

2020/21 OVERALL FINANCIAL POSITION, PROPERTY DISPOSALS AND ACQUISITIONS REPORT THAT TAKES ACCOUNT OF THE ESTIMATED FINANCIAL IMPACT OF COVID 19 AND THE ON-GOING EMERGENCY

**KEY DECISION NO. FCR R.4** 

CABINET MEETING DATE 2020/21 19TH OCTOBER 2020 **CLASSIFICATION:** 

**OPEN** 

WARD(S) AFFECTED: ALL WARDS

**CABINET MEMBER** 

**Deputy Mayor Rebecca Rennison** 

**Cabinet Member for Finance, Housing Needs and Supply** 

**KEY DECISION** 

Yes

**REASON** 

Spending or Savings

**GROUP DIRECTOR** 

Ian Williams: Finance and Corporate Resources

#### 1. CABINET MEMBER'S INTRODUCTION

- 1.1 This Overall Financial Position (OFP) is based on detailed August monitoring data from directorates.
- 1.2 We are forecasting an overspend on the General Fund (i.e. excluding Housing costs) of £65m before the application of the Government's Emergency Funding (£21.4m). Of this, £61.5m relates to additional expenditure and reduced income incurred on the General Fund that is owed to COVID-19. The non-COVID-19 related overspend is £3.4m.
- 1.3 This report demonstrates that commitments from central Government, coupled with our own sound financial management, reduce the forecast COVID-19 related shortfall for 2020/21 to £10 million. While this places an extra pressure on Council finances, we are confident at this point that we can manage this shortfall.
- 1.4 What we now urgently need is certainty over future funding, in particular our funding settlement for the coming year. We need to be able to plan for the 2021/22 financial year and we cannot do this until the Government commits both to our core grant funding, and the additional support that will be put in place in relation to COVID-19.
- 1.5 While we appreciate these are uncertain times, we have no choice but to work within the financial rules set by central government, and under these we are required to bring forward some of our initial budget papers (Council Tax base) as early as January next year.
- 1.6 It is therefore vital that we are given clarity on the level of funding we can expect so we can plan how we will deliver the services that our residents need in the coming year.

# 2. GROUP DIRECTOR OF FINANCE AND CORPORATE RESOURCES INTRODUCTION

2.1 The OFP shows that the Council is forecast to have a £65m funding shortfall (General Fund) before the application of the Government's Emergency Funding. This is equivalent to 6% of the total gross budget and 19% of the net budget. This is an increase of £0.515m increase in the overspend from July of which £0.7m relates to COVID-19 and while other pressures have reduced by £0.19m

- 2.2 As Cabinet is aware, we were awarded £17.835m of grant in the first two tranches and a further £3.516m from the third tranche, giving a total of £21.351m. With regards to the scheme that would partially compensate councils for losses in some sales, fees, and charges; we are required to submit 3 returns. The first will cover actual losses in April, May, June, and July; the second will relate to losses in August, September, October, and November; and the third will cover the remainder of the financial year. At the time of writing this report, we are finalising the first return but until we receive some kind of confirmation (or otherwise) from MHCLG that these estimates have been accepted, and we have data for the next few months, we cannot accurately extrapolate to an annual allocation. So, the report continues to assume our best annual estimate of £9.6m although this could change as we receive later data and MHCLG reviews our claims. When we have had feedback from MHCLG and some later losses data, we will include a revised annual estimate in the relevant OFP
- 2.3 The estimates contained within this report are very indicative and will be revised further as more information becomes available. It must also be noted that the Government funding listed in this report is intended to cover the pandemic only and funding is of a one-off nature. It follows that, while speed has necessitated some decisions to be taken through delegated authority over recent months, to protect the Council's financial position going forward, any further expenditure commitments that are of an ongoing nature must have full political oversight and be agreed through the Cabinet process.
- 2.4 The position of the General Fund is shown below. The first table shows the funding shortfall of £65m of which £61.5m is owed to COVID-19 while the second table analyses the impact of applying Government funding.

**TABLE 1: OVERALL ESTIMATED BUDGET SHORTFALL 2020/21** 

Revised Budgets	Service Unit	Forecast: Change from Revised Budget after Reserves	Variance from Previous Month	Amount of variance owed to Covid19	Variance excluding Covid19
		£k	£k	£k	£k
86,447	Children's Services	5,786	-254	4,730	1,056
94,416	ASC & Commissioning	6,602	-16	4,911	1,691
33,763	Community Health	1,251	-	1,681	-430
214,626	Total CACH	13,639	-270	11,322	2,317
35,156	Neighbourhood & Housing	14,160	478	13,445	714
19,736	Finance & Corporate Resources	15,100	295	14,773	327
0	Reduced Council Tax & Business Rates Income	20,500	0	20,500	0
8,947	Chief Executive	1,552	12	1,480	72
34,403	General Finance Account	0	0	0	0
312,878	GENERAL FUND TOTAL	64,951	515	61,520	3,430

- 2.5 In order to look at the budgetary implications of this shortfall in 2020/21 we must first adjust for Council Tax and Business Rates. The governing regulations require that any difference between the budgeted income and outturn income for these two income streams is not charged to the General Fund in 2020/21 but instead is charged in the following year. And so without changes to the regulations if we do make a shortfall of £20.5m on Council Tax and Business Rates income in 2020/21, it would all be charged to the General Fund in 2021/22 thereby increasing the budget gap by an equivalent amount in this year.
- 2.6 However, as noted in previous OFPs, the Government is intending to partially alleviate the burden in 2021/22. It is proposing to fund part of the shortfall on Council Tax and Business Rates (but we will not know how much until it produces the next Spending Review in the Autumn) and it will then direct that the remaining losses after the funding will be a charge against the General Fund in 2021/22 and in the following 2 years in equal amounts. So if the Government funds 33% for example (this is just a number for illustrative purposes) and we have a shortfall of £20.5m then we will have to charge £13.7m to the General Fund over the next 3 years, at a rate of £4.6m per annum beginning in 2021/22. Obviously, we will be able to offset against this any payments we receive in respect of 2020/21 debts in 2021-22 and beyond from local taxpayers and businesses.
- 2.7 The application of the grant, compensatory funding and the deferral of Council Tax and Business Rates losses to future years is shown in table 2 below

**TABLE 2: SHORTFALL AFTER THE APPLICATION OF GRANT** 

Revised Budgets	Service Unit	Forecast: Change from Revised Budget after Reserves	Amount of variance owed to COVID-19	Variance excluding COVID-19
		£k	£k	£k
86,447	Children's Services	5,786	4,730	1,056
94,416	ASC & Commissioning	6,602	4,911	1,691
33,763	Community Health	1,251	1,681	-430
214,626	Total CACH	13,639	11,322	2,317
35,156	Neighbourhood & Housing	14,160	13,445	714
19,736	Finance & Corporate Resources	15,100	14,773	327
8,947	Chief Executive	1,552	1,480	72
34,403	General Finance Account	0	0	0
312,878	GENERAL FUND TOTAL	44,451	41,020	3,430
	Estimated Emergency Fund	-21,351	-21,351	
	Funding to Partially Compensate loss of Sales, Fees & Charges income	-9,575	-9,575	
	FUNDING STILL REQUIRED AFTER APPLICATION OF GRANT	13,525	10,094	

- 2.8 So as can be seen we have a total shortfall of £13.5m of which £10m relates to Covid-19.
- 2.9 The Group Director Finance is meeting this financial challenge by: -
  - Reviewing the Council's reserves to develop options for re-appropriating reserve funds to help support the Council's response to COVID-19. This may mean delaying some projects or activities initially expected to be funded from reserves.
  - Refining and developing a governance process to ensure expenditure is signed off by appropriate officers to keep expenditure focused on the COVID-19 response.
  - Closely monitoring the Council's income streams and debt levels to see what effect the COVID-19 crisis is having on the Council's income.
- 2.10 We will also be continuing to review and refine our work on the robustness of the calculation processes and data used to calculate the COVID-19 estimates.
- 2.11 On other matters, on 28th April, the Government confirmed that the review of relative needs and resources (Fair Funding) and the move to 75% business rates retention will no longer be implemented in April 21<sup>st</sup> 2021. On July. it also launched the 2020 Comprehensive Spending Review (CSR). The Review, which published in the autumn, will set Government's spending plans for the remainder of this Parliament. It follows that at this stage, we will need to continue to plan with little or no funding certainty over the medium term in the context of significant additional spending and reduced income because of COVID-19.
- 2.12 As reported in previous reports to Cabinet, It is by no means clear what the longer term financial impact on local government will be as a result of COVID-19 but it looks likely that the UK faces a significant recession, possibly its sharpest recession on record. It is also worth noting that the UK's debt is now worth more than its economy after the government borrowed a record amount in May. The £55.2bn figure was nine times higher than in May last year and the highest since records began in 1993 and it sent total government debt surging to £1.95trn. Income from tax, National Insurance and VAT all dived in May amid the coronavirus lockdown as spending on support measures soared.
- 2.13 Clearly this will have an impact on future public sector and local authority budgets. It seems that at this time there is much less of an appetite within Government for austerity than that following the financial crisis in 2008 but it remains to be seen whether sufficient resources are made available to put local government on a sound and sustainable financial footing going forward.

Approval is sought for the proposed letting of 280 Mare Street. Cabinet approval is required because the letting will be for a term of up to 15 years, and the Director of Strategic Property has delegated authority, under the Schedule of Delegations provided for within the Portfolio of the Group Director of Finance & Corporate Resources (FR105), to approve leases and subleases for a term of up to 7 years. The Property was previously leased as co-working space, but the former tenant went into liquidation and the building has been managed in the interim by Strategic Property Services. The property has been widely marketed by an established London office agent (Strettons) over a 6 month period, leading to a proposal from a well-established coworking provider. Detailed lease terms are still to be agreed with the prospective tenant but Cabinet approval is required now so that the lease is not delayed. Based on current discussions the lease is likely to be for a term of 10 years with a break clause after 3 years and rent review after 5 years. However, Cabinet approval is being sought to enter into a lease of up to 15 years, other terms to be approved by the Group Director of Finance and Corporate Resources, to provide sufficient flexibility in the event of the current prospective tenant demanding more than 10 years or the property having to be re-marketed. The Heads of Terms of the proposed lease agreement is attached in **Exempt Appendix 2**. It is exempt because it contains commercially sensitive information.

#### 3.0 RECOMMENDATIONS

- 3.1 To note the update on the overall financial position for August, covering the General Fund and HRA.
- 3.2 Approve the disposal by leasehold interest of 280 Mare Street for a term of up to 15 years (see location plan at appendix 1).
- 3.3 Authorise the Director of Legal Services to prepare, agree, settle and sign the necessary legal documentation to effect the proposed disposal and to enter into any other ancillary legal documentation required to complete the proposed disposal transaction.
- 3.4 Delegate authority to the Group Director of Finance and Corporate Resources to enter into a lease of up to 15 years, and to agree all other terms of the lease, provided that the requirements of s.123 Local Government Act 1972 are met.

#### 4. REASONS FOR DECISION

4.1 To facilitate financial management and control of the Council's finances and to approve the property proposal.

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# 4.2 CHILDREN, ADULT SOCIAL CARE AND COMMUNITY HEALTH (CACH)

# **Summary**

The CACH directorate is forecasting an overspend of £13.6m after the application of reserves and grants drawdown COVID-19 related expenditure accounts for £11.3m of the reported overspend.

## **Children & Families Service**

Children and Families Service (CFS) is forecasting a £3.304m overspend after the application of reserves. This includes a £1.735m forecast in respect of COVID-19 related spend. The draw down from reserves includes:

- £3.869m from the Commissioning Reserve, set up to meet the cost of placements where these exceed the current budget.
- £1.6m for additional staffing required to address a combination of increased demand across the service and management response to the Ofsted inspection.

The forecast also incorporates £4.650m of Social Care Grant funding (that is an additional £3.450m in 2020/21 when compared to last year). Set against this, there is a significant increase in spend driven by looked-after children (LAC) and leaving care (LC) placements costs within Corporate Parenting where the net overall spend is forecast to increase by £4.4m (excludes reserves, however £0.9m has been identified as relating to COVID-19) compared to last year. There is also an increase in forecast spend on staffing across CFS of £3.0m when compared to last year (£0.6m has been identified as relating to COVID-19 and £0.67m relates to an increase in the employer pension contribution from 15.6% to 18.5%). £1.6m is linked to increased staffing levels agreed in response to increased demand and additional posts agreed to assist in responding to the Ofsted recommendations arising from the inspection in November 2019 in which the Council received a 'requires improvement' judgement.

Corporate Parenting is forecast to overspend by £2.92m after the use of £3.9m of commissioning reserves (includes £0.943m of COVID-19 expenditure). This position also includes the use of £2.8m of Social Care funding that was announced in the October 2019 Budget - this includes £600k in relation to staffing costs and the remaining £2.2m is for placements. The overall position for Corporate Parenting has increased by £0.2m since July 2020. Gross expenditure on LAC and LC placements (as illustrated in the table below) is forecasted at £24.8m compared to last year's outturn of £20.4m — an increase of £5.2m (this includes £0.943m of COVID-19 expenditure).

**Placements Summary for LAC and Leaving Care** 

Service Type	Budget	Forecas t	Forecast Variance	Funded Placements	Current Placements
Residential	3,131	7,369	4,238	16	39
Secure Accommodation (Welfare)	-	16	16	0	-
Independent Foster Agency	6,488	7,685	1,197	130	154
In-House Fostering	2,400	2,212	(188)	100	93
Semi-Independent (Under 18)	1,570	3,203	1,633	24	49
Semi-independent (18+)	1,370	2,637	1,267	71	99
Family & Friends	569	996	427	25	41
Residential Family Centre (P & Child)	1	97	97	-	-
Other Local Authorities	ı	85	85	1	3
Overstayers (18+)	290	524	234	57	60
Staying Put (18+)	200	480	280	19	34
Extended Fostering (18+)	-	57	57	-	2
UASC	-	(485)	(485)	50	40
Expenditure	16,018	24,874	8,856	491	614

<sup>\*</sup>based on the average cost of placements.

The £8.9m cost pressure position for placements is net of Unaccompanied Asylum Seeking Children (UASC) income received from the Home Office. The UASC income is in excess of the placements' costs incurred for the 40 placements in the service hence the additional funding is offsetting budget pressures in other placements types. It is emphasised, however, that there will be other costs, such as additional social workers, associated with the number of UASCs supported and this is recorded elsewhere in the service. This gross placement position of £8.9m is then mitigated by reserves of £3.9m and £2.2m Social Care Grant to get to a net reported position of £2.8m.

The table below further analyses LAC placements showing movements from the previous month and average annual unit costs.

LAC/ Leaving Care Placement Analysis

Placement Type	Annual Forecast £ 000	Weekly Cost £ 000	Weekly Unit Cost (Average)	Current YP No	Last month YP No
Residential Care	7,369	151	3,870	39	40
Secure Accommodation (Welfare)	16	1	0	0	0
Independent Foster Agency	7,685	147	955	154	152
In-House Fostering	2,212	43	459	93	92
Semi-Independent (Under 18)	3,203	62	1,274	49	50
Semi-independent (18+)	2,637	37	370	99	120
Family & Friends	996	18	442	41	44
Residential Family Centre (P&Child)	97	1	3,481	0	1
Other Local Authorities	85	2	541	3	2
Overstayers (18+)	524	19	314	60	32
Staying Put (18+)	480	16	467	34	33
Extended Fostering (18+)	57	1	498	2	2
UASC	(485)	32	769	40	27
Total	24,874	527	13,439	614	595

<sup>\*</sup> This month we have made some technical changes to how we record some UASC and former UASC placements for whom we receive Home Office funding. As a result, there have been some shifts in costs and placement numbers between various placements types to UASC and Overstayers.

One of the main drivers for the cost pressure in Corporate Parenting continues to be the rise in the number of children in costly residential placements which has continued to grow year-on-year and the number of under 18s in high-cost semi-independent placements. Where children in their late teens are deemed to be vulnerable, and in many cases are transitioning from residential to semi-independent placements, they may still require a high-level of support and in extreme circumstances bespoke crisis packages. We are also seeing an increase in the number of Independent Fostering Agency (IFA) placements and a stagnation in the number of in-house fostering placements. The annual cost of IFA placements (£50k) are double the cost of in-house fostering placements (£25k).

The forecast for LAC and Leaving Placements is a net increase pre-Covid19 increase of £3.5m compared to last year (excluding reserves), and this is largely attributed to increases in Semi-independent placements (both under and over 18s) of £2m; Residential care £1.8m; and IFAs £0.6m, this includes approximately £0.9m in relation to COVID-19 additional expenditure and £1.7m of additional income. If we exclude the COVID-19 expenditure, the increase compared to the 2019/20 outturn is £2.6m.

Management actions are being developed by the service to reduce the number and unit cost of residential placements. Given that the average annual cost of a residential placement is approximately £200k, a net reduction in placements would have a significant impact on the forecast.

This year we continue to see significant pressures on staffing, however this has been partly offset by the social care grant funding which has been allocated to the service. This is mainly due to over-established posts recruited to meet an increase in demand (rise in caseloads), additional capacity to support the response to the Ofsted focused visit at the end of last year and cover for maternity/paternity/sick leave and agency premiums. Given the outcome of the recent inspection referred to above, alongside further increased demand in the system, as well as the ongoing impact of COVID-19, it is likely that staffing costs will continue to be above establishment and this is being built into future financial plans.

<u>Disabled Children's Service</u> is forecast to overspend by £52k after the use of £476k of reserves. Staffing is projecting an overspend of £162k due to additional staff brought in to address increased demand in the service. This is offset by £215k of additional social care grant funding. Commissioning is projecting a £550k overspend attributed to care packages (£291k Home Care, £353k Direct Payments).

<u>Directorate Management Team</u> is forecast to overspend by £365k after a drawdown of £635k reserves for Post Ofsted staffing pressure and £166k Social Care Grant for the creation of 2 Service Manager posts. £368k of staffing pressure in relation to COVID-19 is forecast in this area, this includes an estimate of additional staffing relating to delays in closing cases.

<u>Children in Need</u> is forecasted to overspend by £23k after the use of reserves. There are significant levels of non-recurrent funding in the service including £687k of Social Care Grant funding in recognition of staffing pressure at the start of the financial year. Recruitment to permanent Social Worker posts are in progress which should start to address the high numbers of agency staff currently in this service.

<u>Access and Assessment</u> is forecasted to underspend by £13k after the use of reserves. There are significant levels of non-recurrent funding in the service including £564k of reserve funding to provide additional capacity following the Ofsted inspection last year.

<u>Youth Justice</u> is forecasted to underspend by £96k primarily due to late recruitment to vacant posts.

# **Hackney Education**

Hackney Education has a budget of £25.7m net of budgeted income of circa £240m. This income is primarily Dedicated Schools Grant of which the majority is passported to schools and early years settings or spent on high needs placements.

As at the end of August 2020, Hackney Education is forecasting to overspend by around £8.8m. Approximately £3m of this is the forecast financial impact of the COVID-19 outbreak. The balance of the overspend (£5.8m) is mainly as a result of a £8.4m forecast over-spend in SEND, offset by forecast £2.6m of savings in other areas of HLT. The £8.4m over-spend in SEND is a result of previously reported factors, mainly a significant increase in recent years of children and young people with Education Health and Care Plans (EHCP's). The forecast represents an improvement of £0.5m from last month as a result of a reduced forecast in respect of SEN transport as a result of reduced costs during the period of school closure due to Covid-19.

The Government has formally confirmed its intention to ensure that local authorities are not left with the burden of SEND cost pressures and have issued new funding regulations which state that deficits arising from DSG shortfalls will not be met from local authorities' general funds unless Secretary of State approval is gained. The finance teams are working on what exactly this will mean for the Council's finances and are also consulting with the auditors and other Councils. At this time, it is thought that it is unlikely these changes to funding regulations will have a material impact on the forecast.

The Government expectation is that the DSG overspend will remain in the Council's accounts as a deficit balance which will then reduce in future years as additional funding is received. However, Government's commitment to this additional funding and the level this will be at is not clear. There is therefore a financial risk to the Council of carrying this deficit forward and we will need to consider options for mitigating this risk which might include setting aside a reserve equivalent to the deficit at year end.

#### **Summary HLT variance**

		to COVID £'000	What the variance might have been excluding C19 £'000
SEND Forecast (excluding transport)	8,324	388	7,936
SEND Transport	578	80	498
HLT forecast other	(89)	2,527	(2,615)
Net variance	8,813	2,995	5,818

The table below provides a breakdown of the forecast against service areas in the HLT and an explanation for significant variances.

Service area	2020/21 budget £k		Variance	Budget commentary
		Exp Excluding C19 £k	Excluding C19 £k	
High Needs and School Places	47,578	56,012	8,434	The forecast assumes an increase in spend by around £3.8m from what was incurred in 2019/20. A group of key Council officers will meet to develop/refine the forecast. Furthermore, officers are undertaking a fresh review o options for reducing spend and therefore the recurrent deficit
Education Operations	3,684	3,661	(23)	Immaterial variance
Early Years, Early Help and Wellbeing	41,318	41,919	600	This reflects forecast spending ir children's centres and residua costs associated with an in-year closure of a school-based children's centre where the full-year budget was vired as savings so is partly offset under contingencies and recharges. A full financial review of the children's centres is currently underway
School Standards and Performance	1,843	1,859	16	Immaterial variance
Contingencie s and recharges	11,055	9,514	(1,541)	Forecast under-spends ir contingency and savings delivered in previous years
Delegated school funding to maintained mainstream schools	133,844	132,900	(944)	Forecast variance reflects Schools Forum agreement to vire from Schools Block of the DSG to the High Needs block to contribute to the SEND pressure
DSG income	- 213,611	- 214,337	(726)	Estimated additional Early Years DSC
TOTAL	25,711	31,528	5,817	

# **Adult Social Care & Community Health**

The forecast for Adult Social Care is a £6.6m overspend of which Covid-19 related expenditure accounts for £4.9m. This overspend does not include Covid-19 NHS discharge related spend of £1.3m where there is an agreement to fully recharge the cost to CH-CCG or provider support from the Infection Control Fund (£0.5m).

The revenue forecast includes significant levels of non-recurrent funding including iBCF (£1.989m), Social Care Support Grant (£4.644m), and Winter Pressures Grant (£1.405m).

Announcements on social care funding as part of the Spending Review 2019 has provided further clarity on funding levels, however, it is still unclear what recurrent funding will be available for Adult Social Care in the longer term. The non-recurrent funding was only intended to be a 'stop-gap' pending a sustainable settlement for social care through the Green Paper, however this is subject to ongoing delay. The implications of any loss of funding will continue to be highlighted in order that these can be factored into the Council's financial plans. This will include ensuring that it is clear what funding is required to run safe services for adults. Alongside this the service continues to take forward actions to contain cost pressures

Care Support Commissioning (external commissioned packages of care) contains the main element of the overspend in Adult Social Care, with a £5.1m pressure of which Covid-19 related expenditure accounts for £4.1m. The forecast also includes £1.4m of the Winter Pressures grant to fund the ongoing additional care package cost as a result of hospital discharges. The full £1.4m had already been committed at the beginning of the financial year.

Care Support Commissioning (£k)

Service type	2020/21 Budget	Aug 2020 Forecast	Full Year Variance to budget	Varianc e from Jul 2020	Management Actions
Learning Disabilities	16,735	17,674	939	88	- ILDS transitions/demand
Physical and Sensory	13,748	16,692	2,944	(133)	management and move on strategy
Memory, Cognition and Mental Health ASC (OP)	8,297	9,339	1,041	5	- Three conversations - Review of homecare processes
Occupational Therapy Equipment	740	673	(67)	21	- Review of Section 117 arrangements - Personalisation and
Asylum Seekers Support	170	418	249	26	direct payments - increasing uptake
Total	39,689	44,796	5,107	6	

Physical & Sensory Support is forecasting an overspend of £2.9m. This includes a forecast of £2.4m of additional funding support for care providers in response to the COVID-19 pandemic. The remaining pressure of £0.5m relates directly to the number and complexity of care support packages in Physical and Sensory Support. The overall position has improved by £133k on the previously reported July position, primarily due to increased forecasts for NHS discharge funding projected till end of September 2020. The gross forecast spend on care packages in Physical Support is £18.5m (£17.8m in 19/20) and in Sensory Support is £1.08m (£1.04m in 19/20). The forecast also includes £350k of iBCF and £755k of Winter Pressure funding towards care packages in 2020/21.

Memory, Cognition and Mental Health ASC (OP) is forecasting an overspend of £1.04m. The overall position has remained consistent with the last reported July position. The gross forecast spend on care packages for 2020/21 is £12.2m. Previous reductions in forecast overspend relating to reduced service user numbers due to mortality driven by the Covid-19 pandemic have now been offset by new service users primarily in nursing care settings. £650k of Winter Pressure funding and £400k of iBCF have been applied to these care packages in 20/21.

The Learning Disabilities service is forecasting an overspend of £0.9m. There continues to be increased pressures related to new clients and the cost of increasing complexity of care needs for Learning Disability clients. The gross forecast spend on care packages in Learning Disabilities is £32.4m (£30.9m in 19/20). The forecast also includes significant non-recurrent funding from the iBCF (£1m) and Social care (£4.6m) grants. In addition, a contribution from the NHS of £2.7m (£2.1m in 2019/20) for jointly funded care packages for service users has been factored into the forecast. This is building on the work completed in 2019/20 to agree the share of funding for complex care packages.

The Mental Health service is provided in partnership with the East London Foundation Trust (ELFT) and is forecast to overspend by £1.136m against a budget of £7.865m. The overall position is made up of two main elements - a £1.38m overspend on externally commissioned care services and £243k underspend across staffing-related expenditure. The gross spend on care packages in Mental Health (ELFT) is £4.97m (£4.9m in 19/20).

<u>Provided Services</u> is forecasting a £251k overspend against a budget of £9.87m. This is largely attributed to:

- Housing with Care overspend of £597k, of which the majority is in relation to the significant cost of additional agency staff cover employed for staff absences due to shielding or self-isolating at present due to Covid-19.
- Day Care Services are projected to underspend by £347k, primarily due to the current staff vacancies across the service and that the Oswald Street day centre is currently closed.

<u>Preventative Services</u> is forecasting an overspend of £17k. Forecast underspends on Concessionary Fares (£57k) and the Interim Bed facility at Leander Court (£171k) are offset by pressures of staff costs within the Hospital Social Work team and the Information and Assessment team.

ASC Commissioning is forecasting a £214k underspend. This underspend includes significant one-off reserve funding of £1.795m in 2020/21 supporting activity within commissioning - across teams and projects including the project management office, the commissioning team, the direct payments team and supporting the Lime Tree and St Peters' care scheme prior to recommissioning. Disabled Facilities Grant funding has been applied in 2020/21 to the Telecare contract. Additional grant funding has been received for domestic violence services resulting in a favourable £70k variance to budget.

<u>Care Management and Adult Divisional Support</u> is forecasting a £305k overspend which is driven primarily by staffing costs within the Integrated Learning Disabilities team (£258k). The team has a relatively high number of agency staff which management is actively addressing with planned recruitment campaigns.

#### **Public Health**

Public Health is forecasting a breakeven position, and this includes £55k for the Covid19 triage service and delays in the delivery of planned savings (£375k).

The Public Health grant increased in 2020/21 by £1.569m. This increase included £955k for the Agenda for Change costs, for costs of eligible staff working in organisations such as the NHS that have been commissioned by the local authority. The remaining grant increase has been distributed to Local Authorities on a flat basis, with each given the same percentage growth in allocations from 2019/20. There is a separate grant allocation for PrEP related activity that was recently announced, and the local authority will receive £344k to fund the costs incurred this year.

The service has pressures in demand led services including sexual health and is working closely with commissioners to ensure future provision remains within the allocated sexual health budget in future financial years. In this year this is being offset by underspends in other areas of the service and from the increased grant allocation.

Hackney has been allocated £3.1m of the total £300m announced by Government to support Local Authorities to develop and action their plans to reduce the spread of the virus in their local area as part of the launch of the wider NHS Test and Trace Service. This funding will enable the local authority to develop and implement tailored local Covid19 outbreak plans. A working group has been established and plans are being developed to allocate these funds accordingly.

Mortuary costs have substantially increased during Covid19, and the response to the pandemic plan required the Mortality Management Group to activate the Dedicated Disaster Mortuary (DDM) plans for London. Additional capacity was required rapidly to ensure that that was enough capacity to meet predictions in the initial wave. This has come at an increased cost of approximately £23m to date across London, and based on ONS figures, Hackney's estimated additional cost is likely to be £740k. In anticipation of a potential second spike, a further £16m will be created as a provision across London, and Hackney's share of this will be a further £510k. This has been factored into the reporting position from July 2020.

# **Detailed impact of COVID-19 on CACH**

This is set out below

Impact of COVID-19 on CACH Costs and Income

Impact of	f COVID-19 on CACH Costs and Income					
Additional Spend	Reduce d Income	Net Effect	Sub-Service	Variance Narrative		
674	-	674	FLIP Young Hackney and DAIS CIN, A&A and DCS DMT	Workforce Pressure Termination dates for some Family Learning Intervention Project (FLIP) staff have been extended and support is being provided to other service areas via Rapid Support.  This is for an additional YH business support officer and DAIS intervention officer due to a peak in workload created by COVID-19  Delays in CIN agency staff leaving due to COVID-19 lockdown; A&A staff unable to obtain work permit due to COVID-19; additional DCS staff due to increase in workload.  Increase staffing pressure due to workload cases that are not closed as a result of COVID-19.		
690	-	690	Corporate Parenting (LAC)	LAC placement costs This relates to CP placements costs, and is due to delays in step-downs, placements being extended (i.e. beyond their 21st birthday) as well as additional support hours. Also increased residential placements due to unavailability of foster carers during this period.		
281	-	281	Corporate Parenting (LC) NRPF	Care Leavers £21k per month = £253k  From April to August, £28k was provided to the clients by increasing the subsistence payment by 25%, £25 internet allowance for each family and Free School Meal allowance for children who are not receiving school meal allowance from their school from COVID-19 lockdown.		
90	-	90	DCS / Short Breaks	Other This assumes pressure to apply a 10%		

				increase to DCS home care packages in line
2,400	-	2,400	ASC - Care Support	with home care for adults' providers (90k).  ASC - Supporting the Market Additional funds provided to care providers -
			Commissioning	estimated across 12 months
648	-	648	ASC - Provided Services & ASC Commissioning	ASC - Workforce Pressures Cost of engaging additional care staff to cover permanent officers shielding or self-isolating. Estimated cost of support workers for COVID-19 Urgent Housing Pathway (£53k)
1,413	1	1,413	ASC - Care Support Commissioning	ASC - Additional Demand A number of care packages across ASC are now being funded by NHS discharge funds. This is the full year estimate of the additional demand cost of care packages not being supported by NHS discharge funding.
-	300	300	ASC - Care Support Commissioning	ASC - Loss of care charges income (10% estimated reduction in the collection rate).
150	-	150	ASC Commissioning	Delay in delivery of Housing Related Support savings
55	-	55	PH	PH - COVID 19 Triage Service Contracted cost for the year
1,251	-	1,251	PH	PH - Additional Mortuary costs
375	1	375	PH	Delay in delivery of PH savings in Substance Misuse and the Healthier City and Hackney Fund
30	438	468	HLT	High Needs and School Places Kench Hill Charity grant and loss of SEND traded income.
-	141	141	HLT	Education operations Loss of traded income and additional ICT costs
-	1,018	1,018	HLT	Early Years, Early Help and Wellbeing Loss of childcare income in children's centres.
-	462	462	HLT	Schools Standards and Performance Loss of traded income.
906	-	906	HLT	Contingencies and Recharges Mainly potential payments to schools to compensate for loss of children centre income and potentially supporting schools with additional costs through COVID-19 in areas not covered by Government schemes.
8,963	2,359	11,322	Total	

#### 4.3 NEIGHBOURHOODS AND HOUSING

The forecast position for Neighbourhoods and Housing Directorate as at August 2020 is a £14.1m overspend primarily as a direct result of COVID19. The forecast includes the use of £1.2m of reserves, the majority of which are for one off expenditure/projects. The estimated total COVID19 impact in Neighbourhoods and Housing as of July 2020 is £13.4m of which £11.0m is an income shortfall and £2.4m additional expenditure.

<u>Environmental Operations</u> is showing an overspend of £3.601m, made up of £2.549m related to a shortfall in income mainly from commercial waste and hygiene services due to the lockdown as businesses have closed and all services which require going to residents' homes have been ceased in line with Government guidelines. A further £0.754m expenditure relates to additional supplies and services such as PPE, and hand sanitisers for all staff. £0.298m is the net overspend in the service which relates to various operational running costs within the service.

The Parking service is showing a net overspend of £6.1m of which £6.5m is an income shortfall. The current lockdown has meant a reduced amount of income in all income streams within Parking. In the first two months of the lockdown parking income dropped by 44% from last year. As restrictions have been lifted, income levels have risen to pre-Covid19 levels but there still remains an income budget shortfall. The current forecast in parking income is £19.2m, which is still a shortfall in income of £6.5m (25%) from budget. The Parking income model is being updated on a weekly basis, considering actuals being received and activity volumes which will inform the forecast accordingly in the coming months.

Market and Shop Front Trading is overspending by £865k of which £796k is income shortfall and £116k is additional expenditure which is a direct result of the lockdown. There is an adverse variance as additional safety and security measures are put in place for the markets to open. Combined Markets and Shop Trading income budget is £1.6m and it is expected that half of that is likely to be achieved if the lockdown is lifted. Even though the lockdown is beginning to be lifted on markets' activities it is difficult to make the markets safe for social distancing and therefore take up of market stalls is limited because the footfall into markets is limited due to the need to maintain social distancing. This will continue to be the case for the foreseeable future and will be reflected in the reduced income forecast in the market's budget over the coming months.

<u>Streetscene</u> is showing a net overspend of £416k, of which £479k is a shortfall in income against a budget of £2.4m (21%). The service is expecting things to improve in the coming months as the lockdown eases in the construction industry.

Other than the impact of COVID-19, <u>Libraries & Heritage and Leisure and Green Spaces</u> are forecasting a breakeven position and the COVID detail is listed in the table below.

<u>Planning</u> is forecasting an overspend of £1.6m which is due to a shortfall in planning applications fee income, PPA (Planning Performance Agreement) and CIL income. The shortfall in planning application fee income is linked to a decline in the number of very large major applications being received rather than a significant fall in overall planning application numbers for the past 2 years. This has further resulted in a reduction in the CIL and s106 income due to delays of schemes starting construction. There are a number of large schemes at the pre-application stage which are due to be submitted in early 2020/21. The development industry is also putting on hold the submission of major planning applications until there is more clarity on the impact of Covid-19, Brexit and the Hackitt review on build cost and sales value as this impacts the viability and deliverability of their schemes.

Despite a 20% uplift in planning fees 2 years ago, the income has consistently fluctuated between £1.5-1.7m over the past 3 years. With a budget of £2.2m and a plateau in the housing market, this level of income is unachievable. The income target for minor applications of £1.2m is forecast to be achieved, however the cost of determination of minor applications is more than the fee received as Local Authorities have not yet been afforded the option by the Government of setting their own fees. In practice, major applications help subsidise minor applications therefore the shortfall in new major applications will also detrimentally affect this cross subsidy. This is a national issue which the LGA is highlighting to government.

The Head of Planning is taking the following actions to address this budget pressure for 2020/21:

- The implementation of a new planning back office system will deliver process and cost efficiencies especially within the planning application registration and validation process, these efficiencies will help offset any underachievement of income.
- Review of the Planning Service cost base including non-staff costs.
- Benchmarking with other planning authorities with a focus on sustainable caseloads.
- Review of the Growth Team activity and Planning Performance Agreements

Within the Housing General Fund, the underspend relates to staffing, which is partly offset by a smaller staffing overspend within Regeneration.

# Impact of COVID-19 on N&H

Additional	Reduced	Net		
Spend	Income	Effect	Sub-Service	Variance Narrative
113	101	214	Libraries & Heritage	The service is not expecting any income during 20/21 for library fines, room bookings, sales etc due to the initial closure and future uncertainty of how the long-term service will operate. The additional COVID related expenditure is based on a prudent approach to security where the contract had not changed despite the closures but with the libraries reopening additional daily cleaning is now required along with security on site during the library opening hours.
715		715	Leisure Services	This is the estimate of additional costs required to support GLL who manage the Leisure centres within Hackney. The total amount is being taken from the contract surplus share which GLL are holding on Hackney's behalf. This support will be paid back to the Council when the leisure contract returns to surplus
156	379	535	Events & Green Spaces	Parks & Green Spaces have two main areas of expenditure relating to COVID-19, which are additional emptying and cleaning of the bins (£74k) across parks and green spaces and cleaning of the toilets (£71k) (which had to be re-opened due to increased usage of the parks since lockdown). There are also additional Parks Signage costs around Social Distancing which are starting to filter through to the cost centres. The loss of income is primarily down to the Events Team - as no bookings are expected this year and Parks in general where all income including from internal sources is on a much reduced expectancy or none at all (corporate volunteering and general parks events).
754	2,549	3,303	Environment Ops	Environment Ops has three main areas of expenditure that have been impacted heavily by Covid-19. The use of agency staff to cover both sickness and staff absences, use of agency staff to cover food deliveries for the council, internal vehicle cleaning every day and where required to help the service or Council

	479	479	Streetscene	All the variance relates to income shortfall. Whilst the current circumstances have decimated some areas, in particular around NRSWA (s74), there are some signs of recovery. The service anticipates that utilities and developers will start to use their services as lockdown eases and "normal" circumstances resume. The forecast
116	796	912	Markets and Shop Front Trading	Markets stalls and Shop Front Trading have been heavily impacted by COVID19 as shops and markets have been closed since the lockdown. There has been no income in quarter one. As the lockdown continues with the Government advice on markets being able to open the take up has been very little and it is difficult to make the areas safe for social distancing.
0	6,568	6,568	Parking	continue in business or pay existing charges.  There has been a significant impact on Parking services due to COVID19 in all income areas from PCNs, Pay and Display, Suspension and Permits. Current full year income forecast is £19.3m against a budget of £25.8m which is a shortfall in income of £6.5m. There are various minor underspend variances in other areas of the service of (£397k) giving a net overspend position of £6.1m.
				(£411k). This forecast is up to the end of Sept 20, the figures will be reviewed after this to update the forecast. The ongoing purchase of PPE and other equipment to aid daily operational works, such as masks, gloves, and sanitizers (£303k). The virus has also had a large impact on income especially Comm Waste due to so many businesses closing during the ongoing lock down (£2,362k), also an increase in the bad debt provision (40k) to account for more defaulters due to either struggling to reopen or struggling to continue as going concerns.  Hygiene Services - the inability to go into people's homes and buildings (£137k) and (£50k) on Bulky waste collections which had a significant drop off in requests in Apr and May 20. Whilst the lockdown has started to ease, and businesses slowly start to reopen there is still so much uncertainty surrounding how my clients will reopen or struggle to

## 4.4 FINANCE & CORPORATE RESOURCES

Finance and Resources is forecasting an overspend of £15.1m (before the inclusion of reduced council tax and business rates income of £20.5m (primarily reflecting lower forecast collection rates). Of this £14.773m is owed to COVID-19, which leaves a non-COVID overspend of £327k which is spread across various services.

The impact of COVID-19 on the directorate is as follows: -

COVID-19 and £215k additional security costs. £1.8m is expected to be written off and currently we have a 'deferred' amount of £0.78m. Of this 50% is assumed to be paid by year end. There is also increased expenditure on security and patrols of retail properties during lockdown.

Additional Covid-19 cost pressures in Revenues and Benefits sum to £3.5m. The collection of benefits overpayments has reduced by £1.85m because of COVID-19. The remaining £1.65m is primarily owed to loss of court costs income (£0.9m), additional staffing requirements across the service to deal with increased workload resulting from COVID-19 (particularly claims management), increased administrative costs associated with re-billing (print costs and postage

costs), and anticipated additional expenditure on the Discretionary Crisis Support Scheme.

<u>Customer Services</u> is reporting a COVID-19 related cost of £282k relating to additional staff and software needed to add capacity to handle support for vulnerable residents.

There is an estimated £3.6m of <u>Housing Needs</u> costs arising from COVID-19 which result from two main sources. Firstly, the service has incurred additional staff costs to carry out the rough sleeping initiative and to move people into emergency accommodation and latterly into more settled accommodation; and has incurred additional direct costs of emergency accommodation. The service has also incurred costs with landlord incentives, required to secure accommodation and is forecasting having to make provision for those residents in Temporary Accommodation unable to pay their rents due to COVID-19; and there has been a reduction in rent income.

Registration Services have been severely affected by COVID-19 which has created a forecast £590k shortfall resulting from a significant reduction in Ceremony Services (75%) and Citizenship Awards (50%). The impact of COVID-19 has led to a decrease of approximately 56% of income compared to last year whilst expenditure on staffing has also increased as there has been a requirement for sessional staff to cover front line services whilst some vulnerable staff work from home.

The Central Procurement and the Energy Team is forecasting COVID-19 related costs of £2.6m. The COVID expenditure relates to PPE which is being managed as a coordinated effort across the council with the ordering being led by Procurement. The spend on PPE to date is approximately £1.9m. It is difficult to try to estimate the usage going forward, and several items of equipment are still held in stock such that in some instances the stock levels will be sufficient for several months. However, the use of PPE will probably be required over a longer period of time than may have been anticipated at the start of lockdown, so a forecast of £0.7m further expenditure has been added to the spend to date to try to account for this.

There is a £698k COVID-19 cost in <u>ICT</u> resulting from the requirement for additional agency staff and equipment to ensure staff are able to work from home.

#### 4.5 CHIEF EXECUTIVE

Overall, the Directorate is forecasting to overspend by £1.552m of which £1.480m is owed to COVID-19.

Policy, Strategy & Economic Development are reporting an overspend of £782k all of which is due to COVID-19, arising from food parcels for residents who cannot access or afford food during COVID-19, security and moving costs (£661k) and Emergency Grants to 4 organisations in the Voluntary Sector to provide COVID-19 related services (£121k)

<u>Communications</u> is forecasting an overspend of £770k, most of which is due to the impact of COVID-19, which has reduced film, venues, and advertising income.

Legal and Governance, Chief Executive Office and HR are forecast to come in at budget.

# 4.6 Housing Revenue Account (HRA)

The impact of COVID-19 on the HRA is to increase net expenditure (income less expenditure) by total of £3.4m

It is estimated that there will be increased arrears of £1.7m in respect of dwelling rents, tenant charges and commercial income arising from COVID-19. It is assumed there will be an increase in irrecoverable debts and therefore an increase in the bad debt provision. Income, especially rent collection, is being monitored on a weekly basis and improvements in the rent collection rate will inform the level of provision for bad debts as the year progresses.

There is also likely to be a further reduction in rent income and tenant charges during the year arising from voids, increased expenditure on Housing Repairs and reduced Commercial properties income - Q1 rental charges have been deferred and Property Services are currently reviewing deferral of Q2 rents. It is estimated that income collection will reduce by £100k as some properties will require rent reductions / rent free periods. Any non-payment of rents will be accounted for within the bad debt provision. In addition, Community halls income is forecast to reduce due to a lack of bookings. The total reduction is an estimated £420k.

There are also variations from budget which are not related to COVID-19, but the only significant variation is within Special Services. The Special Services variance is due to increased costs of the integration of the Estate Cleaning service which is being reduced over 3 years. The overspend here is offset by variations to budget within other services.

# 5.0 DETAILS OF ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

This budget monitoring element report is primarily an update on the Council's financial position and there are no alternative options here. With regards to the Property Proposal, letting of the building on a floor by floor basis has been considered but this is not considered to be viable because of the significant management cost (including a concierge, maintenance, and statutory compliance) and the much higher risk of voids.

## 6.0 BACKGROUND

# 6.1 Policy Context

This report describes the Council's financial position as at the end of August 2020. Full Council agreed the 2020/21 budget on 26<sup>th</sup> February 2020.

# **6.2 Equality Impact Assessment**

Equality impact assessments are carried out at budget setting time and included in the relevant reports to Cabinet. Such details are not repeated in this report.

# 6.3 Sustainability

As above

## 6.4 Consultations

Relevant consultations have been carried out in respect of the forecasts contained within this report involving the Mayor, the Deputy Mayor and Member for Finance, Housing Needs and Supply, HMT, Heads of Finance and Directors of Finance.

#### 6.5 Risk Assessment

The risks associated with the Council's financial position are detailed in this report.

# 7. COMMENTS OF THE GROUP DIRECTOR OF FINANCE AND CORPORATE RESOURCES

7.1 The Group Director, Finance and Corporate Resources' financial considerations are included throughout the report.

#### 8. COMMENTS OF THE DIRECTOR OF LEGAL AND GOVERNANCE

- 8.1 The Group Director, Finance and Corporate Resources is the officer designated by the Council as having the statutory responsibility set out in section 151 of the Local Government Act 1972. The section 151 officer is responsible for the proper administration of the Council's financial affairs.
- 8.2 In order to fulfil these statutory duties and legislative requirements the Section 151 Officer will:
  - (i) Set appropriate financial management standards for the Council which comply with the Council's policies and proper accounting practices and monitor compliance with them.

- (ii) Determine the accounting records to be kept by the Council.
- (iii) Ensure there is an appropriate framework of budgetary management and control.
- (iv) Monitor performance against the Council's budget and advise upon the corporate financial position.
- 8.3 Under the Council's constitution although full Council set the overall budget it is the Cabinet that is responsible for putting the Council's policies into effect and responsible for most of the Council's decisions. The Cabinet must take decisions in line with the Council's overall policies and budget.
- 8.4 Paragraph 2.6.3 of FPR2 Financial Planning and Annual Estimates states that each Group Director in charge of a revenue budget shall monitor and control Directorate expenditure within their approved budget report progress against their budget through the Overall Financial Position (OFP) Report to Cabinet. This Report is submitted to Cabinet under such provision.
- 8.5 Article 13.6 of the Constitution states that Key decisions can be taken by the Elected Mayor alone, the Executive collectively, individual Cabinet Members and officers. Therefore, this Report is being submitted to Cabinet for approval.
- 8.6 This report seeks authority to enable the disposal of a leasehold interest for a term of 15 years. Section 123(2) and (7) of the Local Government Act 1972 provides that the Council cannot dispose of land for a term in excess of 7 years where that disposal is for consideration at less than best value that can reasonably be obtained on the open market without the consent of the Secretary of State. The required market valuation appraisal has been carried out. The recommendation to grant a long term lease of a prime location property in the Borough is further supported by s2 of the Localism Act 2002 which grants every local authority the power to do anything which they consider is likely to achieve economic well-being of the area. In this case ensuring that the property is a) not at risk of void periods which can result in illegal occupation and b) generating a market value income meets the criteria of the 2002 Act. Given that the resultant lease will be drafted to contain all covenants required to protect the Council's interest and there is evidence to illustrate that the rent to be obtained meets the best value threshold, there is no legal impediment to the grant of the lease for the required term.
- 8.7 All other legal implications have been incorporated within the body of this report.

# 9.0 Comments of the Director for Strategic Property Services

- 9.1 Where the Council enters into a lease of more than 7 years this constitutes a disposal for the purpose of s.123 of the Local Government Act 1972 and the Council is required to demonstrate that it has achieved best consideration. The property has been marketed fully for 6 months, and terms are close to being agreed with a co-working space operator who is well-established in Hackney. Their proven business model is to provide low-cost desk space to local, start-up and developing companies. I am satisfied that if this letting proceeds on the terms that are close to being agreed, the Council will meet its obligations under s.123. If the letting does not proceed, the Cabinet approval will enable the re-marketing of the property.
- 9.2 The current offer under negotiation is for a lease of either 10 or 15 years duration, securing a sustained rental income stream with a fixed increase at the end of the fifth year. In addition, the tenant is well financed and expected to provide a good covenant. The tenant will invest substantial capital funds into the property to provide a high-class, but low end-user cost co-working space. This will substantially increase the investment value of the asset. The prospective tenant has submitted a report to the Council's Area Regeneration team in response to the Menu of Opportunities. This sets out its intentions around creating low-cost co-working space for individual entrepreneurs and start-up companies as well as work seminars and training. A schedule of the agreed expectations relating to the Menu of Opportunities will be appended to the lease.

## **Appendices**

- 1. Appendix 1: Plan of 280 Mare Street
- 2. Appendix 2: **Exempt** Appendix Terms of Agreement

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