

Cheltenham Borough Council
Council – 21 March 2022

Capital, Investment, Treasury Management Strategies
2022/23

Accountable member	Cabinet Member for Finance and Assets, Councillor Peter Jeffries
Accountable officer	Head of Property, Finance and Assets (Deputy s151 Officer)
Accountable scrutiny committee	Treasury Management Panel
Ward(s) affected	All
Key Decision	Yes
Executive summary	<p>In December 2017, CIPFA published updates to the Prudential Code and The Treasury Management Code of Practice. The new Prudential Code requires the Council to approve a Capital Strategy on an annual basis in advance of the forthcoming financial year. The Ministry of Housing, Communities and Local Government (MHCLG) also updated statutory guidance on treasury management which has resulted in changes to the Treasury Management Strategy and the introduction of a separate Investment Strategy.</p> <p>For 2021/22 a revised and updated set of strategic documents were approved by Council: The Council's Capital Strategy, Investment Strategy and Treasury Management Strategy.</p> <p>Wider consultation took place across the Council in the preparation of these documents to reflect our collective vision for the use of assets and resources to drive economic recovery in the town following the Covid-19 pandemic. These have been reviewed again in light of the changes to the 2022/23 budget which was approved by Full Council on 21 February 2022.</p> <p>In accordance with best practice, the Council has adopted and complies with the CIPFA Code of Practice on Treasury Management and the Prudential Code by relevant Capital Finance Regulations.</p>
Recommendations	<p>1) That Council considers and approves the following :</p> <ul style="list-style-type: none">• The Capital Strategy 2022/23 at Appendix 2;• The Investment Strategy 2022/23 at Appendix 3;• The Treasury Management Strategy Statement 2022/23 at Appendix 4; and• The 2022/23 MRP Statement at Appendix 5.

Financial implications	The financial implications are reported in appendices 2 – 5. Contact officer: Gemma Bell, Head of Property, Finance and Assets (Deputy s151 Officer) Email: gemma.bell@cheltenham.gov.uk
Legal implications	As detailed in the report. Contact officer: One Legal – legal.services@tewkesbury.gov.uk Tel: 01684 272012
HR implications (including learning and organisational development)	None arising directly from this report. Contact officer: Georgie Tweddell, Georgie.tweddell@publicagroup.uk Tel: 01285 623110
Key risks	As noted in Appendix 1.
Corporate and community plan Implications	The purpose of the strategy is to improve corporate governance, a key objective for the Council.
Environmental and climate change implications	The capital and investment strategies outline how our assets and resources are planned to be used to meet our corporate priorities, including those relating to carbon neutrality. These schemes and subsequent funding were approved by Council on 21 February.
Property/Asset Implications	As detailed in appendices 2 and 3. Contact officer: Gemma Bell, Head of Property, Finance and Assets (Deputy s151 Officer) Email: gemma.bell@cheltenham.gov.uk

1. Background

- 1.1 Local authorities in England are legally obliged to “have regard” to the CIPFA Treasury Management Code and the Prudential Code by relevant Capital Finance Regulations.
- 1.2 Local authority investment decisions have made headlines over the past few years with questions being raised about the role of local authorities investing in property and assets as a means to generate income to compensate for the reduction in government funding. Investing in property and other assets is nothing new for Cheltenham Borough Council whom has historically held major assets such as retail sites and commercial property for some time now. In recent years however the emphasis on using these assets to generate a commercial yield has become much greater and this has involved some councils investing in property outside of its area. The scaling up of investments by local councils has been brought to the attention of the Ministry of Housing, Communities and Local Government (MHCLG) and CIPFA resulting in changes to the Treasury Management Code and the Prudential Code.
- 1.3 Following consultations in February and August 2017, CIPFA published its new 2017 guidelines

of Treasury Management in the Public Services: Code of Practice and Cross-sectoral Guidance Notes and the Prudential Code for Capital Finance in Local Authorities just before the end of 2018. The Council is now required to prepare and approve four strategies/statements on an annual basis:

- Capital Strategy;
- Investment Strategy;
- Treasury Management Strategy Statement; and a
- A Minimum Revenue Provision (MRP) Statement

- 1.4. Additionally, a MHCLG consultation was concluded in August 2020 which now means that from 26 November 2020 local authorities are prohibited from using monies borrowed from the Public Works Loan Board (PWLB) to invest purely for yield. Borrowing can still be used for service expenditure and schemes focused on regeneration, housing or funding interventions to prevent negative outcomes for a local area. The capital and investment strategies present how we continue to comply with these requirements by focusing our assets, resources and investments on our key corporate priorities to support the economic recovery of the town following the Covid-19 pandemic.
- 1.5. With that in mind, we have also used the strategy documents to set out a proposal to set out our approach to future investment decisions and our management of our asset portfolio which balances social value, sustainability, regeneration, commercial and housing needs at a strategic level to ensure a positive direction of travel to economic recovery continues.
- 1.6. This will inform the development of a strategic vision and delivery framework that will help guide management of our current portfolio and guide future potential investment by establishing a clear vision, objectives and selection criteria.

2. Consultation

- 2.1. Each strategy is attached at Appendices 2 - 5 and is based on information relating to the Council's local circumstances with accompanying information and advice supplied by the Council's treasury advisors Arlingclose Limited.
- 2.2. The financial information included in these documents was approved by Council on 21 February 2022.

Report author	Gemma Bell, gemma.bell@cheltenham.gov.uk, 07341 780601
Appendices	Appendix 1 – Risk Assessment Appendix 2 – Capital Strategy 2022/23 Appendix 3 – Investment Strategy 2022/23 Appendix 4 – Treasury Management Strategy Statement 2022/23 Appendix 5 – Minimum Revenue Provision Statement 2022/23
Background information	Section 15(1)(a) of the Local Government Act 2003 Cheltenham Borough Council Treasury Management Practices Medium Term Financial Strategy – Council 21 February 2022

The risk				Original risk score (impact x likelihood)			Managing risk				
Risk ref.	Risk description	Risk Owner	Date raised	I	L	Score	Control	Action	Deadline	Responsible officer	Transferred to risk register
	LOBO Loans - If £7m of these loans are recalled by the banks if they choose to exercise their option then we would need to have the resources on the day to repay. Alternative borrowing arrangements at today's current rates would be favourable for the Council	ED Finance & Assets Paul Jones	24 th January 2015	1	2	2	Accept	If the loans are recalled the council could take out temporary borrowing which is currently much lower than the rates on these loans. Any capital receipts available could also be used to repay debt.	May 2021	ED Finance & Assets Paul Jones	
	If the assumptions made within the strategies change, then the aspirations within the capital programme may become unaffordable.	ED Finance & Assets Paul Jones	13 th March 2019	3	2	6	Accept	The Treasury Management Strategy and Prudential and Treasury Indicators reflect various assumptions of future interest rate movements and Government support for capital expenditure. These will be continually monitored and any necessary amendments will be made in accordance with the Strategy		ED Finance & Assets Paul Jones	

	If tenants exercise break-clauses and/or not renew leases, then there may be an impact on income projections and net returns.	Simon Hodges	15 th August 2018	2	3	6	Accept	Should tenants serve notice, the Council will have 6 months prior notice to find new tenants.		Simon Hodges	
	If thorough due diligence is not undertaken when pursuing commercial property investments, the Council may not meet all of the criteria set out within its capital and investment strategies.	ED Finance & Assets Paul Jones	13th March 2019	4	2	8		Due diligence is of paramount importance. All of our commercial investments have individual business cases that are subject to thorough risk assessment and stress testing and we also stress test the whole investment portfolio to ensure all risks are captured and properly controlled. Where appropriate to the size and scale of the project we also commission independent technical, legal, accounting, risk management, property, taxation advice		Simon Hodges	