

SCRUTINY MANAGEMENT COMMISSION 2 FEBRUARY 2010

ITEM 9b

Report of the Corporate Director of Resources

Development of the Corporate Capital Programme 2010/11 to 2013/14

SUMMARY

- 1.1 This report provides the Scrutiny Management Commission with details of the estimated resources available to the corporate capital programme and the proposed allocation to capital schemes 2010/11 to 2013/14.
- 1.2 The report also provides details of the process to identify the future capital strategy and priorities.

RECOMMENDATIONS

- 2.1 To consider the resources available to the corporate capital programme and proposed treatment and make recommendations to Cabinet.
- 2.2 To consider the proposed allocations to capital schemes for 2010/11 to 2013/14 and make recommendations to Cabinet.
- 2.3 To consider the potential schemes and capital investment aspirations and make recommendations to Cabinet so that they can be considered through a Cabinet Member and Chief Officer workshop on the 12 March 2010 that is meeting to agree the future capital strategy and priorities.
- 2.4 To note the revenue budget implications.
- 2.5 To note the potential VAT partial exemption implications and agree that Cabinet should keep this under review as the capital programme develops.

SUPPORTING INFORMATION

Capital Strategy 2010-2014

- 3.1 Full Council on 9 September 2009 approved the Capital Strategy for 2010/11 to 2012/13. The strategy identified a number of capital schemes included in the indicative budget and emerging other potential capital investment priorities for evaluation and prioritisation by the Asset Management group. These are listed in Appendix 2
- An evaluation against set criteria was carried out by the Asset Management group for those schemes where a bid for resources was made and an evaluation form was submitted. The outcome of the evaluation and scheme rankings is provided in Appendix 2 for information. The evaluation criteria used is also summarised at Appendix 3.

Forecasted Resources available to Support the Corporate Capital Programme 2010 - 2014

3.3 Table 1 below shows the latest estimate of resources available to fund the corporate capital programme.

Table 1 – corporate capital resources										
Source of Funding	2010/11 £m	2011/12 £m	2012/13 £m	2013/14 £m	TOTAL £M					
Unsupported borrowing – Accomm strategy	6.2	15.7	0	0	21.9					
Unsupported borrowing – corporate programme	10.8	6.9	0	0	17.7					
Capital receipts bfwd	11.3	0	0	0	11.3					
Future capital receipts	1.7	5.2	1.4	0	8.3					
LABGI – allocated	1.5	0.1	0	0	1.6					
LABGI unallocated	0.9	0	0	0	0.9					
Corporate revenue budget	0.7	0.3	0	0	1.0					
Housing and Planning Delivery Grant	0.3	0	0	0	0.3					
Unallocated capital grants and contribution balances	0.4	0	0	0	0.4					
Accomm strategy – future capital receipts	0	0	0	4.6	4.6					
Accomm strategy unsupported borrowing from estimated rent savings of £650k per annum	0	0	10.0	0	10.0					
Unsupported borrowing – Leisure Strategy	0	10.0	20.0	14.0	44.0					
TOTAL	33.8	38.2	31.4	18.6	122.00					

- 3.4 Within the total resources available, it has been assumed at this stage that the indicative level of corporate unsupported borrowing set in the 2009/10 budget process remains the same for 2010/11 and 2011/12. No new corporate unsupported borrowing has been included in the revenue budget proposed or the resources estimate included in this report for 2012/13 and 2013/14.
- 3.5 The exception to this is the corporate unsupported borrowing required for the Leisure Strategy, subject to affordability and approval of the cost of borrowing that has been built into the revenue budget proposals 2010/11 to 2012/13. A further £14m has been included in the forecast in table 1 as an estimate of the additional unsupported borrowing requirement in 2013/14. This is outside of the current three year revenue budget proposals and, at this stage it has been assumed that this would be corporately funded unsupported borrowing, although it may be possible that some could be funded from service revenue budget savings and any external funding sources as a result of the new leisure facilities.
- The resources position includes the latest estimate of the level of capital receipts likely to be achievable based on current assumptions of market conditions and surplus land and buildings available for disposal. The £11.3m capital receipts brought forward comprises indicative funding of £9.7m for the Accommodation strategy and £1.6m for the ICT Transformation contract.
- 3.7 The estimated £4.6m capital receipt in 2013/14 relates to the sale of Roman House and St Marys Gate, subject to the completion of the Accommodation strategy and future market conditions. In addition, it has been assumed that rent savings of £650k per annum from 2013/14, as a result of the vacating of administrative buildings as part of the Accommodation Strategy, would generate additional unsupported borrowing of £10m based on a 40 year life. The additional unsupported borrowing could be taken up in 2012/13 with repayments commencing in 2013/14.
- \$1.6m of allocated LABGI funds is made up of £1.1m for the Chaddesden Library scheme and £0.5m for the Nottingham Racecourse scheme. The Capital Strategy approved the use of the remaining £0.9m unallocated LABGI funds as corporate capital resources together with the unallocated £0.3m Housing and Planning Delivery Grant.
- 3.9 The revenue budget includes an annual £50k corporate budget to fund from revenue, small scale capital works to improve community centres. This has not been included in the corporate resources as it is currently treated as an Environmental Services departmental capital resource.

At this stage no specific schemes have been identified from 2010/11 in the Environmental Services capital programme. The options which could be considered in relation to the future treatment of the £50k revenue budget are ...

- a. Continue to provide an annual £50k to support small scale capital works to community assets.
- b. To contribute to revenue lifecycle/maintenance budget requirements for Environmental Services assets such as playground improvements.

- c. To remove from the revenue budget to generate a saving.
- d. Transfer to the Treasury management budget to fund unsupported borrowing which could create a larger one-off capital sum of £625k based on an average 25 year life. This could be used to support the corporate programme priorities.
- 3.10 All service capital grant and supported borrowing allocations are being treated as departmental capital programme funds, in line with the approved strategy. The New Deal for Schools Modernisation Fund and Adult Social Services Social Care and Mental Health funding allocations shown below are classed as 'single capital pot' allocations which are non-ringfenced. The Council could therefore decide which schemes to apply them to including those considered to be corporate capital programme priorities, particularly for capital investment in relation to the same service area. Full Council approval would be required for an amendment to the capital strategy.
 - New Deal for Schools Modernisation Fund balance unallocated for 2010/11 is £1.4m and the indicative annual allocation for 2011/12 and 2012/13 is £2.8m. Potential capital investment in the same service area within the corporate programme includes schools capitalised maintenance, Highways related works as a result of Building Schools for the Future –BSF and climate change enhancement of BSF.
 - Adult Social Services Social Care £122k and Mental Health £130k 2010/11. This
 could contribute to funding the dementia, elderly extracare or disabled facilities
 grants.

Proposed Allocations 2010/11 to 2012/13

- 3.11 A number of indicative 2010/11 and 2011/12 schemes have already been approved for commencement or are sufficiently advanced to deliver the Council's priorities that they are to be treated as committed. Allocations to these schemes are therefore proposed in the 2010/11 to 2012/13 corporate capital programme. Where this includes known slippage from the approved 2009/10 capital programme, the associated funding from 2009/10 has also been slipped and included in Table 1 above.
- In addition, £11.8m is required to support the one Derby one council transformation programme to provide the funding for investment in ICT and system improvements to support the transformation of services and delivery of financial savings and efficiencies. It is proposed that this is best suited to funding from capital receipts, including the receipts previously earmarked for the Accommodation strategy, due to the shorter asset lives applied. The Accommodation strategy would then be funded from unsupported borrowing over a longer asset life.
- 3.13 The proposed funding allocation to schemes, together with supporting explanation, is provided in Appendix 4.
- 3.14 Proposed allocations to schemes in Appendix 4 total £117.7m against total estimated resources of £122.0m, leaving £4.3m resources which may be available from 2013/14 for further capital investment priorities. Table 2 below summarises the position for each financial year.

Table 2

Summary Corporate Capital Programme	2010/11 £m	2011/12 £m	2012/13 £m	2013/14 £m
Resources brought forward	12.6	4.4	3.8	0.6
Add estimated resources in year	21.2	38.2	31.4	18.6
Total Resources available	33.8	42.6	35.2	19.2
Total proposed allocations	29.4	38.8	34.6	14.9
Resources carried forward	4.4	3.8	0.6	4.3

- 3.15 There is also £581k unallocated funding from the Public Realm capital budget in 2009/10. It is proposed to use £216k of this to fund the following two small schemes:
 - Theatre Walk improvements £100k
 - Friargate Studios matched funding to lever in around £500k of external funding for further improvements to the internal facilities to improve tenancy levels-£116k.

The balance of £365k has not been included in the corporate resources brought forward. It is proposed to hold this as a public realm capital contingency at this stage.

- 3.16 This would leave the following schemes that were evaluated by Asset Management Group or are new emerging capital investment aspirations, not yet funded:
 - Elderly extracare
 - Local Studies Library link to the Accommodation strategy
 - Creation of an on-going Repair and Maintenance capital fund
 - Disables facilities grant
 - Highways and footway works associated with
 - BSF schemes
 - Littleover Library

- Silk Mill
- City Park
- Festive lights
- Creation of a Regeneration Fund
- Public Realm Schemes Cornmarket, St Peters Street, Sadlergate, Castleward phases 2&3, Full Street corridor phase 3
- Creation of a Highways capitalised maintenance fund requirement could be up to £5m.
- Improvements to district centres
- Museum strategy and urgent repairs not covered by the Repair and Maintenance budget
- Leisure facility repairs and improvements not addressed by the Leisure strategy and the repair and maintenance budget, including Markeaton Park and Bass's Recreation ground.
- Community centres bid submitted to asset management group not funded.
 Linked to consideration of future management of the centres.
- Local investment plan Housing
- Osmaston master plan
- Depots replacement/rationalisation if not self-financing
- CCTV replacement and upgrade
- Investment in Children's centres if not self-financing
- Climate change investment if not self-financing, such as addition to the BSF programme to enhance the energy efficiency of buildings and street lighting.
- 3.17 The creation of a Regeneration Fund from additional unsupported borrowing would be subject to affordability within the revenue budget. Expenditure from the fund would only be eligible for funding from unsupported borrowing if it resulted in a fixed asset owned by the Council, which would preclude the use of the fund for the provision of financial assistance to businesses or small scale revenue costs of initiatives. In addition, unsupported borrowing is more affordable for longer life assets as the shorter the asset life the higher the annual revenue cost, over the life of the asset. A fund of £10m over a 20 year life would cost £0.9m per annum in unsupported borrowing costs.

- 3.18 It is therefore proposed to carry out a joint Cabinet Member and Chief Officer evaluation and prioritisation exercise at a workshop on 12 March 2010 to develop the future capital investment strategy and priorities. This will then determine the future allocation of additional corporate capital resources as they become available.
- 3.19 The outcome of the evaluation and prioritisation process will be reported to June 2010 Council Cabinet for recommendations to Full Council for approval in July 2010. A set of criteria is being developed and will be included in the report to February 2010 Cabinet to be approved in advance of the process.

Revenue Budget Implications

- 3.20 The cost of the unsupported borrowing in the revenue budget is dependant on the asset life of each capital scheme being funded, The cost on the revenue budget proposals are currently based on the indicative capital programme agreed by Council in March 2009. These costs will need reviewing based on the latest proposals in this report and will be included in the budget reports to Council Cabinet in February 2010.
 - The proposed level of unsupported borrowing available for the corporate capital programme will therefore need to be reviewed in relation to affordability within the revenue budget.
- 3.21 A revenue budget provision to cover lifecycle and on-going maintenance costs should be provided from departmental revenue budgets for all schemes in the capital programme, where relevant. The availability of such revenue budgets within respective business cases will need to be confirmed before capital schemes are approved.

Value Added Tax - VAT Partial Exemption

- 3.22 The leisure centre strategy as proposed in the current capital programme potentially creates a problem with HMRC over VAT recovery. HMRC allow the Council to reclaim VAT where a charge is made to the customer for VAT, and for non-business activities. VAT cannot be reclaimed on exempt charges from VAT unless in HMRC's opinion it is less than 5% of <u>all</u> the VAT incurred. Leisure services have a substantial amount of exempt income and the scale and timing of expenditure on the leisure centre strategy may result in the limit being exceeded, meaning VAT would be payable back to HMRC.
- 3.23 Even without the leisure strategy proposal the council would be uncomfortably close to the 5% limit in 2010/11 (4.51%) but the trend is at least downwards. Adding in the leisure strategy proposal means the limit would be significantly exceeded in 2011/12 at 5.63% and 2012/13 at 6.59%, requiring a potential £7.5m VAT cost to repay to HMRC over the 3 year period 2011/12 2013/14.

- 3.24 To manage this problem the council could consider the following:
 - Re-phasing the leisure strategy proposal could provide a solution if the construction period could be extended far enough. To give an indication of what is needed to get down to 5%, the investment would need to reduce from £10m to £5m in 2011/12 and from £25m to £10m in 2012/13 and then spend at up to £10m a year after that.
 - Creation of a leisure trust could take the percentage down to below 5%. Ownership
 of the facilities would be retained, which would be leased to the trust.
 - to change our practice so that currently exempt income becomes taxable income.

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Background papers: Council Cabinet 1 September 2009 – Revenue and Capital Budget Strategy

2010/11 to 2012/13

List of appendices:

Appendix 1 – Implications

Appendix 2 – Asset Management Group evaluation Appendix 3 – Asset Management Group criteria

Appendix 4 – Proposed allocations to schemes 2010/11 to 2012/13

IMPLICATIONS

Financial

1.1 As outlined in the report.

Legal

2.1 None directly arising.

Personnel

3.1 None directly arising.

Equalities Impact

4.1 None directly arising.

Corporate objectives and priorities for change

5.1 These recommendations, where relevant, are in line with approved budgets which accord with the Council's corporate priorities.

Corporate Capital Programme 2010-2013 – Asset Management Group Stage 1 prioritisation September 2009

				In Indic Prog Yes/No		Corporate				
	Score Total	Total Scheme Cost	Other Funding		2010/20	2011/2012	2012/2013	2013/2014 Onwards	Total	Supporting Information
Planned Maintenance normal allocation	86	5,300,000	0	Yes	2,825,000	825,000	825,000	825,000	5,300,000	Allocations to schemes for 2010//11 as per Cabinet report. Includes £250k for multi-storey car parks 2010/11.
Planned Maintenance top up allocation	86	6,467,000	0			2,075,000	2,175,000	2,217,000	6,467,000	Linked to the backlog maintenance £116m
Market Hall Roof - Renew copper roof and structural repairs	86	2,800,000	150,000 R&M budget	No		2,580,000	70,000		2,650,000	Subject to Markets review, although of the 2 markets this building is the one most likely to be retained. No account of compensation to traders £400k. Option of patching repairs to be pursued that will hold off major repairs for 5 years – to be funded from 2009/10 repair and maintenance budget.
Museum and central library roof repairs	84	684,000	600,000 R&M Budget	Yes	69,000	15,000			84,000	Subject to museums strategy, although similar to Market Hall, it is expected that of all the museums and library central building this one would be retained. Roof leaks now causing risk to Joseph Wright paintings £600k in 2010/11 is being met from the planned maintenance budget.

						Corporate				
Scheme	Score Total	Total Scheme Cost	Other Funding	In Indic Prog Yes/No	2010/20	2011/2012	2012/2013	2013/2014 Onwards	Total	Supporting Information
Maintenance scheme on 3 multi storey car parks – structural repairs	83	1,500,000	300,000 R&M Budget 2009/10	Yes	250,000	300,000	300,000	300,000	600,000	To avoid closure. Would any of the car parks be affected by the car park strategy? £300k contribution in 2009/10 from the planned maintenance budget. 2010/11 R&M budget also includes a £250k allocation for 2010/11.
Dementia centre	83	4,420,000	0	Yes	2,710,00	1,710,000			4,420,000	Detailed proposals being developed.
Chaddesden Replacement Library	82	1,248,000	186,106 in 2009/10 150k LABGI 36k Corp unsupp borr	Yes	960,000	138,000			1,098,000	Old library building life 18 months. At consultation stage so profiling here may be optimistic.
										Requires a detailed
Extracare	81	1,580,000	0	Yes	500,000	580,000			1,080,000	option appraisal/business case
Disabled Facilities Grant	79	5,600,000	3,600,000 Govnt Grant	No	500,000	500,000	500,000	500,000	2,000,000	Mandatory grant but the need to top up with other funding is required which normally comes from RTB receipts, now reduced significantly therefore corporate funding requested to maintain current spend levels. Means tested. Could take the view to lower the level and give a lesser contribution. Currently in HGF programme.

Corporate Funding Requested

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Scheme	Score Total	Total Scheme Cost	Other Funding	In Indic Prog Yes/No	2010/20	2011/2012	2012/2013	2013/2014 Onwards	Total	Supporting Information
Theatre Walk	70	000 000	200,000		05.000	45.000			400.000	
Improvements	73	300,000	S106	Yes	85,000	15,000			100,000	2440
Friargate Studios Building Improvements	68	860,000	744,000 150k LPSA2 594k ERDF	This is a further £116K request 2009/10 Spend.	116,000				116,000	£116k requested 2009/10
Festive Lights	67	90,000	0	No	70,000	20,000			90,000	Rolling programme of replacement and additional lighting. This was seen as having more impact in the Cathedral quarter area than refurbishment of Sadlergate would. Use of some of the LABGI money to create a £50k fund?
Cornmarket & St Peters St Public Realm improvements	63	2,370,000		No	291,180	151,920	1,926,900		2,370,000	
Env Imps to Alvaston District Shopping Centre	61	3,060,000	350,000 growth point	No	1,150,00 0	1,560,000			2,710,000	
Sadlergate Public Realm improvements	60	1,469,000	0	No	205,275	1,263,725			1,469,000	
Refurbishment of Roe Farm	52			No £56,240 requeste d 2009/10 Spend.	56,240				56,240	Could use the £50k community centres budget 2010/11 if remains in revenue budget but needs to be considered against other community centre priorities. Options paper requested.

						Corporate				
Scheme	Score Total		Scheme Funding Indic Prog	Indic	2010/20	2011/2012	2012/2013	2013/2014 Onwards	Total	Supporting Information
Silk Mill	50	2,375,000	0	Yes	300,000	2,075,000			2,375,000	Very little detail to rescore
Castleward Phases 2 & 3 Public Realm Improvements	37	6,556,000	0	Yes		4,917,000	1,639,000		6,556,000	
Full Street Corridor Ph 3	37	3,840,000	0	Yes			3,840,000		3,840,000	
City Park	33	2,270,000	400,000 S106	Yes			250,000	1,520,000	1,770,000	£400k new s106 money is within the boundaries to be available for this scheme
Littleover Library	32	1,300,000	0	No	200,000	1,100,000			1,300,000	Reducing opening hours of libraries to meet revenue budget savings - why build more libraries if this the case?

Corporate Capital Programme 2010-2013 – Asset Management Group September 2009 – SCHEMES NOT SCORED

				Corporate	Funding F				
Scheme	Score Total		2010/2011	2011/2012	2012/2013	2013/2014 Onwards	Total	Reason For Non Re-evaluation	
Crematorium - Cremators	0	Yes	925,000	550,000			1,475,000	Scheme now committed	
Repairs/replacement of lantern light above gala pool Queens	0	No	131,000				131,000	Scheme funded from planned mainteneance	
Children's Social Services - improvement prog	0	No					0	No bid submitted.	
Racecourse/Alvaston football changing	0	Yes	512,000	38,000			550,000	Treated as committed.	
LD Day Centre	0	Yes					0	No bid submitted.	
BSF Community facilities	0	No			500,000	1,000,000	1,500,000	No bid submitted.	
Museum and central library roof and windows	0	No				1,100,000	1,100,000	Part of bid for roof repairs but agreed to do the smaller scheme for repairs and reconsider this at a future date	
Entrance and internal layout MAG & Central Library	0	No	500,000	2,000,000	3,000,000		5,500,000	At this stage there are no scheme details to evaluate against	
Playground improvement programme	0	Yes	115,000	275,000			390,000	Treated as committed.	
Surface car parks resurfacing	0	Yes	562000				562,000	Treated as committed.	
Darley Abbey Yard	0	No					0	No bid submitted.	
Highway Depot replacement	0	No					0	No bid submitted. Scheme would have to be self-financing.	
Moorways Track	0	No					0	Await outcome of Leisure strategy.	
Repairs/Replacement of Vic Hallam Schools	0	No	815,000	250,000			1,065,000	Use R&M capitalised maintenance £350k schools allocation	
Derwent Youth Centre Main hall heating	0	No					0	Address in 2009/10 from £50k community assets revenue funded	
Corporate Asset Management Software	0	No	20,000	20000			40,000	DECATS	
Connecting Derby	0	Yes	384,000				384,000	Committed	

APPENDIX 3

ASSET MANAGEMENT GROUP CORPORATE CAPITAL EVALUATION CRITERIA

The criteria below was used for the evaluation of schemes submitted for corporate funding:

- Justification total possible score 20
- Consequences of Not Doing total possible score 20
- Option Appraisal total possible score 10
- Alternative Funding total possible score 10
- Revenue Implications total possible score 10
- Deliverability total possible score 10
- Environmental Implications total possible score 15
- Ranked out of overall score of 95

APPENDIX 4

CORPORATE CAPITAL PROGRAMME PROPOSED ALLOCATIONS 2010/11 TO 2013/14

Scheme	2010/11 £000	2011/12 £000	2012/13 £000	2013/14 £000	TOTAL £000	Supporting notes
Chaddesden Library	1,133	90			1,223	£1.175m LABGI. Commencement approved by Cabinet 29 July 2008. Options for the proposed location currently being investigated/consulted on.
Nottingham Road Racecourse	512	38			550	Cabinet approval January 2010
Crematorium	925	550			1,475	Scheme commencement approved September 2009 Cabinet
Connecting Derby	2,267	384			2,651	
Surface car parks	562				562	Programme of resurfacing as a result of Connecting Derby funded from corporate revenue budget, treated as committed. Consideration could be given to the priority of car parks re-surfacing against urgent highways capitalised maintenance works.
ICT Transformation contract	2,250				2,250	Committed to deliver the ICT strategy, ensure efficiencies are made in line with the ICT contract and contribute to the ICT transformation required as part of the one Derby one council programme.
Full Street corridor Phase 1	1,228				1,228	Public Realm scheme approved by Cabinet 29 September 2009
Wardwick, Friargate and Cheapside	1,785				1,785	Public Realm scheme approved by Cabinet 29 September 2009
Building frontage scheme	132	36			168	Public Realm matched funding
Scheme	2010/11 £000	2011/12 £000	2012/13 £000	2013/14 £000	TOTAL £000	Supporting notes

Scheme	2010/11 £000	2011/12 £000	2012/13 £000	2013/14 £000	TOTAL £000	Supporting notes
Wayfinding	116	117			233	Public Realm scheme approved by Cabinet 29 September 2009
Accommodation strategy	8,440	17,139	6,175	710	32,464	Excludes the cost of decant which is included in the proposed revenue budget.
One Derby one council	4,277	5,199	2,348	130	11,954	Estimated capital implementation costs mainly around investment in ICT and systems required to provide the platform for new ways of working and the delivery of efficiencies.
Dementia care	500	3,858			4,358	Cabinet report October 2009. Remodelling of two properties 2011/12
Repair & Maintenance	3,207	825	825		4,857	Buildings at Risk. Includes £84k for Museum and central library urgent roof repairs
Multi-storey car parks	550				550	To address urgent structural issues and avoid car parks closure. Specific allocation from the R&M capital programme - £300k from 2009/10 and £250k from 2010/11.
Highways repairs	250				250	Urgent capitalised repairs – previously proposed for urgent car parks repairs now covered from R&M above
Future years car parks /highways capitalised repairs	0	300	300		600	Earmark for priority urgent capitalised repairs for highways and/or car parks- to be considered further at the workshop in March 2010.
Playground improvements	115	275			390	Marched funding to complete programme of refurbishments
Sheltered extracare – Rebecca House	200		_		200	
Leisure Strategy TOTAL	1,000 29,449	10,000 38,811	25,000 34,648	14,000 14,840	50,000 117,748	Council Cabinet 12 January 2010