

8. TREASURY MANAGEMENT POLICY STATEMENT AND ANNUAL TREASURY MANAGEMENT AND INVESTMENT STRATEGY (JW)

Purpose of the report

1. The purpose of this report is to meet the necessary statutory requirements governing Treasury Management functions by asking Members to approve:-
 - 1) An over-arching Treasury Management Policy Statement. (Appendix 1)
 - 2) An Annual Treasury Management and Investment Strategy.(Appendix 2)

Incorporated into 2) above is the requirement to set appropriate Prudential Code indicators and limits, and approve a Minimum Revenue Provision policy.

Key Issues

2. Treasury Management is defined by the Chartered Institute of Public Finance and Accountancy (CIPFA) as:-

“The management of the organisation’s borrowing, investments and cash flows, including 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”. (The Prudential Code 2021 edition).

Because we are able to draw down National Park Grant in advance to meet our expenditure obligations when they arise, in practice this Authority has relatively uncomplicated requirements. They are predominantly the need to invest securely temporary cash balances until they are required, in exchange for a reasonable rate of return, and also to arrange appropriate loans for our limited borrowing exposure.

This document therefore asks Members to approve the framework, and limits, within which these arrangements are carried out by the Chief Finance Officer.

Our temporary cash balances are invested on our behalf by North Yorkshire County Council (NYCC), which relies upon the Annual Investment Strategy of North Yorkshire County Council. NYCC moves to being a new Unitary Council, North Yorkshire Council (NYC), from April 2023 and as such the Annual Treasury Management Strategy has been established for the new NYC and was approved full Council on 22 February 2023 (Appendix 3 – NYCC Treasury Management Report, Appendix C and Schedules 1 to 6 only). Members are asked to adopt this as the Authorities overarching strategy. There have been no changes in NYC’s investment and risk management approach as the strategy for the new Unitary Council is broadly in line with the previous NYCC strategy.

The current Service Level Agreement (SLA) with NYCC ends on 6 April 2023, however work is being undertaken to enter into a new 3 year SLA with NYC which has been agreed to in principle by NYC. This arrangement continues to be the best option for the Authority to safeguard its surplus funds with the required security and in compliance with current legislation and guidance for Local Authorities. The cost of which remains complete at £5.3k for 2023/24.

In 2021, CIPFA issued a revised Treasury Management Code of Practice and Prudential Code. The revised Codes require all local authorities to produce a Capital Strategy. The Capital Strategy provides a high level overview of how capital expenditure, capital financing and treasury management contribute to the provision of Corporate and service objectives and takes account of stewardship, value for money, prudence, sustainability and affordability. The

revised Capital Strategy covering the period up to 31 March 2028 is to be approved by members on this agenda (17 March 2023).

Recommendations

3.
 1. **That the Authority approves the Treasury Management Policy Statement in Appendix 1.**
 2. **That the Authority approves the Annual Treasury Management and Investment Strategy in Appendix 2, with specific approval of the Prudential Indicators and borrowing limits (paragraphs 6 to 13), and the policy on Minimum Revenue Provision (paragraphs 14 and 15), and adopts the Investment Strategy of North Yorkshire Council (Appendix 3 – NYC Section 4 Annual Investment Strategy and associated Appendices at Section 5).**

How does this contribute to our policies and legal obligations?

4. This report is produced in order to comply with the requirements of:-
 - The Chartered Institute of Public Finance and Accountancy (CIPFA) Code of Practice on Treasury Management in the Public Services
 - The CIPFA Prudential Code for Capital Finance in Local Authorities (revised 2021)
 - The Department for Levelling Up, Housing and Communities (DLUHC) Guidance on Local Government Investments and Minimum Revenue Provision

Proposals

5. Borrowing

The Authority finances its overall capital expenditure from a combination of use of capital receipts, capital grants from external bodies, direct revenue contributions, and borrowing. The ability to finance capital expenditure directly from revenue contributions tends to be limited, so the Authority looks to maximise capital grant opportunities if they are available, and use a combination of capital receipts (from asset disposals) and borrowing to meet some of the capital investment challenges. Borrowing is only practical if the debt repayments can be achieved safely from income arising from the capital investments themselves, as increasing reliance on National Park Grant to finance debt repayments is not considered to be sustainable.

The revised Capital Programme contains estimates of capital expenditure from 2023/24 to 2027/28 of £1.9m, of which approximately £455k is estimated to be from borrowing, subject to individual business cases.

Borrowing therefore remains an important tool to allow the Authority to consider vital expenditure investments, in particular those invest-to-save or invest-to-income proposals which could comfortably repay debt charges, and the Prudential Code indicators have been set at levels which are mindful of the need to accommodate this potential expenditure, whilst giving space for future investments not yet developed. The Prudential Code retains revisions made that were related to borrowing for commercial purposes, the context being that there were concerns that some Local Authorities had over extended themselves using borrowing powers to finance commercial activities leading to disproportionate risk. The Prudential Code explicitly states that:

“...an authority must not borrow to invest primarily for financial return.” (CIPFA Prudential Code 2021).

This change will not have an impact on the Authority as this is not, nor has been part of the Authority's Investment Strategy.

A decision to borrow leads to what is called a "Capital Financing Requirement (C.F.R)" which is the underlying need for the Authority to borrow to support the capital expenditure, assuming it is not financed by other means. The actual borrowing may or may not be taken out at the same time – it remains more cost effective to use temporary cash funds despite growth to investment returns as interest rates continue to increase. The Authority's C.F.R. estimate for 31st March 2023 is £1.232m (£1.325m at March 31st 2022) of which £330k is a Public Works Loan and the remainder, £902k, is financed temporarily from internal cash funds.

One consideration in the use of Capital and Revenue funds might be a decision to reduce debt by repaying outstanding loan principals. This might be an option if the alternative capital expenditure proposals are not considered to produce a reasonable rate of return on capital. There is however a penalty in early repayment of Public Works Loan board debt, over and above the principal outstanding, as the repayment amount is calculated on current market rates. There is no such penalty where internal cash funds are used and this might be an option to consider.

Capital resources can be used for revenue purposes only if agreed by the Secretary of State (for the Department for Levelling Up, Housing and Communities (DLUHC) by way of a Capitalisation Direction, which must be bid for. There are currently no plans to apply for this use of resource.

6. For any extension of borrowing the Prudential Code requires that explicit regard must be taken of option appraisal, asset management planning, and strategic planning. Capital expenditure and associated borrowing has a long term impact and therefore it is important to ensure that strategic plans have a longevity matching these underlying financial commitments. Some of the decision making methods which are used to help support these decisions are common accounting decision making tools such as net present value, profitability indices and interest cover ratios. Another test is the "exit" value of any investment proposal; these tests are intended to reduce the risk of the debt being a future burden on the Authority's revenue budget. These tools are looking to determine can the project afford to repay its debt costs, without additional burden on the revenue of the Authority.

7. Investing

Assuming the Investment Strategy is approved (Appendix 2 & 3) in this report, the Authority will invest its surplus cash resources with North Yorkshire Council on a shared risk, and shared return basis. The 2022/23 original budget of £15k assumed that a rate of return of around 0.18% would be achieved, however this was revised to £75k and approved by members in December 2022 based on a rate of return of 1.6%. However, the Bank of England base rate has continued to increase (4% as at February 2023) with actual receipts as at 31 December 2022 at £94k meaning a possible year end return of between £120k and £140k. The 2023/24 budget was set on the basis that rates would remain high and give rise to a return of £110k. The key principal for investment is security of funds rather than rate of return.

Are there any corporate implications members should be concerned about?

8. **Financial:** Financial issues are covered by virtue of the nature of the report

9. **Risk Management:** The Prudential Code indicators help to manage risks inherent in borrowing for capital expenditure. The Treasury Management and Investment Strategy manages and minimises the risks inherent in the Authority's investing activities.
10. **Sustainability:** The indicators include consideration of the sustainability of capital borrowing.
11. **Equality, Diversity and Inclusion:** There are no implications to identify.
12. **Climate Change:** There are no implications to identify.
13. **Appendices:**

Appendix 1 – PDNPA Treasury Management Policy Statement

Appendix 2 – PDNPA Annual Treasury Management and Investment Strategy

Appendix 3 – NYC Section 4 Annual Investment Strategy and associated Appendices at Section 5).

Report Author, Job Title and Publication Date

Justine Wells, Head of Finance and Chief Finance Officer, 9th March 2023