




# Capital Strategy and Minimum Revenue Provision Policy 2021 onwards



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# Introduction

The East Herts Council Capital Strategy provides a valuable opportunity for engagement with Full Council to ensure that overall strategy, investment ambition; risk appetite and governance procedures are fully understood by all elected Members and other Council stakeholders.

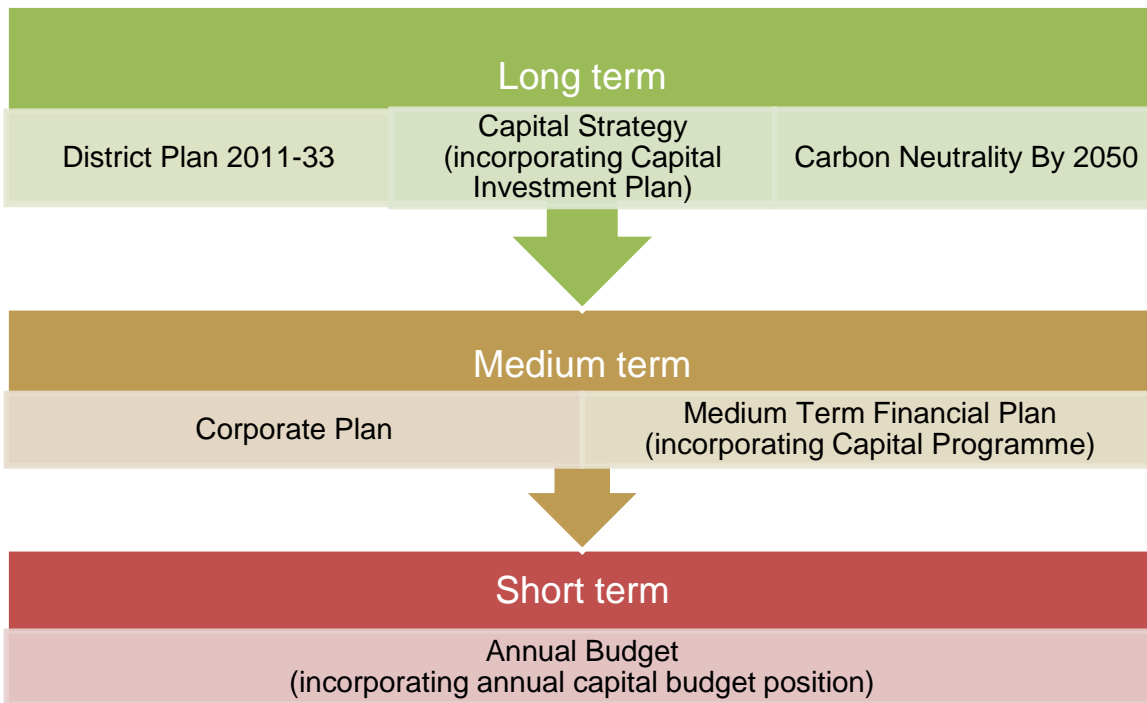
The East Herts Council Capital Strategy is intended to be a strategic corporate document which will both be influenced by and in turn influence policy and decision making in respect of capital investment.

The Strategy will continue to develop and evolve as external influences do and will be updated as required in order that this Strategy is responsive to the challenges, opportunities, priorities and objectives that the Council must consider.

The CIPFA Prudential Code, updated in 2017, includes the requirement for local authorities to produce a Capital Strategy.

The Capital Strategy has not been developed in isolation. The diagram below summarises the relationship between this Capital Strategy and other key corporate strategies and plans.

**Figure 1: Long, medium and short term strategic planning at East Herts Council**



The Capital Strategy is closely aligned with the priorities and objectives contained within the above, as well as a number of external strategies and plans, which will be explored further in Section 2 of this Strategy.

The East Herts Capital Strategy includes a number of important actions, which will help to implement the Capital Strategy across the organisation and improve overall financial planning in the long term. We recognise the benefits of long term strategic financial planning and therefore this Capital Strategy is seen as key to looking beyond the medium term to fully explore the opportunities which may lie ahead and the role the Council will play in shaping the future for our residents, communities and businesses.

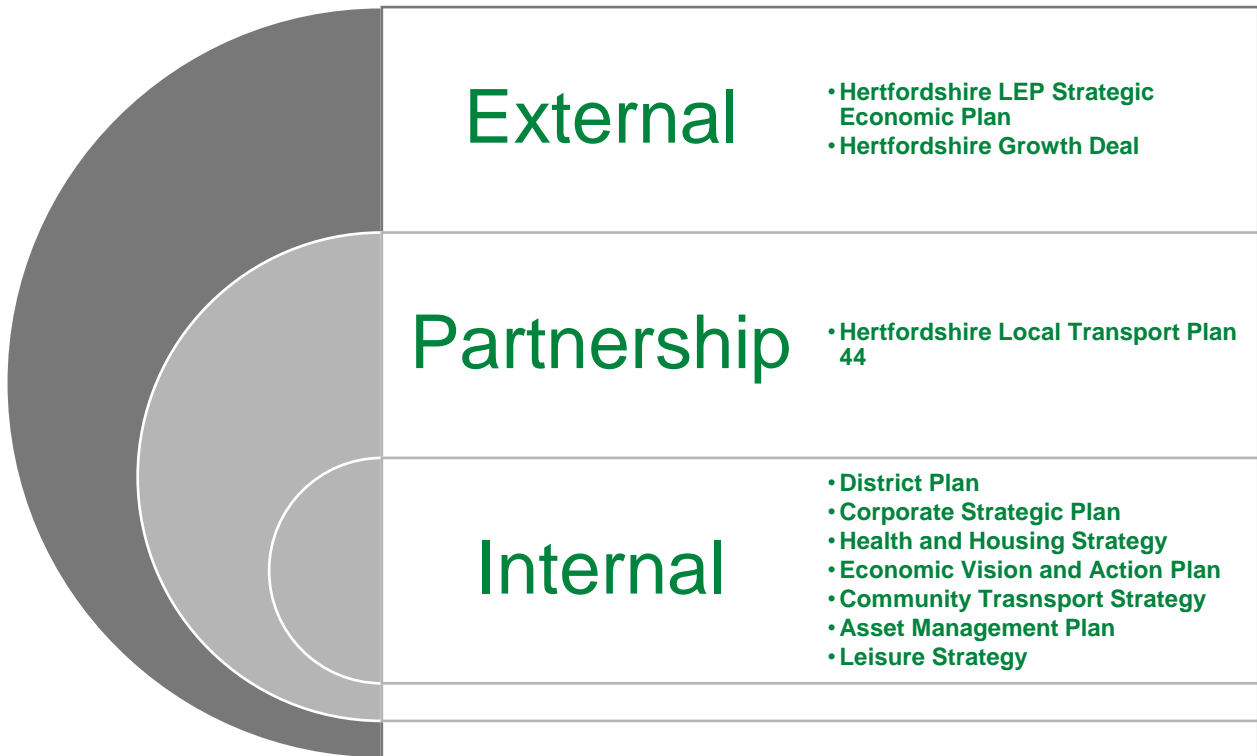
# Influences on Capital Investment

The Capital Strategy is influenced by many different factors, which must be taken into account before establishing the appropriate strategy for contributing to the delivery of our corporate priorities.

Our Capital Strategy has considered external, partner and internal influences when shaping our approach. There are many strategies and plans that inform and influence our capital investment plan. It is important to ensure that consideration is given to the aims and objectives that could influence the Council's capital investment ambition over the longer term.

An examination of external and partner influences assists us with supporting decision making on individual capital investment schemes. In future we will therefore use external objectives / targets, alongside our own corporate priorities, to inform decision making when prioritisation needs to be applied to available funding.

**Figure 2: Core influences on the Capital Strategy**



Our Capital Strategy has taken account of the external, partner and internal influences in shaping our approach. The following sections provide a summary of main points for consideration in each case:

<b>External influences</b>
<b>Hertfordshire LEP Strategic Economic Plan and Hertfordshire Growth Deal</b>
<p>The strategic priorities, as set out in the Hertfordshire Local Enterprise Partnership (LEP) Strategic Economic Plan (SEP), influence the Council’s strategic financial planning direction.</p> <p>The Gilston Area Concept Framework is referenced as a key element of the SEP priorities, with the new Garden Town of Harlow &amp; Gilston acknowledged by government as one of three new Garden Towns nationally.</p>

The new Garden Town initiative for Harlow & Gilston, links through to the now adopted District Plan, working to the detailed Gilston Area Concept Framework and the project governance that is in place via the Gilston Steering Group.

The Growth Deal expanded further in 2017, with additional investment of £43.95m.

This is on top of £221.5m of government funding already awarded to Hertfordshire to date to invest in its people, places and businesses. The Council made a successful bid for Growth Deal funding for Bishop's Stortford Town Centre, an allocation of £9.6m in the form of grant and loan funding, now fully spent.

[Link to Hertfordshire LEP Strategic Economic Plan 2017-30](#)

[Link to Hertfordshire Growth Deal](#)

## Partnership influences

### Hertfordshire County Council Local Transport Plan 4

We acknowledge the Hertfordshire Local Transport Plan and its main objectives.

The relationship with Hertfordshire County Council (HCC) is very important when considering the longer-term Capital Strategy for the Council. As a planning authority and billing authority, the Council is in a very influential position when it comes to setting the scene for the future development and growth in the area and considering the impact on funding streams at both the County and District level.

Each year, we will examine any County capital schemes that are focused in the East Hertfordshire area, in order that the Council has sight of these schemes as they progress and any potential implications they may have for capital schemes being delivered by the Council, particularly related to our property partnership with the County and the green transport plan.

[Link to Hertfordshire County Council Local Transport Plan 4, 2018 to 2031](#)



## Internal influences

### District Plan

The vision and strategic objectives contained within the District Plan influence the Council's investment ambition directly. It is important to provide a good view of the long-term impact of the District Plan in the Capital Strategy and the part that the Council's capital investment will play in contributing to meeting the long term needs of the local population and area.

The strategic objectives link to important regional activity, such as the London Stansted Cambridge Corridor Core Area, working with partner authorities, namely Broxbourne, Epping Forest, Harlow and Uttlesford across Hertfordshire and Essex County boundaries.

The District Plan has strategic influence on the following areas of important investment for the Council:

- Housing
- Town Centres
- Provision of leisure facilities

We will ensure that the Capital Strategy demonstrates the links to the District Plan strategic objectives and specific projects, as part of the capital investment plan.

[Link to District Plan 2011-33 \(adopted October 2018\)](#)

### Corporate Strategic Plan, Economic Vision and Action Plan

The Corporate Strategic Plan drives the Council's capital investment ambition. The Corporate Strategic Plan includes reference to strategic projects for each year against the aims that support the four priority areas. When the Corporate Strategic Plan is refreshed we will ensure that the Capital Strategy links the capital investment plan to the relevant strategic projects and will therefore demonstrate how the Council's capital investment will contribute to the achievement of the Plan priorities and more detailed aims.

This will help with the evaluation and prioritisation of future capital schemes, where a

business case needs to consider the contribution to the achievement of priorities, as well as non-financial and financial benefits.

The Economic Vision for East Herts sets out the strategic areas of focus in order to achieve this vision. The Economic Vision is backed up by a detailed action plan, which assists with making links to the Hertfordshire LEP SEP, Corporate Strategic Plan and District Plan.

The Economic Vision picks up the thread for major projects, such as the development of a planning framework for Bishop's Stortford Town Centre, which has since resulted in a significant funding package via the Hertfordshire LEP from the Growth Fund. Also, the London Stansted Cambridge growth corridor initiatives, where mention is made of lobbying for the right infrastructure.

The Council has already achieved success in lobbying and bidding for regional funding. As the Capital Strategy is developed it will further contribute strong evidence of local need and highlight where the Council cannot deliver as an individual authority and / or has not got sufficient available capital resources.

[Link to Action Plan](#)

[Corporate Plan 2020-2024](#)

## **Health and Housing Strategy**

We recognise that it is important for the objectives in the Health and Housing Strategy to be reflected in the Council's Capital Strategy both from a direct capital investment perspective and an enabling perspective. The Council plays a vital role in ensuring that the District Plan is delivered in terms of projects, housing mix, health focus and timescale.

The Health and Housing Strategy highlights the importance of working in partnership, particularly related to affordable and suitable housing to meet identified needs. Any associated capital investment requirement can be put into this context in the Capital Strategy to demonstrate how this investment is contributing to the achievement of

important health and housing targets.

[Link to Health & Wellbeing Strategy 2019-23](#)

## Emerging Leisure Strategy

It is important to consider the Council's Leisure Facilities Strategy in the Capital Strategy to make the direct strategic link to the capital investment plan. This provides strong justification for the significant current investment and demonstrates why this service area is being prioritised.

These are very important initiatives, which are directed at the Council's community, to improve health and wellbeing across the area, working with health partners, town and parish councils, voluntary sector and community groups. This is important context for the significant capital investment by the Council, already included in the Capital Programme.

As the delivery of the Leisure Facilities Strategy progresses, we will reflect the emerging expected outcomes in future Capital Strategy updates, both from a financial and outcome perspective.

### *Vision for Leisure Facilities*

*In order to provide the guiding principles for the proposed direction of travel it was important to work with a vision for leisure centres across East Herts. It is proposed that the vision is one of enabling everyone to have the opportunity to participate. The Council has a pivotal role in providing pay and play opportunities which traditionally are not provided through other sectors. In this context the suggested vision is as follows:*

*"The Council will provide attractive facilities available to the whole community which complement the wider provision of recreation opportunities in the community and voluntary sector. In addition, it will ensure that leisure facilities contribute fully to the health and wellbeing objectives of the Council."*

[Grange Paddocks Leisure Centre Development Project](#)

[Hartham Leisure Centre Redevelopment Project](#)

## Asset Management Plan

The importance of the link between the Asset Management Plan (AMP), and its constituent asset categories, is stressed in the CIPFA Prudential Code. There is no doubt that the Asset Management Plan should inform the Capital Strategy, but this also works both ways. The vision and ambition that is articulated in the Capital Strategy should set the scene for the direction that the asset management, in any particular area of operation, should take.

There is an emphasis on the investment property portfolio in the aims, priorities and ambitions in the AMP. Highlighting the Council's good management of the current portfolio and the approach to due diligence and strong decision making for new property investment. There is also an emphasis on town centre improvements, which links to major projects, such as the work in Bishop's Stortford and the master-planning in the District Plan.

The key improvement priorities have been mapped to corporate priorities, outcomes, key milestones and timescales in the current AMP. We will ensure that this links effectively with the capital investment plan as work gets underway to refresh the AMP over the coming year.

[Link to Asset Management Plan](#)

## Financial Sustainability Policy

As a result of the changes to the PWLB borrowing rules which prohibit investment principally for yield this section will be updated in due course, once guidance becomes clearer and the Financial Sustainability Committee has had time to consider an alternative strategy, that concentrates on investment in infrastructure which will yield income but is being principally provided to meet targets such as the district being carbon neutral by 2050.



One of the council's corporate goals is *to put sustainability at the heart of everything we do*. Council unanimously made a Climate Change Declaration in July 2019. This was accompanied by nine specific commitments to tackling climate change including the council becoming carbon neutral by 2030.

As the council continues to deliver, review and update its capital strategy and programme, it will do so within the context of these nine Climate Change commitments. Notably, the council has devised a carbon assessment methodology which it will use to assess its existing major projects. As new proposals for capital funding come forward, a carbon assessment will be included as an integral part of the accompanying business case to inform decision-making.

Progress updates on the council's Sustainability Action Plan are posted on the council's website each month, with greater detail on projects' carbon assessments and the overall assessment of progress against the council's schedule to achieve carbon neutrality to be added shortly.

## Core influences action plan:

Action	Why is this required?	Responsibility	Timescale
We will ensure that the Capital Strategy demonstrates the links to the <b>District Plan</b> strategic objectives and specific projects, as part of the development of the capital investment plan	In order to identify how we can strengthen our decision making and prioritisation process, informing what we are doing directly towards these objectives via capital investment	Leadership Team	During 2021/22
When the <b>Corporate Strategic Plan</b> is refreshed we will ensure that the Capital Strategy links the capital investment plan to the relevant strategic projects	In order to continue to demonstrate how the Council's capital investment will contribute to the achievement of the Corporate Strategic Plan priorities and more detailed aims	Strategic Finance & Property, S151 Officer	In line with Corporate Strategic Plan refresh timescale

Action	Why is this required?	Responsibility	Timescale
<p>As the delivery of the <b>Leisure Facilities Strategy</b> progresses, we will reflect the emerging expected outcomes in future Capital Strategy updates, both from a financial and outcome perspective</p>	<p>In order to demonstrate the importance of this major element of the capital investment plan and the intended outcomes for the future</p>	<p>Strategic Finance &amp; Property, S151 Officer</p>	<p>During 2021/22</p>
<p>The key improvement priorities have been mapped to corporate priorities, outcomes, key milestones and timescales in the current <b>Asset Management Plan</b>, we will ensure that this links effectively with the capital investment plan as</p>	<p>In order to strengthen the influence of the AMP on the Capital Strategy and also enable the Capital Strategy intention and ambition to inform the emerging refreshed AMP</p>	<p>Leadership Team</p>	<p>In line with AMP refresh timescale</p>

Action	Why is this required?	Responsibility	Timescale
work gets underway to refresh the AMP over the coming year.			
In order to deliver the council's Climate Change commitments, the capital strategy will continue to be developed with regard to the nine commitments, including evaluating the carbon impact of existing and emerging capital projects.	This action is integral to achieving the council's Climate Change commitments, notably, that the council will become carbon neutral by 2030	Head of Housing & Health	During 2021/22 and ongoing in line with individual capital project timescales



# Capital investment ambition by Corporate Priority

The intention of this section is to set out the long-term ambition for capital investment in terms of the contribution made towards achieving the priorities identified in the Council’s Corporate Strategic Plan. The future intention will be to articulate the capital investment plan in terms of achievement of priorities, intended outcomes for all key stakeholders and intended timescales.

The Corporate Strategic Plan priority initiatives are currently going through the approval process. To demonstrate our current approach ahead of producing a longer-term capital investment plan, we have set out the Corporate Strategic Plan initiatives below which relate to capital investment:

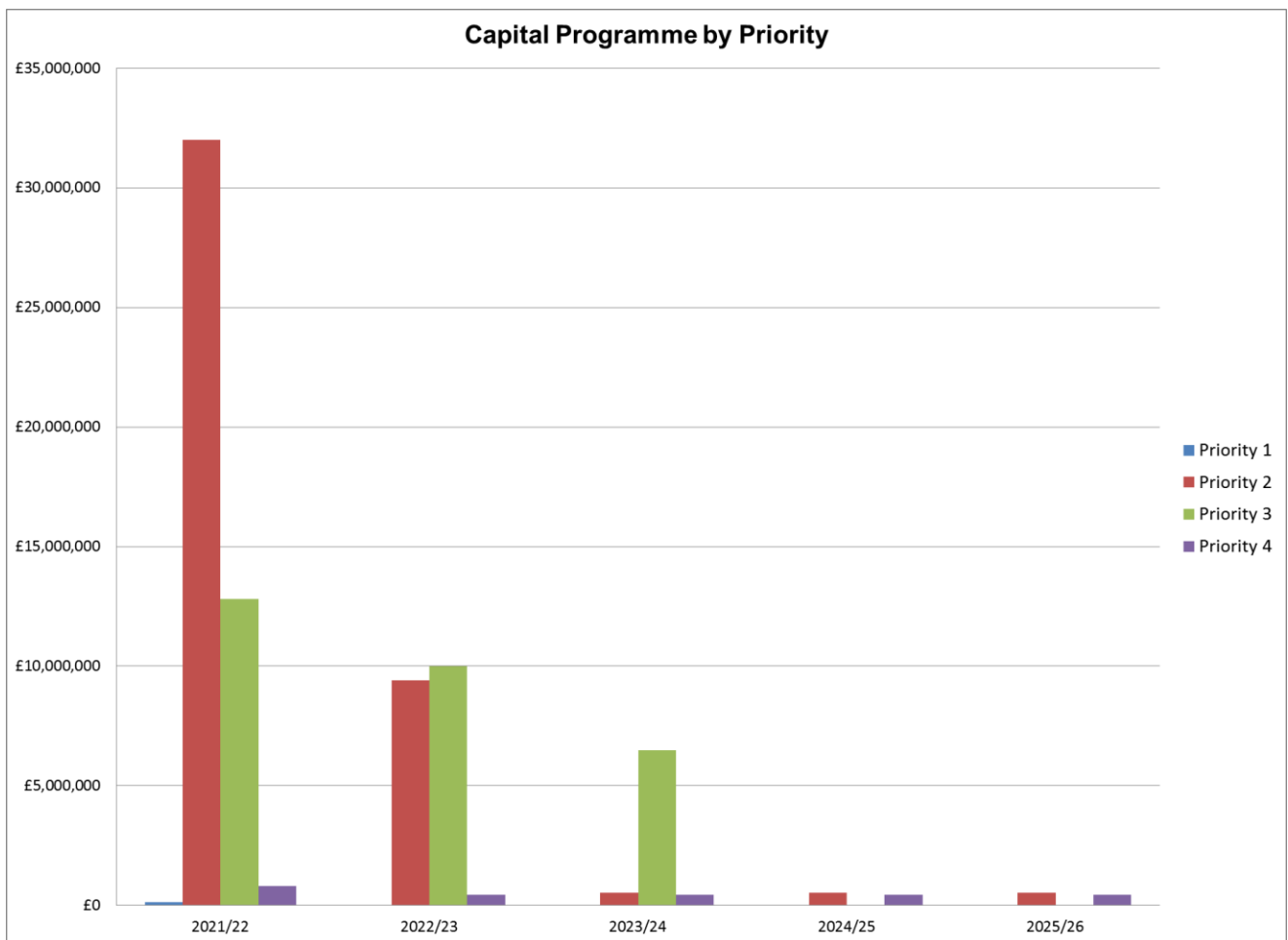
Priority	Aims and initiatives
<p><b>Priority 1:</b> <b>Sustainability at the heart of everything we do</b></p>	<p><b><i>We will make changes to our own premises, people and services</i></b></p> <ul style="list-style-type: none"> <li>• Making direct investment in energy efficiency schemes: for example, energy efficiency measures in leisure capital schemes; installing/upgrading LED lighting in our buildings and car parks – <b>Ongoing</b></li> </ul> <p><b><i>We will use our regulatory powers to promote action by others</i></b></p> <p>Installing rapid e-chargers in support of move to more e-taxis – <b>Ongoing</b></p> <p><b><i>We will influence and encourage behaviour change</i></b></p> <ul style="list-style-type: none"> <li>• Providing financial incentives to increase sustainability: for example insulation grants and loans – <b>Ongoing</b></li> </ul>
<p><b>Priority 2:</b> <b>Enabling our</b></p>	<p><b><i>We will invest in our places</i></b></p> <ul style="list-style-type: none"> <li>• Investing £36m in our Leisure Centres in Hertford, Bishop’s Stortford and Buntingford – <b>Ongoing</b></li> </ul>

Priority	Aims and initiatives
<b>communities</b>	<ul style="list-style-type: none"> <li>• Investing £20m in Hertford Theatre – <b>Ongoing</b></li> <li>• Delivering improvements in our green spaces (e.g. Castle Park) – <b>Ongoing</b></li> <li>• Providing community grants – <b>Ongoing</b></li> </ul> <p><b><i>We will ensure all voices in the community are heard</i></b></p> <ul style="list-style-type: none"> <li>• Growing our digital communication channels (twitter, Facebook, Instagram, network) to keep residents informed – <b>Ongoing</b></li> </ul> <p><b><i>We will support our vulnerable residents</i></b></p> <ul style="list-style-type: none"> <li>• Delivering affordable homes – <b>Ongoing</b></li> <li>• Increasing and improving our Homeless Accommodation – <b>Ongoing</b></li> </ul>
<b>Priority 3:</b>  <b>Encouraging economic growth</b>	<p><b><i>We will develop new sources of income</i></b></p> <ul style="list-style-type: none"> <li>• Delivering Financial Sustainability through Green agenda investment purchases – <b>Ongoing</b></li> </ul> <p><b><i>We will support business growth</i></b></p> <ul style="list-style-type: none"> <li>• Delivering the Old River Lane project to improve Bishop’s Stortford Town Centre – <b>Ongoing</b></li> <li>• Expanding the Launchpad – <b>Ongoing</b></li> </ul> <p><b><i>We will create viable places</i></b></p> <ul style="list-style-type: none"> <li>• Delivering the district plan – <b>Ongoing</b></li> <li>• Ensuring developer contributions are used effectively – <b>Ongoing</b></li> <li>•</li> </ul>
<b>Priority 4:</b>  <b>Digital by design</b>	<p><b><i>We will improve the customer experience for those who use council services</i></b></p> <ul style="list-style-type: none"> <li>• Increase our investment in digital technology – <b>Ongoing</b></li> </ul> <p><b><i>We will work with partners to ensure our communities are digitally enabled</i></b></p> <ul style="list-style-type: none"> <li>• Delivering Harlow and Gilston Garden Town as a fully sustainable and digital ‘place’ – <b>Ongoing</b></li> </ul>

Priority	Aims and initiatives
	<ul style="list-style-type: none"> <li>• Agreeing a countywide digital infrastructure strategy - <b>Ongoing</b></li> <li>•</li> </ul>

The planned capital investment programme for 2021/22 onwards, from an expenditure perspective, is undergoing the same approval process as this strategy. At this stage we have undertaken a simple mapping exercise to demonstrate the contribution of planned capital investment to each Corporate Strategic Plan priority. This will be developed further as the Capital Strategy is strengthened during 2021/22.

**Figure 3: Capital Programme by Corporate Priority**



Links between the 5-year capital programme and the corporate priorities are provided at Appendix 1.

## Corporate priority action plan:

Action	Why is this required?	Responsibility	Timescale
As the <b>longer-term capital investment plan</b> emerges, we will undertake a more detailed mapping exercise against each capital scheme – initially in the capital programme and eventually in the longer-term capital investment plan	This will assist Members and other key stakeholders recognise the contribution that the capital investment is making towards the achievement of the Council's corporate priorities	Strategic Finance & Property, S151 Officer	During 2021/22
As the refreshed <b>Corporate Strategic Plan</b> emerges, we will ensure that the existing capital investment plan is reviewed to ensure that all planned	This will ensure that existing investment plans still meet the identified needs of the District and emerging pipeline schemes are aligned to the newly approved priorities	Strategic Finance & Property, S151 Officer	In line with Corporate Strategic Plan refresh timescale

<b>Action</b>	<b>Why is this required?</b>	<b>Responsibility</b>	<b>Timescale</b>
schemes align with the updated corporate priorities			

# Commercial Investment Strategy

In our Financial Sustainability Policy, we set out a vision statement:

*For East Hertfordshire District Council to be an innovative authority that safeguards its future through maximising financial independence from government funding sources. It will do this by raising its own revenue through non-traditional ways and smarter spending. Financial sustainability is about ensuring the council can continue to discharge its duties to the public whilst keeping a balanced and sustainable budget, proving itself a responsible custodian of the public purse.*

We also set out our intention, saying that we will:

- Move into other areas of business to raise revenue from new sources
- Find newer and more efficient ways of working
- Explore new ways of working with business and charity sector as an enabler, not just provider

As a result of the changes to the PWLB borrowing rules which prohibit investment principally for yield this section will be updated in due course once guidance becomes clearer and the Financial Sustainability Committee has had time to consider an alternative strategy that concentrates on investment in infrastructure which will yield income but is being principally provided to meet targets such as the district being carbon neutral by 2050.

## Millstream Property Investments Limited

In line with the Council's corporate priorities, and commercial investment ambition, Millstream Property Investments Limited was incorporated in February 2018.

The council, as the company's sole shareholder, has entered into a Shareholder Agreement with the company. The Shareholder Agreement obliges the company to annually review its business plan and produce a revised 30-year business plan, rebasing the forthcoming financial year as the first year of this 30-year period.

The Millstream Business Plan is under review, in light of the changes to the PWLB borrowing rules detailed above.

# Capital Investment Plan

The following sections examine our starting point for a longer-term capital investment plan, the additional analysis that informs our Capital Strategy principles, our capacity to deliver and the potential options for addressing our capital investment ambition gap. We recognise that our Capital Programme currently plans for investment over a five-year period, which is a medium-term view and there is further work to do to extend our plans up to 10 years.

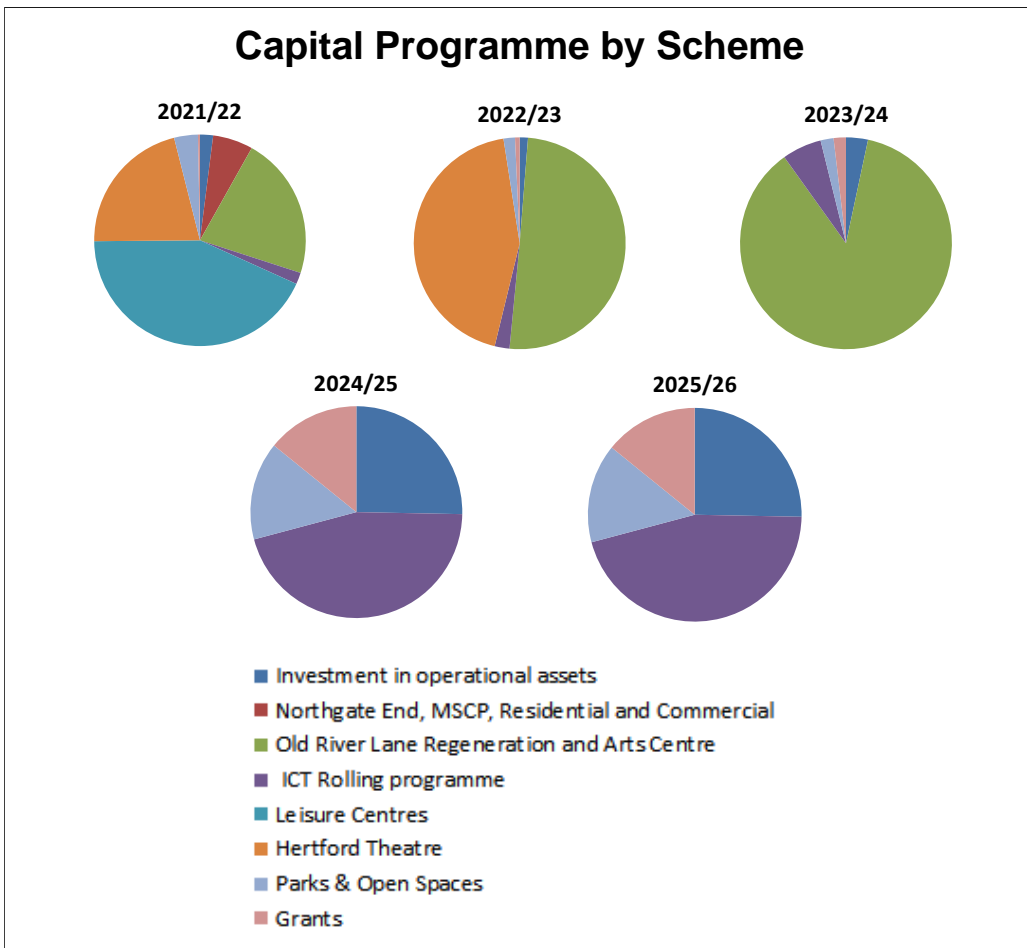
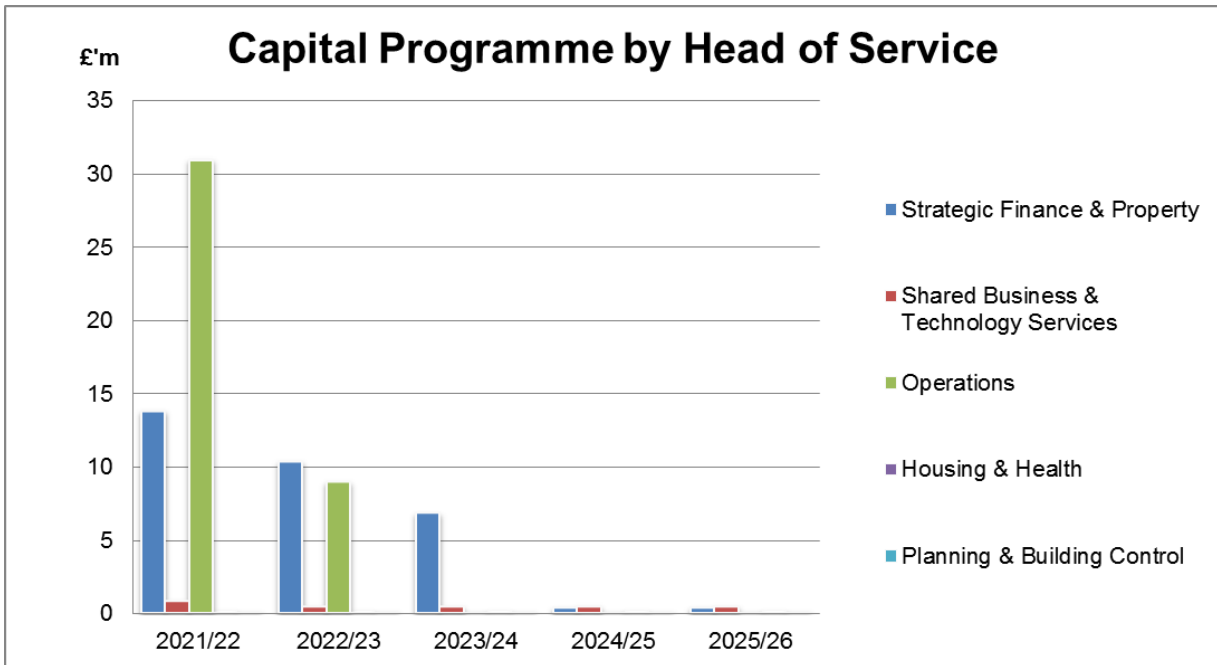
When our strategic planning becomes more mature, and we have identified our plans beyond the four-year horizon, we will update our process for evaluation and prioritisation, to ensure that there is clarity on the level of affordability, based on available capital resources, including a potential borrowing position. It is also important for the Council to establish its potential lobbying position to seek to secure future funding packages from appropriate funding bodies, building on successful bids to date.

We will ensure that our risk assessment examines the risk against the affordability and deliverability assumptions, as the longer-term capital investment plan emerges, and this will inform the ongoing review of performance and update of the capital investment plan to ensure that it is effectively managed.

The following charts provide a view of the current five-year investment plan from an expenditure perspective by Head of Service:



**Figure 4: Capital Programme by Head of Service**



## **Approach to capital investment prioritisation**

The Medium Term Financial Plan (MTFP) is refreshed annually to accommodate changes in service delivery and financial landscape. Service and financial planning are combined in one report, which demonstrates that we have got an integrated approach to financial planning both from a revenue and capital perspective.

The MTFP is forecast over a 4-year period, in line with the Council's general corporate planning approach. The MTFP sets out the national policy context and describes the impact of this at a local level. It must be recognised that, when looking at a four-year period, the current level of uncertainty makes this an increasingly challenging exercise.

When considering an appropriate long-term period for the Capital Strategy, we are potentially looking at a 20-30 year period but a more realistic period for the capital investment plan, say up to 10 years. This longer-term approach enables a much more robust 5-year Capital Programme forecast and a strong annual budget.

We recognise that the MTFP should be able to articulate the Council's revenue and capital investment plans in the context of a longer-term approach. On this basis, our view is that the MTFP approach needs to be dynamic and aligned to the Council's Corporate Strategic Plan priorities, following an appropriately detailed business planning approach. We feel that the budget setting and service planning process goes a long way towards achieving this approach, however, when it comes to the capital planning process we recognise that we need the process to be less reactive and much more proactive.

As stated in the January 2021 Budget report, the capital programme for 2021/22 onwards contains a number of ongoing major projects and also the rolling capital schemes agreed in previous years.

Currently the review of the Capital programme is undertaken as part of the quarterly health-check report. Any additions to the programme require a funding request to be made through the appropriate governance process. This process is defined by the value of the capital bid.

The council is likely to undertake a further significant capital scheme at the Old River Lane, Bishop's Stortford site, within the medium term. The scope and funding arrangements for this scheme are still in the early stages of project planning. However, it should be noted that East Herts may need to give careful consideration to its reserves provision in the forthcoming years and will require a borrowing facility within this medium term financial period.

As any new schemes are agreed and the funding requirements become more definite they will be included in the capital programme presented within the quarterly health-check report.

As we develop the Capital Strategy we intend this to become better informed over time and strengthened by the capital investment plan, which will stretch up to 10 years. We recognise that it is important to identify all required capital investment commitments, to ensure that all existing capital commitments are required, particularly in light of any refresh of the Corporate Strategic Plan, and those potential commitments from emerging new proposals and ideas are reflected.

We also recognise that, if we have any business as usual commitment missing from our capital investment plan, capital schemes that will no longer deliver against corporate priorities, known capital investment ambition not reflected and a short to medium term delivery profile, it is difficult for us to have a strong capital financing requirement, which in turn will not give us a good view of our potential borrowing requirement in the future.

As we develop our Capital Strategy further in the coming financial year we will make sure that our capital investment plan is comprehensive and profiled realistically, so that the revenue consequence, both positive and negative, are as robust and risk aware as possible, to feed into the budget and the medium term financial plan.

### Capital investment plan action plan

Action	Why is this required?	Responsibility	Timescale
Agree an <b>appropriate long-term period</b> for the Capital Strategy – potentially up to 20 years, based on the timeframe of the Council’s current strategies, plans and commercial activity	To enable the Council to plan much more effectively for the future – affording time to be clear about risk appetite, management of risk and management of financial resilience	Council	During 2021/22

Action	Why is this required?	Responsibility	Timescale
Develop a <b>longer-term capital investment plan</b> – potentially up to 10 years, based on an appropriate timescale to suit the agreed period of the Capital Strategy	To enable the Council to improve its capital planning process, strengthen the Capital Programme and assist the effectiveness of delivery against plan	Leadership Team	During 2021/22
Improve the <b>integration with the Council's financial plans and strategies</b> – particularly the MTFP, Treasury Management Strategy, Annual Investment Strategy and Reserves Strategy	To enable an overall view of the Council's delivery of a prudent, affordable and sustainable capital investment plan that contributes positively to the achievement of the Council's corporate priorities	Strategic Finance & Property, S151 Officer	During 2021/22

# Minimum Revenue Provision (MRP) policy statement

## Minimum Revenue Provision

Where the council finances capital expenditure by debt, it must put aside resources to repay that debt in later years. The amount charged to the revenue budget for the repayment of debt is known as Minimum Revenue Provision (MRP), although there has been no statutory minimum since 2008. The Local Government Act 2003 requires the council to have regard to the MHCLG Guidance on Minimum Revenue Provision, the most recent edition of which was issued in 2018.

The council is legally obliged to “have regard” to the guidance, which is intended to enable a more flexible approach to assessing the amount of annual provision than was required under the previous statutory requirements. The guidance offers four main options under which MRP could be made, with an overriding recommendation that the Council should make prudent provision to redeem its debt liability over a period which is reasonably commensurate with that over which the capital expenditure is estimated to provide benefits. The requirement to ‘have regard’ to the guidance therefore means that:

1. Although four main options are recommended in the guidance, there is no intention to be prescriptive by making these the only methods of charge under which a local authority may consider its MRP to be prudent; and
2. It is the responsibility of each authority to decide upon the most appropriate method of making a prudent provision, after having had regard to the guidance.

There is no requirement to charge MRP where the Capital Financing Requirement (CFR) is nil or negative at the end of the preceding financial year.

The guidance also provides for the ability to reclaim any charges made over the statutory minimum revenue provision (MRP), voluntary revenue provision (VRP) or overpayments, if deemed necessary or prudent. A detailed analysis of the council's Capital Finance Requirement and the balance sheet, in preparation for the Capital Financing Requirement turning positive and therefore MRP becoming payable, indicates that there is an historic set aside from capital receipts to repay debt of £117,406,522.84 as of 1 April 2007. This balance is fully cash backed and is evidenced by matching cash and investment balances each year in the balance sheet.

In order for this sum to be reclaimed for use in the budget, this policy must disclose the cumulative overpayment position each year. It is also necessary to adjust this balance to take into account financing of capital expenditure and long term investment decisions made prior to 1 April 2020. This position is shown in the table below is tracked from 2007/08 when the Capital Adjustments Account was established. The table includes estimated capital expenditure to be financed from borrowing in 2020/21:

**Capital Receipts set aside for the repayment of debt**

<b>Year</b>	<b>Bfwd</b>	<b>Borrowing</b>	<b>Investment</b>	<b>Cfwd</b>
2007/08	117,406,522.84	-7,894,055.77		109,512,467.07
2008/09	109,512,467.07			109,512,467.07
2009/10	109,512,467.07			109,512,467.07
2010/11	109,512,467.07			109,512,467.07
2011/12	109,512,467.07	-483,360.33		109,029,106.74
2012/13	109,029,106.74	-1,942,095.36		107,087,011.38
2013/14	107,087,011.38	-1,886,443.19		105,200,568.19
2014/15	105,200,568.19	0.00		105,200,568.19
2015/16	105,200,568.19	-18,815,490.41	-19,999,996.01	66,385,081.77
2016/17	66,385,081.77	0.00		66,385,081.77
2017/18	66,385,081.77	0.00		66,385,081.77
2018/19	66,385,081.77	0.00		66,385,081.77
2019/20	66,385,081.77	-4,531,075.15		61,854,006.62
2020/21	61,854,006.62	-26,731,000.00 <sup>1</sup>		35,123,006.62

<sup>1</sup> Projected expenditure

Members should note that the capital receipts set aside to repay debt are cash backed and the use of these receipts to repay debt will result in the council permanently foregoing investment income from the cash balances, with the exception of the £20 million long term investments in the two property funds. That investment has been deducted from the available cash backed receipts in 2015/16 in the table above and the cash would remain available for investment or repaying debt in the future. The £7.894 million of historic debt brought forward has been deducted from the total set aside balance in 2007/08 and £6 million was repaid on the loan maturity date in 2019/20 using the set aside allowance.

The council's Capital Financing Requirement will become positive in 2020/21 therefore the council's policy is to repay debt incurred on capital expenditure between 2011/12 and 2019/20 during March 2021 in order that no MRP is required to be set aside on that debt. The 2020/21 loan debt will be repaid in 2021/22 and therefore no MRP will be required to be



made for 2020/21 borrowing for completed assets. For 2021/22 and future years the Council will assess MRP in accordance with the main recommendations contained within the guidance issued by the Secretary of State under section 21(1A) of the Local Government Act 2003. The options available to the Council are as follows.

### **Option 1: Regulatory Method**

Under the previous MRP regulations, MRP was set at a uniform rate of 4% of the CFR on a reducing balance method (which in effect meant that MRP charges would stretch into infinity). This historic approach requires the council to operate as if the 2008 Regulations must continue for all capital expenditure incurred in operate as if the 2008 amending Regulations had not revoked Regulation 28 and is only really advantageous to those authorities operating a Housing Revenue Account (HRA) to allow them to take advantage of adjustments relating to HRA debt. It can also only be used for new capital expenditure up to the amount which is deemed to be supported through the Supported Capital Expenditure annual allocation which is no longer published by the Government.

### **Option 2: Capital Financing Requirement Method**

This is a variation on option 1 which is based upon a charge of 4% of the aggregate CFR without any adjustment for Adjustment A, or certain other factors which were brought into account under the previous statutory MRP calculation. The CFR is the measure of an authority's outstanding debt liability as depicted by their balance sheet.

### **Option 3: Asset Life Method**

This method may be applied to most new capital expenditure, including where desired that which may alternatively continue to be treated under options 1 or 2.

Under this option, it is intended that MRP should be spread over the estimated useful life of either an asset created, or other purpose of the expenditure. There are two useful advantages of this option:

1. Longer life assets e.g. freehold land can be charged over a longer period than would arise under options 1 and 2 subject to a maximum life of 50 year for undeveloped land but developed land can have the same life as the asset on it and that can exceed 50 years; and
2. No MRP charges need to be made until the financial year after that in which an item of capital expenditure is fully incurred and, in the case of a new asset, comes into service use (this is often referred to as being an 'MRP holiday'). This is not available under options 1 and 2.

There are two methods of calculating charges under option 3:

1. equal instalment method – equal annual instalments; or
2. annuity method – annual payments gradually increase during the life of the asset.

## **Option 4: Depreciation Method**

Under this option, MRP charges are to be linked to the useful life of each type of asset using the standard accounting rules for depreciation (but with some exceptions) i.e. this is a more complex approach than option 3. The same conditions apply regarding the date of completion of the new expenditure as apply under option 3.

## **Annual Minimum Revenue Provision Statement 2021/22**

The Council's policy is to first utilise the available set aside capital receipts and will repay in full the debt relating to fully incurred capital expenditure or new assets brought into use in the first full year after they are brought into use. Once the available set aside capital receipts balance has been fully utilised to repay debt the Council, having evaluated the options for its MRP policy in respect of capital expenditure incurred, considers that the Asset Life - Equal Instalment Method is the most appropriate for it to use. This provides for a reduction in the borrowing need over approximately the useful life of the asset.

Estimated life periods will be determined by the Head of Strategic Finance and Property. To the extent that expenditure is not on the creation of an asset and is of a type that is subject to estimated life periods that are referred to in the guidance, these periods will generally be adopted by the council. However, the council reserves the right to determine useful life periods and prudent MRP in exceptional circumstances where the recommendations of the guidance would not be appropriate.

As some types of capital expenditure incurred by the Council are not capable of being related to an individual asset, asset lives will be assessed on a basis which most reasonably reflects the anticipated period of benefit that arises from the expenditure. Also, whatever type of expenditure is involved, it will be grouped together in a manner which reflects the nature of the main component of expenditure and will only be divided up in cases where there are two or more major components with substantially different useful economic lives.

Repayments included in finance leases are applied as MRP.

# Risk Management

## Risk Management Strategy

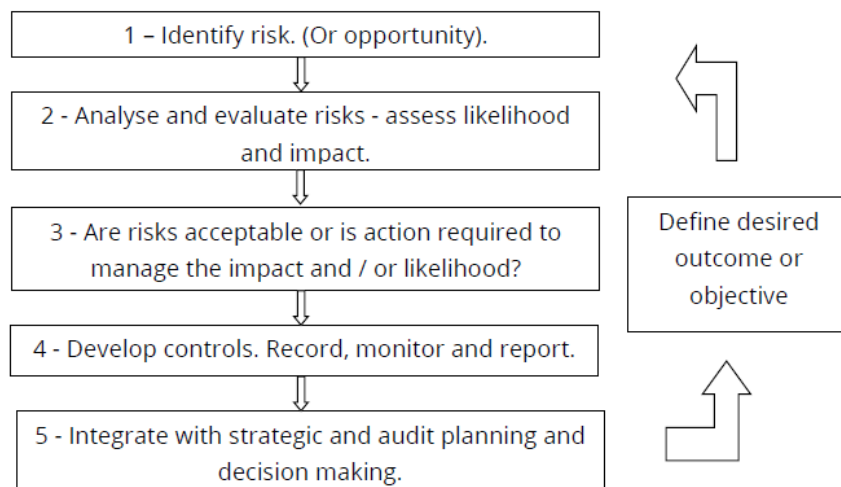
The Council's Risk Management Strategy was last reviewed in spring 2019 and is reviewed on an annual basis.

The Strategy contains a clear definition of risk management as follows:

The process which aims to help organisations understand, evaluate and take action on all their risks with a view to increasing the probability of their success and reducing the likelihood of their failure. (Source: The Institute of Risk Management).

The five stages of risk management are summarised in the diagram below, extracted from the Risk Management Strategy.

**Figure 5: Stages of Risk Management**



## Risk Evaluation and Risk Appetite

The Risk Management Strategy includes a scoring matrix to be used in analysing and evaluating risks as outlined in the image overleaf.

**Figure 6: Risk Scoring Mechanism**

<b>4 - HIGH</b> >£300,000 and / or national criticism and / or catastrophic fall in service quality				
<b>3 - MEDIUM</b> £150,000 to £300,000 and / or regional criticism and / or major long term fall in service quality		CONTINGENCY	CRITICAL	
<b>2 - LOW</b> £50,000 to £150,000 and / or long term local media criticism and / or minor long term or major short term fall in service quality		CONTROL	CAUTION	
<b>1 - NEGLIGIBLE</b> <£50,000 and / or short term local media criticism and / or short term fall in service quality				
IMPACT  LIKELIHOOD	<b>1 - RARE</b> The event could occur in exceptional circumstances	<b>2 - UNLIKELY</b> The event could occur less frequently than every three years	<b>3 - POSSIBLE</b> The event is likely to occur within, or more than one in three years	<b>4 - PROBABLE</b> The event is likely to occur within a year

The Strategy includes a definition of the Council’s risk appetite i.e. the level of risk that it is prepared to tolerate without need for ongoing monitoring or reporting. A material risk is deemed to be any risk rated higher than 2:2 on the scoring mechanism above. Where a risk rating exceeds this ‘control’ area of tolerance, demonstrable evidence of how risks are being mitigated will be required, together with proposals for future controls.

The Risk Management Strategy acknowledges that with increasing pressure on public finances, Local Authorities are obliged to have more appetite for risk. The Council cannot deliver everything it would ideally like to deliver and tough choices are necessary. The Council is therefore open to considering all delivery options, accepting increased levels of risk in order to secure the successful outcomes or rewards. Risk management is essential in supporting innovation and moving from a ‘risk averse’ to a more ‘risk aware’ approach. An example is the acquisition of Old River Lane, Bishop’s Stortford. The financial commitment is significant but the acquisition provides an opportunity to shape the town centre, and an additional income stream.

## Roles and responsibilities

Roles and responsibilities are contained within the Risk Management Strategy and summarised here for ease of reference:

Role	Responsibility
Elected Members	<p>Elected Members are responsible for governing the delivery of services to the local community. Members have a responsibility to understand the strategic risks that the Council faces, and will be made aware of how these risks are being managed.</p> <p>All Members will have the responsibility to consider the risks associated with the decisions they undertake and will be informed of these risks in the reports that are submitted to them. They cannot seek to avoid or delegate this overall responsibility, as it is key to their stewardship responsibilities.</p> <p>All Members can access strategic risks on Pentana Performance (formerly called Covalent).</p>
Full Council	<p>Full Council recognises the importance of effective risk management and considers risk management issues when making decisions.</p>
Executive	<p>To receive an annual report regarding the content of the Strategic Risk Register, then three exception reports each year detailing any change in risk scoring and the reasons why.</p> <p>Agree the Risk Management Strategy on an annual basis, or if significant changes require a revision.</p>

Role	Responsibility
	<p>Agree / set the Council's risk appetite.</p> <p>Allocate sufficient resources to address top risks</p>
<p>Performance, Audit and Governance Oversight Committee</p>	<p>To develop policy options and to review and scrutinise the policies of the Council including Risk Management.</p> <p>To monitor the effective development and operation of risk management and corporate governance in the Council.</p> <p>Receive an annual report regarding the content of the Strategic Risk Register, then three exception reports each year detailing any change in risk scoring and the reasons why.</p>
<p>Chief Executive and Leadership Team</p>	<p>To ensure that effective systems of risk management and internal control are in place to support the Corporate Governance of the Council.</p> <p>Take a leading role in identifying and managing the risks and opportunities to the Council and to set the example and standards for all staff. Advise the Executive and Council on the risk management framework, policy, strategy and processes.</p> <p>Advise on the management of strategic and other significant risks.</p> <p>Ensure that the Policy and Strategy are communicated, understood and implemented by all Members, managers and staff.</p> <p>To report to Members on the management of strategic risks.</p>

Role	Responsibility
	To ensure that the risk management process is part of all major projects, partnerships and change management initiatives.
Heads of Service	<p>To be individually responsible for their service risks.</p> <p>Be actively involved in the identification and assessment of risks through the service planning process.</p> <p>Ensure that all reports of a strategic nature written for Members include risk commentary.</p> <p>To implement the detail of the Risk Management Strategy and risk related corporate policies, e.g. Health and Safety, Data Protection.</p> <p>Ensure that significant service risks are considered by Leadership Team quarterly.</p>
Strategic Finance and Property	<p>Co-ordinate risk management activities and prepare related reports for management and Members.</p> <p>Review and develop the Risk Management Strategy and processes.</p> <p>Facilitate / arrange risk management training for staff and Members.</p> <p>To co-ordinate the Business Continuity Plan.</p> <p>Support the risk based audit planning process.</p>
Shared Internal Audit Service	<p>To provide assurance to the Council through an independent and objective opinion on the control environment comprising risk management, control procedures and governance.</p> <p>To provide an annual Audit Plan that is based on a</p>



Role	Responsibility
	<p>reasonable evaluation of risk, and to provide an annual assurance statement to the Council based on work undertaken in the previous year.</p> <p>Review and challenge the effectiveness of the risk management framework.</p>

## Monitoring

Existing controls of strategic risks, their adequacy, new mitigation measures and associated action planning information are to be recorded on the Strategic Risk Register.

Strategic risks are subject to one detailed annual report with quarterly reports on an exception basis only.

## Capital Risk Register

Risk Category	Description of Risk / Uncertainty	Mitigating Factors	Timescale (review or implementation)	Owner	Residual Risk Score
<b>Political</b>	Change in local government structures	Timetable for any reorganisation would fall outside the substantial capital programme proposed as already committed would not be stopped by a reorganisation prohibition on items not programmed to use up resources and deny them to the successor authority	Quarterly	Chief Executive	6

Risk Category	Description of Risk / Uncertainty	Mitigating Factors	Timescale (review or implementation)	Owner	Residual Risk Score
<b>Finance</b>	<p>There is uncertainty around future funding, both from Government and other areas such as income from commodities markets for recycled materials.</p> <p>The approach used in the MRP Policy of utilising set aside capital receipts from pre-2007 which can only be utilised for the repayment of borrowing to be applied to repay borrowing of the capital programme utilising the cash that backed the receipts is subject to validation by the external</p>	<p>Funding situation is being carefully monitored.</p> <p>Financial Sustainability Committee to consider infrastructure investment.</p> <p>Approach has been sent to CIPFA for comments.</p> <p>Capital Receipts balance and backing cash resources are proven to exist in the Balance Sheet. EHDC situation is unique and if external auditors raise issues a referral to MHCLG to</p>	Ongoing	Head of Strategic Finance & Property	7

<b>Risk Category</b>	<b>Description of Risk / Uncertainty</b>	<b>Mitigating Factors</b>	<b>Timescale (review or implementation)</b>	<b>Owner</b>	<b>Residual Risk Score</b>
	auditor	issue a Determination to allow the receipts to be used will be made.			
<b>Social</b>					
<b>Technological</b>					
<b>Legislative / Legal</b>	Challenges to legal powers being employed to deliver capital ambition	Robust technical, expert and legal advice to be sought as required in order to demonstrate that the Council's actions are justified	Ongoing	Head of Legal & Democratic Services	6

Risk Category	Description of Risk / Uncertainty	Mitigating Factors	Timescale (review or implementation)	Owner	Residual Risk Score
<b>Continuity / service delivery</b>	Risk of not having capacity / capability and flexibility to continue to deliver service levels over time.	<p>Services are structured to ensure their service offers meet customer demand and are efficient and effective.</p> <p>The Transformation Programme will drive digital self-service for customers and agile working will reduce the need for office accommodation space.</p>	Ongoing	Heads of Service	4

Risk Category	Description of Risk / Uncertainty	Mitigating Factors	Timescale (review or implementation)	Owner	Residual Risk Score
	Risk of lack of defined process resulting in disrupted service delivery as decision making processes are impaired	Standard business cases, project evaluation and scoring mechanisms to aid decision making and prioritisation of resources	12 months	Head of Comms, Policy & Strategy	5
<b>Environmental</b>	Development of Old River Lane, Bishop's Stortford: impact on surrounding area	Site options being developed by urban designers and property consultants. Discussions ongoing with other partners such as Hertfordshire County Council, South Mills and Bishop's Stortford Town	Ongoing	Head of Strategic Finance & Property	5

Risk Category	Description of Risk / Uncertainty	Mitigating Factors	Timescale (review or implementation)	Owner	Residual Risk Score
		Council, to ensure any enabling parts of the site are ready			
	Grange Paddocks Leisure Centre built on a flood plain resulting in risk of flooding of the ground floor areas.	The building is located on the boundary of the very low and no risk zone. Design and Access statement, flood risk strategy, and drainage plan produced resulting in 64% less drainage outflow. Plant located on the north side and all on raised plinths.	Ongoing	Head of Operations	5

## Risk Management action plan

Action	Why is this required?	Responsibility	Timescale
Monitor operational and strategic risks and update relevant risk registers accordingly, reporting strategic risks annually or quarterly by exception	In order that opportunities are explored in full in a timely fashion, and that risks are acknowledged and managed effectively through project lifecycles	All	As required and at least on a quarterly basis



# Capital Investment Appraisal

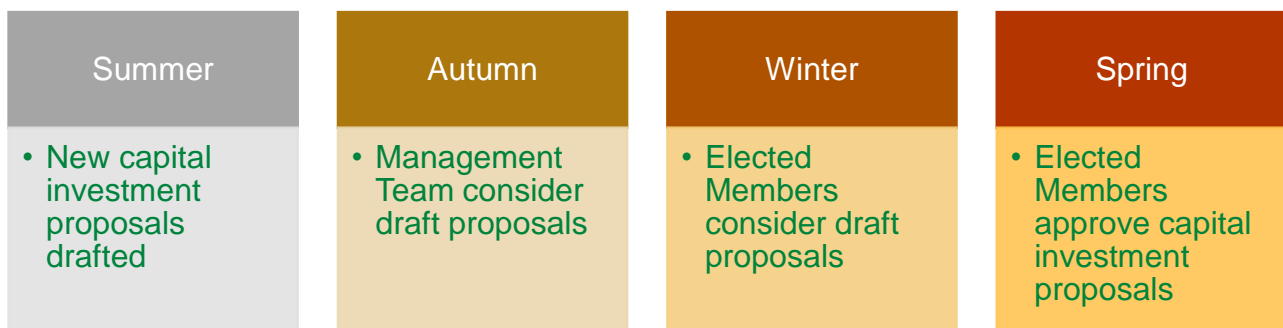
## Process

*Note: Due to the current high level of approved capital spend and affordability, there are currently no new capital schemes for approval and none expected, other than a potential re-configuration of the Old River Lane, Bishops Stortford, scheme.*

### Business planning process

The current business planning process for developing investment proposals to be included within the Council's future financial plans is summarised in the diagram below.

**Figure 7: Business Planning Process**



New proposals are developed by individual Project Managers, approved for consideration at service level by the Head of Service / Directorate following which, the proposals will be considered by Leadership Team and successful proposals will progress for consideration and approval as part of the annual budget cycle.

### Investment proposals – consultation and stakeholder engagement

Consultation and engagement is a key part of developing individual proposals and will be tailored to the individual proposal and relevant stakeholders both internal and

external to the Council. Stakeholder engagement and consultation can take place throughout the lifecycle of a proposal (from initiation to close down) and the outputs of any engagement or consultation undertaken should be used to inform the proposal as this progresses.

The diagram overleaf summarises the elements to consider in developing capital investment proposals.

**Figure 8: Stakeholder engagement and consultation in developing investment proposals**



## **Developing capital investment proposals – description of current processes**

Project and Service Managers are encouraged to consider a range of options in developing individual proposals to determine an appropriate way forward, and to capture project details as a business case. However, although new proposals are required to develop a business case, there is as yet no standardised business case template used consistently across the Council to capture key information. This can lead to gaps in information being captured.

The Council has therefore identified that a standardised business case template is required, to support Officers in recording and maintaining project information and inform decision making. Business case must include estimates of capital costs, revenue implications and how the individual proposal aligns with Council plans and strategies and any partnership or external plans and strategies as relevant. Risks should also be documented as part of developing the proposal, along with mitigating actions and relevant timescales.

Business cases would then be maintained throughout the lifecycle of a project to maintain accurate information relating to delivery and lessons learned should be captured as part of project closure reports.

### **Prioritising capital investment**

The intention is for the standardised business cases referenced above to then be subject to a standardised evaluation process, the outcome of which will be the prioritised capital investment programme. Local authorities continue to face financial challenges and as a result, the need to prioritise and target investment is ever present.

The Council has identified that in order to effectively assess investment proposals against one another, a standardised evaluation process and scoring mechanism may be beneficial to help aid decision making and prioritise investment.

## Project appraisal process action plan

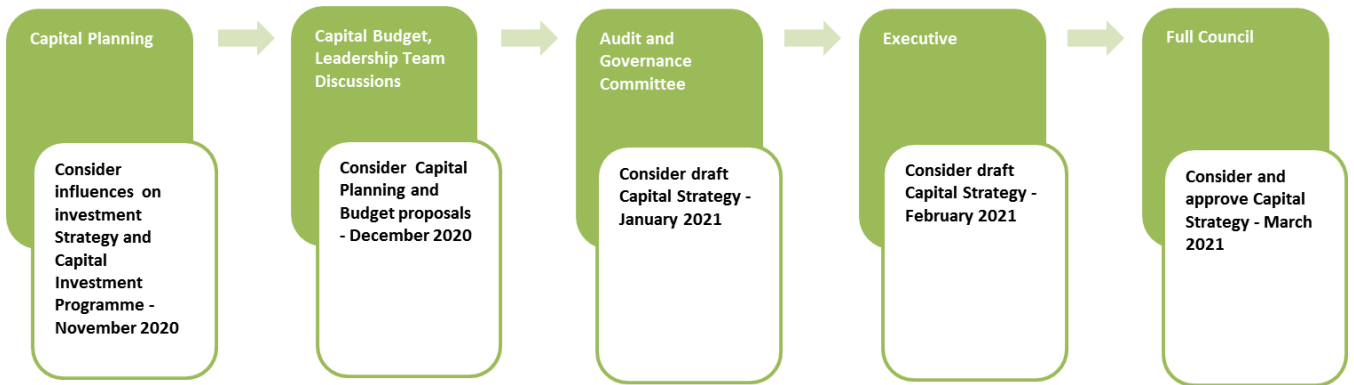
Action	Why is this required?	Responsibility	Timescale
Embed the <b>council's carbon assessment tool</b> within <b>standardised business case</b> documentation so as to ensure sustainability issues inform decision-making	To support officers in capturing and maintaining project information, from proposal to project close down, in order to help inform decision making and prioritise investment	Head of Housing & Health	12 months

# Governance

## Description of existing approval mechanisms

The existing process for development and approval of the Council’s Capital Strategy is summarised in the diagram below.

**Figure 9: Capital Strategy Approval process**



The internal governance structure will need to be mindful of partners’ and external governance mechanisms and will need to communicate and engage with these structures through delivery of the Council’s overall capital ambition.

## Roles and responsibilities

All Officers and elected Members have a role to play in informing and delivering the Capital Strategy. These roles and responsibilities are summarised below:

Role	Responsibility
<b>Elected members</b>	To approve the Capital Strategy and monitor delivery of the Strategy through various scrutiny forums

<b>Role</b>	<b>Responsibility</b>
<b>Leadership / Management Team</b>	To develop and propose the Capital Strategy for approval
<b>Programme / Directorate Managers</b>	To help inform the Capital Strategy, identifying constraints and opportunities and communicate these to both Senior Management and Project Teams
<b>Project Managers</b>	To manage delivery of individual projects aligned to the Capital Strategy and to develop and maintain project information which will inform decision making processes and the direction and delivery of the Capital Strategy
<b>Project Team members</b>	To contribute to the delivery of individual proposals which align with the Capital Strategy

## **Skills and training**

The Council benefits from the skills and experience possessed by both Officers and elected Members which will support delivery of individual capital proposals and the Council's overall capital ambition. The Council is also keen to support Officers and elected Members to continue to develop their skills sets and is therefore mindful of the implications capital proposals may have on the Council's workforce and future training opportunities and requirements.

The Council already has a programme of staff training available and will look to support that staffs who wish to continue their professional development appropriate to their role and subject to appropriate budget availability. Relevant training for elected Members is also undertaken on a routine basis and refreshed as required.

Any skills or experience required which are not already possessed 'in-house' should be identified through individual capital proposals or business cases and will be procured externally as necessary, and in accordance with the Council's Corporate Procurement Strategy.

## **Capital Strategy engagement**

The Capital Strategy is a corporate document which helps stakeholders understand the Council's capital investment objectives and decisions. The Council is therefore keen that the Capital Strategy is informed by knowledge and experience from across the authority.

There is still work to do in fully developing and implementing the Capital Strategy as a corporate strategic document. Therefore, the Senior Management Team will consider a consultation and engagement plan over the coming months which will look to raise awareness of the Strategy and gather stakeholder input for future iterations of the Capital Strategy.

## **Capital Strategy date for review**

The Capital Strategy is intended to be a dynamic document, responsive to changes in policy, strategic influences and delivery.

The Capital Strategy will therefore be updated as required and at least once on an annual basis.

## Governance action plan

Action	Why is this required?	Responsibility	Timescale
Update the Capital Strategy as required and <b>at least once annually</b>	To maintain a dynamic and responsive Strategy which evolves as the Council's priorities do	Leadership Team	As required
Consider an <b>engagement plan</b> for the Capital Strategy	To continue to develop and inform the Capital Strategy, and raise awareness of the Council's capital investment ambition	Leadership Team	12 months



# Appendix 1: Capital Programme by Corporate Plan priority

	<b>Sustainability at the heart of everything we do</b>	<b>Enabling our communities</b>	<b>Encouraging economic growth</b>	<b>Digital by design</b>
Investment in operational assets	✓	✓	✓	
Grange Paddocks Leisure Centre	✓	✓		
Hartham Leisure Centre	✓	✓		
Ward Freeman		✓		
Car Park Resurfacing		✓		
Northgate End, MSCP, Residential and Commercial		✓	✓	
Arts Centre – Old River Lane	✓	✓	✓	
Hertford Theatre	✓	✓	✓	✓
LED Lighting Upgrades	✓	✓		
ICT Rolling Programme				✓

Appendix 1

	<b>Sustainability at the heart of everything we do</b>	<b>Enabling our communities</b>	<b>Encouraging economic growth</b>	<b>Digital by design</b>
Open Space Improvements		✓		
Improve, maintain & renew structures along rivers and watercourses		✓		
Land Management Asset Register & Associated Works		✓		
Fixtures, Fittings and Equip (Both Centres)		✓		
Grants	✓	✓		