
Contact Officer: Mark Kenyon, Chief Finance Officer to the West Midlands Police and Crime Commissioner

Telephone Number: 0121 626 6060

Email: wmpcc@west-midlands.pnn.police.uk

Title: 2021/22 Revenue Budget & Precept and Capital Programme 2021/22 to 2024/25 and Medium Term Financial Plan to 2024/25

EXECUTIVE SUMMARY

This report sets out the Police and Crime Commissioner's 2021/22 Revenue Budget and Precept and Capital Budget and Programme 2021/22 to 2024/25.

DECISION

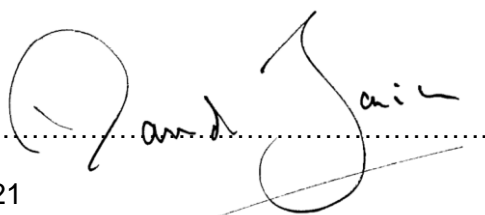
- (a) That, for 2021/22, a total revenue expenditure level of **£640,741,500** be approved;
- (b) That, net contributions from Reserves to support the precept of **£308,900** be made in 2021/22;
- (c) That, a net budget requirement for 2021/22 of **£641,050,400** be approved;
- (d) That the Commissioner's General Reserve remains at **£12,042,000**;
- (e) That the capital budget and programme as set out in **paragraphs 19** and **Appendix 4** be approved;
- (f) That the Band D precept for 2021/22 should be set at **£177.55** an increase of £15 compared to 2020/21;
- (g) Utilise the Council Tax CoVID-19 Support grants in line with **paragraph 26 and Appendix 6**;
- (h) That, a total precept on the District Councils of the West Midlands be approved and apportioned between such Districts, on the basis of relevant tax base as determined by the District Councils and set out in **Appendix 5**;
- (i) That, District Councils be required to make payments on account of such precept upon them, by way of twelve equal instalments on or before the last banking day of each month, commencing in April 2021;
- (j) The continued commitment to maintain Community Safety Funding at 2020/21 levels;

- (k) That, the Operational Budget for 2021/22, be delegated in accordance with the Scheme of Consent, as set out in **Appendix 2**;
- (l) That the Police and Crime Commissioner's budget be delegated to the Chief Executive in accordance with **paragraph 8**;
- (m) That the Medium Term Financial Plan to 2024/25 as set out in **paragraph 16** be approved;
- (n) That the Capital Strategy 2021/22 – 2024/25 as set out in **Appendix 3** be approved;
- (o) That the Prudential Guidelines and Indicators set out in **Appendix 8** be approved;
- (p) That, the Chief Finance Officer (CFO) to the Commissioner be authorised to arrange the necessary financing for the Capital Programme, in accordance with the approved Treasury Management Strategy and the CIPFA Code of Treasury Management;

West Midlands Police and Crime Commissioner

I confirm that I do not have any disclosable pecuniary interests in this decision and take the decision in compliance with the Code of Conduct for the Police and Crime Commissioner for the West Midlands. Any interests are indicated below.

Signature.....

A handwritten signature in black ink, appearing to read "Paul Smith", written over a dotted line. The signature is stylized and includes a large flourish at the end.

Date: 08.02.2021

NON – CONFIDENTIAL FACTS AND ADVICE TO THE POLICE AND CRIME COMMISSIONER

INTRODUCTION AND BACKGROUND

PURPOSE

1. Following the meeting of the Police and Crime Panel on 1 February 2021, this paper sets out the Police and Crime Commissioner's 2021/22 Revenue Budget & Precept and Capital Budget and Programme 2021/22 – 2024/25. Also enclosed in paragraph 16 is the Medium Term Financial Plan up to 2024/25.

BACKGROUND

GOVERNMENT GRANT SETTLEMENT 2021/22

2. The total grant settlement for the West Midlands in 2021/22 is £528m which is an increase of £25.3m on the 2020/21 settlement. This additional funding is for the recruitment of an additional 360 police officers and all additional costs in the West Midlands by March 2022 as part of the national uplift programme. The other main points to note from the settlement are detailed below.
 - (a) The settlement includes the expectation for PCC's to raise their precept by up to £15 per year per Band D property in 2021/22. This expectation is for all PCC's with no differential for the existing low precepting areas.
 - (b) PCC's will receive a portion of the £670m of additional grant funding announced for local council tax support. The unringfenced funding recognises the additional costs of providing Local Council Tax Support in 2021/22 related to elevated unemployment levels as a result of the pandemic, which may materialise as tax base reductions (leading to less council tax income available in 2021/22) or contribute to collection fund deficits at the end of 2021/22.
 - (c) Pay freeze for all staff earning more than £24k for the 2021 pay award, with the PCC expected to pay for the 2020 pay award from the funding settlement.
 - (d) For 2020/21 existing formula damping arrangements remain unchanged.
 - (e) Continuation of the £7m pension grant.
 - (f) Capital grant allocations of £0.7m for the West Midlands in 2021/22 are the same as 2020/21.
 - (g) The Government expects the police to continue to build on the progress made on improving efficiency and productivity.
 - (h) The Force has significant cost pressures in 2021/22 including pay and price inflation. This is estimated to be around £13.9m.
 - (i) The additional grant allocation of £25.3m is to fund an additional 360 police officers by March 2022. This includes any infrastructure and equipment

costs for the entire Uplift Programme for the potential 1,200 additional officers in the West Midlands by March 2023. Included within the 360 extra police officers are 17 ring-fenced for the Regional Organised Crime Unit to counter growth in serious and organised crime, including fraud, county lines, child abuse and cyber-crime.

BALANCES AND RESERVES

3. The prudent use of reserves to support spending continues to be a key factor in the Medium Term Financial Strategy. The following table details the anticipated level of reserves at 31 March 2021 and the estimated level of reserves up until March 2022.

Reserves	31st March 2021 £,000	*2021/22 Movement in Reserves £,000	31st March 2022 £,000
Operational Reserves			
Devolved Budget Reserve (NaBIS, ROCU & CMPG)	4,259	0	4,259
Budget Reserve	2,658	0	2,658
Change Programme Reserve	7,542	0	7,542
Uplift Reserve	10,772	0	10,772
Other Reserves			
Uniform and Equipment Reserve	4,777	-740	4,037
POCA / Drug Squad / PPA Reserves	715	-400	315
Council Tax Funding Reserve	996	1,449	2,445
National Contingency Reserve	1,090	0	1,090
Insurance Reserves	8,788	0	8,788
Total Earmarked Reserves	41,597	309	41,905
General Fund Reserve	12,042	0	12,042
Total Reserves	53,639	309	53,948

**The usage of the above reserves will be subject to decisions and activities in year.*

4. The Commissioner needs to maintain an adequate General Reserve balance because:
- A substantial organisation with a turnover in excess of £0.6 billion, there are no other such reserves to call on.
 - There are no budgeted contingencies for very major incidents, which may require significant resource levels for a long period.
5. There are a number of specific issues which need to be taken into account in considering how much of the earmarked reserves should be used in 2021/22, including:
- retaining the maximum levels possible to support spending in 2021/22 and later years when resource levels may be constrained;
 - striking a fair balance between how much should be used to support spending over the planning period and by how much the precept should increase;
 - risks and uncertainties in key budget assumptions, given that any over or additional spending in 2020/21 which cannot be met from in year redirections

would have to be met from reserves;

6. Given these considerations and assuming a precept increase at the maximum permitted without a referendum it will be necessary to use £1.1m of reserves to support revenue spending in 2021/22. This is offset by a contribution to reserves of £1.4m into a council tax funding reserve to hold to fund future potential deficits linked to the Local Council Tax Support grant. The usage of other reserves will be subject to decisions and activities in year.

PROPOSED REVENUE BUDGET 2021/22

7. The Commissioner is proposing a Revenue Budget for 2021/22 based on the following:-
 - (a) The priorities of the Police and Crime Plan.
 - (b) The implications of the funding settlement.
 - (c) Existing budget commitments and inflationary pressures.
 - (d) The costs and benefits arising from the continued support for the transformation change programme.
 - (e) The continued commitment to maintain Community Safety Funding at 2020/21 levels.
 - (f) The uncertainty of funding beyond 2021/22 in light of the review of the police funding formula and any future CSR.
8. The Revenue Budget for 2021/22 is based on the following:-
 - (a) The continued recruitment of Police Officers, PCSOs and Police Staff to ensure that planned numbers are reached as detailed in paragraph 13.
 - (b) Deliver the Police Uplift Programme for West Midlands Police.
 - (c) The provision of improved equipment and technology to frontline officers to support capability, safety and welfare.
 - (d) The opportunity to have a workforce more representative of the public we serve by recruiting more BAME police officers, police staff and PCSOs.
 - (e) The continuation to support apprenticeships and the drive to increase and develop our police cadets' scheme, volunteers and specials across the West Midlands.
 - (f) A precept increase of £15 in line with the Council Tax referendum limit principles that applies to West Midlands Police together with the prudent use of reserves.
 - (g) Maintain the Community Safety Funding and External Commissioning at 2020/21 levels.
 - (h) A net contribution to reserves in 2021/22 of £0.3m, this is broken down further in the reserves section above (Paragraph 3).

- (i) The costs and benefits arising from the continued support to the transformational change programme including the completion of the Our Data Programme, the Estates Strategy and other smaller projects that are underway.
- (j) Continued work on efficiencies and productivity to redirect resources to frontline policing as a priority.

9. Recognising that in the medium term:

- (a) There remains considerable uncertainty about Government funding levels beyond 2021/22.
- (b) There are significant cost pressures to the force including inflation and other cost pressures.
- (c) There is a need to strike a careful balance between spending levels, the use of reserves and a precept increase in 2021/22.

OFFICE OF THE POLICE AND CRIME COMMISSIONER

10. The proposed budget for the Police and Crime Commissioner’s office for 2021/22, compared to the budget for 2020/21 is shown in the table below. The 2021/22 budget includes provision for the impact of the national 2020/21 pay award, staff increments and extra capacity to deliver against initiatives such as supporting the Violence Reduction Unit. The office supports the functions of the PCC, including commissioned services, supporting victims, engaging with the public, internal audit, running grants schemes, custody visiting, managing complaints appeals and responsibility for overseeing, scrutinising and leading the police force. The Office is responsible for victim services in the region, including supporting victims of domestic abuse and sexual assault. For many of these grant funded schemes the office absorbs the overhead ensuring the maximum amount of money is allocated to the receivers of the services. The office has recently picked up responsibility for new projects such as setting up the Regional Criminal Justice Forum on behalf of the four regional force / OPCC areas. In addition, the office has taken on lead roles in relation to fraud and the governance of the national police air service.

Office of the Police and Crime Commissioner Breakdown	Budget 2020/21 £,000	Budget 2021/22 £,000
Governance	412	408
Staff and Office Support Costs	1881	2,009
Consultation, ICT and Systems	112	112
Police Misconduct Hearings Inc. Legally Qualified Chairs	35	35
Subscriptions	35	40
Bank Charges and External Audit Fees	70	80
Custody Visiting	10	10
Professional Services	50	50
Total Base Budget	2,605	2,745

COMMUNITY SAFETY FUNDING

11. The Commissioner has made a commitment to maintain the levels of Community Safety Funding in 2021/22 at 2020/21 levels at £3,863,308.

OPERATIONAL POLICING BUDGET

12. In accordance with the Scheme of Consent, it is necessary for the Commissioner to approve an operational policing budget which can be delegated as detailed within the Scheme of Consent. It is consistent with the policies and priorities included in the Police and Crime Plan. The proposed operational policing budget is set out in Appendix 2. This represents, in more detail, a cost centre based view of Operational and non-Operational policing in the West Midlands.

STAFFING BUDGETS 2021/22

13. The table below details the forecast staffing levels including those relating to the national uplift programme across the Force for police officers, police staff and PCSO's. There is a continued commitment to recruit up to the number of Police Officers and PCSO's outlined:

Workforce Breakdown	31/03/2021 FTE	31/03/2022 FTE	31/03/2023 FTE	31/03/2024 FTE	31/03/2025 FTE
Police Officers	7,148	7,616	7,908	7,908	7,908
Police Staff	3,970	4,090	4,210	4,210	4,210
PCSO	464	464	464	464	464
Total Workforce	11,582	12,170	12,582	12,582	12,582

14. The 2020/21 funding settlement allows officer numbers to be increased by 360, split between 343 for core policing and 17 for the Regional Organised Crime Units. With Police staff number increases by around 120 by the end of March 2022 as part of the national uplift programmes. The numbers above also include short term funding for the Commonwealth Games and the City of Culture. The Commissioner and Chief Constable are also working together on continued efficiencies, further savings and increasing the capability of officers and staff.
15. The settlement announcement re-profiled the uplift of officers from 480 down to 360 for the 2021/22 financial year. The Force has brought 108 officers into March 2022 from the 2022/23 allocation. This will ensure the Force maximises officers to resource the Commonwealth Games and the commitments made through the PBB process to date can be delivered as planned.

MEDIUM TERM FINANCIAL PLAN (MTFP) to 2024/25

16. Following receipt of the grant settlement the Medium Term Financial Plan (MTFP) has been refreshed and updated based on a number of key assumptions covering lively funding, inflationary increases, expenditure items and the continuation of the uplift programme. The table below outlines these assumptions.

	Planning Assumptions 2022/23 %	Planning Assumptions 2023/24 onwards %	1% Movement £m (+/-)
Salaries	1.0%	2.0%	3.8
Police Grant	0.0%	1.0%	2.4
Supplies and services	3.0%	3.0%	0.6
Income	1.0%	1.0%	0.3
Premises inc. utilities	5.0%	5.0%	0.2
Fuel	5.0%	5.0%	0.1
Other Transport	2.0%	2.0%	0.1
Third Party Payments	5.0%	5.0%	0.1

Tax base	0.7%	1.0%	1.2
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	Planning Assumptions 2022/23	Planning Assumptions 2023/24 onwards	£1 Movement £m (+/-)
Precept (£)	£15	£15	0.7

17. The medium term financial plan reflecting the assumptions outlined above is shown in the table below. Assuming a £15 precept increase throughout the medium term the biggest pressure will be 2022/23 with a gap of £4.7m, reducing down to a small surplus in 2023/24 and a £1.8m gap in 2024/25.

Revenue Budget £m	Provisional Budget 2021/22	MTFP 2022/23	MTFP 2023/24	MTFP 2024/25
Pay	562.7	588.1	610.5	630.1
Non-Pay	133.0	128.1	120.8	123.7
External Income	-73.0	-46.1	-46.3	-46.6
Change Programme	9.4	5.7	3.3	1.2
Total Police Force	632.0	675.8	688.2	708.5
Total Police & Crime Commissioner	8.7	8.8	8.9	9.0
Police Grants	-514.9	-541.8	-547.0	-552.3
Precept	-126.1	-138.1	-150.4	-163.4
Contribution to/from Reserves	-0.3	4.7	-0.3	1.8

Contribution to/from Reserves required if we increase the precept by £15 from 2022/23 onwards

Contribution to/from Reserves	-0.3	8.3	6.9	12.8
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Contribution to/from Reserves if we increase precept by £10 from 2022/23 onwards

Contribution to/from Reserves	-0.3	11.9	14.2	23.8
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Contribution to/from Reserves if we increase precept by £5 from 2022/23 onwards

18. The table also gives an indication of the potential funding gap if the precept was set at either £10 or £5 over the medium term.

CAPITAL PROGRAMME 2021/22 – 2024/25

19. The main item in the capital programme contained in Appendix 4 is the major investments in the Force Estates Strategy; the strategy is currently being re-worked to take account of the uplift in officers and staff and COVID. Once finalised we will update the Capital Programme at revised budget. In addition there is funding for the vehicle and plant replacement programme and investment in ICT, which factors in the uplift programme. The capital programme will be financed by a combination of reserves, revenue contributions to capital, capital grants, capital receipts and additional borrowing as required.
20. The table in **Appendix 4** currently excludes the financial implications of the National Policing Technology programme. Current mobilisation plans for Emergency Services Mobile Communications Programme (ESMCP) are being worked up along with detailed costings, these will be added to the capital programme as further detail is received.

PRUDENTIAL GUIDELINES

21. In relation to capital financing the Commissioner is required to set a number of prudential indicators and these are covered in detail in **Appendix 8**.

RISKS AND UNCERTAINTIES

22. Details of the risks and uncertainties inherent in these Budget proposals are summarised in **Appendix 9**.

PRECEPT IMPLICATIONS

23. The table below shows a summary of the precept calculation including the notified Collection Fund net surplus, and compares the precept level with last year's figures:

Summary Precept Calculation	2020/21 £m	2021/22 £m
Total Revenue Budget	607.1	640.7
Contribution from Reserves	-3.5	0.3
Net Budget Requirement	603.6	641.1
Police Grant inc. DCLG	-466.5	-495.9
Council Tax Support Grant	-19.0	-19.0
Surplus / Deficit on Collection Fund	-1.2	0.7
Precept Requirement	117.0	126.9
Total Tax Base	719,757	714,480
Band D Precept*	162.55	177.55

*An increase of £15.00 per annum

24. This produces a charge for each property for 2021/22 as follows:

Band	Statutory Proportion	2020/21 Precept £:p	2021/22 Precept £:p	Change Annual £:p	Change Weekly £:p
Band A	6/9	108.37	118.37	10.00	0.19
Band B	7/9	126.43	138.09	11.66	0.22
Band C	8/9	144.49	157.82	13.33	0.26
Band D	9/9	162.55	177.55	15.00	0.29
Band E	11/9	198.67	217.01	18.34	0.35
Band F	13/9	234.79	256.46	21.67	0.42
Band G	15/9	270.92	295.92	25.00	0.48
Band H	18/9	325.10	355.10	30.00	0.58

25. The statutory calculations required by Local Government Finance Act, 1992 are shown in **Appendix 5**.
26. To support the precept implications of COVID-19 during 2020/21 the PCC will receive a grant under the Local Council Tax Guarantee Scheme, along with a share of the Local Council Tax Support grant allocated to support the 2021/22 financial year. **Appendix 6** provides a breakdown of the implications COVID has had on our precept for 2021/22 and how we have accounted for and applied the grants available.

FINANCIAL IMPLICATIONS

27. Are as detailed in this report.

LEGAL IMPLICATIONS

28. Section 40 of the Local Government Finance Act, 1992, requires the Commissioner to set budget and precept by 1st March each year.
29. The Commissioner must ensure that the precept is sufficient to provide for the expenditure estimates it will incur in the year in performing functions, defraying outstanding expenditure incurred earlier, any expenditure before precepts become sufficiently available and any payments into reserves.
30. The Localism Act 2011 has abolished the council tax capping regime and replaced it with the requirement for Authorities to hold a taxpayers referendum if excessive increases are proposed. In 2021/22 an excessive increase would £15.01 or greater.
31. Section 25 of the Local Government Act 2003 requires the CFO to report to the Commissioner on the robustness of the estimates made for the purposes of the statutory budget calculations and the adequacy of financial reserves and the Commissioner must have regard to that report when making decisions about the statutory budget calculations.

32. Section 19 of the Police Act 1996 makes special provision covering the Commissioner's decision, in respect of the precept it proposes to levy for the forthcoming year.

EQUALITY IMPLICATIONS

33. The budget provides for the continuation and development of policing services for all people in the West Midlands, irrespective of their protected characteristics of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. Both the Commissioner and the Force are committed to delivering the principles, strategies and priorities of their respective Equality Schemes.

SCHEDULE OF BACKGROUND PAPERS

Appendix 1 – Summary of Revenue Budget 2021/22
Appendix 2 – Operational Budget 2021/22
Appendix 3 – Capital Strategy 2021/22 – 2024/25
Appendix 4 - Capital Programme 2021/22 – 2024/25
Appendix 5 - Statutory Council Tax calculation 2021/22
Appendix 6 – Council Tax Grants
Appendix 7 – Report of the Chief Financial Officer
Appendix 8 – Statement of Prudential Indicators
Appendix 9 – Risk Assessment

SUMMARY OF REVENUE BUDGET 2021/22

	2020/21 Original Budget £,000	2020/21 September Reported Budget £,000	2021/22 Proposed Budget £,000
Income and Expenditure Breakdown,			
Police Pay	375,090	376,333	396,902
Police Community Support Officers	14,948	14,852	15,612
Police Staff Pay	141,470	144,226	150,197
Other Employee Expenses	13,341	11,897	15,394
Sub Total	544,849	547,308	578,106
Premises	20,946	18,140	19,136
Transport	7,868	7,583	9,805
Supplies and Services	48,589	47,116	49,762
Third Party Payments	12,588	12,956	15,902
Capital Financing	14,944	26,824	23,011
External Income	-43,019	-47,409	-56,862
Ring-Fenced Uplift Grant	-10,257	-10,257	-6,106
Police Pension Grant	-6,965	-6,965	-6,965
Local Council Tax Support Grant	0	0	-3,100
COVID-19	0	-1,617	0
Change Programme	9,059	12,295	9,357
Police Force	598,602	605,974	632,046
Office of Police and Crime Commissioner	2,605	2,781	2,745
Community Safety Funding	3,863	5,209	3,863
Active Citizens	400	729	400
External Commissioning	1,688	3,663	1,688
Victim Services Expenditure	3,409	4,314	3,409
Victim Services Income	-3,409	-4,314	-3,409
Violence Reduction Unit Expenditure	3,370	3,855	3,370
Violence Reduction Unit Income	-3,370	-3,855	-3,370
Total Office of the PCC	8,556	12,382	8,696
Total Revenue Budget	607,158	618,356	640,742
Government Grants including Uplift	-485,504	-485,504	-514,908
Council Tax inc. Deficit on Collection Fund	-118,170	-118,170	-126,142
Net Use / Contribution to Reserves	3,484	14,682	-309

OPERATIONAL BUDGET 2021/22

	2021/22 Proposed Budget £,000
Operational Budget	
Police Pay & Allowances	396,902
Police Staff & Allowances	165,809
Other Employee Expenses	15,394
Total Employee Costs	578,106
Running Costs	94,604
Income	-73,032
Total Operational Budget	599,678
WMP2020 Project Costs	9,357
Capital Financing	23,011
Total Police Force Budget	632,046

	2021/22 Proposed Budget £,000
Operational Budget Department Breakdown	
Criminal Justice Services	27,138
CTU	3,154
Force CID	80,944
Force Contact	38,057
Force Response	69,581
Forensics	13,742
Integrated Offender Management	1,553
Intelligence	15,068
Operations	44,417
Public Protection	47,813
Traffic & CMPG	12,774
ROCU	23,344
Support Services	118,073
Department Total	495,659
Local Policing	99,728
Central Costs	4,291
Total Operational Budget	599,678
WMP2020 Project Costs	9,357
Capital Financing	23,011
Total Police Force Budget	632,046

	2021/22 Proposed Budget £,000
Local Policing Breakdown	
Birmingham Central	20,129
Birmingham East	21,863
Coventry	11,832
Dudley	7,296
Sandwell	10,188
Solihull	6,376
Walsall	8,266
Wolverhampton	11,441
Birmingham Partnerships	2,338
Local Policing Total	99,728

	2021/22 Proposed Budget £,000
Support Services Breakdown	
Business Transformation	5,136
Strategy & Direction	1,589
Corporate Asset Management	32,852
Corporate Communications	2,306
Finance	1,685
Procurement	851
Force Executive Team	3,311
Information Management	3,813
IT & Digital	32,233
Legal Services	2,353
AD Business Partnering	7,357
AD Shared Services	6,615
AD Learning & Org Development	11,102
AD Diversity & Inclusion	1,887
AD Talent & Org Effectiveness	668
Professional Standards	4,317
Support Services Total	118,073

CAPITAL STRATEGY 2021/22 – 2024/25

1. BACKGROUND & INTRODUCTION

- 1.1. The CIPFA (Chartered Institute of Public Finance and Accountancy) 2017 Prudential and Treasury Management Codes require all local authorities (which includes Policing Bodies) to prepare a capital strategy report.
- 1.2. The Capital Strategy for the Police and Crime Commissioner (PCC) for the West Midlands and West Midlands Police is a key overarching document and sets out the policy framework for developing, managing and monitoring capital investment. It aligns to the Police and Crime Plan and demonstrates how investment decisions properly take account of stewardship, value for money, prudence, risk and sustainability.

2. PURPOSE

- 2.1. This capital strategy is intended to provide an overview of capital expenditure, capital financing and treasury management and how activity within these areas contribute to the provision of services the Force provides.
- 2.2. The strategy also considers how any associated risks are managed and the implications of future financial sustainability.

3. SCOPE

- 3.1. In managing capital investment for the Police and Crime Commissioner and West Midlands Police this strategy considers the following areas:-
 - Capital Expenditure
 - Investments
 - Liabilities
 - Treasury Management

4. GOVERNANCE FRAMEWORK

- 4.1. For WMP2020 change programme projects the investment decisions are made based upon the presentation of a detailed business case. These are considered and challenged at the monthly Organisational Change Board (OCB) meetings chaired by the Deputy Chief Constable and includes the Chief Finance Officers of both the Chief Constable and the PCC and representatives from key stakeholders and the Business Transformation team.
- 4.2. The business case process followed to allow investment decisions to be made includes a rigorous process of options appraisal including identification the needs and benefits (both financial and non-financial) of the proposal, the associated risks and the costs profiled over the life of the project.

- 4.3. In making an investment decision OCB considers how well the proposal meets and contributes to the Force priorities along with its affordability over the medium term.
- 4.4. All of the investment decisions made follow Force Standing Orders and the usual approvals process via the Office of the Police and Crime Commissioner.
- 4.5. Plans are only revised and updated following the approval given at OCB. These are then built in to the longer term capital plan which forms part of the revenue and capital budget setting process of the Force. The budget plans are presented to the Commissioner's Strategic Policing and Crime Board and the West Midlands Police and Crime Panel to ensure that there is a wide opportunity for challenge and scrutiny. Following on from this process the PCC formally approves the decision to accept the budget proposal.
- 4.6. The delivery of the capital plan is monitored monthly by the s151 Officers for the Force and the PCC and quarterly via reports that are presented to the Strategic Policing and Crime Board.
- 4.7. To underpin the capital investment programme each year a Treasury Management Strategy is produced which incorporates the Commissioner's investment strategy and approach to borrowing (The capital investment programme is the key driver of treasury management activity). This report is written by the CFOs of the PCC and the Chief Constable and is presented to the Joint Audit Committee in March each year for consideration before being approved by the Commissioner. Copies of the strategy can be found on www.westmidlands-pcc.gov.uk/transparency/record-of-decisions for each relevant year. The Joint Audit Committee also receive update reports throughout the year on the delivery of the Treasury Management Strategy.

5. CAPITAL EXPENDITURE

- 5.1. As part of the Medium Term Financial Planning Strategy (MTFPS), West Midlands Police takes a forward view of the Forces' asset needs to meet its future objectives. The MTFPS links very closely with the WMP2020 programme of work in assessing where capital investment may be required. The WMP2020 programme is the vehicle for delivering transformational change within the Force as detailed in the Police and Crime Plan 2016 – 2020.
- 5.2. In addition to the change programme the capital programme also provides for business as usual expenditure (BAU) such as replacement fleet vehicles, replacement or upgrade of core IT systems and equipment not related to change programmes but meeting the definition of capital expenditure.
- 5.3. To meet the definition of capital the expenditure made must result in the acquisition, construction or enhancement of a fixed asset (either tangible or intangible). In the case of enhancement this must be to prolong the life of or increase the market value of the asset.

6. CAPITAL INVESTMENT PRIORITIES

- 6.1. The PCCs Police and Crime Plan 2016-2020 (www.westmidlands-pcc.gov.uk/media/435616/2016-2020-Police-and-Crime-Plan-digital.pdf) and the West Midlands Police Ambition Plan (www.westmidlands.police.uk/flysystem/public-sync/inline-files/Ambition_Plan_FINAL_0.pdf) state the priorities and ambitions over the medium term. These are summarised as:-
- Protecting people from harm
 - Supporting victims of crime
 - Building trust and confidence in our police
 - Strengthening communities and growing the economy
 - Building a modern police service
 - Making better use of our people and resources
 - Tackling national and international threats
 - Standing up for young people
- 6.2. The Association of Police and Crime Commissioners (APCC) and National Police Chiefs Council (NPCC) are actively working nationally with all police leaders to reform and Policing by 2025. A vision for Policing in 2025 has been published and sets out the following five priorities for reform:-
- Local policing
 - Specialist capabilities like armed policing and organised crime investigation
 - Digital policing
 - Building a workforce with the right skills for the future
 - Improving collaboration in business support services (enabling business delivery)
- 6.3. The capital strategy and capital programme underpin both the local and national priorities in the investments it makes, particularly in relation to making the best use of resources and creating a modern police service. The investments made through the WMP2020 change programme and the Estates strategy enhance and improve the service for both staff and citizens by providing up to date technology and systems and creating better working environments, optimising available space. This leads to a more efficient service provided to citizens of the West Midlands which should continue to build trust and confidence in our service and give support to victims of crime.
- 6.4. One of the most significant investments is in the Connect project which is a single IT system that will replace 12 existing and aging systems. The system is due to 'go-live' in April 2021. The system is expected to drive efficiencies by reducing the need to double key information and give a single view of relevant data to users.
- 6.5. The Estates Programme is now under way with delivery of the Logistics Centre and partial completion of Park Lane. The strategy is currently being re-worked to take account of the uplift in officers, staff and COVID. Decisions relating to the programme can be found on the PCC's website <https://www.westmidlands-pcc.gov.uk/>.

7. METHODS OF FUNDING THE CAPITAL PROGRAMME

Government Grants

- 7.1. Each year the Force receives an allocation of grant funding directly from the Home Office for the purpose of capital expenditure. For 2020/21 this funding has been set at £0.7m.
- 7.2. The Force may also receive in year other specific grants which could be spent as capital or revenue to fund specific projects.
- 7.3. In addition to the funding given to the Force some specific grants are also received by the Counter Terrorism Unit (CTU) and these fund expenditure specific to the CTU.

Prudential Borrowing

- 7.4. The introduction of the 2004 Prudential Code enabled PCCs, like local Authorities, to determine their own level of capital investment controlled by self-regulation. It gives PCCs the ability to borrow in their own right provided that the borrowing is prudent, sustainable and affordable.
- 7.5. The PCC is currently undertaking borrowing on a needs and phased approach to fund the Estates programme and other areas of the capital programme as required. The decision to borrow includes the impact of borrowing costs on the revenue budget. It also ensures the borrowing costs are included in the revenue budget.

Capital Receipts

- 7.6. Through the sale and disposal of surplus assets the PCC is able to generate capital receipts. The PCC seeks to maximise capital receipts received from the disposal of assets to enable the funds to be used to support the capital programme.

Revenue Contributions

- 7.7. In some circumstances the Force does allow revenue contributions to be made to fund capital expenditure. This is usually where a piece of equipment is locally purchased but meets the definition of a capital asset. Going forward, given the reduction in Capital Grant funding there is the intention to increase the revenue contributions to fund capital expenditure.

CAPITAL BUDGET AND PROGRAMME 20121 – 2024/25

Capital Programme Breakdown	2021/22 Budget £m	2022/23 Proposed Budget £m	2023/24 Proposed Budget £m	2024/25 Proposed Budget £m	Total Capital Programme £m
Business as Usual:					
Fleet Inc. Uplift	5.3	6.6	5.9	7.0	24.8
IT & Digital BAU Inc. Uplift	5.1	9.6	3.1	3.0	20.8
Equipment	0.5	0.5	0.5	0.5	2.0
BAU	10.9	16.7	9.5	10.5	47.6
Estates Strategy	54.3	34.2	14.1	0.0	102.6
Total Capital Programme	65.2	50.9	23.6	10.5	150.2
Funded by:					
Revenue Contributions					60.0
Capital Grant					2.8
Forecast Capital Receipts					43.7
Planned Borrowing					30.0
Reserves / Further Borrowing / Additional Revenue Contributions					13.7
Total Capital Financing					150.2

APPENDIX 5

WEST MIDLANDS POLICE & CRIME COMMISSIONER PRECEPT CALCULATION 2021/22

		£
	Gross Budget Requirement	640,741,172
Less:	Balances and Reserves	308,900
	Net Budget Requirement	641,050,072
Less:	Police Grant inc. DCLG	(495,882,583)
	Legacy Council Tax Grant	(19,025,734)
	Gross Council Tax Requirement	126,141,755
Add/Less:	Balance on Collection Funds	714,237
	Net Council Tax Requirement	126,855,991

Apportioned on the relevant tax base as follows:

	Relevant Tax base £	Total Precept £	April-Feb £	Monthly Instalments March £
Birmingham	253,995.00	45,096,812	3,758,068	3,758,064
Coventry	82,717.10	14,686,421	1,223,868	1,223,873
Dudley	91,800.53	16,299,184	1,358,265	1,358,269
Sandwell	74,387.79	13,207,552	1,100,629	1,100,633
Solihull	77,190.00	13,705,085	1,142,090	1,142,095
Walsall	70,809.41	12,572,211	1,047,684	1,047,687
Wolverhampton	63,580.55	11,288,727	940,727	940,730
	714,480.38	126,855,990	10,571,331	10,571,350

Monthly Instalment x 11	116,284,641
Total Precept	126,855,991

Net Precept for Band D property £177.55

	Proportion of Band D £	Calculated Value £	Rounded Value £
Band A	6/9	118.3667	118.37
Band B	7/9	138.0944	138.09
Band C	8/9	157.8222	157.82
Band D	9/9	177.5500	177.55
Band E	11/9	217.0056	217.01
Band F	13/9	256.4611	256.46
Band G	15/9	295.9167	295.92
Band H	18/9	355.1000	355.10

COUNCIL TAX COVID19 SUPPORT GRANTS

LOCAL COUNCIL TAX SUPPORT GRANT

PCC's will receive a portion of the £670m of additional grant funding announced for local council tax support. The unringfenced funding recognises the additional costs of providing Local Council Tax Support in 2021/22 related to elevated unemployment levels as a result of the pandemic, which may materialise as tax base reductions (leading to less council tax income available in 2021/22) or contribute to collection fund deficits at the end of 2021/22.

The West Midlands share of the £670m is £3.1m and will be used to fund the reduction in the council tax base from the 2020/21 due to an increase in the number of Local Council Tax Support Claimants as a result of changes in circumstances due to the Covid-19 pandemic. We will use £1.0m of the £3.1m Local Council Tax Support grant to fund this reduction in 2021/22. The balance of £2.1m from the grant will be transferred to a reserve to fund future potential deficits. See the table below for the detail:

Authority	2020/21 Tax base	2021/22 Tax base	% Change
Birmingham	254,654.00	253,995.00	-0.3%
Coventry	83,905.50	82,717.10	-1.4%
Dudley	93,074.22	91,800.53	-1.4%
Sandwell	74,280.91	74,387.79	0.1%
Solihull	77,566.00	77,190.00	-0.5%
Walsall	71,549.80	70,809.41	-1.0%
Wolverhampton	64,726.80	63,580.55	-1.8%
Total	719,757.23	714,480.38	-0.7%

Authority	
Reduction in Tax Base	5,276.85
Net Precept for Band D property	£177.55
Loss of Council Tax	£936,905
Total Local Council Tax Support Grant*	£3,100,000
Local Council Tax Support Grant transferred to Reserves	£2,163,095

*Provisional Allocation

LOCAL COUNCIL TAX GUARANTEE SCHEME

To summarise the key elements of the Guarantee Scheme:

- Treasury are providing £762m to help fund 75% of the forecast deficit on collection funds in 2020/21.
- Money is being allocated to all precepting bodies, rather than solely to billing authorities.
- Government guidance states that 100% of the deficit arising in 2020/21 can be spread over the next 3 years.
- The grant will be paid in 2021/22 and is unringfenced to be used at the PCC's discretion.

The table below shows to total unadjusted surplus / deficits for 2020/21, along with what is spreadable under the Guarantee Scheme, the surplus / deficits applied over the next 3 years and our estimated grant under the Guarantee Scheme.

Authority	Unadjusted Surplus / Deficit £	Of Which Spreadable Over 3 Years £	Surplus / Deficit applied 2021/22 £	Deficit applied 2022/23 £	Deficit applied 2023/24 £	*Estimated Guarantee Grant 75% of spreadable deficit
Birmingham	-822,000	-519,000	-476,000	-173,000	-173,000	-389,250
Coventry	25,616	0	25,616	0	0	0
Dudley	-304,943	-98,621	-239,196	-32,874	-32,874	-73,966
Sandwell	325,589	0	325,589	0	0	0
Solihull	-174,059	-138,977	-81,408	-46,326	-46,326	-104,233
Walsall	9,896	0	9,896	0	0	0
Wolverhampton	-659,710	-571,464	-278,734	-190,488	-190,488	-428,598
Total	-1,599,611	-1,328,062	-714,237	-442,687	-442,687	-996,047

*We are awaiting confirmation of the exact Local Council Tax Guarantee grant, this is our current estimate and subject to change.

The decision has been made to utilise £714,237 of the grant in 2021/22 to fund the net in year deficit, leaving the balance of £281,810 in the Council Tax Funding Reserve to partially fund the future year's deficit balances.

REPORT OF THE CHIEF FINANCE OFFICER AS REQUIRED BY SECTION 25 OF THE LOCAL GOVERNMENT ACT 2003

1. Section 25 of the Local Government Act 2003 requires the designated Chief Finance Officer of the Commissioner to report to it on the following matters:
 - (a) the robustness of the estimates made for the purposes of the statutory budget calculations;
 - (b) the adequacy of the proposed financial reserves;
2. The Commissioner must then have regard to that report when making decisions about the statutory budget calculations.
3. Appendix 9 analyses the risks and implications if key budget assumptions vary during the year. Any overspendings which cannot be contained within approved budget levels will have to be financed from the Budget Reserve.
4. Details of the Commissioner's general balances and reserves are set out in paragraphs 3 and 4 of the report. I am recommending that the level of General Balances remains at £12m.
5. The 2021/22 Revenue Budget and Medium Term Financial Plan requires a use of reserves. I have advised the Commissioner that I believe this represents an entirely reasonable, balanced and prudent approach, given current levels of crime and anti-social behaviour, the priorities set out in the Police and Crime Plan and the levels of Government resources likely to be available in the medium term.
6. The Insurance Fund will continue to be maintained at a level consistent with the insurance cost borne by the Commissioner's reserve and the level of outstanding self-funding insurance claims at any time. Financing for the Capital Programme includes the use of borrowing, capital receipts, capital grant and revenue contributions. Other earmarked reserves will be applied as expenditure levels and service requirements dictate.
7. It will be necessary to retain as much flexibility as possible over the levels of reserves, including maximising the level of the Budget Reserve and prudent use over the plan period.
8. The total level of revenue reserves is estimated to be around £53.9m by 31st March 2022, depending on the use of earmarked reserves and the other factors influencing the use of reserves in 2021/22.
9. I am therefore able to confirm that, in my professional opinion:
 - (a) The estimates made for the purposes of the calculations of the commissioner's budget requirement for 2020/21, under Section 32 of the Local Government Finance Act 1992 contained in the report, are robust.
 - (b) The financial reserves that will remain available to the Commissioner, as a result of agreeing the proposals contained in this report, are adequate.

Mark Kenyon
Chief Finance Officer

STATEMENT OF PRUDENTIAL INDICATORS

1. The Prudential Code for Capital Finance in Local Authorities (Prudential Code) is applicable to the Police and Crime Commissioner and has been developed by the Chartered Institute of Public Finance and Accountancy (CIPFA) to provide a code of practice to underpin the system of capital finance embodied in Part 1 of the Local Government Act 2003. PCCs, like Local Authorities, are free to determine their own level of capital investment controlled by self-regulation.
2. The key objectives of the Prudential Code are to ensure that capital investment plans are affordable, prudent and sustainable.
3. The Prudential Code supports a system of self-regulation that is achieved by the setting and monitoring of a suite of Prudential Indicators that directly relate to each other. The indicators establish parameters within which the PCC should operate to ensure the objectives of the Prudential Code are met.
4. The Prudential Indicators for which the PCC is required to set limits are as follows:

Capital Expenditure

5. This prudential indicator is a summary of the PCCs capital expenditure plans, both those agreed previously, and those forming part of this budget cycle. It also forms the background to all other indicators, given that the overall rationale of the prudential system is to provide flexibility for borrowing to fund capital investment.
6. The actual amount of capital expenditure that was incurred during 2019/20, and the estimates of capital expenditure to be incurred for the current and future years that are proposed in the 2021/22 Budget are as follows:

	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25
	Actual	Estimate	Estimate	Estimate	Estimate	Estimate
	£'m	£'m	£'m	£'m	£'m	£'m
<i>Capital Expenditure</i>	42.5	31.7	65.2	50.9	23.6	10.5

Net Borrowing and the Capital Financing Requirement (CFR)

7. The second prudential indicator is the PCC's Capital Financing requirement (CFR). The CFR is simply the total historic outstanding capital expenditure which has not yet been paid for from either revenue or capital resources. It is essentially a measure of indebtedness and so is the underlying borrowing need. Any capital expenditure above which has not been paid for through a revenue or capital resource, will increase the CFR.

The CFR does not increase indefinitely, as the minimum revenue provision (MRP) is a statutory annual revenue charge which broadly reduces the indebtedness in line with each asset's life, and so charges the economic consumption of capital assets as they are used.

8. This Prudential Indicator also provides an overarching requirement that all the indicators operate within and is described in the Prudential Code as follows:

“In order to ensure that over the medium term net borrowing will only be for a capital purpose, the PCC should ensure that net external borrowing does not, except in the short term, exceed the total of capital financing requirement in the preceding year plus the estimates of any additional capital financing requirement for the current and next two financial years”.

9. In considering the proposed capital programme for 2021-22, the anticipated future borrowing requirements are considered in the context of overall capital resources and the impact on the revenue budget.

	31st March 2020 £'m	31st March 2021 £'m	31st March 2022 £'m	31st March 2023 £'m	31st March 2024 £'m
<i>Capital financing requirement (CFR)</i>	63.5	75.8	93.6	98.0	94.6
<i>External borrowing</i>	-97.33	-94.5	-114.5	-121.5	-120.7
Variance	-19.3	-18.6	-20.9	-23.4	-26.1

Note: The CFR increases when expenditure is incurred and reduces when provision is made to repay debt.

Ratio of Financing Costs to Net Revenue Stream

10. This indicator is intended to demonstrate the affordability of capital investment decisions in terms of the ratio of capital financing costs to overall resources, expressed as a percentage.
11. Financing Costs include the amount of interest payable in respect of borrowing or other long-term liabilities and the amount the PCC is required to set aside to repay debt, less interest and investments income.
12. The Net Revenue Stream is the amount to be met from government grants and local taxation. The prediction of the Net Revenue Stream for future years assumes decreases in the PCC's funding from government and the local taxpayer consistent with expectations in the Medium Term Financial Plan.
13. The estimates of the ratio of financing costs to net revenue stream, which are at very low levels, are as follows:

	2021/22 Estimate £m	2022/23 Estimate £m	2023/24 Estimate £m	2024/25 Estimate £m
<i>Financing Costs</i>	3.1	3.4	3.3	3.3
<i>Net Revenue Stream</i>	640.7	684.6	697.1	717.5
<i>Ratio</i>	0.48%	0.49%	0.47%	0.46%

Authorised Limit, Operational Boundary and Actual External Debt

14. These indicators are intended to ensure that levels of external borrowing are affordable, prudent and sustainable. The Authorised Limit for external debt is a statutory limit that should not be breached under any circumstances. The proposed limits set out below have been calculated to take account of the current PCC's Capital Expenditure and Financing Plans and allowing for the possibility of unusual cash movements. If this limit is likely to be breached, it would be necessary for the PCC to determine if it is prudent to raise the limit or to instigate procedures to ensure that such a breach does not occur.
15. The Operational Boundary is the limit beyond which external debt is not normally expected to exceed. It is a management tool for day to day monitoring and has been calculated with regard to the PCC's Capital Expenditure and Financing Plans allowing for the most likely, prudent, but not worst case scenario for cash flow. Temporary breaches of the Operational Boundary, due to variations in cash flow, will not be regarded as significant.
16. The following limits are recommended:

	2021/22	2022/23	2023/24
	£'m	£'m	£'m
Authorised Limit for external debt:			
<i>Borrowing</i>	125.0	130.0	130.0
Operational Boundary:			
<i>Borrowing</i>	120.0	125.0	125.0

The PCC's actual external debt as at 31/03/21 is anticipated to be £94.5m, excluding transferred debt managed by Dudley MBC.

The Incremental Impact of Capital Investment Decisions on the Council Tax

17. This indicator is intended to demonstrate the affordability of capital investment decisions in terms of their impact on the precept.
18. As per the Capital Programme, the PCC may propose to undertake borrowing to fund capital investment, the incremental impact on the precept is shown below.

	2020/21	2021/22	2022/23	2023/24	Total
	£m	£m	£m	£m	£m
<i>Total borrowing</i>	0	20.0	10.0	0.0	30
<i>Interest (1.5%)</i>	0	0.3	0.15	0.0	0.45
<i>Repayment of Principal (50yrs)</i>	0	0.4	0.2	0.0	0.6
<i>Revenue consequences</i>	0	0.0	0.0	0.0	0.0
Total revenue effect	0.0	0.70	0.35	0.0	1.05

19. There will also be a reduction in interest earnings as capital grants, capital receipts and the capital reserve are used to finance capital in the plan period, and some

additional revenue costs resulting from capital investment, the effects of which are included in the medium term revenue forecasts.

Prudential Indicators For Treasury Management

20. The following prudential indicators will be included in the PCC's 2021/22 Treasury Management Strategy that will be reported in March.

Treasury Management Code of Practice

21. The PCC has adopted the Chartered Institute of Public Finance and Accountancy (CIPFA): Code of Practice for Treasury Management in the Public Services.

Fixed Interest Rate Exposures

22. It is recommended that the PCC sets an upper limit on fixed interest rate exposures as follows.

Upper limits for net principal sums outstanding at fixed rates

	<i>2020/21</i>	<i>2021/22</i>	<i>2022/23</i>
Fixed Interest Exposure	%	%	%
<i>Upper Limit</i>	<i>100</i>	<i>100</i>	<i>100</i>

This represents the position that all of the PCC's authorised external borrowing may be at a fixed rate at any one time.

Variable Interest Rate Exposures

23. It is recommended that the PCC sets an upper limit on variable interest rate exposures as follows.

Upper limits for net principal sums outstanding at variable rates

	<i>2020/21</i>	<i>2021/22</i>	<i>2022/23</i>
Variable	%	%	%
<i>Upper Limit</i>	<i>20</i>	<i>20</i>	<i>20</i>

This is the maximum external borrowing judged prudent that the PCC should expose to variable rates.

Maturity Structure of Borrowing

24. These gross limits are set to reduce the PCC's exposure to large fixed sums falling due for refinancing, and are required for upper and lower limits. It is recommended that the upper and lower limits for the maturity structure of borrowings are as follows:

Amount of projected borrowing that is fixed rate maturing in each period as percentage of total projected borrowing that is fixed rate.

<i>Period of Maturity</i>	<i>Upper Limit</i> %	<i>Lower Limit</i> %
<i>Under 12 months</i>	25	0
<i>12 months and within 24 months</i>	25	0
<i>24 months and within 5 years</i>	50	0
<i>5 years and within 10years</i>	75	0
<i>10 years and above</i>	100	25

Investments for longer than 364 days

25. It is recommended that the upper limits of total principal sums invested for periods longer than 364 days are £40.0 million for 2020/21, 2021/22, 2022/23 and 2023/24.

Risk Assessment

Risk	Likelihood	Impact	Comment
<i>The Innovation and Integration Programme (IIP) costs are significantly higher than planned. Also the planned savings from the IIP and other savings included within the 2021/22 budget are not achievable.</i>	<i>Low</i>	<i>Medium</i>	<i>IIP governance structures in place to deliver the IIP programme. In addition Budget Managers have considered the planned savings and confirmed they believe them to be achievable, however if circumstances change and the planned level of savings is not achievable alternatives will be sought in year.</i>
<i>The Capital Programme requirement changes as work streams develop, for example, development of the Estates Strategy.</i>	<i>High</i>	<i>High</i>	<i>The programme has been written with some flexibility built in but should strategic choices vary significantly the programme would be reviewed and re-shaped in line with the new requirement. The addition of the Estates Strategy is being programme managed and would be reported through the appropriate governance channels.</i>
<i>Pay awards in the future differ from the assumptions in our financial planning</i>	<i>Low</i>	<i>Medium</i>	<i>Current assumptions are in line with pay award offers to Police Officers and Staff. If pay awards are higher than this, the savings requirement will increase. As detailed in this report there is a national pay freeze for all employees who earn above £24k</i>
<i>Increase in volume and/or cost of policing public order incidents linked to the general economic conditions or other factors</i>	<i>Medium</i>	<i>Medium</i>	<i>Depending on the volume and complexity of any incidents, this could place a significant strain on current contingency budgets. In the first instance savings would look to be found across budgets areas. If this was not sufficient then reserves would need to be used.</i>
<i>Interest rates increase</i>	<i>Low</i>	<i>Medium</i>	<i>The budget reflects the low rates of interest being received on investments. Forecasts from our Treasury Management advisers suggest that borrowing rates are likely to increase which will add to the costs of financing the capital programme should borrowing be required over the medium term.</i>
<i>General inflation is different to the assumptions included in the budget.</i>	<i>Medium</i>	<i>Medium</i>	<i>A 1% increase would cost around £1.1m. Significant increases in building costs in the medium term capital programme period could have an impact on some estimates.</i>
<i>Income levels not achieved</i>	<i>Low</i>	<i>Low</i>	<i>A 1% loss of income (excluding grants & interest) would cost around £0.3m.</i>

Public Access to Information

Information contained in this decision is subject to the Freedom of Information Act 2000 and other legislation. This decision will be made available on the Commissioner's website.