan for 2006 has been implemented. Considerable work has taken place embedding a strong performance management framework including structured meetings between Chief Executive and Directors. Performance Improvement Managers have been appointed for all Directorates. Additional support is being given to the service planning for 2008 through a series of training modules.	ALL/CB SR CB/JJ	3	3	High	a) Continue to respond positively to all corporate audits e.g. performance indicators and data quality, b) develop and implement robust improvement plans where audit results are poor, d) direction of travel audit handled well, e) getting agreement for a standard approach prior to all future audits/inspections, f) redirect PIMs to the areas that need most support, g) Herefordshire Connects provides corporate performance management solution – interim solution to be investigated. Use of Resources assessment for 2007 expected shortly, SR to lead on development of an improvement plans. Action plans resulting from internal audit reviews implemented to agreed timescales	a) TF b) relevant HoS/ Director d) TG e) TG f) TG g) Hfids Connects Board/ TG SR/ALL ALL	d) Nov 07 e) Jan 08 f) as required g) visits to other authorities from Jan 08 Ongoing Nov 07 – Mar 08
The inability to provide critical services due to the failure of the ICT networks	CR5	3	4	High	Substantial capital investment has been made in ICT network and disaster recovery arrangements. Extensive ICT specific service continuity plans have been developed. Workshops held for all directorates and service continuity plans have been prepared and due for testing during the year in business critical systems and services. Monthly checks made to ensure amendments are made to all plans. The Council is reviewing the Community Network Contract with Siemens to ensure it provides value for money.	ALL/CB	3	3	High			

Medium Term Financial Management Strategy (MTFMS)

Stage 1					Stage 2					Stage 3		
Assessment of Risk (Assume NO controls in place) using risk matrix					Assessment of Residual Risk (With control measures implemented)							
Identified Risk Area	Risk Ref No	Impact (Severity)	Likelihood (Probability)	Priority Rating	Potential Mitigation Strategy Summary	Responsible Directors	Impact (Severity)	Likelihood (Probability)	Residual Priority Rating	Action Description	Action Owner	Target/ Review Date
Corporate capacity to deliver a range of changes the Council has embarked upon.	CR7	4	3	High	Programme Management, Clear Leadership and Senior Management Restructuring. Capacity issues identified within CPA inspection and were part of Improvement Plan. A minimum of 20% of corporate directors' time will be spent on corporate issues. Discussed by CMB as part of 2007 PIC and adjustments proposed for the budget. New CMB/SMT joint working has also been launched.	CB	4	2	Medium			
Achievement of LPSA2 targets and hence the Performance Reward Grant (PRG). Failure to manage future PRG will have a significant and detrimental impact on the Council's ability to invest in future performance gains in services.	CR8	3	3	High	Herefordshire Partnership Manager and the Head of Policy & Performance now meet regularly with the assigned project manager and have agreed responsibilities for chasing progress and ensuring action. In addition performance indicators are received every 2 months, in line with the Council's performance management arrangements, enabling proactive management through this management group.	JEJ	3	2	Medium	a) redistribution of some LPSA2 funding undertaken b) challenge meetings held with all LPSA2 lead officers	JW/TG	a) BCG convened in August thereafter meeting at least monthly b) HCPB convened and meeting monthly
Delivery of Local Area Agreement	CR9	3	2	Medium	Financial and performance management process in place and working. Herefordshire Partnership Performance Management Group (PMG) to monitor PIs and LAA Single Pot and agree detailed actions.	JJ	3	2	Medium	a) PMG in place b) action undertaken on basis of performance reviews	JW	Ongoing – PMG to meet at least 6 times/year
Failure to recruit and retain staff where there are national skills shortages and including the impact of Job Evaluation., Ensuring consistent treatment of Equal Pay Claims	CR11	3	3	High	Succession planning as part of management development provision Utilise SRDs/implement career development posts and conclude job evaluation. 94% SRDs completed by the end of May. HR to support Directorates deliver to identified training needs, to work to Investor in People standard. Focused recruitment activity to support identified shortages e.g. Social Work (Childrens) and more recently difficulties in recruiting to Asset Management & Property Services posts, plus development of a workforce plan, and work to implement national data sets. Actions to address ICT shortages are in place and progressing in Building Control. Promote professional development support through training agreements and payment of professional fees. Develop secondment opportunities internally and with partners. Implement Market Forces Supplement. Improving leadership and management through revised management development provision. Implement software to review new pay structure to ensure that it is equally proofed. Pride in Herefordshire approach to be implemented.	ALL/GC	2	2	Low	Looking at traineeships in Building Control, overseas recruitment for Social Workers. Council's establishment to be reviewed quarterly. Market Forces Supplement in place. Numbers in receipt of MFS included in quarterly directorate performance reports Equal pay software implemented and initial review in progress. Review completed by end of Jan 08		Mar 08 Jan 08
Lack of development in the Adult's Workforce Strategy					Adult Strategy being developed first phase focusing on Learning Disabilities.	GH				Awards ceremony arranged Initial focus on learning disability	GChesman GC	
Lack of development in the Children's Workforce Strategy					Children's draft workforce strategy agreed in principle and implementation plans being developed.	SM				Action plans lead officer in place	Shaun McLurg	

Medium Term Financial Management Strategy (MTFMS)

Stage 1					Stage 2					Stage 3		
Assessment of Risk (Assume NO controls in place) using risk matrix					Assessment of Residual Risk (With control measures implemented)							
Identified Risk Area	Risk Ref No	Impact (Severity)	Likelihood (Probability)	Priority Rating	Potential Mitigation Strategy Summary	Responsible Directors	Impact (Severity)	Likelihood (Probability)	Residual Priority Rating	Action Description	Action Owner	Target/ Review Date
Approach to Diversity: risk of not achieving level and not improving standard	CR12	3	2	Medium	Long term development produced. EIA action plans to be incorporated into service plans and monitored through the performance management process. The approach needs improving for 2007/08	JEJ	3	2	Medium	a) increased/improved training provision focused on critical service. b) improved service planning guidance and adherence to this c) corporate focus in contracts and consultation requirements d) external assessment during 2007/08	a) CT b) TG/all HoS c) CT/DH/MHR d) CT	a) from Jun 07 b) Oct 07-Mar08 c) Jul 07-Mar 08 d) by Mar 08
Review of Accommodation Strategy	CR13	4	4	High	An Accommodation Strategy Group has been established to review future options for the new Council to consider in Autumn 2007. Cabinet are considering officer recommendations. An emerging risk is the move towards flexible working. An initial observation/data analysis study has been commissioned to identify potential flexible working solutions.	SR MH	3 3	2 3	Medium High	Future options for consideration by Council have been developed by the Accommodation Strategy Group	SR	Jan 08
Timetable for the establishment of a Public Service Trust for Herefordshire	CR15	3	2	Medium	A Project Manager appointed. Steering group and work streams established.	CB	3	2	Medium			
Failure of Waste Management Contract leading to failure to meet diversion targets and the potential for the Authority to be paying £150 per tonne extra on our missed target tonnages. Failure of the contract would also lead to the loss of PFI credits	CR16	4	3	High	Ongoing commitment from Herefordshire and Worcestershire (H&W) to retaining the existing contract. The incorporation of subcontractors into the existing contract as a variation should enable adequate waste to be diverted to ensure the authority does not become subject to penalties under the Landfill Allowance Trading Scheme (LATS)	MH	4	2	Medium	H&W have an agreement to Trade LATS between the two authorities at "no cost" to offset risks – this risk needs to be formalised. The failure of negotiations with ReEnergy means that the issue of MWM identifying and introducing a new sub-contractor will need to be monitored to ensure early warning can be given of likely timescales for the negotiations and implementation of a varied contract. Because of the timescales involved in delivering a variation to the Contract it will be necessary to offset our risks of LATS penalties by maximising our recycling performance through Waste Collection to deliver increased diversion from landfill. In addition the two authorities are now also negotiating a contract to secure capacity at an Energy from Waste Plant to ensure we collectively meet our diversion targets. The contracts are both "out of county" and are designed to deliver the minimum quantity of waste to meet our LATS target and to minimise the amount of waste being transported out of the counties. In addition further work is being undertaken to secure appropriate diversion technology to secure the longer term viability of the contract.	MH	
Reduction in the Use of Resources overall assessment	CR17	4	2	Medium	Adverse opinion on Value of Money in Annual Governance letter, due to the financial governance issues in ICT & Customer Services highlighted in the Section 151 Officer report dated 20.09.07 and the Crookall report, will impact on the 2007 Use of Resources score for Internal Control and Value for Money	SR	3	4	High	Directorate Management Teams to review progress implementing actions arising from internal audit reviews on a monthly basis.	ALL	Ongoing
Benefits CPA Score 2007	CR18	2	2	Low	The BFI Performance Measures have been monitored closely. We have regained a 3 score.	SR	2	1	Low	The BFI has confirmed the self assessment in November 2007. This is now a "good" service.	SR	Completed for 2007

Medium Term Financial Management Strategy (MTFMS)

Stage 1					Stage 2					Stage 3		
Identified Risk Area	Risk Ref No	Assessment of Risk (Assume NO controls in place) using risk matrix			Potential Mitigation Strategy Summary	Responsible Directors	Assessment of Residual Risk (With control measures implemented)			Action Description	Action Owner	Target/ Review Date
		Impact (Severity)	Likelihood (Probability)	Priority Rating			Impact (Severity)	Likelihood (Probability)	Residual Priority Rating			
The inability of the Council to provide critical services and an effective emergency response due to non-IT related failures (Loss of accommodation, staff or resources)	CR19	4	3	High	Service continuity plans are in place to mitigate the effects of major incidents on the delivery of essential services. A monthly review of service impact assessments and continuity plans ensures the plans meet the changing requirements of the Council. Annual update of Council emergency response plans in support of the emergency services and the Council's arrangements to assist recovery and return to normality of the community and environment following an emergency. Bi-annual exercising of the Emergency Response Team. Annual exercising of emergency response plans.	ALL/CB	2	2	Low	A major review of service continuity plans to be undertaken in 2007/08 to ensure compliance with BS25999	ALL	Ongoing
CRB process not carried out to an appropriate and reliable level	CR27	4	3	High	Officers agreed areas of concern and an action plan to be drawn up to redress the issues as quickly as possible.	SM	4	2	Medium	Action plan to be developed that will address the 7 areas of concern as raised by the Director of Children's Services. Appropriate financial support to be allocated so that the recommendations of the plan can be actioned speedily and readily. Report to members.	SM	
Deliverable benefits from Herefordshire Connects not realised	CR28	4	3	High	The MTFMS highlights the investment and expected savings in the short and long term whilst minimising service costs to balance the budget. Benefit realisation framework in place and being managed through Benefits and Commercials Group (BCG), IPG and Programme Board. The Herefordshire Connects programme is in "strategic" pause. Savings are being utilised to balance Directorate budgets.	JEJ	3	3	High	a) BCG in place and meeting regularly, benefits envisaged to be assessed at each meeting b) Programme Board receive regular exception reports c) actual investment and savings monitored against the MTFMS	a) DP b) AK c) DP	Monthly, next review Jan 08
Both Data Centres are in leased accommodation, are near capacity, plus there are environment issues such as power and fire suppression that need to be addressed. Loss of data centres will affect delivery of all services. This is linked with accommodation strategy CR13	CR29	4	4	High	Decisions required from accommodation strategy to establish where future data centres should be located. Project to be established to relocate data centres to these locations. Investment required, server virtualisation will reduce risk in part.	JJ/SR	4	4	High	To be completed by risk owner		
Legacy systems out of support with vendors and on old hardware. Compounded by CR28 Benefits from Herefordshire Connects e.g. Cedar	CR30	4	4	High	Establish which systems are deemed critical and make good the systems. Any expenditure may need to be deducted from Herefordshire Connects benefits.	JJ/SR	1	1	Low	To be completed by risk owner		
Disaster recovery and business continuity does not fully support critical systems	CR31	4	4	High	Immediately establish some recovery process for each system. Then in conjunction with Data Centre relocation CR29 implement DR to support systems to agreed recovery parameters and business continuity	JJ/SR	1	1	Low	To be completed by risk owner		

Medium Term Financial Management Strategy (MTFMS)

Stage 1					Stage 2					Stage 3		
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Identified Risk Area	Risk Ref No	Impact (Severity)	Likelihood (Probability)	Priority Rating	Potential Mitigation Strategy Summary	Responsible Directors	Impact (Severity)	Likelihood (Probability)	Residual Priority Rating	Action Description	Action Owner	Target/ Review Date
Currently the Council's websites use the Star internet feed which is becoming increasingly unreliable. The TOM target is to move the internet feed to the 16Mbytes pipe as soon as possible however feedback from Networks is that this is already reaching capacity usage at peak times from school traffic which already uses this feed. In addition the MLE/VLE hosted externally will place additional demands on this bandwidth but the level of additional traffic is not known	CR32	4	4	High	<p>Siemens are currently working on an alternative supplies to BT, whose costs are very high and they hope to significantly reduce the costs provided so far. These costs will also take into consideration any cancellation charges as the BT circuits were procured on a 3 year rental basis. Also these costs will be based on the service being provided to the 2 current data centres; if internet feeds are required at any new data centres it would require a "B" end shift(s). In reality this will be a new circuit and no provider will provide costs for doing this until the final destinations are known and the route/fibre capacity etc checked out.</p> <p>The technology used by BT the current feeds can only be incremented up to a total bearer bandwidth of 34Mb which gives 32Mb of usable bandwidth (limitation of ATM (Asynchronous Transfer Mode) over SDH (Synchronous Digital Hierarchy)). As mentioned above Siemens are looking at other technology options that can provide bandwidths from 30Mb up to 120Mb for HC to consider. Another option is to retain the existing 16Mb feeds for corporate and install totally new ISP Internet feed for schools.</p>	ALL	4	4	High	To be completed by risk owner		

Signed: _____

Position: _____

Date: _____

Key to Assessment of Risk Scores

Impact Rating	Score	Description/Examples
Catastrophic	4	One or more fatalities Service disruption for more than 5 days Adverse national publicity Financial loss up to 75% of budget Litigation almost certain and difficult to defend Breaches of law punishable with imprisonment
Critical	3	Extensive, permanent injuries, long term sick Service disruption 3-5 days Adverse local publicity Major injury to individual/several people Litigation is expected Financial loss up to 50% of budget
Significant	2	Severe injury to individual/several people Service disruption 2-3 days Needs careful public relations Financial loss of up to 25% of budget Higher potential for complaint, litigation possible Breaches of regulations/standards
Negligible	1	No injuries beyond first aid level No significant disruption of service capability Unlikely to cause any adverse publicity Financial loss of up to 10% of budget Unlikely to cause complaint/litigation Breaches of local procedures/standards

Likelihood Rating	Score	Description
Very Likely	4	Is expected to occur in most circumstances i.e. there is a more than 75% chance of occurrence.
Likely	3	Will probably occur in most circumstances i.e. there is a 40-75% chance of occurrence.
Unlikely	2	May occur in exceptional circumstances i.e. there is a 10-40% chance of occurrence.
Very Unlikely	1	Is never likely to occur i.e. a less than 20% chance of occurrence.

Medium Term Financial Management Strategy (MTFMS)

Appendix E

Glossary of Terms

ABG	Area Based Grant
AES	Annual Efficiency Statements
AOP	Annual Operating Plan
CAA	Comprehensive Area Assessment
DCLG	Department for Communities & Local Government
CMB	Corporate Management Board
CPA	Comprehensive Performance Assessment
CSR07	Comprehensive Spending Review 2007
DCSF	Department for Children, Schools & Families
DEFRA	Department for Environment, Food & Rural Affairs
DEL	Departmental Expenditure Limits
DfT	Department for Transport
DH	Department of Health
DSG	Dedicated Schools Grant
FRM	Financial Review Model
GDP	Gross Domestic Product
HCA	Homes and Communities Agency
HCS	Herefordshire Community Strategy
HO	Home Office
HPS	Herefordshire Public Services
IPR	Integrated Performance Report
LAA	Local Area Agreement
LABGI	Local Area Business Growth Incentive Grant
LINKs	Local Involvement Networks

Medium Term Financial Management Strategy (MTFMS)

LOBO	Lender Option Borrower Option
LPSA2	Local Public Service Agreement
LSP	Local Strategic Partnership
MAA	Multi Area Agreements
MPC	Monetary Policy Committee
MTFMS	Medium Term Financial Management Strategy
NNDR	National Non-Domestic Rates
PIC	Performance Improvement Cycle
PCT	Primary Care Trust
PFI	Public Finance Initiative
PSA	Public Service Agreements
PWLB	Public Works Loan Board
RDA	Regional Development Agency
RSG	Revenue Support Grant
SEN	Special Educational Needs
SWG	Settlement Working Group
TMS	Treasury Management Strategy
VfM	Value for Money

DRAFT CAPITAL PROGRAMME 2008/09

PORTFOLIO RESPONSIBILITY: RESOURCES

CABINET

21 FEBRUARY 2008

Wards Affected

County-wide

Purpose

To propose the draft capital programme for 2008/09.

Key Decision

This is a Key Decision because it is likely to result in the Council incurring expenditure above agreed budgets for the service or function (shown as a line in the budget book) to which the decision relates but allowing for virements between budget heads and savings within budget heads of up to £500,000 and it is likely to be significant in terms of its effect on communities living or working in Herefordshire in an area comprising one or more wards.

It was included in the Forward Plan.

Recommendation(s)

THAT Cabinet recommends to Council that:

- (a) **the funding available be noted;**
- (b) **the funding allocations to capital bids be endorsed;**
- (c) **the impact of capital spend on the replacement Social Care system (Core Logic) in 2008/09 be noted; and**
- (d) **the position on the capital receipts reserve be noted.**

Reasons

To bring the Council's capital spending plans up to date, noting the available funding and capital bid funding recommendations.

Considerations

OVERALL

1. The Council has received funding notifications from central government for 2008/09 and subsequent years. A table showing the anticipated position for the next three years (taking into account 2007/08 slippage as reported in the November IPR) is detailed in **Appendix 1**. These indicative budgets include corporate accommodation

forecasts as included in the Financial Resource Model (FRM) of £3.25m in 2008/09, £2.89m in 2009/10 and £8.6m in 2010/11.

2. Supported Capital Expenditure (Revenue) allocations for 2008/09 receiving Revenue Support Grant (RSG) support total £12.75m, split £2.373m towards children's services (compared to an indicative allocation of £1.5m for provisional budget setting processes) and £10.377m towards environmental services (compared to an indicative allocation of £8.023m for provisional budget setting processes).
3. The Council faces a number of uncertainties around future capital projects with the precise likely financial commitment being unknown. These areas include the Schools Review, office accommodation, the Master's House at Ledbury as well as Edgar Street Grid and the Livestock Market. It is for this reason that the Council needs to exercise caution when releasing funding for the capital programme. An additional area of uncertainty is the Council's claim under the Bellwin Scheme for the July floods. If any unfunded repair work is not supported by central government the Council will need to look at possible use of capital funding.

CAPITAL BIDS

4. Prudential borrowing commitments already allocated in previous years following the submission of successful capital bids totals £9.01m in 2008/09. The financing costs of existing allocations, including allocations previously committed to for future years, are included in the FRM along with a capacity for additional financing costs of £1m per annum. Capacity is also generated each year through slippage in capital schemes but this cannot be relied upon.
5. The current Financial Resources Model includes funding for the Core Logic capital programme of £508k in 2008/09. The overall capital requirement is £1.452m.
6. The total capital bids received are noted in **Appendix 2**. A total of 27 bids for £8.793m was received. Of these bids £665k is recommended to be funded through the capital receipt reserve and £1.015m through prudential borrowing. The prudential borrowing funded bids have future year commitments of £414k in 2009/10, £354k in 2010/11 and £354k in 2011/12. Bids of £839k are recommended to be funded through prudential borrowing from anticipated revenue savings and base budget. This leaves bids totalling £6.274m not recommended for funding at this stage.
7. Schemes recommended for funding by Prudential Borrowing are as follows:
 - a) Strangford landfill site
There is a legal requirement to assess the impact of the landfill site on groundwater. The scheme will provide groundwater monitoring boreholes.
 - b) Holmer School Flood alleviation
This will fund remedial works to the school to prevent a re-occurrence of the flooding problems experienced in July 2007.
 - c) Legionella prevention work
This scheme upgrades hot water installations to meet code of practice requirements in council owned buildings across the county.

- d) Prospect Wall repairs
Part of the existing retaining wall between The Prospect in Ross-on-Wye and the adjacent graveyard has collapsed. A large section of the wall needs to be rebuilt.
 - e) Sustrans Lottery Match Funding
This covers the estimated match funding needed for a walking and cycling route exploiting an existing bridge over the River Wye by the Welsh Water treatment works. The current scheme includes extending the route along the disused Hereford to Ross railway line between Rotherwas and Holme Lacy. There is a requirement to get clarity from Sustrans about the timing of funding and the £300k represents an estimate of the 2008/09 requirement.
8. Schemes recommended for funding through Right to Buy Capital Receipts Reserve are as follows:
- a) Disabled Facilities Grant
This is to fund adaptations to clients' homes in order to facilitate independent living. There is a direct link with the independent living agenda and helps reduce pressure on the adult social care budget. The funding contributes towards matched grant funding.
 - b) Empty Property Scheme
This will bring empty properties back into use and tackles homelessness and reduces the use of B & B accommodation for homeless families. The funding assists the Registered Social Landlord (RSL) (together with their own funding) to bring a property up to a lettable standard.
 - c) Sold/Own Home
This scheme assists people with mental health and learning disabilities to purchase their own homes through shared ownership. The scheme is operated through an RSL partner.
9. Directorates have been encouraged to bring forward schemes that can be funded by revenue savings or budget to make the prudential borrowing repayments. The following fall into this category:
- a) Development of Specialised AWLD Day opportunities
A scheme funded by £40k annual savings. Savings need to be signed off, but once this is confirmed the scheme could proceed.
 - b) Development of Community Support Centres
A scheme funded by £65k annual savings. Scheme rises to £100k in 2009/10. Savings need to be signed off, but once confirmed the scheme could proceed.
 - c) Server virtualisation
This scheme can be funded by the additional resources for the ICT Strategy built in to the financial model. The scheme is one of the 'top 10' projects identified by ICT.
 - d) Salix funded Schemes
The Council has been awarded £100k towards carbon reduction works. This

grant is based on match funding of £100k from the Council. The £200k is then 'lent' to the relevant properties and paid back. The ability to fund repayments needs to be signed off.

10. A capital bid was submitted for the Ledbury Centre at Masters House however due to the uncertainty surrounding any external funding available and the requirement to fund other options this bid has not been recommended at this stage.
11. The funding of the temporary Bailey Bridge at Colwall has been secured using £450k of the Council's Local Transport Plan allocation. The benefit of using this source is that it gives funding certainty. However, it is clear that the use of this source will mean less funds being available for maintenance of bridges across the county. A capital bid to backfill the use of the £450k was not agreed because other projects did not have access to any alternative funding sources and in some cases match funding was needed.
12. Other bids were brought forward at this stage including improvements to High Town. It was not possible to put this forward at this stage because of affordability in 2008/09 and a need to assess consistency of the scheme in the context of the Edgar Street Grid.
13. The council has or will have access to developers' contributions for schemes over the coming year. This includes the provision of youth facilities in Leominster for which £250k will be available if the relevant "trigger" point is reached. There is also £250k for a replacement playing pitch at Aylestone Park that is likely to be available in 2008/09.

CAPITAL RECEIPTS RESERVE POSITION

14. The capital receipts reserve totalled £22.426m as at 1st April, 2007. Receipts of £1.8m have been received to date in 2007/08 and expected capital receipt reserve spending in 2007/08 totals £7.104m leaving a balance of £17.122m to be carried forward into 2008/09. This may change if additional receipts arise before 31st March.
15. Capital receipts reserve funding of £10.108m has been committed to fund the 2008/09 capital programme however additional capital receipts from the sale of smallholdings and the old Whitecross High School site are expected.

Risk Management

The risks associated with proceeding or not with each bid need to be considered on an individual basis.

The risk of committing funding needs to be considered as part of the FRM and revised Prudential Indicators. These can be mitigated through careful financial management and monitoring of the programme's funding against the relevant Prudential Indicators.

Appendices

- Appendix 1 Medium Term Capital Plan
- Appendix 2 Summary of 2008/09 Prudential Borrowing bids

Background Papers

Medium term Financial Management Strategy
Capital strategy

Consultees

None identified

APPENDIX 1

MEDIUM-TERM CAPITAL PLAN

	2007/08	2008/09	2009/10	2010/11
	Budget	Budget	Budget	Budget
	£'000	£'000	£'000	£'000
Children and Young People's Services	12,235	15,380	30,120	26,354
Resources	1,966	4,436	2,890	8,600
Corporate and Customer Services	322	669	-	-
Adult and Community Services	10,135	15,794	3,005	844
Environment Services	27,566	16,369	12,847	13,266
Herefordshire Connects	944	508	-	-
	53,168	53,156	48,862	49,064
Funded by:				
Supported Capital Expenditure (Revenue)	9,963	12,750	12,695	13,814
Prudential Code Borrowing	9,296	10,866	3,354	8,640
Capital Receipts Reserve	7,104	10,108	1,858	300
Revenue Contribution	161	170	-	-
Government Grants & Contributions	26,644	19,262	30,955	26,310
	53,168	53,156	48,862	49,064

2008/09 PRUDENTIAL BORROWING BIDS

BID	AMOUNT				LIFE	ESTIMATED CAPITAL FINANCING COSTS				
	2008/09 £	2009/10 £	2010/11 £	2011/12 £		2008/09 £	2009/10 £	2010/11 £	2011/12 £	FUTURE YEARS £

Recommended to be funded by Prudential Borrowing

Strangford Landfill Site	65,000				10	2,925	9,133	8,840	8,548	51,643
The provision and monitoring of these boreholes will provide additional information which will help to better define the groundwater regime in the vicinity of the landfill & enable a more reliable assessment of any potential pollution from the wastes in the landfill site. There are revenue implications.										
Holmer School Flood Alleviation	190,000				25	8,550	15,808	15,466	15,124	246,202
Remedial works to school site to prevent recurrence of the flooding problems experienced in July. It will include remodelling the contours, pumps barriers and the access doors and improve drainage. There will be revenue implications of servicing the pumps										

2008/09 PRUDENTIAL BORROWING BIDS

BID	AMOUNT				LIFE	ESTIMATED CAPITAL FINANCING COSTS				
	2008/09 £	2009/10 £	2010/11 £	2011/12 £		2008/09 £	2009/10 £	2010/11 £	2011/12 £	FUTURE YEARS £
every year.										
Legionella Upgrade Works	80,000				15	3,600	8,693	8,453	8,213	79,840
Upgrading of hot water installations to meet Code of Practice requirements are being undertaken in council owned buildings and across the county. A number of poor installations have been identified which could result in a Legionella problem.										
The Prospect Wall, Ross on Wye	380,000	20,000			25	17,100	32,516	32,596	31,876	519,912
Part of the existing retaining wall between The Prospect and the adjacent graveyard has collapsed. A survey by a structural engineer has identified the need to rebuild a large section of the wall.										
Sustran Lottery Match Funding	300,000	393,550	353,550	353,550	25	13,500	42,670	74,873	106,368	2,109,485

2008/09 PRUDENTIAL BORROWING BIDS

BID	AMOUNT				LIFE	ESTIMATED CAPITAL FINANCING COSTS				
	2008/09 £	2009/10 £	2010/11 £	2011/12 £		2008/09 £	2009/10 £	2010/11 £	2011/12 £	FUTURE YEARS £
A walking & cycling route with radial links exploiting an existing bridge over the River Wye by the Welsh Water treatment works & the disused Hereford – Ross line between Rotherwas & Holme Lacy. It is supported by the Rotherwas Travel plan and envisaged in the UDP. There are revenue implications.	1,015,000	413,550	353,550	353,550		45,675	108,820	140,228	170,129	3,007,082

2008/09 PRUDENTIAL BORROWING BIDS

BID	AMOUNT				LIFE	ESTIMATED CAPITAL FINANCING COSTS				
	2008/09 £	2009/10 £	2010/11 £	2011/12 £		2008/09 £	2009/10 £	2010/11 £	2011/12 £	FUTURE YEARS £

Recommended to be funded by RTB capital receipts reserve funding

Disabled Facilities Grant	215,000				1	N/A				
DFG adaptations within client homes are made in order to facilitate independent living & assist in early hospital discharge. The funding contributes towards 40% of the grants paid with the other 60% funding from the DCLG. Implications will result in a loss of grant funding. Any shortcomings will increase the waiting list which will impact on social care & health services. There are revenue implications.										
Empty Property Scheme	150,000				1	N/A				
In partnership with RSL, the scheme is to bring back empty properties into use, primarily through leasing the property from the owner										

2008/09 PRUDENTIAL BORROWING BIDS

BID	AMOUNT				LIFE	ESTIMATED CAPITAL FINANCING COSTS				
	2008/09 £	2009/10 £	2010/11 £	2011/12 £		2008/09 £	2009/10 £	2010/11 £	2011/12 £	FUTURE YEARS £
for 6 years. If not agreed there will be an increase in revenue due to using B&B										
Sold/Own Home	300,000				1	N/A				
Sold and own home assists people with mental health & learning disabilities to purchase their own homes through Shared Ownership providing independence & security. The Scheme is operated through Advance (RSL partner). Key priority with Housing Strategy & Supporting People Strategy.										
	665,000									

2008/09 PRUDENTIAL BORROWING BIDS

BID	AMOUNT				LIFE	ESTIMATED CAPITAL FINANCING COSTS				
	2008/09 £	2009/10 £	2010/11 £	2011/12 £		2008/09 £	2009/10 £	2010/11 £	2011/12 £	FUTURE YEARS £

Recommended to be funded by revenue savings

Development of Specialised AWLD Day Opportunities	296,000				25	13,320	24,627	24,094	23,562	383,557
Provide & improve appropriate workforce training & skills development. Help to improve the quality of health & social care for vulnerable adults. There are revenue implications.										
Development of Community Support Centres	30,000	100,000	100,000	100,000	1	30,000	100,000	100,000	100,000	-
To provide a wide range of re-ablement, therapy & social facilities, it is an integral part of the Target Operating Model for Adult Social Care. In turn this is a key component of the overall Hfds Connects Transformation Programme. There will be revenue implications.										
Server Virtualisation	412,862				5				90,004	168,861

2008/09 PRUDENTIAL BORROWING BIDS

BID	AMOUNT				LIFE	ESTIMATED CAPITAL FINANCING COSTS				
	2008/09 £	2009/10 £	2010/11 £	2011/12 £		2008/09 £	2009/10 £	2010/11 £	2011/12 £	FUTURE YEARS £
						18,579	97,435	93,720		
Most of the Council's servers are over 5 years old and are difficult to replace and expensive to maintain. Server virtualisation allows virtual servers to be run on a pool of physical computer servers with no loss of functionality or speed. There will be revenue implications.										
Salix Funding	100,000				5	4,500	23,600	22,700	21,800	40,900
The council has been awarded £100,000 towards reduction works. This grant is based upon £100,000 coming from the council. The £200,000 is then lent to properties and paid back over a 5-year period.										
	838,862	100,000	100,000	100,000		66,399	245,662	240,514	235,366	593,318

2008/09 PRUDENTIAL BORROWING BIDS

BID	AMOUNT				LIFE	ESTIMATED CAPITAL FINANCING COSTS				
	2008/09 £	2009/10 £	2010/11 £	2011/12 £		2008/09 £	2009/10 £	2010/11 £	2011/12 £	FUTURE YEARS £

Not recommended at this stage

Ledbury Centre	900,000	1,100,000			25	40,500	124,380	164,780	161,180	2,679,160
The scheme is to create a multi-use & combined centre in Ledbury, bringing together services as reflected in the Corporate Customer Services Strategy. The current library is not DDA compliant. It is likely that a cultural service priority will be included in the new LAA and this project once completed will contribute to an upturn in performance.										
Replacement Talis Servers	37,184				5	1,673	8,775	8,441	8,106	15,208
Capital to purchase new self-service PC booking & print management system for libraries & info shops. The new system will provide management information – not provided at the										

2008/09 PRUDENTIAL BORROWING BIDS

BID	AMOUNT				LIFE	ESTIMATED CAPITAL FINANCING COSTS				
	2008/09 £	2009/10 £	2010/11 £	2011/12 £		2008/09 £	2009/10 £	2010/11 £	2011/12 £	FUTURE YEARS £
moment.										
Self Service PC Booking System	34,000				5	1,530	8,024	7,718	7,412	13,906
The purchase of new self-service PC booking system for libraries & info shops. Will reduce the amount of paper used in printing and so contribute to a sustainable service. Current system requires excessive amount of ICT support. No traceable booking in info shops. No GEM benefits.										
Networking of Old House & Ross Heritage Centre	11,876				5	534	2,803	2,696	2,589	4,857
A number of Heritage Services sites remain remote from the council network, Old House, Ledbury Heritage Centre & Ross Heritage Centre, the lack of network access is becoming a problem. There will be revenue support costs.										

2008/09 PRUDENTIAL BORROWING BIDS

BID	AMOUNT				LIFE	ESTIMATED CAPITAL FINANCING COSTS				
	2008/09 £	2009/10 £	2010/11 £	2011/12 £		2008/09 £	2009/10 £	2010/11 £	2011/12 £	FUTURE YEARS £
Transfer of TICs to Alternative Sites	40,000	63,000			25	1,800	6,163	8,498	8,312	138,482
To support & facilitate the transfer of tourist information centres to alternative sites to maximise resources & create a "shared service model" with reduced service in the market towns with Hereford TIC acting as a central hub. There are revenue implications.										
Transport Asset Mgt Planning/Network Mgt Inventory Overhaul	190,000	300,000	315,000		5	8,550	58,340	128,105	183,860	534,820
The Council has set out its commitments to TAMP in its Local Transport Plan. It is also developing its Network Mgt Plan as needed to meet its Network Management duty under the Traffic Mgt Act 2004. Both must be supported by systems. This scheme will overhaul the inventory to ensure that it is a true representation of the Adopted Highway,										

2008/09 PRUDENTIAL BORROWING BIDS

BID	AMOUNT				LIFE	ESTIMATED CAPITAL FINANCING COSTS				
	2008/09 £	2009/10 £	2010/11 £	2011/12 £		2008/09 £	2009/10 £	2010/11 £	2011/12 £	FUTURE YEARS £
the Council's transport assets which extends over £200k has an estimated gross replacement value of £2.5 billion. There are revenue implications.										
Colwall Railway Bridge – Temporary Bailey Bridge	500,000				3	2,250	181,667	174,167	166,667	-
The bridge is beyond normal maintenance requirements & now requires full reconstruction. The community is split in ½ and their businesses. Paddles Lane has become dangerous and cannot be left in this state. There are revenue implications.										
Elmhurst	1,200,000				1	1,200,000				
Redevelopment of Elmhurst to provide affordable housing to meet the needs of vulnerable households which could include potentially those with learning disabilities or										

2008/09 PRUDENTIAL BORROWING BIDS

BID	AMOUNT				LIFE	ESTIMATED CAPITAL FINANCING COSTS				
	2008/09 £	2009/10 £	2010/11 £	2011/12 £		2008/09 £	2009/10 £	2010/11 £	2011/12 £	FUTURE YEARS £
mental health problems. If not proceeded with alternative funding will be needed to ensure the property does not stay empty.										
LCHO	2,220,000	2,560,000	2,780,000		1	2,220,000	2,560,000	2,780,000		
Scheme includes DIY Ownership, Festival Property Purchase and Mortgage Rescue all schemes assisting those with housing needs to either gain a foot on the housing ladder or retain their existing accommodation. DIYSO and FFP provide grant funding through a RSL partner. Those assisted are registered with Home Point as being in Housing needs and are unable to access the open market without grant assistance. The 3 schemes together could potentially assist 29 households.										
Building Energy Management Out Stations	288,000				15	12,960	31,296	30,432	29,568	287,424

2008/09 PRUDENTIAL BORROWING BIDS

BID	AMOUNT				LIFE	ESTIMATED CAPITAL FINANCING COSTS				
	2008/09 £	2009/10 £	2010/11 £	2011/12 £		2008/09 £	2009/10 £	2010/11 £	2011/12 £	FUTURE YEARS £
Leominster Broad St Car Park	265,000				25	11,925	22,048	21,571	21,094	343,387
New petrol interceptor and drainage layout to protect river. This is the second phase of the scheme.										
Butter Market	150,000				25	6,750	12,480	12,210	11,940	194,370
Upgrading Works Phase 1 Butter Market. Essential maintenance works and improvements to the section of the Butter Market at the rear of the properties in Widemarsh Street. Work includes re-surfacing and fire precaution improvements to ensure safe means of access.										
Small Holdings Capital Work	300,000	600,000	1,000,000		25	13,500	51,960	119,340	155,920	2,630,780
This is essential maintenance and some improvements works to the houses and farm										

2008/09 PRUDENTIAL BORROWING BIDS

BID	AMOUNT				LIFE	ESTIMATED CAPITAL FINANCING COSTS				
	2008/09 £	2009/10 £	2010/11 £	2011/12 £		2008/09 £	2009/10 £	2010/11 £	2011/12 £	FUTURE YEARS £
buildings within the council's smallholdings estate. The work includes electrical re-wiring, re-roofing, replacement windows and heating.										
Hereford Art Gallery	8,000				N/A					N/A
Creation of a small exhibition space within the Art Gallery at Hereford Museum & Art Gallery to display the works of Brian Hatton, the reputation of the gallery is at risk without the possibility of loans of major works.										
Broad St Library	130,000				N/A					N/A
Essential maintenance works to a Grade II listed building involving repairs to coping stones, corbel brickwork and lead valley areas.										
Total of Bids not Recommended	6,274,060	4,623,000	4,095,000	0		3,821,972	3,367,936	3,757,958	756,648	6,842,394
TOTAL BIDS RECEIVED	8,792,922	5,136,550	4,548,550	453,550		3,934,046	3,722,418	4,138,700	1,162,143	10,442,794

2008/09 PRUDENTIAL BORROWING BIDS

BID	AMOUNT				LIFE	ESTIMATED CAPITAL FINANCING COSTS				
	2008/09 £	2009/10 £	2010/11 £	2011/12 £		2008/09 £	2009/10 £	2010/11 £	2011/12 £	FUTURE YEARS £

COUNCIL TAX RESOLUTION 2008/09**Report By: Director of Resources****Wards Affected**

Countywide.

Purpose

To set the Council Tax amounts for each category of dwelling in Herefordshire for 2008/09 and to calculate the Council's budget requirements.

Key Decision

This is a Key Decision because it is likely to be significant in terms of its effect on communities living or working in Herefordshire in an area comprising one or more wards.

Recommendation

- (1) In respect of the Council's 2008/09 budget:
 - (a) a Council Tax of £1,131.13 be levied (at Band D);
 - (b) service areas contain expenditure within "cash limits" i.e. outturn budgets with no further allowance for pay or price inflation beyond that already provided;and
- (2) in respect of Council Tax for 2008/09 that the following amounts be approved by the Council for the year 2008/09 in accordance with Sections 32 to 36 of the Local Government Finance Act 1992:
 - (a) £323,319,576 being the estimated aggregate expenditure of the Council in accordance with Section 32(2)(a) to (e) of the Act;
 - (b) £189,148,000 being the estimated aggregate income of the Council for the items set out in Section 32(3)(a) to (c) of the Act;
 - (c) £134,171,576 being the amount by which the aggregate at (a) above exceeds the aggregate at (b) calculated by the Council in accordance with Section 32(4) of the Act, as its total net budget requirement for the year;

Further information on the subject of this report is available from Sonia Rees on (01432) 383519

- (d) £53,307,413 being the aggregate of the sums which the Council estimated will be payable for the year into its general fund in respect of redistributed non-domestic rates, revenue support grant, additional grant or relevant special grant, increased by the transfer from the Collection Fund;
- (e) £1,165.62 being the amount at (c) above less the amount at (d) above all divided by the amount of the Council Tax base calculated by the Council, in accordance with Section 33(1) of the Act, as the basic amount of its Council Tax for the year;
- (f) £ 2,393,176 being the aggregate amount of all special items referred to in Section 34(1) of the Act;
- (g) £1,131.13 being the amount at (e) above less the result given by dividing the amount at (f) above by the amount of the Council Tax base calculated by the Council, in accordance with Section 34(2) of the Act, as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which no special item relates;
- (h) that the precepting authority details incorporated in Annex 1 (i-v), relating to Special Items, West Mercia Police and Hereford and Worcester Combined Fire Authority be approved in accordance with Sections 30(2), 34(3), 36(1) and Section 40 of the Local Government Finance Act 1992.
- (3) Pursuant to the requirements of the Local Government (Functions and Responsibility) (England) Regulations 2000, any decisions on the application of reserves and balances as required from time to time during the financial year be taken by Cabinet.

Considerations

- 3 Sections 25 to 29 of Part 2 of the Local Government Act 2003 impose duties on local authorities designed to ensure they make prudent allowance for risk and uncertainties in their budgets and that they regularly monitor their finances during the course of the year.

4. Section 25 of the Act deals with budget calculations and requires the statutory chief finance officer to report on the robustness of estimates and reserves. This duty was introduced because the Council decides on the Council Tax before the financial year begins and Council Tax cannot be increased during a financial year. It therefore needs to consider the risks and uncertainties that might force them to spend more than planned. The Council has a statutory duty to take the chief finance officer's Section 25 report into account when it sets the Council Tax.
5. Whilst local authorities have discretion to make their own judgments on a prudent level of budget and reserves, Section 26 of the Act contains reserve powers for the government to set a minimum level of reserves. This means that the government has the right to intervene if it thinks a local authority is acting irresponsibly.
6. Section 27 of the Act requires the statutory chief finance officer to report to Council if reserves have dipped below the minimum agreed level when the next budget is set. That report must include suggestions on how to avoid it happening again.
7. Sections 28 and 29 of the Act deal with budget monitoring issues and make budget monitoring a statutory duty. If monitoring establishes that the budget position has deteriorated, authorities are required to take appropriate action. This might include reducing spending in the rest of the year, increasing income or funding the shortfall from reserves.
8. The Director of Resources (Section 151 Officer) has assessed the draft 2008/09 budget and concluded that the estimates for expenditure are robust for the purposes of budget calculations and that the level of proposed financial resources is adequate.
9. Annex 1 (i-v) to this report contains the individual Council Tax amounts for each category of dwelling as required by the Local Government Finance Act 1992 and associated regulations. As a contingency it is also recommended that Cabinet continue to be authorised to draw on reserves and balances from time to time as required during 2008/09.
9. The Parish Precepts for 2008/09 total £2,393,175.67 amounting to an average Band D Council Tax Charge of £34.50 (an increase of 15.27% over 2007/08). Annex 1 (i) details the Parish Precept requirement and the Band D Council Tax Charge for each Parish. The Parish Precepts are reflected in Section 2 of the recommendations to Council.
10. Details of the West Mercia Police Authority Precept are contained in Annex 1 (iii).
11. Details of the Hereford & Worcester Fire and Rescue Authority Precept are contained in Annex 1 (iv).

Herefordshire Council requirement by Parish, including Band D equivalent

Parish	Parish Precept £	Tax Base	Parish Precept Basic Tax Rate (Band D) £	Herefordshire Council Basic Tax Rate (Band D) £1,131.13	Band D Charge (Parish and Herefordshire Council's Basic Rate - £1,131.13) £
Abbeydore & Bacton Group Parish Council	4,750.00	161.14	29.48	1,131.13	1,160.61
Aconbury Parish Meeting	50.00	34.34	1.46	1,131.13	1,132.59
Acton Beauchamp Group	1,500.00	168.42	8.91	1,131.13	1,140.04
Allensmore Parish Council	1,000.00	239.83	4.17	1,131.13	1,135.30
Almeley Parish Council	6,250.00	263.50	23.72	1,131.13	1,154.85
Ashperton Parish Council	3,000.00	118.30	25.36	1,131.13	1,156.49
Aston Ingham Parish Council	1,750.00	208.26	8.40	1,131.13	1,139.53
Avenbury Parish Council	2,000.00	108.63	18.41	1,131.13	1,149.54
Aymestrey Parish Council	2,335.00	164.86	14.16	1,131.13	1,145.29
Ballingham Bolstone & Hentland Group P C	4,000.00	286.90	13.94	1,131.13	1,145.07
Bartestree & Lugwardine Group Parish Council	21,000.00	793.39	26.47	1,131.13	1,157.60
Belmont Rural Parish Council	30,000.00	1,381.49	21.72	1,131.13	1,152.85
Birley with Upper Hill Parish Council	1,827.00	120.70	15.14	1,131.13	1,146.27
Bishop's Frome Parish Council	15,000.00	334.97	44.78	1,131.13	1,175.91
Bishopstone & District Group Parish Council	2,700.00	196.11	13.77	1,131.13	1,144.90
Bodenham Parish Council	5,500.00	451.09	12.19	1,131.13	1,143.32
Border Group Parish Council	6,000.00	306.68	19.56	1,131.13	1,150.69
Bosbury and Coddington Parish Council	4,000.00	373.96	10.70	1,131.13	1,141.83
Brampton Abbots & Foy Group Parish Council	2,000.00	220.63	9.06	1,131.13	1,140.19
Bredenburg & District Group Parish Council	1,700.00	168.26	10.10	1,131.13	1,141.23
Breinton Parish Council	6,000.00	393.47	15.25	1,131.13	1,146.38
Bridstow Parish Council	5,750.00	401.61	14.32	1,131.13	1,145.45
Brilley Parish Council	2,000.00	119.50	16.74	1,131.13	1,147.87
Brimfield and Little Hereford Group P C	6,000.00	502.51	11.94	1,131.13	1,143.07
Brockhampton Parish Council	1,600.00	88.73	18.03	1,131.13	1,149.16
Brockhampton Group Parish Council	11,000.00	329.69	33.36	1,131.13	1,164.49
Bromyard & Winslow Town Council	196,000.00	1,533.46	127.82	1,131.13	1,258.95
Burghill Parish Council	9,155.00	702.04	13.04	1,131.13	1,144.17
Callow & Haywood Group Parish Council	3,400.00	197.99	17.17	1,131.13	1,148.30
Cleghonger Parish Council	7,500.00	524.07	14.31	1,131.13	1,145.44
Clifford Parish Council	5,150.00	245.80	20.95	1,131.13	1,152.08
Colwall Parish Council	58,516.00	1,167.69	50.11	1,131.13	1,181.24
Malvern Hills Conservators (Colwall P C)	30,000.00	"	25.69	nil	25.69
Cradley Parish Council	17,000.00	760.80	22.34	1,131.13	1,153.47
Credenhill Parish Council	17,000.00	621.26	27.36	1,131.13	1,158.49
Cusop Parish Council	6,000.00	182.37	32.90	1,131.13	1,164.03
Dilwyn Parish Council	10,745.00	306.27	35.08	1,131.13	1,166.21
Dinedor Parish Council	6,000.00	121.40	49.42	1,131.13	1,180.55
Dinmore Parish Meeting	-	8.76	0.00	1,131.13	1,131.13
Dormington & Mordiford Group Parish Council	5,750.00	314.41	18.29	1,131.13	1,149.42
Dorstone Parish Council	1,700.00	168.82	10.07	1,131.13	1,141.20
Eardisland Parish Council	12,682.00	226.12	56.08	1,131.13	1,187.21
Eardisley Group Parish Council	7,000.00	486.53	14.39	1,131.13	1,145.52
Eastnor & Donnington Parish Council	3,000.00	149.80	20.03	1,131.13	1,151.16
Eaton Bishop Parish Council	4,000.00	190.34	21.01	1,131.13	1,152.14
Ewyas Harold Group Parish Council	18,803.62	450.90	41.70	1,131.13	1,172.83
Fownhope Parish Council	16,000.00	429.86	37.22	1,131.13	1,168.35
Foxley Parish Council	1,500.00	174.21	8.61	1,131.13	1,139.74
Garway Parish Council	3,500.00	165.18	21.19	1,131.13	1,152.32
Goodrich & Welsh Bicknor Group Parish Council	4,500.00	253.46	17.75	1,131.13	1,148.88
Hampton Bishop Parish Council	5,000.00	194.20	25.75	1,131.13	1,156.88
Hampton Charles Parish Meeting	-	18.20	0.00	1,131.13	1,131.13
Hatfield and District Group Parish Council	2,570.00	211.76	12.14	1,131.13	1,143.27
Hereford City Council	645,500.00	17,118.18	37.71	1,131.13	1,168.84
Holme Lacy Parish Council	7,000.00	192.21	36.42	1,131.13	1,167.55
Holmer & Shelwick Parish Council	6,000.00	564.80	10.62	1,131.13	1,141.75
Hope Mansell Parish Council	2,000.00	134.00	14.93	1,131.13	1,146.06
Hope under Dinmore Group Parish Council	3,000.00	162.02	18.52	1,131.13	1,149.65
How Caple, Sollershope & Yatton Group P C	3,250.00	149.58	21.73	1,131.13	1,152.86
Humber, Stoke Prior & Ford Group Parish Council	3,500.00	286.36	12.22	1,131.13	1,143.35
Huntington Parish Council	510.00	49.10	10.39	1,131.13	1,141.52

Parish	Parish Precept £	Tax Base	Parish Precept Basic Tax Rate (Band D) £	Herefordshire	Band D Charge
				Council Basic Tax Rate (Band D) £1,131.13	(Parish and Herefordshire Council's Basic Rate - £1,131.13) £
Kentchurch Parish Council	5,200.00	108.37	47.99	1,131.13	1,179.12
Kilpeck Group Parish Council	7,450.00	207.94	35.83	1,131.13	1,166.96
Kimbolton Parish Council	4,000.00	207.70	19.26	1,131.13	1,150.39
Kings Caple Parish Council	4,000.00	145.46	27.50	1,131.13	1,158.63
Kingsland Parish Council	6,000.00	461.40	13.00	1,131.13	1,144.13
Kingstone & Thruxton Group Parish Council	6,000.00	422.69	14.19	1,131.13	1,145.32
Kington Rural and Lower Harpton Group P C	2,200.00	243.99	9.02	1,131.13	1,140.15
Kington Town Council	50,500.00	916.79	55.08	1,131.13	1,186.21
Kinnersley and District Group Parish Council	3,400.00	249.62	13.62	1,131.13	1,144.75
Lea Parish Council	5,600.00	257.87	21.72	1,131.13	1,152.85
Ledbury Town Council	253,069.00	3,615.91	69.99	1,131.13	1,201.12
Leintwardine Group Parish Council	10,600.00	442.86	23.94	1,131.13	1,155.07
Leominster Town Council	178,952.05	3,972.73	45.05	1,131.13	1,176.18
Linton Parish Council	5,800.00	463.02	12.53	1,131.13	1,143.66
Little Birch Parish Council	1,000.00	97.90	10.21	1,131.13	1,141.34
Little Dewchurch Parish Council	5,500.00	177.47	30.99	1,131.13	1,162.12
Llangarron Parish Council	4,000.00	460.30	8.69	1,131.13	1,139.82
Llanwarne & District Group Parish Council	1,500.00	259.39	5.78	1,131.13	1,136.91
Longtown Group Parish Council	5,320.00	397.38	13.39	1,131.13	1,144.52
Lower Bullingham Parish Council	9,500.00	633.40	15.00	1,131.13	1,146.13
Luston Group Parish Council	7,500.00	370.47	20.24	1,131.13	1,151.37
Lyonshall Parish Council	3,500.00	289.80	12.08	1,131.13	1,143.21
Madley Parish Council	7,500.00	417.72	17.95	1,131.13	1,149.08
Marden Parish Council	17,500.00	528.67	33.10	1,131.13	1,164.23
Marstow Parish Council	3,500.00	170.22	20.56	1,131.13	1,151.69
Mathon Parish Council	5,326.00	145.71	36.55	1,131.13	1,167.68
Malvern Hills Conservators (Mathon P C)	4,000.00	"	27.45	nil	27.45
Middleton-on-the-Hill and Leysters Group P C	2,750.00	172.76	15.92	1,131.13	1,147.05
Monkland and Stretford Parish Council	2,000.00	87.14	22.95	1,131.13	1,154.08
Moreton on Lugg Parish Council	19,000.00	299.60	63.42	1,131.13	1,194.55
Much Birch Parish Council	9,000.00	384.56	23.40	1,131.13	1,154.53
Much Cowarne Group Parish Council	3,500.00	196.66	17.80	1,131.13	1,148.93
Much Dewchurch Parish Council	1,500.00	266.98	5.62	1,131.13	1,136.75
Much Marcle Parish Council	4,685.00	298.46	15.70	1,131.13	1,146.83
North Bromyard Group Parish Council	3,750.00	315.87	11.87	1,131.13	1,143.00
Ocle Pychard Parish Council	3,000.00	255.52	11.74	1,131.13	1,142.87
Orcop Parish Council	4,500.00	170.13	26.45	1,131.13	1,157.58
Orleton Parish Council	13,167.00	353.60	37.24	1,131.13	1,168.37
Pembridge Parish Council	19,000.00	453.14	41.93	1,131.13	1,173.06
Pencombe Group Parish Council	5,750.00	194.47	29.57	1,131.13	1,160.70
Peterchurch Parish Council	10,825.00	413.01	26.21	1,131.13	1,157.34
Peterstow Parish Council	2,750.00	176.60	15.57	1,131.13	1,146.70
Pipe and Lyde Parish Council	1,200.00	148.30	8.09	1,131.13	1,139.22
Pixley & District Parish Council	3,000.00	225.08	13.33	1,131.13	1,144.46
Putley Parish Council	4,300.00	108.34	39.69	1,131.13	1,170.82
Pyons Group Parish Council	4,725.00	345.47	13.68	1,131.13	1,144.81
Richard's Castle Parish Council	2,575.00	123.57	20.84	1,131.13	1,151.97
Ross-on-Wye Town Council	203,255.00	3,545.00	57.34	1,131.13	1,188.47
Ross Rural Parish Council	3,700.00	441.11	8.39	1,131.13	1,139.52
Sellack Parish Council	1,200.00	110.68	10.84	1,131.13	1,141.97
Shobdon Parish Council	8,500.00	299.80	28.35	1,131.13	1,159.48
St. Weonards Parish Council	1,400.00	146.89	9.53	1,131.13	1,140.66
Stapleton Group Parish Council	5,250.00	147.32	35.64	1,131.13	1,166.77
Staunton-on-Wye and District Group P C	3,500.00	206.78	16.93	1,131.13	1,148.06
Stoke Edith Parish Meeting	-	43.57	0.00	1,131.13	1,131.13
Stoke Lacy Parish Council	7,650.00	162.86	46.97	1,131.13	1,178.10
Stretton Grandison Group Parish Council	1,000.00	214.22	4.67	1,131.13	1,135.80
Stretton Sugwas Parish Council	3,000.00	156.00	19.23	1,131.13	1,150.36
Sutton Parish Council	18,500.00	370.60	49.92	1,131.13	1,181.05
Tarrington Parish Council	10,500.00	238.29	44.06	1,131.13	1,175.19
Thornbury Group Parish Council	2,000.00	191.29	10.46	1,131.13	1,141.59
Titley and District Group Parish Council	3,300.00	223.61	14.76	1,131.13	1,145.89
Upton Bishop Parish Council	8,120.00	259.64	31.27	1,131.13	1,162.40
Vowchurch & District Group Parish Council	5,600.00	313.88	17.84	1,131.13	1,148.97
Walford Parish Council	10,500.00	646.67	16.24	1,131.13	1,147.37
Wellington Parish Council	6,750.00	408.87	16.51	1,131.13	1,147.64

Parish	Parish Precept £	Tax Base	Parish Precept Basic Tax Rate (Band D) £	Herefordshire Council Basic Tax Rate (Band D) £1,131.13	Band D Charge (Parish and Herefordshire Council's Basic Rate - £1,131.13) £
Wellington Heath Parish Council	7,000.00	224.69	31.15	1,131.13	1,162.28
Welsh Newton & Llanrothal Group P C	6,530.00	133.78	48.81	1,131.13	1,179.94
Weobley Parish Council	5,533.00	499.83	11.07	1,131.13	1,142.20
Weston Beggard Parish Council	600.00	86.10	6.97	1,131.13	1,138.10
Weston-under-Penyard Parish Council	5,500.00	470.32	11.69	1,131.13	1,142.82
Whitbourne Parish Council	6,000.00	321.13	18.68	1,131.13	1,149.81
Whitchurch & Ganarew Group Parish Council	8,000.00	516.31	15.49	1,131.13	1,146.62
Wigmore Group Parish Council	10,500.00	352.82	29.76	1,131.13	1,160.89
Withington Group Parish Council	13,500.00	618.17	21.84	1,131.13	1,152.97
Woolhope Parish Council	5,150.00	211.58	24.34	1,131.13	1,155.47
Wyeside Group Parish Council	4,200.00	305.98	13.73	1,131.13	1,144.86
Yarkhill Parish Council	2,600.00	130.04	19.99	1,131.13	1,151.12
Yarpole Group Parish Council	3,000.00	323.38	9.28	1,131.13	1,140.41

Being the amounts given by adding to the amount at 2(g) above the amounts of the special item or items relating to dwellings in those parts of the Council's area mentioned above divided in each case by the tax base above, calculated by the Council, in accordance with Section 34(3) of the Act, as the basic amounts of its council tax for the year for dwellings in those parts of its area to which one or more special items relate.

Council Tax for each valuation band, by Parish, without the Police & Fire precepts

PARISH	VALUATION BANDS							
	A £	B £	C £	D £	E £	F £	G £	H £
Abbeystead & Bacton Group P C	773.74	902.70	1,031.65	1,160.61	1,418.52	1,676.43	1,934.35	2,321.22
Aconbury Parish Meeting	755.06	880.91	1,006.75	1,132.59	1,384.27	1,635.96	1,887.65	2,265.18
Acton Beauchamp Group	760.03	886.70	1,013.37	1,140.04	1,393.38	1,646.72	1,900.07	2,280.08
Allensmore Parish Council	756.87	883.01	1,009.16	1,135.30	1,387.59	1,639.87	1,892.17	2,270.60
Almeley Parish Council	769.90	898.22	1,026.53	1,154.85	1,411.48	1,668.11	1,924.75	2,309.70
Ashperton Parish Council	771.00	899.49	1,027.99	1,156.49	1,413.49	1,670.48	1,927.49	2,312.98
Aston Ingham Parish Council	759.69	886.30	1,012.92	1,139.53	1,392.76	1,645.98	1,899.22	2,279.06
Avenbury Parish Council	766.36	894.09	1,021.81	1,149.54	1,404.99	1,660.44	1,915.90	2,299.08
Aymestrey Parish Council	763.53	890.78	1,018.04	1,145.29	1,399.80	1,654.30	1,908.82	2,290.58
Ballingham Bolstone & Hentland Group P C	763.38	890.61	1,017.84	1,145.07	1,399.53	1,653.99	1,908.45	2,290.14
Bartestree & Lugwardine Group P C	771.74	900.36	1,028.98	1,157.60	1,414.84	1,672.08	1,929.34	2,315.20
Belmont Rural Parish Council	768.57	896.66	1,024.76	1,152.85	1,409.04	1,665.22	1,921.42	2,305.70
Birley with Upper Hill Parish Council	764.18	891.55	1,018.91	1,146.27	1,400.99	1,655.72	1,910.45	2,292.54
Bishop's Frome Parish Council	783.94	914.60	1,045.25	1,175.91	1,437.22	1,698.53	1,959.85	2,351.82
Bishopstone & District Group P C	763.27	890.48	1,017.69	1,144.90	1,399.32	1,653.74	1,908.17	2,289.80
Bodenham Parish Council	762.22	889.25	1,016.29	1,143.32	1,397.39	1,651.46	1,905.54	2,286.64
Border Group Parish Council	767.13	894.98	1,022.84	1,150.69	1,406.40	1,660.12	1,917.82	2,301.38
Bosbury and Coddington Parish Council	761.22	888.09	1,014.96	1,141.83	1,395.57	1,649.31	1,903.05	2,283.66
Brampton Abbots & Foy Group P C	760.13	886.82	1,013.50	1,140.19	1,393.56	1,646.94	1,900.32	2,280.38
Bredenburg & District Group P C	760.82	887.63	1,014.43	1,141.23	1,394.83	1,648.44	1,902.05	2,282.46
Breinton Parish Council	764.26	891.63	1,019.01	1,146.38	1,401.13	1,655.88	1,910.64	2,292.76
Bridstow Parish Council	763.64	890.91	1,018.18	1,145.45	1,399.99	1,654.53	1,909.09	2,290.90
Brilley Parish Council	765.25	892.79	1,020.33	1,147.87	1,402.95	1,658.03	1,913.12	2,295.74
Brimfield and Little Hereford Group P C	762.05	889.06	1,016.06	1,143.07	1,397.08	1,651.10	1,905.12	2,286.14
Brockhampton Parish Council	766.11	893.79	1,021.48	1,149.16	1,404.53	1,659.89	1,915.27	2,298.32
Brockhampton Group Parish Council	776.33	905.72	1,035.10	1,164.49	1,423.26	1,682.04	1,940.82	2,328.98
Bromyard & Winslow Town Council	839.30	979.19	1,119.07	1,258.95	1,538.71	1,818.48	2,098.25	2,517.90
Burghill Parish Council	762.78	889.91	1,017.04	1,144.17	1,398.43	1,652.69	1,906.95	2,288.34
Callow & Haywood Group Parish Council	765.54	893.12	1,020.71	1,148.30	1,403.48	1,658.65	1,913.84	2,296.60
Cleghonger Parish Council	763.63	890.90	1,018.17	1,145.44	1,399.98	1,654.52	1,909.07	2,290.88
Clifford Parish Council	768.06	896.06	1,024.07	1,152.08	1,408.10	1,664.11	1,920.14	2,304.16
Colwall P C (inc. Malvern Hills Conservators)	804.63	938.72	1,072.83	1,206.93	1,475.14	1,743.34	2,011.56	2,413.86
Cradley Parish Council	768.98	897.15	1,025.31	1,153.47	1,409.79	1,666.12	1,922.45	2,306.94
Credenhill Parish Council	772.33	901.05	1,029.77	1,158.49	1,415.93	1,673.37	1,930.82	2,316.98
Cusop Parish Council	776.02	905.36	1,034.69	1,164.03	1,422.70	1,681.37	1,940.05	2,328.06
Dilwyn Parish Council	777.48	907.05	1,036.63	1,166.21	1,425.37	1,684.52	1,943.69	2,332.42
Dinedor Parish Council	787.04	918.21	1,049.38	1,180.55	1,442.89	1,705.23	1,976.59	2,361.10
Dinmore Parish Meeting	754.09	879.77	1,005.45	1,131.13	1,382.49	1,633.85	1,885.22	2,262.26
Dormington & Mordiford Group P C	766.28	894.00	1,021.71	1,149.42	1,404.84	1,660.27	1,915.70	2,298.84
Dorstone Parish Council	760.80	887.60	1,014.40	1,141.20	1,394.80	1,648.40	1,902.00	2,282.40
Eardisland Parish Council	791.48	923.39	1,055.30	1,187.21	1,451.03	1,714.85	1,978.69	2,374.42
Eardisley Group Parish Council	763.68	890.96	1,018.24	1,145.52	1,400.08	1,654.64	1,909.20	2,291.04
Eastnor & Donnington Parish Council	767.44	895.35	1,023.25	1,151.16	1,406.97	1,662.78	1,918.60	2,302.32
Eaton Bishop Parish Council	768.10	896.11	1,024.13	1,152.14	1,408.17	1,664.20	1,920.24	2,304.28
Ewyas Harold Group Parish Council	781.89	912.20	1,042.52	1,172.83	1,433.46	1,694.08	1,954.72	2,345.66
Fownhope Parish Council	778.90	908.72	1,038.53	1,168.35	1,427.98	1,687.61	1,947.25	2,336.70
Foxley Parish Council	759.83	886.47	1,013.10	1,139.74	1,393.01	1,646.29	1,899.57	2,279.48
Garway Parish Council	768.22	896.25	1,024.29	1,152.32	1,408.39	1,664.46	1,920.54	2,304.64
Goodrich & Welsh Bicknor Group P C	765.92	893.58	1,021.23	1,148.88	1,404.18	1,659.49	1,914.80	2,297.76
Hampton Bishop Parish Council	771.26	899.80	1,028.34	1,156.88	1,413.96	1,671.04	1,928.14	2,313.76
Hampton Charles Parish Meeting	754.09	879.77	1,005.45	1,131.13	1,382.49	1,633.85	1,885.22	2,262.26
Hatfield and District Group Parish Council	762.18	889.21	1,016.24	1,143.27	1,397.33	1,651.39	1,905.45	2,286.54
Hereford City Council	779.23	909.10	1,038.97	1,168.84	1,428.58	1,688.32	1,948.07	2,337.68
Holme Lacy Parish Council	778.37	908.10	1,037.82	1,167.55	1,427.00	1,686.46	1,945.92	2,335.10
Holmer & Shelwick Parish Council	761.17	888.03	1,014.89	1,141.75	1,395.47	1,649.19	1,902.92	2,283.50
Hope Mansell Parish Council	764.04	891.38	1,018.72	1,146.06	1,400.74	1,655.42	1,910.10	2,292.12
Hope under Dinmore Group Parish Council	766.44	894.17	1,021.91	1,149.65	1,405.13	1,660.60	1,916.09	2,299.30
How Caple, Sollershope & Yatton Group P C	768.58	896.67	1,024.77	1,152.86	1,409.05	1,665.24	1,921.44	2,305.72
Humber, Stoke Prior & Ford Group P C	762.24	889.27	1,016.31	1,143.35	1,397.43	1,651.50	1,905.59	2,286.70
Huntington Parish Council	761.02	887.85	1,014.69	1,141.52	1,395.19	1,648.86	1,902.54	2,283.04
Kentchurch Parish Council	786.08	917.10	1,048.11	1,179.12	1,441.14	1,703.17	1,965.20	2,358.24
Kilpeck Group Parish Council	777.98	907.64	1,037.30	1,166.96	1,426.28	1,685.60	1,944.94	2,333.92
Kimbolton Parish Council	766.93	894.75	1,022.57	1,150.39	1,406.03	1,661.67	1,917.32	2,300.78
Kings Caple Parish Council	772.42	901.16	1,029.89	1,158.63	1,416.10	1,673.57	1,931.05	2,317.26
Kingsland Parish Council	762.76	889.88	1,017.01	1,144.13	1,398.38	1,652.63	1,906.89	2,288.26
Kingstone & Thruxton Group Parish Council	763.55	890.81	1,018.06	1,145.32	1,399.83	1,654.35	1,908.87	2,290.64
Kington Rural and Lower Harpton Group P C	760.10	886.79	1,013.47	1,140.15	1,393.51	1,646.88	1,900.25	2,280.30
Kington Town Council	790.81	922.61	1,054.41	1,186.21	1,449.81	1,713.41	1,977.02	2,372.42
Kinnersley and District Group Parish Council	763.17	890.36	1,017.56	1,144.75	1,399.14	1,653.52	1,907.92	2,289.50
Lea Parish Council	768.57	896.66	1,024.76	1,152.85	1,409.04	1,665.22	1,921.42	2,305.70

Ledbury Town Council	800.75	934.21	1,067.66	1,201.12	1,468.03	1,734.95	2,001.87	2,402.24
VALUATION BANDS								
PARISH	A	B	C	D	E	F	G	H
	£	£	£	£	£	£	£	£
Leintwardine Group Parish Council	770.05	898.39	1,026.73	1,155.07	1,411.75	1,668.43	1,925.12	2,310.14
Leominster Town Council	784.12	914.81	1,045.49	1,176.18	1,437.55	1,698.92	1,960.30	2,352.36
Linton Parish Council	762.44	889.52	1,016.59	1,143.66	1,397.80	1,651.95	1,906.10	2,287.32
Little Birch Parish Council	760.90	887.71	1,014.53	1,141.34	1,394.97	1,648.60	1,902.24	2,282.68
Little Dewchurch Parish Council	774.75	903.87	1,033.00	1,162.12	1,420.37	1,678.61	1,936.87	2,324.24
Llangaron Parish Council	759.88	886.53	1,013.17	1,139.82	1,393.11	1,646.40	1,899.70	2,279.64
Llanwarne & District Group Parish Council	757.94	884.27	1,010.59	1,136.91	1,389.55	1,642.20	1,894.85	2,273.82
Longtown Group Parish Council	763.02	890.18	1,017.35	1,144.52	1,398.86	1,653.19	1,907.54	2,289.04
Lower Bullingham Parish Council	764.09	891.44	1,018.78	1,146.13	1,400.82	1,655.52	1,910.22	2,292.26
Luston Group Parish Council	767.58	895.51	1,023.44	1,151.37	1,407.23	1,663.09	1,918.95	2,302.74
Lyonshall Parish Council	762.14	889.17	1,016.19	1,143.21	1,397.25	1,651.30	1,905.35	2,286.42
Madley Parish Council	766.06	893.73	1,021.41	1,149.08	1,404.43	1,659.78	1,915.14	2,298.16
Marden Parish Council	776.16	905.51	1,034.87	1,164.23	1,422.95	1,681.66	1,940.39	2,328.46
Marstow Parish Council	767.80	895.76	1,023.73	1,151.69	1,407.62	1,663.55	1,919.49	2,303.38
Mathon P C (inc. Malvern Hills Conservators)	796.76	929.55	1,062.34	1,195.13	1,460.71	1,726.29	1,991.89	2,390.26
Middleton-on-the-Hill and Leysters Group P C	764.70	892.15	1,019.60	1,147.05	1,401.95	1,656.85	1,911.75	2,294.10
Monkland and Stretford Parish Council	769.39	897.62	1,025.85	1,154.08	1,410.54	1,667.00	1,923.47	2,308.16
Moreton on Lugg Parish Council	796.37	929.10	1,061.82	1,194.55	1,460.00	1,725.46	1,990.92	2,389.10
Much Birch Parish Council	769.69	897.97	1,026.25	1,154.53	1,411.09	1,667.65	1,924.22	2,309.06
Much Cowarne Group Parish Council	765.96	893.61	1,021.27	1,148.93	1,404.25	1,659.56	1,914.89	2,297.86
Much Dewchurch Parish Council	757.84	884.14	1,010.45	1,136.75	1,389.36	1,641.97	1,894.59	2,273.50
Much Marcle Parish Council	764.56	891.98	1,019.41	1,146.83	1,401.68	1,656.53	1,911.39	2,293.66
North Bromyard Group Parish Council	762.00	889.00	1,016.00	1,143.00	1,397.00	1,651.00	1,905.00	2,286.00
Ocle Pychard Parish Council	761.92	888.90	1,015.89	1,142.87	1,396.84	1,650.81	1,904.79	2,285.74
Orcop Parish Council	771.72	900.34	1,028.96	1,157.58	1,414.82	1,672.06	1,929.30	2,315.16
Orleton Parish Council	778.92	908.73	1,038.55	1,168.37	1,428.01	1,687.64	1,947.29	2,336.74
Penbridge Parish Council	782.04	912.38	1,042.72	1,173.06	1,433.74	1,694.42	1,955.10	2,346.12
Pencombe Group Parish Council	773.80	902.77	1,031.73	1,160.70	1,418.63	1,676.56	1,934.50	2,321.40
Peterchurch Parish Council	771.56	900.16	1,028.75	1,157.34	1,414.52	1,671.71	1,928.90	2,314.68
Peterstow Parish Council	764.47	891.88	1,019.29	1,146.70	1,401.52	1,656.34	1,911.17	2,293.40
Pipe and Lyde Parish Council	759.48	886.06	1,012.64	1,139.22	1,392.38	1,643.54	1,898.70	2,278.44
Pixley & District Parish Council	762.98	890.14	1,017.30	1,144.46	1,398.78	1,653.10	1,907.44	2,288.92
Putley Parish Council	780.55	910.64	1,040.73	1,170.82	1,431.00	1,691.18	1,951.37	2,341.64
Pyons Group Parish Council	763.21	890.41	1,017.61	1,144.81	1,399.21	1,653.61	1,908.02	2,289.62
Richard's Castle Parish Council	767.98	895.98	1,023.97	1,151.97	1,407.96	1,663.95	1,919.95	2,303.94
Ross-on-Wye Town Council	792.32	924.37	1,056.42	1,188.47	1,452.57	1,716.67	1,980.79	2,376.94
Ross Rural Parish Council	759.68	886.30	1,012.91	1,139.52	1,392.74	1,645.97	1,899.20	2,279.04
Sellack Parish Council	761.32	888.20	1,015.09	1,141.97	1,395.74	1,649.51	1,903.29	2,283.94
Shobdon Parish Council	772.99	901.82	1,030.65	1,159.48	1,417.14	1,674.80	1,932.47	2,318.96
St. Weonards Parish Council	760.44	887.18	1,013.92	1,140.66	1,394.14	1,647.62	1,901.10	2,281.32
Stapleton Group Parish Council	777.85	907.49	1,037.13	1,166.77	1,426.05	1,685.33	1,944.62	2,333.54
Staunton-on-Wye and District Group P C	765.38	892.94	1,020.50	1,148.06	1,403.18	1,658.30	1,913.44	2,296.12
Stoke Edith Parish Meeting	754.09	879.77	1,005.45	1,131.13	1,382.49	1,633.85	1,885.22	2,262.26
Stoke Lacy Parish Council	785.40	916.30	1,047.20	1,178.10	1,439.90	1,701.70	1,963.50	2,356.20
Stretton Grandison Group Parish Council	757.20	883.40	1,009.60	1,135.80	1,388.20	1,640.60	1,893.00	2,271.60
Stretton Sugwas Parish Council	766.91	894.73	1,022.54	1,150.36	1,405.99	1,661.63	1,917.27	2,300.72
Sutton Parish Council	787.37	918.60	1,049.82	1,181.05	1,443.50	1,705.96	1,968.42	2,362.10
Tarrington Parish Council	783.46	914.04	1,044.61	1,175.19	1,436.34	1,697.49	1,958.65	2,350.38
Thornbury Group Parish Council	761.06	887.91	1,014.75	1,141.59	1,395.27	1,648.96	1,902.65	2,283.18
Titley and District Group Parish Council	763.93	891.25	1,018.57	1,145.89	1,400.53	1,655.17	1,909.82	2,291.78
Upton Bishop Parish Council	774.94	904.09	1,033.25	1,162.40	1,420.71	1,679.02	1,937.34	2,324.80
Vowchurch & District Group Parish Council	765.98	893.65	1,021.31	1,148.97	1,404.29	1,659.62	1,914.95	2,297.94
Walford Parish Council	764.92	892.40	1,019.89	1,147.37	1,402.34	1,657.31	1,912.29	2,294.74
Wellington Parish Council	765.10	892.61	1,020.13	1,147.64	1,402.67	1,657.70	1,912.74	2,295.28
Wellington Heath Parish Council	774.86	904.00	1,033.14	1,162.28	1,420.56	1,678.84	1,937.14	2,324.56
Welsh Newton & Llanrothal Group P C	786.63	917.73	1,048.84	1,179.94	1,442.15	1,704.35	1,966.57	2,359.88
Weobley Parish Council	761.47	888.38	1,015.29	1,142.20	1,396.02	1,649.84	1,903.67	2,284.40
Weston Beggard Parish Council	758.74	885.19	1,011.65	1,138.10	1,391.01	1,643.92	1,896.84	2,276.20
Weston-under-Penyard Parish Council	761.88	888.86	1,015.84	1,142.82	1,396.78	1,650.74	1,904.70	2,285.64
Whitbourne Parish Council	766.54	894.30	1,022.05	1,149.81	1,405.32	1,660.83	1,916.35	2,299.62
Whitchurch & Ganarew Group Parish Council	764.42	891.82	1,019.22	1,146.62	1,401.42	1,656.22	1,911.04	2,293.24
Wigmore Group Parish Council	773.93	902.92	1,031.90	1,160.89	1,418.86	1,676.84	1,934.82	2,321.78
Withington Group Parish Council	768.65	896.76	1,024.86	1,152.97	1,409.18	1,665.40	1,921.62	2,305.94
Woolhope Parish Council	770.32	898.70	1,027.09	1,155.47	1,412.24	1,669.01	1,925.79	2,310.94
Wyeside Group Parish Council	763.24	890.45	1,017.65	1,144.86	1,399.27	1,653.68	1,908.10	2,289.72
Yarkhill Parish Council	767.42	895.32	1,023.22	1,151.12	1,406.92	1,662.72	1,918.54	2,302.24
Yarpole Group Parish Council	760.28	886.99	1,013.70	1,140.41	1,393.83	1,647.25	1,900.69	2,280.82

Being the amounts given by multiplying the amounts at 2(g) and Annex 1(i) - (Special Items) by the number which, in the proportion set out in Section 5(1) of the Act, is applicable to dwellings listed in a particular valuation band divided by the number which in that proportion is applicable to dwellings listed in valuation band D, calculated by the Council, in accordance with Section 36(1) of the Act, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different valuation bands.

Police Authority precept requirement for each valuation band

	VALUATION BANDS							
	A	B	C	D	E	F	G	H
	£	£	£	£	£	£	£	£
West Mercia Police Authority	110.30	128.69	147.07	165.45	202.22	238.99	275.75	330.90

On 19th February 2008 West Mercia Police Authority set a Budget Requirement of £190,683,000, requiring a precept from Herefordshire Council of £11,478,099 for 2008/2009. The Band D Council Tax Charge for West Mercia Police Authority amounts to £165.45 (an increase of 4.94% over 2007/2008).

That it be noted for the year 2008/2009 West Mercia Police Authority have stated the above amounts in precepts issued to the Council, in accordance with Section 40 of the Local Government Finance Act 1992, for each of the categories of dwellings shown above.

Fire Authority precept requirement for each valuation band

	VALUATION BANDS							
	A	B	C	D	E	F	G	H
	£	£	£	£	£	£	£	£
Hereford & Worcester Fire and Rescue Authority	45.47	53.05	60.63	68.21	83.37	98.53	113.68	136.42

On 20th February 2008 Hereford & Worcester Fire and Rescue Authority set a Budget Requirement of £29,311,000 requiring a precept from Herefordshire Council of £4,732,061.95 for 2008/2009. The Band D Council Tax Charge for Hereford & Worcester Fire and Rescue Authority amounts to £68.21 (an increase of 4.92% over 2007/2008).

That it be noted for the year 2008/2009 Hereford & Worcester Fire and Rescue Authority have stated the above amounts in precepts issued to the Council, in accordance with Section 40 of the Local Government Finance Act 1992, for each of the categories of dwellings shown above.

Council Tax for each valuation band, by Parish, including the Police & Fire precepts

PARISH	VALUATION BANDS							
	A £	B £	C £	D £	E £	F £	G £	H £
Abbeystead & Bacton Group Parish Council	929.51	1,084.44	1,239.35	1,394.27	1,704.11	2,013.95	2,323.78	2,788.54
Aconbury Parish Meeting	910.83	1,062.65	1,214.45	1,366.25	1,669.86	1,973.48	2,277.08	2,732.50
Acton Beauchamp Group	915.80	1,068.44	1,221.07	1,373.70	1,678.97	1,984.24	2,289.50	2,747.40
Allensmore Parish Council	912.64	1,064.75	1,216.86	1,368.96	1,673.18	1,977.39	2,281.60	2,737.92
Almeley Parish Council	925.67	1,079.96	1,234.23	1,388.51	1,697.07	2,005.63	2,314.18	2,777.02
Ashperton Parish Council	926.77	1,081.23	1,235.69	1,390.15	1,699.08	2,008.00	2,316.92	2,780.30
Aston Ingham Parish Council	915.46	1,068.04	1,220.62	1,373.19	1,678.35	1,983.50	2,288.65	2,746.38
Avenbury Parish Council	922.13	1,075.83	1,229.51	1,383.20	1,690.58	1,997.96	2,305.33	2,766.40
Aymestrey Parish Council	919.30	1,072.52	1,225.74	1,378.95	1,685.39	1,991.82	2,298.25	2,757.90
Ballingham Bolstone & Hentland Group P C	919.15	1,072.35	1,225.54	1,378.73	1,685.12	1,991.51	2,297.88	2,757.46
Bartestree & Lugwardine Group P C	927.51	1,082.10	1,236.68	1,391.26	1,700.43	2,009.60	2,318.77	2,782.52
Belmont Rural Parish Council	924.34	1,078.40	1,232.46	1,386.51	1,694.63	2,002.74	2,310.85	2,773.02
Birley with Upper Hill Parish Council	919.95	1,073.29	1,226.61	1,379.93	1,686.58	1,993.24	2,299.88	2,759.86
Bishop's Frome Parish Council	939.71	1,096.34	1,252.95	1,409.57	1,722.81	2,036.05	2,349.28	2,819.14
Bishopstone & District Group Parish Council	919.04	1,072.22	1,225.39	1,378.56	1,684.91	1,991.26	2,297.60	2,757.12
Bodenham Parish Council	917.99	1,070.99	1,223.99	1,376.98	1,682.98	1,988.98	2,294.97	2,753.96
Border Group Parish Council	922.90	1,076.72	1,230.54	1,384.35	1,691.99	1,999.62	2,307.25	2,768.70
Bosbury and Coddington Parish Council	916.99	1,069.83	1,222.66	1,375.49	1,681.16	1,986.83	2,292.48	2,750.98
Brampton Abbots & Foy Group P C	915.90	1,068.56	1,221.20	1,373.85	1,679.15	1,984.46	2,289.75	2,747.70
Bredenbury & District Group Parish Council	916.59	1,069.37	1,222.13	1,374.89	1,680.42	1,985.96	2,291.48	2,749.78
Breinton Parish Council	920.03	1,073.37	1,226.71	1,380.04	1,686.72	1,993.40	2,300.07	2,760.08
Bridstow Parish Council	919.41	1,072.65	1,225.88	1,379.11	1,685.58	1,992.05	2,298.52	2,758.22
Brilley Parish Council	921.02	1,074.53	1,228.03	1,381.53	1,688.54	1,995.55	2,302.55	2,763.06
Brimfield and Little Hereford Group P C	917.82	1,070.80	1,223.76	1,376.73	1,682.67	1,988.62	2,294.55	2,753.46
Brockhampton Parish Council	921.88	1,075.53	1,229.18	1,382.82	1,690.12	1,997.41	2,304.70	2,765.64
Brockhampton Group Parish Council	932.10	1,087.46	1,242.80	1,398.15	1,708.85	2,019.56	2,330.25	2,796.30
Bromyard & Winslow Town Council	995.07	1,160.93	1,326.77	1,492.61	1,824.30	2,156.00	2,487.68	2,985.22
Burghill Parish Council	918.55	1,071.65	1,224.74	1,377.83	1,684.02	1,990.21	2,296.38	2,755.66
Callow & Haywood Group Parish Council	921.31	1,074.86	1,228.41	1,381.96	1,689.07	1,996.17	2,303.27	2,763.92
Cleghonger Parish Council	919.40	1,072.64	1,225.87	1,379.10	1,685.57	1,992.04	2,298.50	2,758.20
Clifford Parish Council	923.83	1,077.80	1,231.77	1,385.74	1,693.69	2,001.63	2,309.57	2,771.48
Colwall P C (incl. Malvern Hills Conservators)	960.40	1,120.46	1,280.53	1,440.59	1,760.73	2,080.86	2,400.99	2,881.18
Cradley Parish Council	924.75	1,078.89	1,233.01	1,387.13	1,695.38	2,003.64	2,311.88	2,774.26
Credenhill Parish Council	928.10	1,082.79	1,237.47	1,392.15	1,701.52	2,010.89	2,320.25	2,784.30
Cusop Parish Council	931.79	1,087.10	1,242.39	1,397.69	1,708.29	2,018.89	2,329.48	2,795.38
Dilwyn Parish Council	933.25	1,088.79	1,244.33	1,399.87	1,710.96	2,022.04	2,333.12	2,799.74
Dinedor Parish Council	942.81	1,099.95	1,257.08	1,414.21	1,728.48	2,042.75	2,357.02	2,828.42
Dinmore Parish Meeting	909.86	1,061.51	1,213.15	1,364.79	1,668.08	1,971.37	2,274.65	2,729.58
Dormington & Mordiford Group P C	922.05	1,075.74	1,229.41	1,383.08	1,690.43	1,997.79	2,305.13	2,766.16
Dorstone Parish Council	916.57	1,069.34	1,222.10	1,374.86	1,680.39	1,985.92	2,291.43	2,749.72
Eardisland Parish Council	947.25	1,105.13	1,263.00	1,420.87	1,736.62	2,052.37	2,368.12	2,841.74
Eardisley Group Parish Council	919.45	1,072.70	1,225.94	1,379.18	1,685.67	1,992.16	2,298.63	2,758.36
Eastnor & Donnington Parish Council	923.21	1,077.09	1,230.95	1,384.82	1,692.56	2,000.30	2,308.03	2,769.64
Eaton Bishop Parish Council	923.87	1,077.85	1,231.83	1,385.80	1,693.76	2,001.72	2,309.67	2,771.60
Ewyas Harold Group Parish Council	937.66	1,093.94	1,250.22	1,406.49	1,719.05	2,031.60	2,344.15	2,812.98
Fownhope Parish Council	934.67	1,090.46	1,246.23	1,402.01	1,713.57	2,025.13	2,336.68	2,804.02
Foxley Parish Council	915.60	1,068.21	1,220.80	1,373.40	1,678.60	1,983.81	2,289.00	2,746.80
Garway Parish Council	923.99	1,077.99	1,231.99	1,385.98	1,693.98	2,001.98	2,309.97	2,771.96
Goodrich & Welsh Bicknor Group P C	921.69	1,075.32	1,228.93	1,382.54	1,689.77	1,997.01	2,304.23	2,765.08
Hampton Bishop Parish Council	927.03	1,081.54	1,236.04	1,390.54	1,699.55	2,008.56	2,317.57	2,781.08
Hampton Charles Parish Meeting	909.86	1,061.51	1,213.15	1,364.79	1,668.08	1,971.37	2,274.65	2,729.58
Hatfield and District Group Parish Council	917.95	1,070.95	1,223.94	1,376.93	1,682.92	1,988.91	2,294.88	2,753.86
Hereford City Council	935.00	1,090.84	1,246.67	1,402.50	1,714.17	2,025.84	2,337.50	2,805.00
Holme Lacy Parish Council	934.14	1,089.84	1,245.52	1,401.21	1,712.59	2,023.98	2,335.35	2,802.42
Holmer & Shelwick Parish Council	916.94	1,069.77	1,222.59	1,375.41	1,681.06	1,986.71	2,292.35	2,750.82
Hope Mansell Parish Council	919.81	1,073.12	1,226.42	1,379.72	1,686.33	1,992.94	2,299.53	2,759.44
Hope under Dinmore Group Parish Council	922.21	1,075.91	1,229.61	1,383.31	1,690.72	1,998.12	2,305.52	2,766.62
How Caple, Sollershope & Yatton Group P C	924.35	1,078.41	1,232.47	1,386.52	1,694.64	2,002.76	2,310.87	2,773.04
Humber, Stoke Prior & Ford Group P C	918.01	1,071.01	1,224.01	1,377.01	1,683.02	1,989.02	2,295.02	2,754.02
Huntington Parish Council	916.79	1,069.59	1,222.39	1,375.18	1,680.78	1,986.38	2,291.97	2,750.36
Kentchurch Parish Council	941.85	1,098.84	1,255.81	1,412.78	1,726.73	2,040.69	2,354.63	2,825.56
Kilpeck Group Parish Council	933.75	1,089.38	1,245.00	1,400.62	1,711.87	2,023.12	2,334.37	2,801.24
Kimbolton Parish Council	922.70	1,076.49	1,230.27	1,384.05	1,691.62	1,999.19	2,306.75	2,768.10
Kings Caple Parish Council	928.19	1,082.90	1,237.59	1,392.29	1,701.69	2,011.09	2,320.48	2,784.58
Kingsland Parish Council	918.53	1,071.62	1,224.71	1,377.79	1,683.97	1,990.15	2,296.32	2,755.58
Kingstone & Thruxton Group Parish Council	919.32	1,072.55	1,225.76	1,378.98	1,685.42	1,991.87	2,298.30	2,757.96
Kington Rural and Lower Harpton Group P C	915.87	1,068.53	1,221.17	1,373.81	1,679.10	1,984.40	2,289.68	2,747.62
Kington Town Council	946.58	1,104.35	1,262.11	1,419.87	1,735.40	2,050.93	2,366.45	2,839.74
Kinnersley and District Group Parish Council	918.94	1,072.10	1,225.26	1,378.41	1,684.73	1,991.04	2,297.35	2,756.82
Lea Parish Council	924.34	1,078.40	1,232.46	1,386.51	1,694.63	2,002.74	2,310.85	2,773.02

Ledbury Town Council	956.52	1,115.95	1,275.36	1,434.78	1,753.62	2,072.47	2,391.30	2,869.56
	VALUATION BANDS							
PARISH	A	B	C	D	E	F	G	H
	£	£	£	£	£	£	£	£
Leintwardine Group Parish Council	925.82	1,080.13	1,234.43	1,388.73	1,697.34	2,005.95	2,314.55	2,777.46
Leominster Town Council	939.89	1,096.55	1,253.19	1,409.84	1,723.14	2,036.44	2,349.73	2,819.68
Linton Parish Council	918.21	1,071.26	1,224.29	1,377.32	1,683.39	1,989.47	2,295.53	2,754.64
Little Birch Parish Council	916.67	1,069.45	1,222.23	1,375.00	1,680.56	1,986.12	2,291.67	2,750.00
Little Dewchurch Parish Council	930.52	1,085.61	1,240.70	1,395.78	1,705.96	2,016.13	2,326.30	2,791.56
Llangaron Parish Council	915.65	1,068.27	1,220.87	1,373.48	1,678.70	1,983.92	2,289.13	2,746.96
Llanwarne & District Group Parish Council	913.71	1,066.01	1,218.29	1,370.57	1,675.14	1,979.72	2,284.28	2,741.14
Longtown Group Parish Council	918.79	1,071.92	1,225.05	1,378.18	1,684.45	1,990.71	2,296.97	2,756.36
Lower Bullingham Parish Council	919.86	1,073.18	1,226.48	1,379.79	1,686.41	1,993.04	2,299.65	2,759.58
Luston Group Parish Council	923.35	1,077.25	1,231.14	1,385.03	1,692.82	2,000.61	2,308.38	2,770.06
Lyonshall Parish Council	917.91	1,070.91	1,223.89	1,376.87	1,682.84	1,988.82	2,294.78	2,753.74
Madley Parish Council	921.83	1,075.47	1,229.11	1,382.74	1,690.02	1,997.30	2,304.57	2,765.48
Marden Parish Council	931.93	1,087.25	1,242.57	1,397.89	1,708.54	2,019.18	2,329.82	2,795.78
Marstow Parish Council	923.57	1,077.50	1,231.43	1,385.35	1,693.21	2,001.07	2,308.92	2,770.70
Mathon P C (inc. Malvern Hills Conservators)	952.53	1,111.29	1,270.04	1,428.79	1,746.30	2,063.81	2,381.32	2,857.58
Middleton-on-the-Hill and Leysters Group P C	920.47	1,073.89	1,227.30	1,380.71	1,687.54	1,994.37	2,301.18	2,761.42
Monkland and Stretford Parish Council	925.16	1,079.36	1,233.55	1,387.74	1,696.13	2,004.52	2,312.90	2,775.48
Moreton on Lugg Parish Council	952.14	1,110.84	1,269.52	1,428.21	1,745.59	2,062.98	2,380.35	2,856.42
Much Birch Parish Council	925.46	1,079.71	1,233.95	1,388.19	1,696.68	2,005.17	2,313.65	2,776.38
Much Cowarne Group Parish Council	921.73	1,075.35	1,228.97	1,382.59	1,689.84	1,997.08	2,304.32	2,765.18
Much Dewchurch Parish Council	913.61	1,065.88	1,218.15	1,370.41	1,674.95	1,979.49	2,284.02	2,740.82
Much Marcle Parish Council	920.33	1,073.72	1,227.11	1,380.49	1,687.27	1,994.05	2,300.82	2,760.98
North Bromyard Group Parish Council	917.77	1,070.74	1,223.70	1,376.66	1,682.59	1,988.52	2,294.43	2,753.32
Ocle Pychard Parish Council	917.69	1,070.64	1,223.59	1,376.53	1,682.43	1,988.33	2,294.22	2,753.06
Orcop Parish Council	927.49	1,082.08	1,236.66	1,391.24	1,700.41	2,009.58	2,318.73	2,782.48
Orleton Parish Council	934.69	1,090.47	1,246.25	1,402.03	1,713.60	2,025.16	2,336.72	2,804.06
Pembridge Parish Council	937.81	1,094.12	1,250.42	1,406.72	1,719.33	2,031.94	2,344.53	2,813.44
Pencombe Group Parish Council	929.57	1,084.51	1,239.43	1,394.36	1,704.22	2,014.08	2,323.93	2,788.72
Peterchurch Parish Council	927.33	1,081.90	1,236.45	1,391.00	1,700.11	2,009.23	2,318.33	2,782.00
Peterstow Parish Council	920.24	1,073.62	1,226.99	1,380.36	1,687.11	1,993.86	2,300.60	2,760.72
Pipe and Lyde Parish Council	915.25	1,067.80	1,220.34	1,372.88	1,677.97	1,983.06	2,288.13	2,745.76
Pixley & District Parish Council	918.75	1,071.88	1,225.00	1,378.12	1,684.37	1,990.62	2,296.87	2,756.24
Putley Parish Council	936.32	1,092.38	1,248.43	1,404.48	1,716.59	2,028.70	2,340.80	2,808.96
Pyons Group Parish Council	918.98	1,072.15	1,225.31	1,378.47	1,684.80	1,991.13	2,297.45	2,756.94
Richard's Castle Parish Council	923.75	1,077.72	1,231.67	1,385.63	1,693.55	2,001.47	2,309.38	2,771.26
Ross-on-Wye Town Council	948.09	1,106.11	1,264.12	1,422.13	1,738.16	2,054.19	2,370.22	2,844.26
Ross Rural Parish Council	915.45	1,068.04	1,220.61	1,373.18	1,678.33	1,983.49	2,288.63	2,746.36
Sellack Parish Council	917.09	1,069.94	1,222.79	1,375.63	1,681.33	1,987.03	2,292.72	2,751.26
Shobdon Parish Council	928.76	1,083.56	1,238.35	1,393.14	1,702.73	2,012.32	2,321.90	2,786.28
St. Weonards Parish Council	916.21	1,068.92	1,221.62	1,374.32	1,679.73	1,985.14	2,290.53	2,748.64
Stapleton Group Parish Council	933.62	1,089.23	1,244.83	1,400.43	1,711.64	2,022.85	2,334.05	2,800.86
Staunton-on-Wye and District Group P C	921.15	1,074.68	1,228.20	1,381.72	1,688.77	1,995.82	2,302.87	2,763.44
Stoke Edith Parish Meeting	909.86	1,061.51	1,213.15	1,364.79	1,668.08	1,971.37	2,274.65	2,729.58
Stoke Lacy Parish Council	941.17	1,098.04	1,254.90	1,411.76	1,725.49	2,039.22	2,352.93	2,823.52
Stretton Grandison Group Parish Council	912.97	1,065.14	1,217.30	1,369.46	1,673.79	1,978.12	2,282.43	2,738.92
Stretton Sugwas Parish Council	922.68	1,076.47	1,230.24	1,384.02	1,691.58	1,999.15	2,306.70	2,768.04
Sutton Parish Council	943.14	1,100.34	1,257.52	1,414.71	1,729.09	2,043.48	2,357.85	2,829.42
Tarrington Parish Council	939.23	1,095.78	1,252.31	1,408.85	1,721.93	2,035.01	2,348.08	2,817.70
Thornbury Group Parish Council	916.83	1,069.65	1,222.45	1,375.25	1,680.86	1,986.48	2,292.08	2,750.50
Titley and District Group Parish Council	919.70	1,072.99	1,226.27	1,379.55	1,686.12	1,992.69	2,299.25	2,759.10
Upton Bishop Parish Council	930.71	1,085.83	1,240.95	1,396.06	1,706.30	2,016.54	2,326.77	2,792.12
Vowchurch & District Group Parish Council	921.75	1,075.39	1,229.01	1,382.63	1,689.88	1,997.14	2,304.38	2,765.26
Walford Parish Council	920.69	1,074.14	1,227.59	1,381.03	1,687.93	1,994.83	2,301.72	2,762.06
Wellington Parish Council	920.87	1,074.35	1,227.83	1,381.30	1,688.26	1,995.22	2,302.17	2,762.60
Wellington Heath Parish Council	930.63	1,085.74	1,240.84	1,395.94	1,706.15	2,016.36	2,326.57	2,791.88
Welsh Newton & Llanrothal Group P C	942.40	1,099.47	1,256.54	1,413.60	1,727.74	2,041.87	2,356.00	2,827.20
Weobley Parish Council	917.24	1,070.12	1,222.99	1,375.86	1,681.61	1,987.36	2,293.10	2,751.72
Weston Beggard Parish Council	914.51	1,066.93	1,219.35	1,371.76	1,676.60	1,981.44	2,286.27	2,743.52
Weston-under-Penyard Parish Council	917.65	1,070.60	1,223.54	1,376.48	1,682.37	1,988.26	2,294.13	2,752.96
Whitbourne Parish Council	922.31	1,076.04	1,229.75	1,383.47	1,690.91	1,998.35	2,305.78	2,766.94
Whitchurch & Ganarew Group Parish Council	920.19	1,073.56	1,226.92	1,380.28	1,687.01	1,993.74	2,300.47	2,760.56
Wigmore Group Parish Council	929.70	1,084.66	1,239.60	1,394.55	1,704.45	2,014.36	2,324.25	2,789.10
Withington Group Parish Council	924.42	1,078.50	1,232.56	1,386.63	1,694.77	2,002.92	2,311.05	2,773.26
Woolhope Parish Council	926.09	1,080.44	1,234.79	1,389.13	1,697.83	2,006.53	2,315.22	2,778.26
Wyeside Group Parish Council	919.01	1,072.19	1,225.35	1,378.52	1,684.86	1,991.20	2,297.53	2,757.04
Yarkhill Parish Council	923.19	1,077.06	1,230.92	1,384.78	1,692.51	2,000.24	2,307.97	2,769.56
Yarpole Group Parish Council	916.05	1,068.73	1,221.40	1,374.07	1,679.42	1,984.77	2,290.12	2,748.14

That having calculated the aggregate in each case of the amounts at Annex 1(ii), Annex 1(iii) and Annex 1(iv), the Council, in accordance with Section 30(2) of the Local Government Finance Act 1992, hereby sets the following amounts of council tax for the year 2008/2009 for each of the categories of dwellings shown above.

REVIEW OF THE CONSTITUTION IN RESPECT OF FINANCIAL AND CONTRACTUAL PROCEDURES AND QUESTIONS FOR COUNCIL BY COUNCILLORS

**REPORT BY: HEAD OF LEGAL & DEMOCRATIC SERVICES
AND DIRECTOR OF RESOURCES**

Wards Affected

County-wide

Purpose

To progress elements of the action plan in response to the Special Investigation Report on Financial Governance dated 21st September 2007 which required amendments to the Constitution.

Financial Implications

In respect of amendments to the Constitution there are none other than the officer resource and publication of amendments. Training for officers and members on the implication of the proposed change to the Constitution will need to be arranged.

Constitution Amendments

1. The Director of Resources and the Head of Legal and Democratic Services following a Special Investigation Report into financial governance issues have worked collaboratively together and with Audit and Corporate Governance Committee, Strategic Monitoring Committee and Cabinet revising the following Appendices of the Constitution, copies of which are attached:-

Appendix 3 Policy Framework and budget rules
Appendix 4 – Financial Procedure rules
Appendix 5 – Contracts Procedure Rules.
2. All three appendices have been completely revised.
3. Cabinet is to consider the final proposed revisions on 28 February 2008. The Audit and Corporate Governance Committee and the Strategic Monitoring Committee are also to consider these proposed revisions on 29 February and 6 March respectively. A schedule setting out any recommended changes arising from these meetings will be circulated separately to Council.
4. Mini Guides and Training will be given to both Officers and Members on what the revisions will require and their implications and a strategy for such training will be agreed by the Director of Resources, Internal Audit and Head of Legal and Democratic Services.
5. In addition to revisions to the detailed procedural rules it is proposed that paragraph

Further information on the subject of this report is available from
Alan McLaughlin, Head of Legal & Democratic Services on (01432 260200)

4.25 of the Constitution headed "Formal Questions from Councillors" and in particular paragraph 4.25.1 bullet point 2 referring to deposit of questions being required by "10.30 a.m. on the last working day before the relevant Council meeting" should be changed to "10.30 a.m. on the Tuesday before the relevant Council meeting". This change is required to allow officers and Cabinet Members appropriate time to undertake the necessary research to provide an answer.

Recommendations

THAT

- a) **the Budget and Policy Framework Procedure Rules, Financial Procedure Rules and Contract Procedure Rules attached to this report be adopted, subject to consideration of any further recommendations from Cabinet, the Audit and Corporate Governance Committee and the Strategic Monitoring Committee;**
- b) **the Head of Legal & Democratic Services ensures a thorough revision of the Scheme of Delegation for approval by Council in May 2008;**
- (c) **the Head of Legal & Democratic Services carries out a thorough review of the remainder of the Constitution for approval by Council in July 2008; and**
- d) **the amendments to paragraph 4.25.1 of the Constitution be approved.**

Background Papers

None

BUDGET AND POLICY FRAMEWORK PROCEDURE RULES

1. THE BUDGET AND POLICY FRAMEWORK

1.1 The Council is responsible for the adoption of a Budget and Policy Framework. This is set out in Standing Order 4.1 as follows:

- Children and Young People's Plan.
- Council's Corporate Plan including the Best Value Performance Plan.
- Crime and Disorder Reduction Strategy.
- Cultural Strategy.
- Economic Development Strategy.
- Herefordshire Plan (Sustainable Community Strategy incorporating the Local Agenda 21 Strategy).
- The Community Strategy for Herefordshire (A Sustainable Future for the County)
- Local Transport Plan.
- Unitary Development Plan / Local Development Framework.
- Youth Justice Plan.
- Medium-Term Financial Strategy including:
 - Annual capital and revenue budget;
 - Proposed contingencies, general reserves and specific reserves;
 - Statutory Council Tax calculations;
 - Treasury management policy and annual borrowing limits;
 - The Chief Finance Officer's statutory declarations on budget setting;
 - Virement limits; and
 - Scale of fees and charges.

Council cannot delegate responsibility for determining the Budget and Policy Framework.

Once a Budget and Policy Framework is in place, it is Cabinet's responsibility to implement it. The Cabinet can only determine matters affecting the Budget and Policy Framework where special urgency applies under rule 18 and 19 of the Cabinet Procedure Rules (Appendix 1 of the Constitution refers).

2. PROCESS FOR ESTABLISHING THE BUDGET AND POLICY FRAMEWORK

- 2.1 Cabinet will publicise by including in the Forward Plan, by publishing at the Council's offices and other methods (e.g. on its website and in the local press), a timetable for making proposals to the Council for the adoption of any plan, strategy or budget that forms part of the Budget and Policy Framework, and its arrangements for consultation after publication of those initial proposals. The Chairman of the Strategic Monitoring Committee and Chairmen of the Scrutiny Committees will also be notified.
- 2.2 Budget consultees will include Town and Parish Councils, the Local Strategic Partnership, the Schools Forum, Business Ratepayers, Council Taxpayers, the Trade Unions, Political Groups, Strategic Monitoring Committee, Scrutiny Committees and such other organisations and persons as are deemed appropriate.
- 2.3 Having consulted on their initial proposals for any plan, strategy or budget that forms part of the Budget and Policy Framework, the Cabinet will draw up firm proposals taking into account the responses to the consultation. If the Strategic Monitoring Committee or relevant Scrutiny Committee wishes to respond to the Cabinet in that consultation process, then they may do so. As the Strategic Monitoring Committee and Scrutiny Committees are responsible for setting their own work programmes, it is incumbent on them to do so before the end of the consultation period. The Cabinet will take any response from the Strategic Monitoring Committee or Scrutiny Committees into account in drawing up firm proposals for submission to the Council, and its report to Council will reflect the comments made by consultees and the Cabinet's response.
- 2.4 Once the Cabinet has approved the firm proposals, the Director of Resources will refer them to the Council for decision.
- 2.5 If Council decides to reject or amend the Cabinet's firm proposals, the Cabinet will delay implementation of the proposals pending a further report to Council requesting the matter be reconsidered.
- 2.6 If Council decides to reject or amend a proposal from Cabinet, immediately prior to the close of the meeting, the Chairman of the Council will adjourn the meeting until a date agreed by Council on the recommendation of the Leader of the Council. This shall be the date that Cabinet will report further to Council on the matter and Council must specify a period of at least five working days from the date of the adjourned meeting within which the Leader may:
 - a) Submit a revision of the draft budget, plan or strategy with the Cabinet's reasons for any amendments for the Council to consider;Or
 - b) Inform the Council of any disagreement that the Cabinet has with any of the Council's objections and the Cabinet's reasons for any such disagreement,
- 2.7 If the Chairman of the Council considers it is unlikely that the Council may agree the date for the Council meeting recommended by the Leader, he / she may agree with the Chairman an alternative date providing at least 10 working days elapse starting from the following day.
- 2.8 The Council must take into account Cabinet's reasons for revising any budget, plan or strategy or reasons for disagreeing with the Council's objections to its proposals before it amends or approves the Cabinet's revised draft budget, plan or strategy .

- 2.9 If a strategy, plan or budget allows for a policy to be developed and the financial implications reflected in the Council's Medium-Term Financial Management Strategy are in excess of £500,000, the relevant Director must report back to Cabinet for approval to detailed plans for implementing the policy and committing the financial resources.
- 2.10 The Cabinet has responsibility for overseeing the Council's financial affairs within the framework of the Contract Procedure Rules and Financial Procedure Rules. Advice and guidance is provided by the Statutory Officers.
- 2.11 Cabinet is responsible for reviewing and formulating the Council's budget with advice and guidance provided by the Director of Resources.
- 2.12 Each Director shall be responsible for making sure that the Council's Contract Procedure Rules and Financial Procedure Rules are observed for those functions within their terms of reference.
- 2.13 Each Director shall inform their respective Cabinet Member of compliance or exceptions to the Council's Contract Procedure Rules and Financial Procedure Rules.

3. DECISIONS OUTSIDE THE BUDGET AND POLICY FRAMEWORK

- 3.1 If the Cabinet, Committees, Sub-Committees, or officers discharging functions on behalf of the Council want to take a decision outside of the Budget and Policy Framework or think a decision they want to make might be outside it, they must refer to the Chief Executive or Monitoring Officer, and also the Chief Finance Officer if it relates to the budget, for advice.
- 3.2 If the Chief Executive or Monitoring Officer, and Chief Finance Officer if it is a budget matter, determine that the decision would be outside the Budget and Policy Framework, then the proposal must form a recommendation to Council, unless the decision is a matter of urgency in which case the provisions of section 4 of the Budget and Policy Framework Procedure Rules apply.

4. URGENT DECISIONS OUTSIDE THE BUDGET AND POLICY FRAMEWORK

- 4.1 Cabinet, Committees, Sub Committees, or officers discharging functions of the Council may take a decision that is contrary to or not wholly in accordance with the Council's Budget and Policy Framework Procedures if the decision is a matter of urgency. However, such a decision may only be taken if:
- a) It is not practical to convene a quorate meeting of the Council; and
 - b) The Chairman of the Strategic Monitoring Committee or relevant Scrutiny Committee agrees that the decision is a matter of urgency.
- 4.2 The reason why it is not practical to convene a quorate meeting of the Council and the agreement of the Chairman of the Strategic Monitoring Committee or relevant Scrutiny Committee to the decision being taken as a matter of urgency should be noted on the record of the decision. In the absence of the Chairman of the Strategic Monitoring Committee or relevant Scrutiny Committee, the Chairman of the Council or, in his / her absence, the Vice Chairman of the Council will be sufficient.

- 4.3 Following the decision, the decision taker will provide a full report to a subsequent Council meeting explaining the decision, the reasons for it and why the decision was treated as a matter of urgency.

5. VIREMENT

- 5.1 Arrangements for budget virement will be in accordance with the provisions of the Council's Financial Procedure Rules.

6. IN-YEAR CHANGE TO BUDGET OR POLICY FRAMEWORK

- 6.1 Any decisions that involve an in-year change to the Budget or Policy Framework must be approved or adopted by the full Council unless:

- a) It is an urgent decision in which case it will be dealt with as set out in section 4 of the Budget and Policy Framework Procedure Rules and Rules 18 and 19 of Appendix 1;

Or

- b) It is within the scope of in-year decisions that the Council has previously agreed can be made by Cabinet.

7. CALL-IN OF DECISIONS OUTSIDE THE BUDGET OR POLICY FRAMEWORK

- 7.1 Where the Strategic Monitoring Committee or a Scrutiny Committee is of the opinion that a Cabinet decision is contrary to or not wholly in accordance with the Budget and Policy Framework and that it to be referred to Council, then it shall seek advice from the Chief Executive, Monitoring Officer and Chief Finance Officer.

- 7.2 For executive functions that are a Cabinet responsibility, the Chief Executive, Monitoring Officer and Chief Finance Officer will either:

- a) Prepare a report for the Cabinet if they determine that the decision the Cabinet has taken is outside the Budget and Policy Framework; in these circumstances, the Cabinet must report to Council; or
- b) Prepare a report for the Strategic Monitoring Committee or Scrutiny Committee if they determine that the Cabinet's decision was not contrary to the Budget and Policy Framework.

- 7.3 If the decision referred to in 7.2 (a) has yet to be made then that decision will become a recommendation to Council.

FINANCIAL PROCEDURE RULES

1. INTRODUCTION

- 1.1 Further advice on this section of the Council's Financial Procedure Rules can be obtained from the Director of Resources.
- 1.2 Authority is delegated to the Head of Financial Services to act on behalf of the Director of Resources in all respects in his/her absence or if requested by the Director to do so.

Background

- 1.3 The Financial Procedure Rules control the way the Council manages its finances and safeguards its assets. They form part of the Council's Constitution and are to be read in conjunction with other sections of the Constitution in particular:
- a) Parts 6–9 inclusive – the delegations to Cabinet, Committees and Sub-Committees.
 - b) Part 12 – the delegations to officers.
 - c) Appendix 3 – the Budget and Policy Framework Procedure Rules.
 - d) Appendix 5 – the Contract Procedure Rules.
- 1.4 The Financial Procedure Rules apply to every Member and officer of the Council and anyone acting on its behalf except where separate arrangements are made under the scheme for the Local Management of Schools.
- 1.5 The Council encourages innovation providing this is within the framework laid down by the Financial Procedure Rules and that the necessary risk management arrangements and approvals are in place.
- 1.6 Every report to Members shall contain a statement setting out the financial implications of the recommendation(s) proposed that has been approved by the Director of Resources.

General Responsibilities

- 1.7 Members and officers have a general responsibility for taking reasonable action to provide for the security of assets under their control and for ensuring that the use of these resources is legal, properly authorised, provides value for money and achieves best value.
- 1.8 Members, officers and others acting on behalf of the Council are required to have proper regard to the advice and guidance issued by the Director of Resources on the Financial Procedure Rules.

Cabinet Responsibilities

- 1.9 Cabinet is responsible for overseeing all aspects of the Council's finances. Day to day responsibility for the Council's finances rests with Directors and their managers as set out in these Financial Procedure Rules.
- 1.10 The Cabinet should maintain a written record where decision-making has been delegated.
- 1.11 Each Cabinet Member shall oversee compliance with the Council's Financial Procedure Rules for those functions within their terms of reference. Each Director is responsible for ensuring those functions within their terms of reference operate within the Council's

Financial Procedure Rules. Each Director is also responsible for providing Cabinet Members with evidenced assurance that this is the case.

Director of Resources' Responsibilities

- 1.12 The Director of Resources has been appointed under Section 151 of the Local Government Act 1972 as the officer with responsibility for the proper administration of the Council's financial affairs.
- 1.13 Reference in these Financial Procedure Rules to the Director of Resources shall be taken to include any officer nominated by the Director of Resources to act on his/her behalf.
- 1.14 The Director of Resources shall be entitled to attend a meeting of any body on which Members are represented where matters affecting the financial affairs of the Council are being discussed.
- 1.15 The Director of Resources, under the general direction of Cabinet, is responsible for determining the basis for all accounting procedures and financial records for the Council and for exercising a check over all financial matters.
- 1.16 The Director of Resources is responsible for maintaining a continuous review of the Financial Procedure Rules and advising the Council of any additions or changes necessary.
- 1.17 The Director of Resources is responsible for reporting, where appropriate, breaches of the Financial Procedure Rules or any other element of the Constitution that relates to the proper administration of the Council's financial affairs to the Council and / or Cabinet.
- 1.18 The Director of Resources is responsible for issuing advice and guidance to underpin the Financial Procedure Rules.

Corporate Management Board Responsibilities

- 1.19 Members of the Corporate Management Board should maintain a written record where decision-making has been delegated.
- 1.20 Members of the Corporate Management Board are responsible for ensuring that all employees are aware of the content of the Financial Procedure Rules and other internal regulatory documents and that they are complied with.
- 1.21 Members of the Corporate Management Board are responsible for consulting with the Director of Resources on any matter within their area of responsibility that is liable to materially affect the finances of the Council before any provisional or other commitment is incurred or before reporting the matter to a Cabinet Member.
- 1.22 Members of the Corporate Management Board are responsible for supplying the Director of Resources with all information necessary for the proper administration of the Council's affairs.
- 1.23 Members of the Corporate Management Board shall allow the Director of Resources and his/her authorised representatives access to all documents and records on demand.
- 1.24 Members of the Corporate Management Board shall observe the following division of duties in the allocation of financial responsibilities to employees:

- a) The duty to provide information regarding money due to or from the Council, including calculating, checking and recording, shall be separated from the duty of collecting or disbursing such money.
- b) The duty of examining and checking the accounts of each transaction shall be separated from the duty of making those transactions.

1.25 Members of the Corporate Management Board are responsible for ensuring those functions within their terms of reference operate within the Council's Financial Procedure Rules.

1.26 Members of the Corporate Management Board are responsible for providing Cabinet Members with evidenced assurance that the Council's Financial Procedure Rules are being complied with.

2. PREVENTING FINANCIAL IRREGULARITIES

2.1 Further advice on this section of the Council's Financial Procedure Rules can be obtained from the Director of Resources.

2.2 The Council shall not tolerate fraud or corruption of any form or degree in the administration of its responsibilities whether from inside or outside the Council.

2.3 The Council's expectation of propriety and accountability is that Members and staff at all levels shall lead by example in ensuring adherence to financial and legal requirements, rules, procedures and practices.

2.4 The Council also expects that individuals and organisations (e.g. suppliers, contractors, service providers) that it comes into contact with, shall act towards the Council with integrity and without thought or actions involving fraud or corruption.

2.5 The key controls regarding the prevention of financial irregularities are that:

- (a) The culture and tone of the Council is one of honesty and opposition to fraud and corruption.
- (b) All Members and staff act with integrity, and lead by example.
- (c) All individuals and organisations associated in any way with the Council shall act with integrity.
- (d) Managers with employee management responsibilities are required to deal swiftly and firmly with those who defraud the Council or seek to do so or who are corrupt.

Responsibilities of the Director of Resources

2.6 The Director of Resources is responsible for:

- (a) Maintaining adequate and effective audit arrangements for the Council.
- (b) Ensuring that financial irregularities are reported to the Head of Paid Service, Cabinet and the Audit and Corporate Governance Committee.
- (c) Determining, in conjunction with the Chief Internal Auditor, the scope of any internal enquiries or investigations, subject to consultation with the relevant member of the Corporate Management Board as appropriate.

- (d) Deciding, in consultation with the relevant member of the Corporate Management Board as appropriate, whether any matter under investigation should be referred for police investigation and take recovery action as appropriate on such matters.
- (e) Keeping the Head of Paid Service and Monitoring Officer informed if a suspected irregularity occurs involving staff who are the responsibility of the Director of Resources.
- (f) Ensuring, in conjunction with the relevant member of the Corporate Management Board, that the Council's disciplinary procedures are followed where the outcome of an audit or other investigation indicates fraud or irregularity.
- (g) Ensuring that any case of fraud or loss or financial irregularity or bribery or corruption discovered or suspected to exist which involves the Council's interest shall be dealt with in accordance with the Council's Anti-Fraud and Anti-Corruption policy.
- (h) Appointing senior officers to be the Council's Money Laundering Reporting Officer and deputy to the Council's Money Laundering Reporting Officer.

Responsibilities of Directors, Heads of Service and Officers

2.7 Directors, Heads of Service and officers are responsible for:

- (a) Ensuring that all suspected irregularities are reported to the Director of Resources and Chief Internal Auditor.
- (b) Instigating the Council's disciplinary procedures where the outcome of an audit investigation indicates improper behaviour.
- (c) Being aware of the Council's policies for the prevention of money laundering and other financial irregularities.

Responsibilities of the Money Laundering Reporting Officer

- 2.8 The Director of Resources shall appoint a Money Laundering Reporting Officer (MLRO). This officer shall ensure that all staff likely to receive payments from the public, businesses or professions are aware of the Authority's responsibilities under the Proceeds of Crime Act 2002, the Money Laundering Regulations 2003 and any other relevant acts and regulations, such as the anti-terrorism acts.
- 2.9 The MLRO, or the Deputy MLRO in the MLRO's absence, shall receive reports from staff about suspicious payments of any value for any purpose and payments in cash in excess of £10,000 or €15,000.
- 2.10 The MLRO shall report any instance of suspected money laundering to the Serious Organised Crime Agency.

3. ASSET MANAGEMENT

Introduction

- 3.1 Further advice on this section of the Council's Financial Procedure Rules can be obtained from the Head of Asset Management and Property Services.
- 3.2 The Asset Management section of the Council's Financial Procedure Rules provides a framework of principles, minimum requirements, levels of authority and delegations to

ensure that Herefordshire Council property is managed effectively to achieve maximum value for money.

Overarching principles

- 3.3 A set of overarching principles govern the operation of this section of the Council's Financial Procedure Rules. These are:
- (a) All property owned or leased by Herefordshire Council is held corporately (including Herefordshire Council-owned schools).
 - (b) The Director of Resources is responsible for ensuring that the occupation of all Herefordshire Council property by Directorates is in accordance with best management practice and in the interests of the Council as a whole.
 - (c) Directorates have discretion to manage the property they occupy in order to promote effective service delivery. However, this discretion operates subject to the corporate responsibilities of the Director of Resources who has the authority to intervene in property matters to protect Herefordshire Council's overall interests.
 - (d) Resolution of disputes on property matters is through the Head of Paid Services.
 - (e) All property transactions should be referred to the Director of Resources who shall seek the comments of all interested parties, including relevant Cabinet Members, Directorates and local Members, before the decision is taken to proceed. All decisions must be taken in accordance with the delegations set out in this section of the Council's Financial Procedure Rules and the decision making procedures set out in the Council's Constitution.

Acquisitions

- 3.4 Land and property requirements are to be appropriately identified and appraised and all acquisitions are to have the necessary prior authority and funding, including an assessment of the impact on revenue of funding from borrowing.
- 3.5 Following formal approval in accordance with the Council's decision making procedures, all acquisitions (freehold and leasehold) shall be actioned by the Director of Resources. Cabinet Members, the Head of Financial Services, the Head of Legal & Democratic Services, Directors and local Members shall be kept informed as outlined in paragraph 3.3 (e) above and the delegations set out in paragraphs 3.6 to 3.12 below.

Non-Highways Acquisitions

- 3.6 For all non-highways acquisitions, the relevant Directorate shall provide the Director of Resources with:
- (a) A definition of the service requirement giving rise to the proposed acquisition.
 - (b) A full financial appraisal of options (including the 'do nothing' option) for meeting service delivery requirements (developed as appropriate with support from the Corporate Asset Strategy Group) for all proposals likely to cost more than £140,000.
 - (c) An evaluation of the potential (if any) for joint use.

- 3.7 Property acquisitions shall be dealt with in accordance with the appropriate provisions of this section of the Council's Financial Procedure Rules and decision making procedures set out in the Council's Scheme of Delegation.
- 3.8 The use of compulsory powers for acquisitions must be agreed by Cabinet.

Highways Acquisitions

- 3.9 The Director for Environment shall, in the case of all acquisitions for highway purposes, seek local Member views as part of the consultation process for highways and traffic schemes.
- 3.10 The Cabinet Member for Highways & Transportation and the Director for Environment (or officer authorised by him/her) shall approve highway scheme designs and budgets (including land acquisition costs) after considering the views of the Corporate Asset Strategy Group (CASG).
- 3.11 The Director of Resources may action acquisitions for highway purposes provided the scheme is in an approved programme or the property concerned has as a consequence been blighted.
- 3.12 The Director of Resources shall ensure that acquisitions for highways purposes that are part of a scheme that is not in an approved programme is referred for formal decision in accordance with the Council's Constitution and Financial Procedure Rules.

Management and Use

- 3.13 Property is to be used efficiently, effectively and economically with due regard to legislative requirements. When any property is no longer required for operational purposes it is to be formally declared surplus, at which point its management reverts to the Director of Resources. The budgetary implications of this are to be identified and reported to the Cabinet Member for Resources.
- 3.14 The occupation and use of property by a Directorate is subject to the Director of Resources responsibility for approving all material changes to property, including change of use, appropriations, granting/taking of interests, alterations or additions. Such changes must be reported to the Head of Financial Services for correct accounting treatment and apportionment of charges.

Premises Management

- 3.15 The Director of Resources has the authority to undertake reviews of the property portfolio, or parts of it, to determine if it is optimised in terms of its utilisation, cost and value and within this to challenge the retention or use of existing properties occupied by Directorates.

Building works

- 3.16 Major capital works for properties (schemes likely to cost in excess of £140,000) should be subject to a formal project appraisal and should be consistent with existing financial approval and procurement processes.

Health & Safety

- 3.17 Employees are required to ensure that, in respect of all property matters, all obligations under health and safety legislation and Herefordshire Council's health and safety policies are met.

Disposals

- 3.18 Land and property which is surplus to operational need is either to be reallocated to meet alternative needs or disposed of in line with statutory requirements and/or Herefordshire Council policy.
- 3.19 Directorates shall notify the Director of Resources of:
- (a) Any property (or part) that is:
 - Vacant.
 - Held against a future operational need.
 - Not used for the principal purpose for which it is held.
 - Likely to be surplus to requirements (with estimated time-scale).
 - (b) Any operational issues associated with such property (e.g. longer term requirements).
 - (c) Any statutory/process issues relevant to its disposal (e.g. prescribed consultation processes, reference to the Secretary of State, etc.).
 - (d) Any other issues which need to be considered prior to disposal.
- 3.20 The Director of Resources may identify any property (or part) that is considered, or could be made, surplus to operational requirements.

Treatment of Capital Receipts

- 3.21 Capital receipts from disposals are deemed to be a corporate capital resource available for allocation in line with corporate priorities.
- 3.22 All receipts are agreed through the Capital Strategy & Monitoring Group (CSMG) with no assumption on application to particular schemes.
- 3.23 Use of capital receipts are subject to the following rules:
- (a) Overspending on schemes dependent on receipts must be contained within the budget allocated to the directorate concerned.
 - (b) Capital schemes dependent on receipts are included in the Capital Programme only after full vetting and valuation by CSMG and ultimate approval by Cabinet or Council as appropriate.
 - (c) All dependencies, assumptions and risks to be clearly identified by the project sponsor leading to prudent valuation adopted in project sign-off.
 - (d) Scheme assumptions about the quantum, timing and phasing of receipts to be explicit and receipts cannot generally be “counted” until the sale is complete.
 - (e) Monitoring shall be undertaken by CSMG with Asset Management & Property Services using a traffic light system to assess the level of risk around the receipts.

- 3.24 The process for planning for the realisation of capital receipts shall take a medium term approach (3 years minimum) to allow:
- (a) Asset Management & Property Services to be able to work on projects in good time prior to consideration by CSMG. Larger, complex schemes can need 12-24 months lead-in.
 - (b) Asset Management & Property Services to agree the strategy for disposal including timescale, planning, marketing, viewing arrangements, temporary occupation, minimising holding costs, surplus declarations etc. as core components of project justification to CSMG.
 - (c) Directorates must deliver vacant possession when required by project plan.
 - (d) Risk analysis to be included as part of project plan.

Urgent Decisions

- 3.25 In exceptional circumstances, where an urgent decision is required on property matters, this shall be taken by the Director of Resources in accordance with the provisions of this section of the Council's Financial Procedure Rules and only after consultation with the Cabinet Member for Resources, the Head of Financial Services and the Head of Legal and Democratic Services. If the matter is outside the delegations set out in paragraph 3.30 below then the matter can only be authorised by the Cabinet Member for Resources in accordance with the procedures for the taking of urgent decisions set out in the Council's Constitution.
- 3.26 Any decisions made under the 'Urgent Decision' arrangements shall be reported to the relevant Director, Cabinet Members and Local Members.

Financial Procedure Rules

- 3.27 All of the protocols set out in the Council's Financial Procedure Rules and Schemes of Delegation must be adhered to. No transaction should be approved unless specific budgetary provision is identified, except where the purchase is approved under the authority given in paragraph 3.25 above.

Delegation to Officers

- 3.28 Subject to the consultation and approval provisions set out in this section of the Council's Financial Procedure Rules, the Director of Resources is authorised to:
- (a) Determine and settle the acquisition or disposal of any land or property, or an interest in land or property.
 - (b) Determine and settle the terms of a lease (taken or granted) for any land or property.
- 3.29 As provided by arrangements made in the Constitution for the Leader to discharge executive functions, the Chief Executive may exercise any power delegated under this section of the Council's Financial Procedure Rules to the Director of Resources. The Director of Resources may delegate his/her powers in writing to other officers.

Supporting Mechanisms

- 3.30 Whilst having no Constitutional or decision-making status, the management of assets and property shall be exercised through a variety of mechanisms which amplify and support this section of the Council's Financial Procedure Rules. The key mechanisms and their purpose are summarised below:

- (a) The **Corporate Asset Strategy Group** chaired by the Director of Resources provides a forum to discuss and agree the strategic direction for asset management and key property related initiatives. It provides a mechanism to assess whether this protocol is working in practice and to identify and resolve issues with regard to corporate and service responsibilities.
- (b) The **Capital Strategy and Monitoring Group (CSMG)** considers capital projects and significant changes to capital projects and ensures that proper planning and processes have been followed and risk assessments undertaken in line with the Council's Constitution, the project appraisal handbook and associated financial procedures. It makes recommendations to the Cabinet for schemes to be included in Herefordshire Council's capital programme.
- (c) The **Asset Management and Property Services Annual Service Delivery Plan**, prepared in accordance with Herefordshire Council's planning guidelines, identifies the main priorities of the Asset Management & Property Services division and includes as an annex a schedule of properties for disposal as agreed by Cabinet in the Asset Management Plan.
- (d) The **Strategic Asset Review Group** assesses the corporate need for land and property to support service delivery. It assists Services and Directorates to achieve a sustainable property asset base which is both sufficient and suitable for service delivery. It considers the opportunities for co-location and shared working with partners in the public sector.
- (e) The **Medium Term Financial Management Strategy** sets out Herefordshire Council's spending priorities and/or financial allocations over the medium term. All capital schemes are subject to the appraisal and decision making processes around the Capital Programme and the Medium Term Financial Management Strategy.

Information to the Council and Scrutiny

- 3.31 Property transactions are subject to the normal processes of publication and scrutiny.

4. AUDIT

- 4.1 Further advice on this section of the Financial Procedure Rules can be obtained from the Director of Resources or Chief Internal Auditor.

Responsibilities of the Director of Resources

- 4.2 The Director of Resources has delegated responsibility for maintaining an adequate and effective internal audit service.
- 4.3 Where an appropriate response to audit recommendations has not been made within the agreed period, the Director of Resources shall refer the matter to the Head of Paid Service and/or the Audit and Corporate Governance Committee.
- 4.4 The Director of Resources is responsible for ensuring that the Chief Internal Auditor submits an annual report to the Audit and Corporate Governance Committee detailing internal audit activity for the previous year and reporting significant findings and areas of concern.
- 4.5 The Director of Resources is responsible for producing an annual Statement on Internal Control for inclusion with the annual Statement of Accounts based on assurances provided by the Chief Internal Auditor.

- 4.6 The Director of Resources is responsible for ensuring that Audit Services complies with the Chartered Institute of Public Accountancy's Code of Practice for Internal Audit.
- 4.7 The Director of Resources is responsible for maintaining strategic and annual audit plans that take account of the relative risks of the activities involved. He/she shall liaise with the Corporate Management Board on the audit strategy and plan. In addition to the statutory requirement, this takes into account the need to seek added value, effective use of resources, improved performance and cost-effective controls.
- 4.8 The Director of Resources is to investigate promptly any apparent, suspected or reported irregularity or fraud he/she becomes aware of. He/she shall report his/her findings to the Head of Paid Service to discuss and agree appropriate legal proceedings and disciplinary action, consulting with the relevant member(s) of the Corporate Management Board as appropriate.

Responsibilities of Directors and Heads of Service

- 4.9 Officers are responsible for ensuring that internal and external auditors have:
- (a) Access at reasonable times to premises or land used by the Council.
 - (b) Access at reasonable times to any employee or employees.
 - (c) Access to all assets, records, documents, correspondence and control systems relating to any matter or business of the Council.
 - (d) Any information and explanation considered necessary concerning any matter under examination.
- 4.10 Officers are responsible for requiring any employee of the Council to account for cash, stores or any other Council property under their control and produce such items for inspection if required by Audit Services.
- 4.11 Officers are responsible for considering and responding within two weeks to recommendations in audit reports.
- 4.12 Officers are responsible for ensuring that any agreed actions arising from audit recommendations are carried out in a timely and efficient manner.
- 4.13 Officers are responsible for ensuring that new systems for maintaining financial records, or records of assets, or changes to such systems are discussed and agreed with the Chief Finance Officer prior to implementation.
- 4.14 Officers are responsible for notifying the Director of Resources or Chief Internal Auditor immediately in writing/electronic medium of any suspected or alleged fraud, theft, irregularity, improper use or misappropriation of Council property or resources. Pending investigation, all necessary steps should be taken to prevent further loss and secure records and documents against removal, destruction or alterations.
- 4.15 Officers are responsible for ensuring that all paperwork and systems are up to date, kept securely and are made available for inspection by internal or external audit.
- 4.16 Officers are responsible for ensuring all fundamental systems as defined by the Chief Internal Auditor and other financial systems are reconciled on a monthly basis and that records are up to date and available for internal or external audit inspection when required.

Responsibilities of the Head of Financial Services

- 4.17 The Head of Financial Services is responsible for drawing up the timetable and issuing guidance for final accounts purposes and to advise employees and the external auditors accordingly.

Responsibilities of the Chief Internal Auditor

- 4.18 The Chief Internal Auditor shall provide the Leader, Chair of Audit & Corporate Governance Committee and relevant Cabinet Member(s) with a copy of audit review reports with an unsound, unsatisfactory or marginal audit opinion. The Council's procedures for maintaining confidentiality shall apply.
- 4.19 The Chief Internal Auditor shall provide the Leader, Chair of Audit & Corporate Governance Committee and relevant Cabinet Member(s) with written confirmation of audit review reports with a satisfactory or good audit opinion.
- 4.20 The Chief Internal Auditor is responsible for providing the Audit & Corporate Governance Committee with a regular assurance report that highlights any areas of concern regarding the effectiveness or level of compliance with agreed systems of internal control.

5. IMPREST ACCOUNTS

- 5.1 Further advice on this section of the Financial Procedure Rules can be obtained from the Head of Financial Services.

Responsibilities of the Head of Financial Services

- 5.2 To consider requests from Heads of Service and Head Teachers to provide a cash or bank imprest account to meet minor expenditure on behalf of the Council.
- 5.3 To prescribe rules for operating imprest accounts.
- 5.4 To maintain a record of all advances made and reconcile to the Council's main financial system.

Responsibility of the Head of Benefit and Exchequer Services

- 5.5 To reimburse imprest holders as often as necessary to restore the imprest balance.

Responsibilities of Heads of Service and Head Teachers

- 5.6 To ensure that all officers operating an imprest account comply with the following procedures:
- (a) Obtain and retain vouchers to support each payment from the imprest account including official VAT receipts where appropriate.
 - (b) Make adequate arrangements in their office for the safe custody of the account including vouchers and any other supporting documentation.
 - (c) Produce upon demand by the Director of Resources cash and all vouchers to the total value of the imprest account.
 - (d) Record transactions promptly.

- (e) Reconcile and balance the account at least monthly with reconciliation sheets to be signed and retained by the imprest holder.
- (f) Provide the Head of Financial Services with a certificate of the value of the account held at 31st March by 31st May each year.
- (g) Ensure that the imprest is never used to cash personal cheques or to make personal loans.
- (h) Ensure that the only payments into the account are the reimbursement payments and any notes/coinage relating to purchases made by a cash advance from the imprest account.
- (i) Ensure income due to the Council is collected and banked as provided in Section 6 of the Council's Financial Procedure Rules and not through an imprest account.
- (j) On leaving the Council's employment or otherwise ceasing to be entitled to hold an imprest advance, account to the Head of Service or Head Teacher for the amount advanced to them.
- (k) Do not allow any bank imprest account to become overdrawn.
- (l) Ensure that payments are limited to minor items of permitted expenditure with a maximum transaction value set by the Director of Resources from time to time (set at £50 in February 2008).
- (m) Submit a claim for reimbursement at least monthly.
- (n) Notify the Head of Financial Services of any new signatories.

6. INCOME

- 6.1 Further advice on this section of the Council's Financial Procedure Rules can be obtained from the Head of Benefit & Exchequer Services.
- 6.2 The Director of Resources has overall responsibility for the Council's income and collection functions and has sub-delegated this to the Head of Benefit and Exchequer Services who is required to ensure the effective collection and recording of all monies due to the Council.
- 6.3 The Director of Resources shall agree arrangements for the collection of all income and approve procedures and systems. In order to achieve this, the following controls must be followed:
 - (a) All income due to the Council is identified, charged correctly and billed promptly.
 - (b) All money received by an employee on behalf of the Council is paid without delay to the Director of Resources or to a nominated officer or into the Council's specified bank account and is properly recorded.
 - (c) All receipts given for money should be on an official receipt form.
 - (d) All income is collected from the correct person, at the right time using the correct procedures and appropriate stationery and effective recovery action to pursue outstanding sums is taken within defined timescales.
 - (e) A formal approval process for write-offs of uncollectable debts using the criteria detailed below.

- (f) Personal cheques shall not be cashed out of money held on behalf of the Council.
- (g) All income received shall be receipted immediately.
- (h) Officers shall bank all cash received immediately; its use for either personal or official purposes is strictly forbidden.
- (i) All paying in records shall be retained securely in line with the Council's policies on the retention of documents.

6.4 The Director of Resources has determined the following authorisations for writing off uncollectable debt:

- Under £150 – individual Service Managers.
- Between £150 and £500 – Revenues Manager.
- Between £500 and £1,000 – Head of Benefit and Exchequer Services.
- Between £1,000 and £20,000 – Director of Resources.

6.5 For write offs of amounts exceeding £20,000 the Director of Resources shall seek agreement from the relevant Cabinet Member and Cabinet Member (Resources).

6.6 The Director of Resources shall report details of amounts over £1,000 written off to Cabinet twice a year for information purposes.

6.7 Write off of amounts above £1,000 relating to other Directorates require the recommendation of the relevant Director.

7. PAYMENTS

7.1 Further information on this section of the Council's Financial Procedure Rules can be obtained from the Head of Benefit and Exchequer Services.

7.2 The Director of Resources has overall responsibility for making payments on behalf of the Council and has sub-delegated this to the Head of Benefit and Exchequer Services.

7.3 Individual Directors shall ensure that payments are authorised by appropriate officers who can certify that goods and services have been received and that price, quantity and quality are in accordance with the initial order, where appropriate.

7.4 Directors shall provide the Director of Resources with a list of authorised officers showing their signing levels with specimen signatures. This list should be reviewed at intervals to ensure is up to date and accurate and any changes being reported promptly.

7.5 Unless specifically authorised otherwise by the Director of Resources:

- (a) Directors must authorise all payments in excess of £250,000 (excluding VAT).
- (b) Heads of Service may authorise payments up to £250,000 (excluding VAT).
- (c) Managers who report to Heads of Service may authorise payments up to £100,000 (excluding VAT).
- (d) Other officers as authorised by the Director up to £5,000 (excluding VAT).

- 7.6 Once certified, all accounts paid through the centralised payment system must be passed to the payments section who shall ensure that the required payment is made to the correct person by the agreed method of payment and that all expenditure including VAT is accurately recorded against the correct budget.
- 7.7 Requests for payment shall be rejected by the Payments Manager unless certified by an officer using their full signature who has the appropriate level of authority.
- 7.8 All accounts should be paid promptly, normally within 30 days unless in dispute, having due regard to the Late Payment of Commercial Debts (Interest) Act 1998 and to maximise performance. All accounts received must be date stamped with the day of receipt.
- 7.9 The Director of Resources shall ensure that all appropriate payment documentation is retained for the required period of time in accordance with the 'Guidelines on the Destruction of Financial records'.

8. SALARIES, WAGES, PENSIONS, TRAVEL AND SUBSISTENCE

- 8.1 Further advice on this section of the Council's Financial Procedure Rules can be obtained from the Head of Benefit & Exchequer Services.
- 8.2 The Director of Resources is responsible for making payments to employees, former employees and Members on behalf of the Council and has sub-delegated this responsibility to the Head of the Benefit & Exchequer Services.
- 8.3 Directors shall provide the Director of Resources with a list of officers authorised to sign claims and other payroll documents showing their signing limits with specimen signatures. This list should be updated and reported promptly to reflect staff changes.
- 8.4 Directors and Heads of Service shall ensure that:
- (a) Appointments are made in accordance with Council policies and approved staffing list and grades and that there is adequate budget provision for the length of the appointment.
 - (b) Information on starters, leavers, absences and variations to remuneration (other than annual increments and pay awards) is notified to Human Resources within the timescales set out in corporate Human Resources policies.
- 8.5 Directors are responsible for ensuring a record of annual leave entitlement due and the actual leave taken by each employee is maintained for their Directorate in a form recommended by the Head of Human Resources.
- 8.6 All claims for payment of allowances, subsistence, travelling and expenses must be submitted within one month of the period they relate to on the approved form, duly certified in a form approved by the Director of Resources with all required supporting evidence including VAT receipts for fuel and other expenses where appropriate. Any exceptions shall require individual certification by both the Director and the Head of Service.
- 8.7 The certification of claims by or on behalf of a Director or Head of Service shall be taken to mean that the certifying officer is satisfied that the journeys and the expenses incurred were necessary and authorised as being in line with the Council's policies on travel and subsistence claims.

8.8 The Director of Resources shall ensure that all appropriate payroll documents are retained for the required period of time in accordance with the 'Guidelines on the Destruction of Financial records'.

9. REVENUE BUDGET MANAGEMENT

9.1 Further advice on this section of the Council's Financial Procedure Rules can be obtained from the Head of Financial Services.

9.2 The Cabinet shall recommend an annual budget to Council that includes the following:

- (a) Annual capital and revenue budget.
- (b) Proposed contingencies, general reserves and specific reserves.
- (c) Statutory Council tax calculations;
- (d) Treasury management policy and borrowing limits.
- (e) The Chief Finance Officer's statutory declaration on budget setting.
- (f) Virement limits.
- (g) Scale of fees and charges.

9.3 Budget management ensures that resources allocated by Members are used for their intended purposes and that these resources are properly accounted for. Budgetary control is a continual process enabling the Council to review and adjust its budget targets during the financial year. It also provides the mechanism to call to account managers responsible for defined elements of the budget.

9.4 By identifying and explaining variances against budgetary targets, the Council can identify changes in trends and resource requirements at the earliest opportunity. The Council itself operates within an annual cash limit, approved in setting the overall budget. To ensure that the Council in total does not overspend, each service is required to manage its own expenditure within the cash limited budget allocated to it.

9.5 Directors are expected to exercise their discretion in managing their budgets responsibly and prudently. For example, they should not support recurring expenditure from one-off sources of savings or additional income, or create future commitments including the full-year effect of decisions made part way through the year, for which they have not identified future resources. Directors must plan to fund such commitments from within their own budget.

9.6 The structure and format of the revenue budget should be sufficient to permit effective financial management. The structure and format of the revenue budget shapes how the rules around virement operate, the operation of cash limits and sets the level at which funds may be reallocated within budgets.

9.7 The key controls for the budget format are that it:

- (a) Complies with all legal requirements.
- (b) Complies with CIPFA's "Best Value Accounting – Code of Practice".
- (c) Reflects management accountability for service delivery.

9.8 The Director of Resources shall advise the Cabinet on the format of the budget that is approved by the full Council.

10. CAPITAL BUDGET MANAGEMENT

10.1 Further advice on this section of the Council's Financial Procedure Rules can be obtained from the Head of Financial Services.

10.2 The Cabinet shall, following the submission of proposals by the Corporate Management Board, recommend to Council:

- (a) A capital programme for each financial year.
- (b) A future indication of a capital programme over a three-year period.
- (c) The recommended funding method for each capital project (including the use of Prudential Borrowing, capital receipts, revenue or other financing methods).

10.3 All capital spending proposals including ICT should be subject to approval through the Council's capital planning processes.

10.4 Following the approval of a capital programme, and subject to any conditions specified in that programme, or specified by the relevant Cabinet Member, the relevant Director shall take all appropriate action to carry into effect the approved schemes, within the budget and timescale agreed in the capital programme. Any material variation in cost or timescale shall be reported to the Cabinet.

10.5 Any report for a project or policy of a capital nature shall include details of:

- (a) The estimated cost of the proposal.
- (b) Any phasing of the capital expenditure.
- (c) The proposed method of financing, whether by loan, revenue or otherwise.
- (d) The effect on the revenue estimates in the first and subsequent years.
- (e) The additional staff and grades required both initially and ultimately.
- (f) An assessment and measurement of the need for the scheme and the benefits it will produce.
- (g) A technical and financial appraisal of the alternative approaches to meeting the need.

10.6 In-year decisions on new capital spending requirements not in the approved budget should be dealt with via the Council's Scheme of Delegation.

11. BUDGETARY CONTROL

11.1 Further advice on this section of the Council's Financial Procedure Rules can be obtained from the Head of Financial Services.

General

- 11.2 Directors shall be responsible for budgetary control of the estimates relevant to their Directorate and, after consultation with the Director of Resources, shall keep the relevant Cabinet Member informed of any significant variations.
- 11.3 The Director of Resources shall provide Directors, budget holders and Cabinet Members with monthly financial management information reports.
- 11.4 Inclusion within an approved revenue budget provides authority for expenditure on those approved items, subject to any limitation expressed in the Constitution, the budget or by the relevant Cabinet Member.
- 11.5 Any new proposal or variation which would materially affect the finances of the Council shall require approval by the Cabinet.
- 11.6 Each Director shall be responsible for monitoring the revenue and any capital budget relevant to his/her Directorate to ensure that such budgets are properly spent and not exceeded.
- 11.7 If it appears to a Director that his/her overall cash limited budget may be exceeded, he/she shall report the details as soon as practicable to the Chief Executive, the Director of Resources and to the Cabinet Member. The relevant Cabinet Member shall then report on the matter to the Cabinet.
- 11.8 The Council may permit Directorates to carry forward managed under spends into the following financial year provided that all other budget targets have been met. The first call on any underspendings shall be to offset any Directorate overspends.
- 11.9 Managed underspends carried forward shall be part of the Directorate budget plan for the next financial year and must be used to fund one-off expenditure only. Carrying forward underspendings in order to ensure external funding is received is also allowed.
- 11.10 Windfall reductions in spend and any unbudgeted income shall be ring-fenced and transferred into the Council's General Reserves at the end of the financial year.
- 11.11 Action plans must be put in place by each Directorate at an early stage in the financial year in order to manage potential overspendings (e.g. due to additional spending or below target income). Where appropriate the additional spending or below target income should be met by virements from other elements of the Directorate budgets. All Directors are required to manage expenditure within the agreed budget for their areas of responsibility. Compliance with this requirement will be dependent upon the earliest possible implementation of such action plans and rigorous supervision to achieve the required outcome.
- 11.12 Underspendings where any savings should not accrue to the Council (e.g. schools standards fund, schools sickness absence scheme) can be carried forward.
- 11.13 The Director of Resources shall furnish each Director with periodic statements of income and expenditure under each head of approved estimate along with other relevant information.
- 11.14 It is the duty of Directors to ensure that responsibility for budgetary control is allocated to appropriate officers in their Directorates.
- 11.15 Directors shall monitor spend and income against budgets monthly and ensure, so far as practicable, that expenditure in excess of their net approved budgets is not incurred without prior approval. If actual income is expected to be below budget, this must also be actively managed.

- 11.16 Directors are required to put in place recovery plans for any overspend in excess of their net approved budget in consultation with the Director of Resources.
- 11.17 A budget shall normally be the planned income and expenditure for a service area or cost centre. However, budgetary control may take place at a more detailed level if this is required.
- 11.18 The key controls for managing and controlling the revenue budget are:
- (a) Budget Managers should be responsible only for income and expenditure that they can influence.
 - (b) There is a nominated Budget Manager for each cost centre heading.
 - (c) Budget Managers accept accountability for their budgets and the level of service to be delivered and understand their financial responsibilities.
 - (d) Budget Managers follow an approved certification process for all expenditure.
 - (e) Income and expenditure are properly recorded and accounted for.
 - (f) Performance levels/levels of service are monitored in conjunction with the budget and necessary action is taken to align service outputs and budget.
 - (g) The gross expenditure budget position is monitored and controlled.
- 11.19 The Director of Resources shall establish an appropriate framework of budgetary control that ensures that:
- (a) Budgetary control is exercised within annual cash limits unless the full Council agrees otherwise.
 - (b) Each Director has available timely information on receipts and payments on each budget which is sufficiently detailed to enable managers to fulfil their budgetary responsibilities.
 - (c) Expenditure is committed only against an approved budget head.
 - (d) All officers responsible for committing expenditure comply with relevant guidance and the Financial Procedure Rules.
 - (e) Each cost centre has a single named manager, determined by the relevant Director. As a general principle budget responsibility should be aligned as closely as possible to the decision-making processes that commits expenditure.
 - (f) Significant variances from approved budgets are investigated and reported by budget managers regularly.
- 11.20 The Head of Financial Services shall provide financial management training courses that all budget managers must attend in order to obtain a 'licence to practice' as a Budget Manager in Herefordshire Council. Refresher training must also be undertaken every two years or the licence to practice shall be removed.

Virement

- 11.21 The Council operates a scheme of virement intended to enable budget holders to manage budgets with a degree of flexibility within the overall policy framework determined by the Council and therefore optimise the use of resources.
- 11.22 Directors have authority to vire expenditure between individual budget heads in accordance with the virement policy.
- 11.23 Key controls for the scheme of virement are:
- (a) That it is administered by the Director of Resources within guidelines set by Council. Any variation from this scheme requires the approval of Council.
 - (b) That the overall budget is agreed by Cabinet and approved by Council. Directors and budget holders are therefore authorised to incur expenditure in accordance with those estimates. The rules below cover virement, that is switching resources between budget heads. For the purposes of these Rules a budget head is considered to be a line in the Council's budget book which, as a minimum, is at an equivalent level to the standard service sub-division as defined by CIPFA. The scheme applies equally to a reduction in income as to an increase in expenditure.
- 11.24 All virements below £140,000 must be approved by the Head of Financial Services. All virements above £140,000 must be approved by the Director of Resources. All virements of above £140,000 shall be reported in the budget monitoring report provided to Cabinet.
- 11.25 The prior approval of the Cabinet is required to any virement of £25,000 or more where it is proposed to:
- (a) Vire between budgets of different portfolio Cabinet Members.
 - (b) Vire between budgets managed by different Corporate Directors.
- 11.26 Virement which is likely to impact on the level of service activity of another Director should be implemented only after consultation with the relevant Director.

12. FINANCIAL PLANNING

- 12.1 Further advice on this section of the Council's Financial Procedure Rules can be obtained from the Head of Financial Services.
- 12.2 The Head of Financial Services shall prepare and review annually a three-year financial plan and strategy to provide an estimate of resources available to the Council and identify budget pressures.
- 12.3 Proposed budgets over periods of one year or longer shall be prepared by Directors, in consultation with the Director of Resources, for submission through the Cabinet to the Council.
- 12.4 Directors shall evaluate the financial implications of any new policy option, initiative or major project in conjunction with the Director of Resources and Head of Financial Services prior to a report to the Cabinet and/or Council.

13. BORROWING APPROVALS

- 13.1 Further advice on this section of the Council's Financial Procedure Rules can be obtained from the Head of Financial Services.

- 13.2 The Director of Resources shall report to Cabinet, on an annual basis, with recommendations to Council to determine the limits for the borrowing of monies.

14. EMERGENCIES

- 14.1 Further advice on this section of the Council's Financial Procedure Rules can be obtained from the Head of Financial Services.
- 14.2 Nothing in these standing orders shall prevent expenditure required to meet immediate needs caused by a sudden emergency to which Section 138 of the Local Government Act 1972 applies, provided that such expenditure shall be reported as soon as possible to the appropriate Cabinet Member and the Cabinet.

15. BANKING ARRANGEMENTS & CORPORATE CREDIT CARDS

- 15.1 Further advice on this section of the Council's Financial Procedure Rules can be obtained from the Head of Financial Services.
- 15.2 All arrangements with the Council's bank concerning the Council's bank accounts and for the ordering and issue of cheques shall be made by, or under arrangements approved by, the Director of Resources. The Director of Resources shall be authorised to open and operate such banking accounts, as he or she may consider necessary. This authority shall include the power to give the necessary directions to the bank as to signatures for withdrawals. The Director of Resources shall report periodically to the Cabinet or Audit & Corporate Governance Committee as to the opening or closing of such accounts.
- 15.3 All cheques and cheque stationery shall be ordered only on the authority of the Director of Resources who shall be satisfied that proper arrangements are in place for their safe custody. Where the signature is printed on the cheque by a Council system, the signature shall be that of the Director of Resources.
- 15.4 The Director of Resources shall be responsible for authorising the issue of corporate credit cards and determining spending limits. Cardholders are required to comply with the guidance issued by the Director of Resources regulating the use of corporate credit cards. This guidance will include the requirement for cardholders to provide the Payments Manager with a receipt and coding slip for each item purchased using a credit card within 14 days of the monthly card statement being received.

16. INSURANCE AND RISK MANAGEMENT

- 16.1 Further advice on this section of the Council's Financial Procedure Rules can be obtained from the Head of Financial Services or the Risk & Insurance Manager.
- 16.2 All organisations, whether they are in the private or public sector, face risks to people, property and continued operations. Risk is defined as the chance or possibility of loss, damage or injury caused by an unwanted or uncertain action or event. Risk management is the planned and systematic approach to the identification, evaluation and control of risk.
- 16.3 Insurance has been the traditional means of protecting against loss, but this cannot be seen as the complete answer. By reducing or even preventing the incidence of losses (whether they result from crime or accident), the Council shall benefit from reduced costs of providing insurance cover and shall also avoid the disruption and wasted time caused by losses and insurance claims.
- 16.4 It is the overall responsibility of the Cabinet to approve the authority's Risk Management Strategy and to promote a culture of risk management awareness through the Council.

Monitoring of and reporting on the effectiveness of the Strategy is an essential part of the process.

- 16.5 The key controls for risk management and insurance are:
- (a) Robust systems are in place to identify, assess, prevent or contain significant operational risks on an integrated basis and these systems are promoted throughout the organisation.
 - (b) Acceptable levels of retained risk are identified and evaluated and arrangements are in place for their funding, either by internal provision or external insurance as appropriate.
 - (c) Managers know that they are responsible for managing relevant risks and are provided with appropriate and timely information on claims experience and risk management initiatives relating to their areas of responsibility.
 - (d) Procedures are in place to investigate and process claims within required timescales.
 - (e) A monitoring process is in place to review regularly the effectiveness of risk reduction strategies and the operation of these controls. The risk management process should be conducted on a continuing basis.
- 16.6 The Director of Resources shall effect all insurance cover and negotiate all claims in consultation with the relevant Director and Head of Legal & Democratic Services where appropriate.
- 16.7 Directors shall give prompt notification to the Director of Resources of all new risks, properties, vehicles and other assets that are required to be insured or any alterations affecting existing insurances.
- 16.8 Directors shall promptly notify the Director of Resources in writing of any actual or potential loss, liability or damage or any event likely to lead to an insurance claim by or against the Council.
- 16.9 The Head of Financial Services shall oversee and ensure the preparation of the Council's Risk Management and promote the Strategy throughout the Authority.

17. LOANS, LEASING AND INVESTMENTS

- 17.1 Further advice on this section of the Council's Financial Procedure Rules can be obtained from the Head of Financial Services.
- 17.2 The Director of Resources shall borrow as necessary to finance the approved capital programme and deal with all matters in connection with the raising or repayment of loans and is authorised to borrow for meeting expenses pending the receipt of revenues.
- 17.3 All investments and all borrowing shall be made in the name of the Council or the appropriate trust when the Council is acting as trustee and the security shall be lodged with the Director of Resources, Head of Legal & Democratic Services or the Council's banker as deemed most appropriate by the Director of Resources.
- 17.4 Directors shall not enter into financial leasing arrangements except with the consent of the Director of Resources.

- 17.5 The Director of Resources shall arrange the borrowing and investment activities of the Council in such a manner as to comply with the CIPFA Code of Practice on Treasury Management and the Authority's Treasury Policy Statement.
- 17.6 The Director of Resources shall prepare an Annual Treasury Strategy for the forthcoming financial year for approval by Council prior to the start of that financial year including the determination of statutory financing limits in accordance with Section 45 of the Local Government and Housing Act 1989 and report annually to Cabinet on the implementation and effectiveness of the Treasury Strategy.
- 17.7 The Council has the discretion to provide loan facilities to staff and members that help individuals fulfil their duties. These include car loan facilities, corporate loan facilities and bicycle loan facilities. From time to time government initiatives may bring forward other proposals that shall be investigated for suitability.
- 17.8 Each loan facility shall be supported by a written policy developed by the Head of Financial Services and agreed by Corporate Management Board. Variations to the facilities is delegated to the Head of Financial Services in consultation with the Director of Resources.

18. TRUST FUNDS

- 18.1 Further advice on this section of the Council's Financial Procedure Rules can be obtained from the Head of Financial Services.
- 18.2 The Director of Resources shall:
- (a) Arrange for all trust funds to be held wherever possible in the name of the Authority. All officers acting as trustees by virtue of their official position shall deposit securities, etc relating to the trust with the Director of Resources unless the deed otherwise provides.
 - (b) Arrange where funds are held on behalf of third parties for their secure administration approved by the Director of Resources and to maintain written records of all transactions.
 - (c) Ensure that trust funds are operated within any relevant legislation and the specific requirement for each trust.

19. INVENTORIES AND STOCKS AND STORES

- 19.1 Further advice on this section of the Council's Financial Procedure Rules can be obtained from the Chief Internal Auditor.
- 19.2 The Director of Resources shall:
- (a) Advise on the form, layout and content of inventory records to be maintained by the Council.
 - (b) Advise on the arrangements for the care and custody of stocks and stores in Directorates.
- 19.3 Directors shall:
- (a) Maintain inventories in a form approved by the Director of Resources to adequately record and describe all furniture, fittings and equipment, plant and machinery under their control.

- (b) Carry out an annual check of all items on the inventory in order to verify location, review condition and to take action in relation to surpluses or deficiencies, annotating the inventory accordingly.
- (c) Ensure attractive and portable items, such as computers, cameras and video recorders are identified with security markings as belonging to the Council and appropriately controlled and secured.
- (d) Make sure that property is only used in the course of the Council's business unless the Director concerned has given permission otherwise.
- (e) Directors have discretion to write off redundant equipment up to the value of £5,000, but must seek Cabinet Member approval for write-offs in excess of £5,000. Directors shall seek independent quotations where it is not immediately obvious what the market value of the redundant item is.
- (f) Make arrangements for the care, custody and recording of stocks and stores in Directorates.
- (g) Ensure that assets are identified, their location recorded and that they are appropriately marked and insured.
- (h) Ensure stocks are maintained at reasonable levels and subject to a regular independent physical check. All discrepancies should be investigated and pursued to a satisfactory conclusion.
- (i) Write-off discrepancies of up to £5,000 and seek advice from Internal Audit on discrepancies above this limit.
- (j) Authorise write-off and disposal of redundant stocks and equipment by competitive quotations or auction unless, following consultation with the Director of Resources, it is decided otherwise in a particular case.
- (k) Seek approval from the Director of Resources and Cabinet Member to the write-off of redundant stocks and stores valued in excess of £5,000.
- (l) Record the reasons for the chosen method of disposing of redundant stocks and equipment if not by competitive quotation or auction.

20. ORDERS FOR GOODS, WORKS AND SERVICES

- 20.1 Further advice on this section of the Council's Financial Procedure Rules can be obtained from the Head of Financial Services or the Strategic Procurement Manager.
- 20.2 Orders shall not be issued for goods, work or services unless the cost is covered by an approved budget.
- 20.3 All orders given on behalf of the Council shall be in a written or electronic form approved by the Director of Resources. All orders are to be authorised by officers nominated by the appropriate Director who shall be responsible for official orders issued from his or her Directorate. Orders given verbally shall be confirmed by paper or electronic order as appropriate as soon as possible.
- 20.4 All works, goods or services supplied to the Council are to be subject to formal prior authorisation, in writing and/or electronic medium, as to need and budget cover. Written or electronic orders are to be issued for all work, goods or services to be supplied to the Council unless a written contract is required. An order or contract is not required for public

utility services, periodical payments such as rent or rates, for petty cash purchases or for such other expenditure as the Director of Resources may approve. All orders and contracts are to be managed in compliance with the Council's Contract Procedure Rules and Financial Procedure Rules.

- 20.5 Each order shall conform to the directions of the Council with respect to central purchasing and the standardisation of supplies and materials and with respect to Contract Procedure Rules.
- 20.6 Written orders shall be marked with invoice details when relevant accounts are passed for payment. When an electronic procurement system is in use an appropriate entry shall be made in that system when a payment is authorised.
- 20.7 The key controls for ordering and paying for work, goods and services are:
- (a) All works, goods and services are ordered only by appropriate persons and recorded.
 - (b) All works, goods and services shall be ordered in accordance with the Council's Procurement Strategy and Contract Procedure Rules unless they are purchased from internal sources within the Council.
 - (c) Works, goods and services received are checked to ensure they are in accordance with the order.
 - (d) Payments are authorised by officers who can certify that goods have been received to price, quantity and quality.
 - (e) All payments are made to the correct person, for the correct amount and are properly recorded, regardless of the payment method.
 - (f) All appropriate payment documents are retained and stored for the defined period in accordance with the Council's 'Guidelines on the Destruction of Financial Records'.
 - (g) All expenditure including VAT, is accurately recorded against the right budget and any exceptions corrected.
 - (h) That processes are in place to maintain the security and integrity of data for transacting business electronically.

21. WORKING FOR THIRD PARTIES

- 21.1 Further advice on this section of the Council's Financial Procedure Rules can be obtained from the Head of Financial Services and Head of Legal & Democratic Services.

General

- 21.2 Current legislation enables the Council to provide a range of services to certain other bodies. Such work may enable the unit to maintain economies of scale and existing expertise. Arrangements must be in place to ensure that any risk associated with this work is minimised.
- 21.3 All proposals to work for a third party shall be properly costed in accordance with guidance provided by the Director of Resources.
- 21.4 All decisions to work for a third party shall be made in accordance with the Council's formal decision making processes as set out in the Scheme of Delegation.

21.5 All contracts for providing work for a third party shall be drawn up using guidance provided by the Head of Legal & Democratic Services.

Responsibilities of Directors, Heads of Service and Officers

21.6 Officers shall ensure that:

- (a) Legal advice is obtained from the Head of Legal & Democratic Services on the implications of providing the proposed service to the proposed third party.
- (b) Financial advice is obtained from the Head of Financial Services on the cost of providing the service.
- (c) Formal approval in line with the Council's Scheme of Delegation is obtained before any negotiations to work for third parties are concluded.
- (d) A register of all contracts entered into with third parties is maintained in accordance with procedures specified by the Head of Legal & Democratic Services.
- (e) Appropriate identity checks on the third party are carried out in accordance with the Council's anti money laundering policy and guidance.
- (f) Appropriate insurance arrangements are in place for the third party work.
- (g) The Council is not put at any risk of bad debts as a result of any third party work (see 21.2 above).
- (h) The Council is not subsidising any contracts for the provision of third party work.
- (i) Wherever possible, payment is received in advance of the delivery of the service under a third party contract.
- (j) The Directorate has the appropriate expertise to undertake the contract.
- (k) The contract does not adversely impact on the services provided for the Council.
- (l) All contracts are properly documented.
- (m) The Director of Resources is provided with the information he/she needs to make an appropriate note to the annual statement of accounts in respect of the Council's work for third parties.

CONTRACT PROCEDURE RULES

1. INTRODUCTION

- 1.1 The primary objective of the Council's Contract Procedure Rules is to ensure that all contracts for works, goods and services are entered into in a manner that secures value for money and is demonstrably free from impropriety.
- 1.2. The Council's Contract Procedure Rules also ensure that:
- a) Contract selection and award procedures are conducted fairly, in a properly regularised manner and in accordance with relevant legal requirements.
 - b) Strategic service delivery and supply partners are used wherever possible to ensure value for money is obtained and the cost to procure is minimised.
 - c) Local firms are employed whenever they offer as good value for money as other firms and their selection is in accordance with the Council's legal obligations, for example in relation to European procurement rules.
 - d) The Council's strategic policies are taken into account, for example in promoting the economic development of Herefordshire and in relation to protecting the environment.
 - e) Alternative methods of procurement compatible with the objectives of the Contract Procedure Rules have been considered.
 - f) Procurement procedures are kept under review in order to ensure continuous improvements to services and provide Best Value to the community of Herefordshire.
 - g) Procurement of ICT equipment is achieved using the Council's on-line procurement system.
- 1.3 The Director of Resources has overall responsibility for the preparation of the Council's Contract Procedure Rules. The Head of Financial Services has delegated responsibility for implementing the Council's Contract Procedure Rules. The Strategic Procurement Manager assists the Head of Financial Services in this task.
- 1.4 The Head of Financial Services and Strategic Procurement Manager work very closely with the Head of Legal & Democratic Services due to the significant legal issues involved in contracting and procurement activity.
- 1.5 It should be noted that the Council's Contract Procedure Rules should be read in conjunction with the Council's Standing Orders, Scheme of Delegation, Budget & Policy Framework Rules and Financial Procedure Rules.
- 1.6 **It should also be noted that failure to observe the Council's Contract Procedure Rules could lead to disciplinary action.**
- 1.7 Please note that all financial limits outlined in this document exclude Value Added Tax (VAT).

2. STANDARDS OF CONDUCT

2.1 Declarations of Interest

2.1.1 Members and officers must ensure that they comply with the provisions of Standing Order 2.8 (Members) on the declaration of interests and Appendix 14 of the Constitution (officers) regarding the declaration of interests.

2.2 Gifts and Hospitality

2.2.1 Any offer of gift, favour or hospitality made by any person or firm doing or seeking to do business with the Council must be treated with extreme caution.

2.2.2 Any such offers must be noted on the appropriate form and reported to the Head of Legal & Democratic Services who shall maintain and make available to the Council's internal and external auditors a register of such matters.

2.2.3 Acceptance of gifts and hospitality must be in accordance with the Council's policies on such matters.

2.3 Honesty

2.3.1 All Members must follow the Members' Code of Conduct.

2.3.2 All employees must follow the Employee Code of Conduct (as set out in the Council's Employee Induction Handbook and available from Human Resources).

2.3.3 All officers must make sure that employees involved in an in-house tender for a contract do not take part in the preparation of tender documentation or the decision on the award of such a contract.

3. OFFICER RESPONSIBILITIES

3.1 Chief Executive's Responsibilities

3.1.1 The Chief Executive is responsible for resolving issues concerning the operation of the Council's Contract Procedure Rules seeking advice as necessary from the Director of Resources **and** the Head of Legal & Democratic Services.

3.2 Directors' Responsibilities

3.2.1 All Directors are responsible for:

- a) Monitoring compliance with the Council's Contract Procedure Rules in relation to contracts funded by their Directorate budget.
- b) Appointing Contract Monitoring Officers (see 3.4 below) and ensuring they support them in their role and obtain regular briefings from them.
- c) Appointing a senior member of staff to the Corporate Procurement Group (see 3.5 below).

- d) Establishing, maintaining and utilising Approved Contractors Registers for their Directorate in accordance with section 4 of the Council's Contract Procedure Rules.
- e) Bringing the provisions of the Council's Contract Procedure Rules to the attention of their staff.
- f) Ensuring that the contracts within their Directorate are legal, comply with Contract Procedure Rules and Financial Procedure Rules and protect the Council's interests fully.
- g) Ensuring that the Council's Criminal Records Bureau policies and procedures are followed.

3.2.2 The Director of Resources has overall responsibility for the preparation and review of the Council's Contract Procedure Rules but must do so in agreement with the Head of Legal & Democratic Services.

3.3 Head of Service Responsibilities

3.3.1 The Head of Legal & Democratic Services is responsible for:

- a) Providing legal advice and guidance to Members and officers on the operation of the Council's Contract Procedure Rules and all contracting and procurement activity.
- b) Working with the Director of Resources on the preparation and review of the Contract Procedure Rules.
- c) Assisting the Chief Executive with the resolution of questions regarding the interpretation of the Council's Contract Procedure Rules.
- d) Advising on the preparation of contract documentation.
- e) Maintaining a central Procedures Exemption Register.
- f) Informing relevant officers of any information received that calls into question the suitability of a contractor, consultant, agency or any other person carrying out work for the Council.

3.3.2 The Head of Financial Services is responsible for providing the professional lead on all the non-legal aspects of contracting and procurement relating to works, goods and services. The Head of Financial Services is also responsible for supervising the Corporate Procurement Group's activities (see 3.5 below) and maintaining a Contracts Register.

3.3.3 All Heads of Service are responsible for providing the Head of Financial Services with the information s/he requires to maintain a Contracts Register. This will include all contracts for purchases in total valued £10,001 and above and the name of the Contract Monitoring Officer or responsible officer.

3.4 Contract Monitoring Officers' Responsibilities

3.4.1 Directors shall appoint one or more Contract Monitoring Officer(s) to take responsibility for contracts with an estimated total value (excluding VAT) in excess of £10,001. Directors shall nominate a Contract Monitoring Officer for each contract and nominate one of their Contract Monitoring Officers to be responsible for the overall reporting and maintenance of contract records within the Directorate. A responsible officer shall be appointed for all contracts below £10,000.

- 3.4.2 Contract Monitoring Officers are responsible for liaising fully with Financial Services and Legal Services on all matters relating to contracting and procurement.
- 3.4.3 Contract Monitoring Officers are responsible for agreeing exemptions from the formal tendering procedures with the Head of Financial Services or the Strategic Procurement Manager **and** the Head of Legal & Democratic Services. All exemptions are to be approved in writing and reported in line with the requirements of Section 10 of the Council's Contract Procedure Rules.
- 3.4.4 Contract Monitoring Officers are responsible for liaising with officers administering contracts regarding any reports concerning failures by contractors to comply with contractual obligations or otherwise satisfactorily complete work.
- 3.4.5 Contract Monitoring Officers are responsible for posting any information they receive concerning the suitability of a contractor to carry out work for the Council on the Contracts Watch sub-folder of the Procurement/Contract Management public folder on the Council's Intranet. The message should advise any officer who has employed or is considering employing the contractor to contact the Head of Legal & Democratic Services for further information as the message should not state the reason for concern. The Contract Monitoring Officer should inform the Head of Legal & Democratic Services in writing of the reasons for the alert.
- 3.4.6 Contract Monitoring Officers are responsible for emailing copies of their Approved Contractor Registers to the central Approved Contractor Register sub-folder of the Procurement/Contract Management public folder on the Council's Intranet. They are responsible for keeping their Approved Contractor Registers updated with any additions, suspensions or removals (section 4 of the Council's Contract Procedure Rules refers). A hard copy shall be provided to the Strategic Procurement Manager.
- 3.4.7 Contract Monitoring Officers are responsible for emailing copies of their Suspended and Removed Contractors Lists to the central Suspended and Removed Contractors List sub-folder of the Procurement/Contract Management public folder on the Council's Intranet. A hard copy shall be provided to the Strategic Procurement Manager.
- 3.4.8 Contract Monitoring Officers are responsible for maintaining records of the:
- a) Contractors included in their Approved Contractor Registers.
 - b) Contracts awarded including the nature and value of contracts and the names of successful tenderers.
 - c) Total value of contracts awarded to each successful tenderer during each financial year.
 - d) Names of unsuccessful tenderers and reasons why their tenders were not accepted if the reason is other than price.
 - e) Details of any failure by a tenderer to comply with instructions to tenderers.
 - f) Details of the reasons for any tenders being withdrawn.
 - g) Details of failures by contractors to submit tenders after having requested and been invited to do so.

- h) Contractors' performance.
- i) Reasons for opening late tenders (see section 5 of the Council's Contract Procedure Rules).
- j) Reasons for exceptions to tendering procedures (see section 10 of the Council's Contract Procedure Rules).

3.4.9 The lead Contract Monitoring Officer appointed by the Director is responsible for keeping their Director briefed on contract and procurement issues within the Directorate.

3.5 Strategic Procurement Manager's Responsibilities

3.5.1 Working to the Head of Financial Services, the Strategic Procurement Manager is responsible for providing advice on all aspects of the Council's Contract Procedure Rules save for the legal issues. The responsibility for the legal aspects of the Council's Contract Procedure Rules rests with the Head of Legal & Democratic Services.

3.5.2 The Strategic Procurement Manager is responsible for chairing the Council's Corporate Procurement Group. Each Director shall appoint a senior officer to be a member of the Corporate Procurement Group and the membership shall include the Head of Legal & Democratic Services or their nominated representative.

3.5.3 The Council's Corporate Procurement Group will meet at least quarterly in order to fulfil the following responsibilities:

- a) Continually reviewing the Council's Procurement Strategy and making recommendations on appropriate enhancements to the Head of Financial Services to take forward in consultation with the Head of Legal & Democratic Services for approval in line with the Council's arrangements for decision making as set out in the Constitution.
- b) Maintaining a register of current contracts.
- c) Monitoring compliance with the Council's Contract Procedure Rules and reporting non-compliance to the Head of Financial Services and Head of Legal & Democratic Services for appropriate action.
- d) Preparing an annual report on the operation of and compliance with the Council's Contract Procedure Rules as a basis for the Head of Financial Services, in consultation with the Head of Legal & Democratic Services, to report to the Audit & Corporate Governance Committee.
- e) Continually reviewing the Council's Contract Procedure Rules to ensure they keep pace with developing best practice and advising amendments as necessary.
- f) Prescribing the information needed from Contract Monitoring Officers and maintaining a central record of the information notified by Contract Monitoring Officers.
- g) Reviewing the Contract Procedure Rules Exemption Register and preparing an annual report on the exemptions recorded for the Head of Legal & Democratic Services.
- h) Providing training and support for employees involved in procurement activities.

3.6 Responsibilities of all Officers

3.6.1 All officers are responsible for:

- a) Following the Council's Contract Procedure Rules and any codes of practice, guidance or instructions provided by the Head of Financial Services or Strategic Procurement Manager and the Head of Legal & Democratic Services.
- b) Following all relevant English and European procurement laws.
- c) Seeking advice from the Head of Financial Services or Strategic Procurement Manager and the Head of Legal & Democratic Services in the case of any uncertainty.
- d) Ensuring that any departure from these Contract Procedure Rules is agreed with the Head of Financial Services or Strategic Procurement Manager **and** the Head of Legal & Democratic Services.
- e) Following the Council's Employee Code of Conduct (a copy is included in the Employee Induction Handbook and can be obtained from Human Resources).
- f) Following the Council's Financial Procedure Rules and the systems and procedures that are in place to control budgets properly.
- g) Declaring any interest that could influence their judgement in contracting matters to their Director and the Head of Legal & Democratic Services.
- h) Not taking part in **any** decisions relating to the procurement of work, goods or services if they are part of a formal in-house bid for that work.
- i) Reporting any suspected fraudulent, corrupt or other irregularity to the Chief Internal Auditor.
- j) Ensuring that value for money is evidenced through the procurement process.

4. APPROVED CONTRACTOR REGISTERS

4.1 Introduction

- 4.1.1 Approved Contractor Registers are very useful for some types of works, goods or services contracts and can be an efficient way of identifying suppliers.
- 4.1.2 **Contractors on an Approved Contractor Register must not be approached either formally or informally until after publication of the appropriate European contract notice for contracts governed by the European procurement rules.**
- 4.1.3 If an Approved Contractor Register exists and it is appropriate to use it then the register should be used.
- 4.1.4 If an Approved Contractor Register is to be used, a method for selecting the suppliers on it that will be invited to tender must be determined. The method chosen must ensure that all the

suppliers on the relevant Approved Contractor Register have the same opportunity over time to tender for work (subject to suitability for particular work and financial limits under 4.2.6).

- 4.1.5 Officers may use Government-backed Approved Contractor Registers or other registers approved by the Corporate Procurement Group to select those to be invited to bid for a contract.

4.2 Managing an Approved Contractor Register

- 4.2.1 Contract Monitoring Officers must advertise and invite applications from potential suppliers to be added to an Approved Contractor Register for any given type of contract for works, goods or services.

- 4.2.2 Advertisements inviting applications from potential suppliers to be included in an Approved Contractor Register should be placed in the relevant local and trade press and, if necessary, the EC Journal.

- 4.2.3 The information needed from potential suppliers in order to assess whether they are suitable for inclusion on an Approved Contractor Register should be gathered using the same method for all suppliers seeking inclusion on the Register.

- 4.2.4 When considering whether to include a contractor on an Approved Contractor Register, officers must look at each contractor's:

- a) Past performance on similar contracts (quality and costs).
- b) Technical capacity.
- c) Specialist experience in the type of products and services being procured.
- d) Financial situation.
- e) Public and employer's liability insurance arrangements.
- f) Health & safety arrangements.
- g) Equalities policy.
- h) Written references on the contractor's reputation.

- 4.2.5 Officers may add other criteria to help them select suppliers for inclusion on an Approved Contractor Register providing the additional criteria are relevant, do not prevent fair competition and do not illegally discriminate between suppliers. The Contract Monitoring Officer must establish the minimum standard required for each criterion before inviting applications for inclusion on the Approved Contractor Register.

- 4.2.6 An Approved Contractor Register must state the value of work that can be placed with each supplier at any one time.

- 4.2.7 An Approved Contractor Register should normally contain at least five suppliers. Advice and guidance must be sought from the Head of Financial Services/Strategic Procurement Manager where fewer than five suppliers qualify for inclusion as this might indicate that an Approved Contractor Register is not the most suitable route for the works, goods or services in question.

- 4.2.8 Officers must review their Approved Contractor Registers at least every two years using the criteria set out in 4.2.4 and 4.2.5 to assess whether a supplier should remain on the Register. The review should also consider whether the value of work that can be placed with each supplier at any one time should be revised.
- 4.2.9 Officers should consider suspending or removing suppliers from an Approved Contractor Register as a result of such a review or at other times if there are grounds to do so such as poor performance, disputes or poor financial standing. See 4.3 below for guidance on how to suspend or remove a supplier from an Approved Contractor Register.
- 4.2.10 Officers must advertise to compile subsequent Approved Contractor Registers at least every five years or earlier if fewer than five suppliers remain on the Register.
- 4.2.11 All contracts let using an Approved Contractor Register must comply with the Council's Contract Procedure Rules in every respect. The Head of Financial Services or Strategic Procurement Manager or Head of Legal & Democratic Services are able to advise on any aspect of the Council's Contract Procedure Rules.

4.3 Suspending or Removing a Supplier from an Approved Contractor Register

- 4.3.1 If an officer receives a materially adverse report concerning a contractor's performance or compliance with tendering procedures that suggests they should no longer be on an Approved Contractor Register, the officer must seek advice from the Head of Financial Services or Strategic Procurement Manager who will, in consultation with the Head of Legal & Democratic Services, advise what further action is necessary.
- 4.3.2 If the Head of Financial Services or Strategic Procurement Manager determines after consultation with the Head of Legal & Democratic Services that the supplier should be suspended or removed from an Approved Contractor Register, the officer shall follow this advice and amend the Register accordingly. The officer shall also include the contractor in a List of Suspended and Removed Contractors and notify the contractor accordingly.
- 4.3.3 An officer must seek approval as outlined in 4.3.1 and 4.3.2 to lift a suspension on a supplier or re-admit a supplier to an Approved Contractor Register.
- 4.3.4 If an officer concludes as a result of a routine review of an Approved Contractor Register that a supplier should be removed from that Register, then they must seek advice as outlined in 4.3.1 and 4.3.2.

5. FORMAL QUOTATION AND TENDERING PROCEDURES

5.1 Introduction

- 5.1.1 West Mercia Supplies (WMS) must be used for all purchases of office supplies and consumables, furniture, photocopiers, janitorial supplies and personal protective equipment.
- 5.1.2 Proposals to use an alternative supplier for such goods must be approved prior to an order being placed using a form prepared by the Strategic Procurement and Efficiency Review Manager.
- 5.1.3 Requests to use an alternative supplier to WMS will be approved or otherwise by the Head of Financial Services.

- 5.1.4 Failure to comply with the Council's policy on the use of WMS will lead to a corresponding budget reduction equivalent to the total price of the supply.
- 5.1.5 Officers must also use Council approved strategic service delivery partners if the work required is within the scope of the Council's strategic service delivery contracts.
- 5.1.6 Procurement of ICT equipment must be achieved using the Council's online procurement system.
- 5.1.7 The following procedures must be followed for all other types of procurement:
- a) **Purchases in total valued up to £1,000** – no requirement for formal quotations or tenders but officers must be able to demonstrate value for money has been obtained and that all other relevant aspects of the Council's Contract Procedure Rules have been followed.
 - b) **Purchases in total valued between £1,001 and £10,000** – two formal quotations must be obtained (see 5.2 below).
 - c) **Purchases in total valued between £10,001 and £50,000** – three formal quotations must be obtained (see 5.2 below).
 - d) **Purchases in total valued between £50,001 and up to relevant EU limit (£140,000)** – formal tendering arrangements must be followed (see 5.3 below).
 - e) **Purchases in total valued in excess of relevant EU limit (£140,001)** – European procurement rules must be followed (see section 6 of the Council's Contract Procedure Rules).
- 5.1.8 It is important to respect confidentiality in quotation and tendering processes. Officers must not therefore disclose any information they have about potential suppliers to other persons/suppliers potentially competing for the same contract.
- 5.1.9 Official orders should be raised for works, goods and services in line with the Council's Financial Procedure Rules.

5.2 Formal Quotation Procedure

- 5.2.1 The requisite number of formal quotations must be obtained for all purchases (other than those with WMS or within the scope of a strategic service delivery contract) where between £1,001 and £10,000 in total (see 5.1.7).
- 5.2.2 A quotation is a written estimate of the cost to execute works or supply goods, materials or services.
- 5.2.3 Officers must produce a description of the goods or specification of the services required before seeking quotations. This will enable a fair comparison of prices. The level of detail in the description or specification will depend on the value and type of goods or services being purchased. Advice can be obtained from the Strategic Procurement Manager
- 5.2.4 Formal quotations should contain as a minimum the following information:
- a) Date and reference number.

- b) Supplier company details.
- c) Council officer/department name.
- d) Item/part number.
- e) Description specification.
- f) Quantity required.
- g) Unit/service cost.
- h) Total cost.
- i) Delivery information.
- j) Payment details.
- k) Any special requirements.
- l) Details of any discounts/rebates.

5.2.5 An appropriate Approved Contractor Register should be used if available to select the suppliers that will be asked to provide a quotation.

5.2.6 Every person or firm who makes a quotation must be treated fairly. Selection of the preferred supplier from the quotations received must be done in accordance with the principles set out in the formal tendering procedures (5.3 refers).

5.2.7 Any departures from the formal quotation procedures must be discussed with the Head of Financial Services or Strategic Procurement Manager who will agree or otherwise any exception in consultation with the Head of Legal & Democratic Services. A record must be kept of the reasons for and approval given for departing from the formal quotation procedure.

5.2.8 Formal quotations for contracts up to £50,000 should be kept for a minimum of two years after the contract has been awarded.

5.3 Formal Tendering Procedure

Introduction

5.3.1 Formal tendering procedures apply to all contracts with a total value between £50,001 and the prevailing European procurement limit for supplies and services (currently £140,000) except for those with WMS or a Council approved strategic service delivery contract. To ensure that European procurement rules are properly applied, Contract Monitoring Officers should liaise with the Strategic Procurement Manager for all contracts with an estimated value in excess of £50,000.

5.3.2 It is important to respect confidentiality during all stages of the formal tendering process. Officers must not therefore disclose any information they have about potential suppliers to others persons/suppliers potentially competing for the same contract.

5.3.3 Advice and guidance on how to describe the works, goods or services required for formal tendering purposes can be obtained from the Strategic Procurement Manager.

Selecting Potential Tenderers

5.3.4 An Approved Contractor Register should be used wherever possible for selecting potential tenderers for a contract. Officers must record the names of the persons/suppliers invited to tender from an Approved Contractor Register.

5.3.5 If an Approved Contractor Register does not exist or is unsuitable for selecting potential tenderers, officers will either need to advertise for potential tenderers or approach selected ones in cases where specialist works, goods or services are required.

5.3.6 If an Approved Contract Register is available but considered unsuitable for a specific contract, the Contract Monitoring Officer should discuss the reason with the Head of Financial Services or Strategic Procurement Manager. The Head of Financial Services or Strategic Procurement Manager should then consult with the Head of Legal & Democratic Services. The Director and Contract Monitoring Officer shall be informed of the decision of the Head of Financial Services or Strategic Procurement Manager and Head of Legal & Democratic Services.

5.3.7 Officers must also seek guidance as outlined in 5.3.6 above if they propose to approach selected persons or firms as potential tenderers.

5.3.8 Contract Monitoring Officers must keep a written record of the reasons for departing from the usual practice of selecting potential tenderers from an existing Approved Contractor Register and the approval given. They must also record the reasons for approaching selected tenderers and the approval given.

5.3.9 Advertisements for potential tenderers may be placed in relevant trade or professional journals, local and national newspapers, the Council's website and the EC Journal.

5.3.10 The method for collecting the information needed from potential suppliers to assess whether to invite them to submit a formal tender and the method of assessment must be agreed before the selection process begins.

5.3.11 A standard business questionnaire may be used to collect information from the potential suppliers but the same questionnaire must be used for all potential suppliers. Alternatively, information may be gathered by inviting potential suppliers to express an interest in writing covering the specifics identified by the officer in the advertisement or letter of invitation. Further advice can be obtained from the Strategic Procurement Manager.

5.3.12 The method for selecting tenderers must:

- a) Treat all tenderers in the same way.
- b) Keep the process clear and simple.
- c) Record all the selection decisions.

5.3.13 Officers must consider the following when selecting suppliers to be invited to tender for a particular contract:

- a) Past performance on similar contracts (quality and costs).

- b) Technical capacity.
- c) Specialist experience in the type of products and services being procured.
- d) Financial situation.
- e) Public and employer's liability insurance arrangements.
- f) Health & safety arrangements.
- g) Equalities policy.
- h) Written references on the contractors' reputation.
- i) Environmental policies.

5.3.14 Officers may also use information from referees and from company searches to assess which persons or firms to invite to submit a tender.

5.3.15 At least three suitable suppliers should be invited to tender. If there are only three suitable suppliers (e.g. due to the number of suppliers responding to an advertisement) they must all be invited to tender.

5.3.16 If there are only one or two suppliers indicating they wish to be considered then an exemption from the Contract Procedure Rules **must** be sought from the Head of Financial Services or Strategic Procurement Manager and Head of Legal & Democratic Services and their approval given before proceeding. The names or details of suppliers must not be passed on to anyone at any time during the tendering process.

Inviting Tenders

5.3.17 Each potential supplier should be sent an invitation to tender, the contract documents, a tender form and a return label bearing the name of the contract and the word 'Tender' together with instructions on when and how the tenders should be returned. They must be instructed to return their tender in a plain envelope addressed to the Head of Legal & Democratic Services. There should be no marks or writing on the envelope, other than the address and the return label. Tenderers must be advised not to use a franking machine if they propose posting their tender.

5.3.18 A copy the Council's standard contract terms should also be included so that the tenderer is aware of the terms and conditions that will form part of the final contract. When an industry standard contract is used advice should be sought from the Head of Legal & Democratic Services on which of the standard clauses to incorporate.

5.3.19 Tenderers must be told that tenders sent by fax or e-mail will not be accepted.

5.3.20 Tenders can be returned by hand or by post to the Head of Legal & Democratic Services, Brockington, 35 Hafod Road, Hereford, HR1 1SH. Tenderers should be advised to use postal services that provide them with proof of postage and the time of sending.

5.3.21 Tenderers should be advised that tenders will be opened at the same time and no advantage is secured by seeking to delay submission until the last moment.

- 5.3.22 The invitation to tender **must** state that the Council does not bind itself to accepting the lowest or any tender.
- 5.3.23 The invitation to tender needs to explain how the Council will deal with any mistakes it identifies in the tender documentation submitted (see Assessing Tenders below).
- 5.3.24 The invitation to tender **must** set out the criteria that will be used to select the preferred supplier. The assessment criteria must not prevent fair competition or discriminate between tenderers in any way. They must also comply with relevant legislation.
- 5.3.25 The tender assessment criteria should include:
- a) Price.
 - b) Technical standard.
 - c) Experience and skills.
 - d) Financial proposals.
 - e) Financial standing.
 - f) Contract management arrangements.
 - g) Quality management proposals.
 - h) Delivery proposals.
 - i) Employment practices.
 - j) Environmental considerations.
 - k) Diversity issues.
- 5.3.26 If an officer wants to know whether the supplier has received an invitation to tender, they must enclose a 'Tender Received Confirmation Form' with the invitation to tender documentation. They must not contact the potential supplier to check they have received the documentation.
- 5.3.27 During the period allowed for preparing tenders, all communications with tenderers must be recorded. All communications should go through the Contract Monitoring Officer who can obtain the information requested from others if necessary. If a tenderer raises a query during this period, it must be passed on to all other tenderers, together with the reply. The identity of the tenderer who has raised the query **must not** be revealed.

Receiving Tenders

- 5.3.28 The original tender return date should be fixed and unchanged except in appropriate and necessary circumstances. Any extension should not provide either advantage or disadvantage to any of the tenderers. Any proposal to extend the closing date must be agreed by the Head of Legal & Democratic Services.
- 5.3.29 Should it be necessary to extend the time limit for the submission of tenders all potential tenderers should be informed of the new date in good time before the original submission date.

APPENDIX 5

- 5.3.30 Tenders should be recorded in a register that shows the time, date and name of the contract as they are received. Tenders delivered by hand should be acknowledged with a written receipt and the time, date and name of the contract similarly recorded in the register. All tender envelopes must be date stamped on receipt with the time of receipt written on the envelope and countersigned by the receiving officer.
- 5.3.31 Tenders must not be opened until the final deadline for receiving them. Tenders must be stored securely until it is time for them to be opened. The storage used should be locked and access to it available only to those officers in Legal & Democratic Services responsible for handling tenders and they must ensure that keys are secure at all times.
- 5.3.32 A Legal & Democratic Services officer shall be responsible for opening the tenders for a contract in the company of the Contract Monitoring Officer and the Strategic Procurement Manager or his/her representative. The Legal & Democratic Services officer must ensure the number of tender envelopes to be opened tallies with the number recorded in the tender register and shall sign the register to indicate that this is the case.
- 5.3.33 If a tender is opened by mistake before the deadline, a record of how this has happened should be attached to the packaging. The tender should be re-sealed immediately and its contents kept confidential.
- 5.3.34 If fewer tenders are received than expected, do not contact tenderers to ask whether they have sent one in.
- 5.3.35 In exceptional circumstances, Legal & Democratic Services, in consultation with the Head of Legal & Democratic Services, can accept a late tender (see below).

Opening & Recording Tenders

- 5.3.36 The Head of Legal & Democratic Services must make sure that the procedures for opening tenders are followed and that the correct records and documents are completed.
- 5.3.37 All tenders relating to a contract must be opened at the same session and opened one at a time. Each officer present must sign, date and write on the tender form the time that the tender was opened.
- 5.3.38 The key documents submitted by each tenderer must be recorded on a tender return form along with value. Each officer must check, sign and date the form.
- 5.3.39 The Contract Monitoring Officer must sign each page of the tender document unless it is very long. In this case, they may only sign the pages that include pricing information.
- 5.3.40 Once the tenders have been opened, they should be held in a secure place by the Contract Monitoring Officer.

Late Tenders

- 5.3.41 The Head of Legal & Democratic Services must reject tenders that are received after the deadline unless none of the tenders submitted on time have been opened or there is proof that the tender was posted in enough time to meet the deadline (for example, the postmark date is the day before the deadline for a first class delivery or is three days before the deadline for a second class delivery).

5.3.42 If the Head of Legal & Democratic Services decides to accept a late tender, they must treat that tender in the same way as all other tenders. The full details of the decision to accept the late tender must be recorded.

5.3.43 If the late tender is rejected, it should be returned unopened to the tenderer and a record of posting kept on file for two years. The tenderer should be informed in writing of the date and time the tender was received.

Assessing Tenders

5.3.44 The Contract Monitoring Officer will ensure the tenders are assessed in accordance with the advice provided by the Head of Financial Services or Strategic Procurement Manager.

5.3.45 Before assessing the tenders, the Contract Monitoring Officer needs to check that each part of them meets the requirements of the specification. The responsible officer also needs to make sure that there are no mistakes and that nothing is missing

5.3.46 If there are substantial omissions of data or documentation that make it impossible to assess the tender, this should be fully recorded and the tender rejected.

5.3.47 The accuracy of the figures in each tender must be checked. If mistakes are found that do not affect the overall price of the goods or services, the tenderer must be contacted and asked to confirm the correct figures in writing.

5.3.48 A record of all mistakes must be kept and attached to the tender documents together with any corrections agreed with the tenderer.

5.3.49 The correct tenders can then be assessed in accordance with the assessment criteria that have previously been agreed in accordance with these formal tendering procedures.

5.3.50 The assessment criteria used for the tender evaluation must be the same in all respects as the criteria advised to prospective suppliers at the beginning of the process.

5.3.51 Assessment details are strictly confidential and must not be passed on to anyone else. During the course of the assessment, tender documentation must be kept secure and confidentiality preserved. If, in a major tendering exercise, the documentation is going to be copied or divided to aid the assessment process, a record should be maintained to identify to whom such documents have been issued and the date returned.

5.3.52 The Contract Monitoring Officer shall retain a complete set of documents in a secure place in case any parts of the documentation go missing.

5.3.53 Once the assessment has been completed the responsible officer should produce a report showing:

- a) The result of the assessment of each tender.
- b) A comparison of assessment results.
- c) The recommendation on which tenderer should be offered the contract.

Accepting and Rejecting Tenders

5.3.54 The Contract Monitoring Officer should accept the tender that is:

a) The lowest tender that meets the evaluation criteria.

Or

b) The tender that will be of most economic benefit to the Council. Where this is not the lowest tender, the Contract Monitoring Officer should explain in writing giving objective reasons why that tender is preferred and seek approval from the Head of Financial Services or Strategic Procurement Manager and the Head of Legal & Democratic Services to proceed to appoint. A note should be placed on file to show that the Head of Financial Services or Strategic Procurement Manager and Head of Legal & Democratic Services has reviewed the evaluation process and agreed with the outcome.

5.3.55 The Contract Monitoring Officer should always consider whether their recommendation for awarding the contract should be put before a Cabinet Member, the Cabinet or Council for formal approval **before** contacting the successful tenderer. The Scheme of Delegation (Part 12 of the Constitution) sets out the Council's procedures for making decisions. If in doubt, seek advice and approval from the Head of Financial Services or Strategic Procurement Manager and the Head of Legal & Democratic Services. Tenderers should be told at the outset if Cabinet or Council approval will be needed.

5.3.56 The officer should write to inform the successful tenderers of the decision as soon as possible **after all necessary approvals have been received**.

5.3.57 Care should be taken when issuing letters informing the tenderer that they have been successful as an unqualified acceptance of the tender may create a binding contract before the formal documentation has been completed and signed by the appropriate authorised signatories.

5.3.58 Unsuccessful tenderers should be informed after the successful tenderer has been told. If unsuccessful tenderers ask why their tender was not successful then general feedback should be given on the areas of their tender that scored poorly. The Contract Monitoring Officer should not become involved in detailed arguments or discussions in order to justify their decision. If the tenderer requires more detailed information the officer should advise them to put their request in writing and seek appropriate advice before responding in writing.

Negotiating

5.3.59 The Contract Monitoring Officer must comply with the following conditions when negotiating on price with tenderers:

a) Guidance must be sought from the Head of Financial Services or Strategic Procurement Manager who will consult with the Head of Legal & Democratic Services as appropriate before advising on the appropriate course of action.

b) The Contract Monitoring Officer must be accompanied by another officer during negotiations with tenderers and a full written record of all discussions should be made and signed by both officers. The results of the negotiation process must be shared with the Head of Financial Services or Strategic Procurement Manager.

c) All negotiations must be carried out at the Council's offices.

d) Officers must not discuss one tenderer's detailed prices, conditions or terms with another tenderer.

- e) Officers must respect the confidentiality of information provided by tenderers.
- f) If negotiations lead to a material change in the description of the work, goods or services or other terms, the officer must invite everyone who has provided a tender to re-tender on the basis of the revised contract. If this is the case, the whole process should start again.

5.3.60 If there is an in-house tender for a contract, negotiations must not take place without permission from the Head of Financial Services or Strategic Procurement Manager as outlined in 5.3.59 a) above.

Awarding a Contract

5.3.61 Before awarding any contract, the Contract Monitoring Officer must first obtain the approval of their Director or their authorised representative with confirmation of:

- a) The competency of the proposed contractor and the adequacy of any necessary insurance.
- b) The prices quoted by the proposed contractor.
- c) The consistency of the proposed action with the objectives and requirements of the Council's Contract Procedure Rules.
- d) The financial stability of the proposed contractor.
- e) A satisfactory credit check if the Council has not dealt with that contractor for more than two years for contracts in excess of £50,000. A credit check should be carried out on all short listed tenderers for contracts in excess of the European procurement limit for supplies and services (currently £140,000). Advice on credit checks should be sought from Audit Services.

5.3.62 Once this approval has been granted, the officer needs to complete the contractual arrangements. The documents should clearly set out the name of the supplier, what the contract is for, and the terms and conditions of the contract. They should also show that there is suitable insurance to protect the Council's interests. Advice on insurance matters is available from the Council's Insurance and Risk Manager. Where an official order is used and where it makes reference to the Council's General Terms and Conditions for Services, Supplies and Works those terms will apply to the contract. If in any doubt with the contract documentation, advice should be sought from the Head of Legal & Democratic Services.

5.3.63 All contracts must be signed by the Head of Legal & Democratic Services. The Head of Legal & Democratic Services will only sign contracts if the Director has given written authority for him to do so and written assurance that the Council's Contract Procedure Rules have been complied with in all respects. A Director must also sign all contracts where European procurement rules apply.

5.3.64 Officers are responsible for seeking advice from Legal & Democratic Services if they are not clear about the form of contract to be used or changes are needed to the standard form of contract used by the Council.

5.3.65 The Contract Monitoring Officer must inform the Head of Financial Services or Strategic Procurement Manager of the contract and must record the details of all contracts in the Contracts Register.

5.3.66 Officers must keep written records of each contract, including all the quotes and letters they have received and notes of telephone calls and meetings about selecting suppliers. These records must be made available to internal or external audit as required by them.

Publication of Contract Details

5.3.67 Officers must not give tenderers or suppliers any information about the bids or affairs of any other tenderer or contractor unless the law requires it. All information relating to tendering and contracting procedures is confidential.

5.3.68 The only information officers should make public is the name of the successful tenderer. However, this information must not be released until the contract has been awarded and signed.

5.3.69 If information is published on the amounts of the other bids received, the names of the unsuccessful tenderers must not be disclosed. Officers should ensure that all tenderers are aware that this information will or may be published when they are invited to tender and that the Council will need to meet its obligations under the Freedom of Information Act.

6. EUROPEAN PROCUREMENT RULES

6.1 Introduction

6.1.1 Whilst European procurement rules prevail, officers are expected to follow the principles set out in the Council’s Contract Procedure Rules.

6.1.2 The European procurement rules are complex with significant penalties if the legislative requirements are not strictly adhered to. All officers are therefore responsible for seeking advice and guidance at all stages of the process from the Head of Financial Services or Strategic Procurement Manager and the Head of Legal & Democratic Services.

6.2 European Limits

6.2.1 The following table sets out the public sector thresholds for 1st January, 2008 to 31st December, 2009:

	Supplies	Services	Works
Public Sector Contracting Authorities	£139,893	£139,893	£3,497,313
Indicative Notices	£509,317	£509,317	£3,497,313

6.2.2 The figures are revised every two years on 1st January and officers should check with the Head of Legal & Democratic Services for the latest values.

6.2.3 If a contract for supplying goods or services will be worth more than the limits set out in the table above, the contract is likely to be governed by EC Directives and English Regulations.

6.2.4 The value limits apply to individual contracts and groups of contracts with similar characteristics that are to be agreed in the same year. Contracts with similar characteristics have to be added together to see whether they have reached the value limits. This is to prevent organisations packaging similar contracts into small units to avoid the rules.

6.2.5 Individual contract values are calculated as follows:

- a) If the contract is part of a series or is renewable, its value will be:
- The value given in the previous financial year (over a 12-month period).
- Or
- The estimated value over the next 12 months from the date the goods, work or service is first provided.
- b) If the contract is for a fixed term of less than four years, the value will be the total value of the contract.
- c) If the contract has no end date or is for a fixed term of more than four years, the value will be the monthly value of the contract multiplied by 48.

6.2.6 If more than one of the above applies, the method that gives the highest value must be used. Again this is to prevent organisations by-passing the rules by choosing a calculation that puts a contract or group of contracts below the value limit.

6.2.7 Once the value of each contract has been calculated, it must be added to the value of other contracts with similar characteristics. If the value of a contract or group of contracts with similar characteristics is greater than the value limit, European procurement rules must be followed. To ensure that the aggregation rules are properly applied, Contract Monitoring Officers should liaise with the Strategic Procurement Manager for all contracts in excess of £50,000.

6.2.8 **Before going any further with a European procurement process, officers must discuss the next steps with the Head of Financial Services or Strategic Procurement Manager and the Head of Legal & Democratic Services.**

6.3 Awarding Contracts Subject to European Procurement Rules

6.3.1 Before issuing an award notification, or if contact is made by an unsuccessful tenderer at any time during the standstill period, contact the Head of Financial Services or Strategic Procurement Manager or your external procurement consultants for advice.

6.3.2 To ensure compliance with European procurement rules there must be a **minimum** standstill period of 10 calendar days between advising all tenderers of the award decision and the actual award of the contract. This 10-day standstill period incorporates other specific deadlines that can result in the standstill period being extended.

6.3.3 The standstill period is to allow unsuccessful tenderers an opportunity to challenge any award decision. Where a legal challenge is made within the 10-day standstill period, the contract cannot be awarded until the outcome of the application to court is known. **It is imperative that any correspondence amounting to an acceptance letter is not issued during this period.**

6.3.4 The written notification to the unsuccessful tenderers which triggers the standstill period **must** contain:

- a) The award criteria.
- b) The tenderer's score (where appropriate).

c) The winning tenderer's score (where appropriate).

d) The name of the winning tenderer.

6.3.5 The European procurement rules require tender results to be published in the Official Journal within 48 days of the date a contract is awarded. This must be done in consultation with the Head of Legal & Democratic Services.

6.3.6 The Head of Financial Services or Strategic Procurement Manager and the Head of Legal & Democratic Services must be consulted on all EU procurements.

7. FRAMEWORK CONTRACTING

7.1.1 Framework contracting involves selecting a contractor from a list of contractors on an approved "Framework" for given works, goods or services. The contractors are included on the Framework following a tendering exercise to establish capability, quality and value. The tendering procedures will have had to comply with any relevant English or European law.

7.1.2 Purchasers can enter into subsequent 'call-off' contracts from a Framework. Framework contracting is becoming increasingly prevalent in an attempt to avoid bureaucracy and achieve best values via economies of scale.

7.1.3 Frameworks can be externally formed (e.g. by Government) or internally formed (e.g. by the Council). The number of approved contractors on a Framework can vary but the minimum number should be three. Frameworks should not be confused with internal Approved Contractor Registers.

7.1.4 When an external Framework is formed general terms and conditions are agreed between the Framework contractors and the Framework organiser. These pre-agreed terms and conditions will form a major part of any purchasers' 'call-off' contract and contractors are not obliged to agree to any amendments to them.

7.1.5 From the 1st January 2006, **EU Procurement Directive 2004/18/EC** has governed the process under which contracts under Frameworks are to be awarded and in the interests of competition has placed a maximum duration of 4 years on any Framework (unless special justification can be made for a longer period).

7.1.6 Officers must take the following steps to ensure compliance with EU Procurement Directive 2004/18/EC when using a Framework contract created since the 1st January 2006:

a) All the contractors on a Framework that are capable of meeting the purchaser's specification must be allowed to submit a bid against that specification.

b) The reasons for selecting a smaller number of contractors on a Framework must be clearly evidenced.

c) Award of contract must be on the basis of the criteria for the Framework as set out in the Framework agreement itself, that is, within the original tender documentation setting up the Framework.

7.1.7 The Head of Financial Services or Strategic Procurement Manager and the Head of Legal & Democratic Services must be consulted on all Framework contract procurements.

8. OTHER PROCUREMENT PROCEDURES

- 8.1 There are a number of other procurement procedures that may be available in particular circumstances:
- a) Design contests, particularly in the fields of planning, architecture, civil engineering and information technology.
 - b) Public housing schemes where the size and complexity of schemes necessitate the close collaboration between the Council and Contractors.
 - c) Concession contracts where contractors derive income from the completed work, for example a toll bridge.
- 8.2 The Head of Financial Services or Strategic Procurement Manager and Head of Legal & Democratic Services must be consulted regarding any proposals to follow any such procedures.

9. CONTRACTS UNDER SEAL

- 9.1 All contracts for building, engineering (excluding highway maintenance), property repairs and property maintenance works with an estimated value in excess of the European procurement limit for supplies and services (currently £140,000) shall be sent to the Head of Legal & Democratic Services for execution under the Council's seal.

10. EXEMPTIONS FROM THE COUNCIL'S CONTRACT PROCEDURE RULES

- 10.1 Exemptions from the Council's Contract Procedure Rules are only allowed in exceptional circumstances such as there being insufficient suppliers for the goods, works or services being procured. Permission must be obtained for any exemption from the Head of Financial Services or Strategic Procurement Manager **and** Head of Legal & Democratic Services. Major contracts may be subject to the European procurement rules and the Head of Legal & Democratic Services cannot provide an exemption from those requirements.
- 10.2 A written application for an exemption from the Council's Contract Procedure Rules must be made to the Head of Legal & Democratic Services setting out the reasons for the application. The Head of Legal & Democratic Services must respond within 21 days. If agreed by the Head of Legal & Democratic Services, the exemption must be approved in accordance with the Council's Constitution.
- 10.3 Tenders need not be invited in accordance with the provisions of section 5 of the Council's Contract Procedure Rules if an urgent decision is required, for example for the protection of life or property or to maintain the functioning of a public service. Wherever possible though, at least two quotations must be obtained and the provisions within the Council's Financial Procedure Rules for making urgent decisions must be followed.

