

**WYRE FOREST DISTRICT COUNCIL**

**CABINET**  
**19<sup>th</sup> FEBRUARY 2009**

**Report of the Head of Financial Services in respect of  
Sections 25-28 Local Government Act 2003**

<b>AN OPEN ITEM</b>	
<b>COMMUNITY STRATEGY THEME</b>	
<b>CORPORATE THEME:</b>	<b>Improving Corporacy &amp; Performance</b>
<b>KEY PRIORITY:</b>	<b>Financial and Asset Management</b>
<b>STRATEGY:</b>	<b>Financial Strategy</b>
<b>CABINET MEMBER:</b>	<b>Councillor John Campion</b>
<b>RESPONSIBLE OFFICER:</b>	<b>Head of Financial Services</b>
<b>CONTACT OFFICER:</b>	<b>David Buckland, Ext. 2100</b> <a href="mailto:david.buckland@wyreforestdc.gov.uk">david.buckland@wyreforestdc.gov.uk</a>
<b>APPENDICES</b>	<b>None</b>

**1. PURPOSE OF REPORT**

- 1.1 To consider the report of the Head of Financial Services in respect of statutory duties placed on Local Authority Chief Financial Officers in relation to budget setting and monitoring.

**2. RECOMMENDATION**

**The CABINET is asked to RECOMMEND TO COUNCIL :**

- 2.1 **The Head of Financial Services' opinion on the budget proposals, recommended by the Cabinet on 22<sup>nd</sup> January 2009, as detailed in this report.**

**3. BACKGROUND**

- 3.1 Sections 25 to 28 of Local Government Act 2003 place statutory duties on Local Authorities on how they set and monitor budgets. The Act requires local authorities to ensure that the Budget estimates are robust, Reserves are adequate, and the Budget is monitored on a regular basis.
- 3.2 Section 25 requires the Head of Financial Services to report to the Council on the robustness of the estimates it makes when calculating its budget requirement under Section 32 of the Local Government Finance Act 1992 and on the adequacy of its proposed financial reserves.
- 3.3 Section 26 requires authorities to adhere to their approved policies in relation to Reserves when setting budgets to ensure that the minimum Reserve levels are maintained.

- 3.4 Section 27 requires the Head of Financial Services, at the time of the budget setting, to report if it appears that a reserve in relation to the previous financial year is likely to be inadequate. The reasons for the inadequacy and a recommended course of action must be considered by Council.
- 3.5 Section 28 places a statutory duty on the Council to review its budget and all calculations related to it from time to time. If the review shows a deterioration in the financial position, the Council must take such action as it considers necessary (if any) to address the situation.
- 3.6 Whilst Sections 25-27 related specifically to budget and council tax setting for the following financial year, these Sections are being more widely interpreted by External Auditors to include the period of the Council's Financial Strategy and as a consequence it is necessary to report not only on next years Budget but on the period covered by the Three Year Budget Strategy (2009-2012).

**4. KEY ISSUES - HEAD OF FINANCIAL SERVICES' OPINION ON 2008/09 BUDGET & THREE YEAR BUDGET STRATEGY**

In respect of the Budget Proposals recommended by the Cabinet on 22<sup>nd</sup> January, 2009, in my opinion:-

- 4.1 The estimates made for the purposes of Section 32 of the Local Government Finance Act 1992 Calculations are robust.
- 4.2 The Reserves outlined in the Three Year Budget and Policy Framework Report to the Cabinet on 22<sup>nd</sup> January 2009 (pages 65 and 66 of the Financial Strategy) are adequate in relation to the 2009/2012 Budgets.
- 4.3 The Council have adopted the general principles of the CIPFA Guidance on Local Authority Reserves and Balances, which outline a minimum Reserve (Working Balances) for this Council which has been adhered to in the Financial Strategy 2009/2012.
- 4.4 The Cabinet monitors Budgets on a quarterly basis in accordance with Section 28 of the 2003 Act, including 'Budget Risk Management' and takes appropriate action to ensure financial accountability.

**5. FINANCIAL IMPLICATIONS**

There are no Financial Implications.

**6. LEGAL AND POLICY IMPLICATIONS**

These are contained in Paragraph 3 of this report.

**7. RISK MANAGEMENT**

There are no Risk Management issues relating to this report.

**8. CONCLUSION/FURTHER CONSIDERATIONS**

- 8.1 The Council will continue to seek a long term solution to the proportion of expenditure funded out of Reserves. Whilst Reserves are at a level sufficient to fund the projected deficits on the Three Year Budget, the Council's Finance Strategy will need to be adhered to, to ensure financial sustainability into the long term.

**9. CONSULTEES**

- 9.1 Leader of the Council/Cabinet/CMT.

**10. BACKGROUND PAPERS**

- 10.1 Local Government Act 2003 Sections 25-28

- 10.2 Local Government Finance Act 1992 Section 32