

OFFICE OF POLICE AND CRIME COMMISSIONER

TITLE: Police and Crime Commissioner for Gwent Reserves and Committed Funds Strategy

DATE: 10th December 2020

TIMING: Annually - Commencement of the Annual Budget Setting Process

PURPOSE: For information

1.	<u>RECOMMENDATION</u> To provide Members of the Joint Audit Committee (JAC) with the Police and Crime Commissioner's (Commissioner) Reserves and Committed Funds Strategy 2020/21, for their consideration. This will enable Members to discharge their responsibilities in relation to the budget setting process and the annual financial statements. This strategy will also be considered by the Police and Crime Panel (PCP) in due course as part of their deliberations regarding the Commissioner's Precept proposal for 2021/22.
2.	<u>INTRODUCTION</u>
2.1	The current Medium Term Financial Projections (MTFP) (Appendix 1) currently forecasts on-going austerity until at least 2025/26 and potentially beyond. The basis for these projections is taken from a number of Governmental and non-Governmental sources such as: a) 2015 Comprehensive Spending Review (CSR); b) The Chancellor's Budget 2020 and 'mini' Budget in July 2020; c) Final Police Funding Settlement 2020/21; d) Liaison with Home Office and Ministry of Justice officials; e) Bank of England (BoE) economic forecasts; f) Institute of Fiscal Studies (IFS) Analysis; g) Office of Budget Responsibility (OBR) forecasts; h) Police Staff Council and Police Negotiating Board; i) Internal intelligence and local strategies; and j) Data sharing with peers from the Police and Crime Commissioner Treasurers' Society (PACCTS), the Welsh Police Finance and Resources Group (WPFRG) and the National Police Chief's Council's (NPCC) Finance Coordination Committee.
2.2	The future financial challenge to 2025/26 is exacerbated by the HO's review of the Police Funding Formula. By way of background, once the overall size of the policing budget is determined by the HO (via the CSR), then the amount of funding provided to respective Police and Crime Commissioners is determined by the Police Funding Formula. It has been well publicised that the current formula is out-dated, overly complex, opaque and in need of review. Following a 'false start' to the review process during the latter half of 2015, the review was brought back on track with a hope to produce its findings by February/March 2017, with implementation for the 2018/19 financial year. However, it is believed that with the significant implications of the Brexit

	<p>negotiations; the result of the ‘snap’ General Election in June 2017 (and subsequent one); and the significant increase in the threat of terrorism, the implementation has been delayed. Indeed, in the Provisional 2018/19 Police Funding Settlement, which was announced in a Written Ministerial Statement (WMS) by the Minister of State for Policing and the Fire Service Nick Hurd MP (Minister), on Tuesday 19th December 2017, the Minister states: “I am grateful for the work of the Core Grant Distribution Review, earlier this year, which considered potential changes to the police funding formula. In the context of changing demand and following my engagement with police leaders, providing funding certainty for 2019/20 is my immediate priority. It is intended that the funding formula will be revisited at the next Spending Review.”</p>
2.3	<p>At the start of this financial year, on account of the 2019 CSR being delayed until 2020 due to Brexit uncertainty; that the Final Settlement was silent on the subject and with no further updates available at that time, it was expected that once the work was restarted in early 2020, as part of the 2020 CSR (following full consultation throughout 2021/22), any impact would not occur until the 2022/23 financial year.</p>
2.4	<p>However, events since in relation to the economic impact of the Coronavirus pandemic, the originally planned 2020 CSR has turned into a one-year Spending Review, within which it is expected that changes to the Police Funding Formula will not feature. It is now expected therefore, that in the event that 2021 CSR is undertaken, any changes will not occur until the 2023/24 financial year.</p>
2.5	<p>Historically, although the revision and setting of the Commissioner’s Reserves and Committed Funds Strategy has formed an integral part of the budget setting process, it has not necessarily been separately formally reported. In September 2014 however, in order to provide the PCP with a greater insight into the Commissioner’s overall financial position, the 2014/15 Reserves and Committed Funds Strategy was formally reported to them. The benefits of this approach, linked with the impact of continuing financial austerity, has prompted the continuation of separate formal reporting moving forward.</p>
2.6	<p>This approach is also supported in that over recent years, with the heightened scrutiny of police funding; the guidance issued to Commissioners by the Minister for Policing & the Fire Service, setting out the Government’s expectations around the information to be published by Police & Crime Commissioners on their financial reserves strategies; the planning for the next CSR; and the proposed transition arrangements for the implementation of a new funding formula, reserves and committed funds held by Commissioners have come under the spotlight from Central Government and the wider public. Therefore, an endorsed and publically available Reserves and Committed Funds Strategy provides context to the Commissioner’s overall financial position.</p>
3.	<u>BACKGROUND</u>
3.1	<p>The Local Government Finance Act 1992, Sections 31A, 32, 42A and 43 require ‘Billing’ and ‘Precepting’ Authorities in England and Wales to have regard to the level of reserves needed for meeting estimated future expenditure when calculating the budget requirement. In this context, the Commissioner is a Precepting Authority.</p>

3.2	<p>There are also a range of safeguards in place that help prevent the Commissioner over-committing himself financially. These include:</p> <ol style="list-style-type: none"> a) The balanced budget requirement, as stipulated in Sections 31A, 32, 42A and 43 of the Local Government Finance Act 1992, as amended; b) The Chief Finance Officer's (CFO) duty to report on the robustness of estimates and adequacy of reserves (under Section 25 of the Local Government Act 2003) when the Commissioner is considering his budget requirement; c) The legislative requirement for the Commissioner to make arrangements for the proper administration of his financial affairs and that the CFO has responsibility for the administration of those affairs (Section 151 of the Local Government Act 1972); and d) The requirements of the Prudential Code and the Treasury Management in Public Services Code of Practice.
3.3	<p>The above requirements are reinforced by Section 114 of the Local Government Finance Act 1988, as amended by Schedule 16 Part 3 of the Police Reform and Social Responsibility Act 2011, which requires the CFO in England and Wales to report to the Commissioner, PCP and External Auditor if there is or likely to be unlawful expenditure or an unbalanced budget. This would include situations where reserves have become seriously depleted and it is forecast that the Commissioner will not have the resources to meet his expenditure in a particular financial year.</p>
3.4	<p>As confirmed above, within the existing statutory and regulatory framework, it is the responsibility of the CFO to advise the Commissioner about the level of reserves and committed funds that he should hold and to ensure that there are¹ clear protocols for their establishment and use. Reserves and committed funds should not be held without a clear purpose. By way of example, the Prudential Code requires CFOs to have full regard to affordability when making recommendations about the Commissioner's future capital programme. Such consideration includes assessing all the resources available to/estimated for the Commissioner, such as his level of long-term revenue commitments and also the level of reserves and committed funds.</p>
3.5	<p>It is evident therefore (and supported by the Chartered Institute of Public Finance Accountants (CIPFA) and the Local Authority Accounting Panel) that Commissioners should make their own judgements (on the advice of their CFO) on the level of reserves and committed funds; after taking into account all the relevant local circumstances. It is recognised that such circumstances vary. For example, a Commissioner operating in a well-managed environment, with a prudent approach to budgeting, should be able to operate</p>

¹ The Commissioner follows best practice in that for each reserve/committed fund, a clear protocol exists setting out:

- The reason for/purpose of the reserve/committed fund;
- How and when the reserve/committed fund can be used;
- Procedures for the reserve/committed fund's management and control; and
- A process and timescale for review of the reserve/committed fund to ensure continuing relevance and adequacy.

3.6	<p>with a level of General Reserve appropriate to the risks (both internal and external) to which it is exposed. In this scenario, in assessing the appropriate level of reserves and committed funds, the Commissioner will ensure that the reserves and committed funds are not only adequate but are also necessary. There is a broad range therefore, within which Commissioners might reasonably operate depending on their particular circumstances.</p> <p>As a final point by way of background, whilst it is primarily the responsibility of the Commissioner and their CFO to maintain a sound financial position, external auditors will confirm that there are no material uncertainties about going concern. Even, where as part of their wider role, auditors have to report on the Commissioner’s financial position, it is not their responsibility to prescribe the optimum or minimum level of reserves for individual Commissioners or Commissioners in general. Section 26 of the Local Government Act 2003 however, gives Ministers in England and Wales a general power to set a minimum level of reserves for Commissioners. Nonetheless, the Government has undertaken to apply this only to individual Commissioners in the circumstances where they do not act prudently; disregard the advice of their CFO; and are heading for serious financial difficulty. This accords with CIPFA’s view that a generally applicable minimum level is inappropriate, as a minimum level of reserve will only be imposed where a Commissioner is not following best financial practice.</p>				
4.	<p><u>ISSUES FOR CONSIDERATION</u></p> <p>4.1 As an integral part of the annual budget setting process, the Commissioner (via his CFO and the Finance Department) considers the establishment and maintenance of reserves and committed funds. The Commissioner’s reserves and committed funds are held for three main purposes:</p> <ul style="list-style-type: none"> a) As ‘working capital’ to help cushion the impact of uneven cash flows, thereby avoiding unnecessary temporary borrowing (e.g. the timing of grant or precept receipts may not coincide with large payment runs, such as the monthly payroll coinciding with large contractual commitments) – This forms part of the General Reserve, which is revenue in nature; b) As a contingency to mitigate the impact of unexpected events or emergencies (e.g. a complex/high profile murder case) – this too forms part of the General Reserve; and c) As a means of ring-fencing or building up funds, often referred to as Earmarked Reserves or Committed Funds (referred to hereon as Committed Funds), to meet known or predicted requirements – these are accounted for separately from the General Reserve and can be either revenue or capital in nature; <p>4.2 The following table identifies the broad categories of Committed Funds held by the Commissioner:</p> <table border="1" data-bbox="323 1845 1402 2069"> <thead> <tr> <th data-bbox="323 1845 852 1883">Category of Committed Funds</th> <th data-bbox="852 1845 1402 1883">Rationale for Holding</th> </tr> </thead> <tbody> <tr> <td data-bbox="323 1883 852 2069">Committed Funds to meet and manage forecast budgetary risks.</td> <td data-bbox="852 1883 1402 2069">With nearly £51m of efficiency savings delivered to the end of the 2019/20 financial year; over £1.303m planned for delivery during 2020/21; and a gross forecast deficit</td> </tr> </tbody> </table>	Category of Committed Funds	Rationale for Holding	Committed Funds to meet and manage forecast budgetary risks.	With nearly £51m of efficiency savings delivered to the end of the 2019/20 financial year; over £1.303m planned for delivery during 2020/21; and a gross forecast deficit
Category of Committed Funds	Rationale for Holding				
Committed Funds to meet and manage forecast budgetary risks.	With nearly £51m of efficiency savings delivered to the end of the 2019/20 financial year; over £1.303m planned for delivery during 2020/21; and a gross forecast deficit				

		of £7.168m by 2025/26, it is prudent to underwrite a degree of the budgetary imbalance remaining of £3.390m after taking into account future efficiency savings.
	Committed Funds set aside for major schemes, such as capital developments, or to fund major reorganisations such as those determined by the Service Improvement Board.	Where expenditure is planned in future accounting periods, it is prudent to set aside resources in advance. For example, to fund future capital programme spend in line with insufficient capital grant, or to pump-prime organisational change programmes.
	Committed Funds set aside in previous reporting periods for potential liabilities arising out of tribunal or ombudsman decisions.	These funds are established to meet potential and contingent obligations arising from 'live cases' which did not meet the definition of a provision ² . These are reviewed regularly on a case by case basis on whether they are still required (and therefore remain 'committed') or can be released back into the wider reserves and committed funds position.
	Committed Funds for unspent revenue grants and sums held on behalf of third parties (including Speed Awareness Training).	Where revenue grants have no conditions attached or the conditions are met and the expenditure has yet to take place, these sums are permissible to be held as committed funds. The same applies for sums held on behalf of third parties.
	Committed funds retained for Workstream/Department use (including utilisation of 'Proceeds of Crime Act' (POCA) monies).	The Commissioner's Reserves and Committed Funds protocol permits Workstreams/Departments to carry forward commitments at the year-end (in the form of a committed fund), on the basis that the expenditure will take place in the following financial year(s) – these are subject to extensive scrutiny at each year-end and also during the following budget setting round.
	Other Committed funds to support the medium term budget E.g. Forecast Accelerated Efficiency Savings.	These are reserves and committed funds, which are either planned to be generated in the future and as such, may not yet have been

² A provision exists when the Commissioner is faced with a present obligation (legal or constructive) which has arisen as a result of a past event. Furthermore, the payment is probable ('more likely than not') and the amount can be estimated reliably. Provisions are therefore provided for and accounted via the Comprehensive Income and Expenditure Statement (CIES) in the year in question, i.e. not set aside as a Committed Earmarked Fund for utilisation in future years.

committed to fund expenditure as of yet; or are existing reserves, which by their nature of being no longer required, are available for recycling either fully or in part to fund other committed areas of expenditure.

4.3 Appendix 2 provides a detailed projection of the Commissioner’s reserves and committed funds up until 31st March 2026. The Appendix also categorises reserves and committed funds to meet the Home Office Guidance (issued January 2018) which determines that Commissioners’ Reserves and Committed Funds should be categorised between:

- a) A general contingency or resource to meet other expenditure needs held in accordance with sound principles of good financial management;
- b) Funding for planned expenditure on projects and programmes over the period of the current MTFP; and
- c) Funding for specific projects and programmes beyond the current planning period.

4.4 The following table summarises the detail in Appendix 2 into the analysis above.

Home Office Category	31 st March 2021	31 st March 2022	31 st March 2023	31 st March 2024	31 st March 2025	31 st March 2026
	£'000	£'000	£'000	£'000	£'000	£'000
General Contingency	4,750	4,750	4,750	4,750	4,750	4,750
Utilised Over current MTFP	15,774	2,375	149	149	148	148
Utilised Beyond Current MTFP	12,207	8,249	7,062	6,475	6,504	6,533
Total	32,731	15,374	11,961	11,374	11,402	11,431

4.5 Paragraph 4.1 above, articulates the categories of ‘usable reserves and committed funds’ held by the Commissioner, i.e. those reserves and committed funds that are ‘cash-backed’. On the technical accounting side however, the Commissioner also holds ‘unusable reserves’. These reserves are not cash-backed and arise out of the interaction of legislation and proper accounting practice, either to:

- a) Store revaluation gains (e.g. on property revaluations); or
- b) As adjustment accounts to reconcile accounting requirements driven by reporting standards, to statutory requirements (e.g. the Pension Reserve).

4.6 The remainder of this report will focus on the Commissioner’s usable and therefore cash-backed reserves and committed funds.

4.7	<p>Whilst Appendix 2 provides a detailed projection of the Commissioner's reserves and committed funds up until 31st March 2026, it must be noted that the Commissioner commenced his review of the Estate Strategy in March 2017 and significant work has been undertaken since in shaping the vision and strategic objectives of the strategy. At the time of writing, indicative costs for the delivery of the strategy, at various degrees of refinement, have been accounted for in the MTFP and the Reserves and Committed Funds Strategy.</p>
4.8	<p>In a similar vein, Gwent Police are currently confirming the revenue and capital investment requirement into continuing their Programme Fusion³ with South Wales Police. As the Estate Strategy and Fusion costings are further refined during forthcoming months, the funding of both will be updated in the MTFP and Reserves and Committed Funds Strategy presented to the January PCP.</p>
4.9	<p>On the basis of the above caveats, the following paragraphs provide the purpose/reason for each individual reserve and committed fund identified on Appendix 2 and also details of its planned utilisation.</p>
4.10	<p><u>Statutory Revenue Reserves</u></p> <p>a) <u>General Reserve - (Line A1)</u></p> <ul style="list-style-type: none"> i. Purpose – This is held as working capital to help cushion the impact of uneven cash flows and also as a contingency to mitigate the impact of unexpected events or emergencies. At the end of the financial year, the General Reserve will amount to £4.750m which represents 3.3% of Net Revenue Expenditure (NRE) (this % figure has remained static since 2015/16) and in the view of the CFO represents an appropriate level in terms of the overall risk-profile. ii. Planned Utilisation – By its very nature, this reserve is held for unfunded and unexpected events or emergencies. Therefore, as a statutory contingency reserve there is currently no call upon this reserve.
4.11	<p><u>Revenue Committed Earmarked Funds – Utilised Within the Current MTFP</u></p> <p>a) <u>Future Private Finance Initiative (PFI) Commitments - (Line B1)</u></p> <ul style="list-style-type: none"> i. Purpose – Due to the length of the lifecycle and the complexity of the funding model for the Ystrad Mynach PFI Scheme, it was necessary, at its inception, to create a committed fund (in this instance, also referred to as a 'sinking fund'). This ensures that the affordability of the scheme is safeguarded for its entire duration and the variable impact of its financial cycle is minimised.

³ Programme Fusion is a collaborative venture between South Wales and Gwent Police, helping both forces cut crime, reduce costs, and provide an effective, efficient police service, by ensuring officers and staff are using the latest technology, giving them the information they need, when they need it.

- ii. Planned Utilisation – As previously reported, the Commissioner commissioned work to ‘voluntarily terminate’ this contract, which in effect would settle the contract early. Following agreement of the business case by the Commissioner and Welsh Government during 2019/20, the committed fund which had previously been built up was utilised in fully settling the contract during 2019/20, with the remainder of the fund being recycled to fund other aspects of the capital programme, thereby reducing the Commissioner’s future borrowing need.

b) Capital Grant - (Line B2a)

- i. Purpose – This line simply represents the movement of the Capital Grant received from the Home Office, from the Capital Grant line A1 within the Capital Committed Funds section of Appendix 2, into the Revenue Reserves and Committed Funds section.
- ii. Planned Utilisation – This committed fund will be used to fund the requirements of the overall Capital Programme.

c) Capital Receipts - (Line B2b)

- i. Purpose – This line simply represents the movement of Capital Receipts received from the sale of estate premises (from the Capital Receipts line A2) within the Capital Committed Funds section of Appendix 2, into the Revenue Reserves and Committed Funds section.
- ii. Planned Utilisation – This committed fund will be used to fund the requirements of the overall Capital Programme.

d) Revenue Contribution to Capital Programme – (Line B2c)

- i. Purpose – Members may recall from previous MTFP presentations, that the Commissioner’s capital programme is funded by 5 means:
- Use of reserves and committed funds;
 - Capital Grant (from the Home Office);
 - Capital receipts (from the sale of capital assets);
 - Revenue Contribution to Capital; and
 - Borrowing.

The above list is constructed in order of historic financial contribution, i.e. the use of reserves and committed funds is by far the most significant contributor to the capital programme at present. By way of emphasis, the second largest historic contributor (capital grant) amounts to approximately £0.120m per annum, which in itself is insufficient to meet the Commissioner’s fleet replacement programme on an annual basis. Furthermore, turning to the next source on the list, the availability of capital receipts is variable in terms of value and timing. Therefore, with reserves and committed funds being finite in nature,

coupled with significant reductions in capital grant and the unreliability of capital receipts, a greater emphasis is placed upon the establishment of a recurring revenue contribution to capital, in order to provide surety to the delivery of the Commissioner's capital programme. To this end, the recurrent revenue contribution to capital was maintained at £2.645m during the 2020/21 budget setting round. The further non-recurrent increase showing for 2020/21 and beyond relates to the revenue funding received to deliver Operation Uplift (which is capital in nature) which will support the front-line Police Officers.

- ii. Planned Utilisation – This committed fund will be used to fund the requirements of the overall Capital Programme.

e) External Borrowing – (Line B2d)

- i. Purpose – This line simply represents the levels of external borrowing required to deliver the Commissioner's Capital Programme beyond 2021/22.
- ii. Planned Utilisation – This committed fund will be used to fund the requirements of the overall Capital Programme.

f) Estate Works - Replacement Headquarters (HQ) - (Line B2ei)

- i. Purpose – The existing HQ is nearly 50 years old and is presenting itself as uneconomical to maintain/renovate and is also expensive to run when compared to more modern buildings. This committed fund has therefore been created to provide for the full costs associated with transitioning to a new HQ.
- ii. Planned Utilisation – This committed fund is planned to be fully utilised over the next 3 years to fund the totality of costs associated with a move to a new HQ.

g) Estate Works - Victims' Hub - (Line B2eii)

- i. Purpose – This committed fund was established to fund the completion of the building work associated with creating Connect Gwent, the multi-agency Victims' Hub in Gwent.
- ii. Planned Utilisation – This committed fund remained following the completion of the building, commissioning and implementation of Connect Gwent. The committed fund has therefore been maintained to fund further investment to improve the delivery and efficiency of Connect Gwent into the future. A programme of work, undertaking a Post Implementation Review of Connect Gwent and development of a new business case is well advanced, which may conclude that efficiencies can be delivered, or that additional investment is required in certain areas. Where generated efficiencies are insufficient to fund new investment areas, this committed fund may be called upon. Any

remaining balance will be fully utilised in funding the remainder of the Commissioner's Capital Programme.

h) Estate Works - Minor Works and Planned Maintenance through to Long Term Projects - (Lines B2eiii to B2i)

i. Purpose – Members will note that no actual committed funds have been created to fund the remaining aspects of the Commissioner's Capital Programme in relation to:

- Estate Works – Minor Works and Planned Maintenance;
- Estate Works – Police Hubs and Spokes;
- Estate Works – Other;
- Fleet Replacement;
- ICT Investment;
- Other Projects/Schemes; and
- Long Term Projects.

ii. Planned Utilisation – Members will further note that only the expenditure is shown for each year, which mirrors the above capital requirements between 2020/21 and 2025/26. Lines B2a (Capital Grant), B2b (Capital Receipts), B2c (Revenue Contribution to Capital Programme), B2d (External Borrowing) and any remainder on B2eii (Victims' Hub) will be used in their entirety to fund these requirements. Historically, with insufficient further reserves and committed funds available in totality to fund these requirements, the position highlighted that a degree of 'internal borrowing' was required to fund the overall current capital programme. In essence, the Commissioner would internally borrow from certain reserves and committed funds (such as the General Reserve or Future Budgetary Imbalances Committed Fund) to fund the Capital Programme and thereby, in the short term, avoid external borrowing. However, in order to create the underlying true and transparent position of the Commissioner's reserves and committed funds, the external borrowing requirement to 2025/26 has now been factored into this Strategy.

i) Forecast Accelerated Efficiency Savings - (Line B3)

i. Purpose – As well as the depletion of reserves and committed funds, the Commissioner's Reserves and Committed Funds Strategy also identifies potential sources of reserve and committed fund creation. In this instance, the primary source is from the in-year surplus generated from the acceleration of efficiency schemes in a particular financial year. Estimates are made on previous experience balanced against the potential for accelerated efficiencies in the future. These forecast reserves remain uncommitted initially, but will become committed as the amount crystallises and is matched against future liabilities.

ii. Planned Utilisation – The future estimates of this reserve (as it builds

up) are assumed (due to their uncertainty) to contribute to the overall reserve and committed fund's position (particularly the 'top up' of the General Reserve at the end of 2020/21) and fund the requirements to deliver the future Capital Programme.

4.12 Revenue Committed Earmarked Funds – Utilised Beyond the Current MTFP

a) Future Budgetary Imbalances - (Line C1)

- i. Purpose – This committed fund was established in 2015/16 to mitigate future financial deficits from 2016/17 and beyond, in order to achieve a balanced budget. The backdrop for its creation was that up to the 2015 Autumn Statement, policing was facing the potential of 7% cuts in Central Government Grant per annum. The 2015 Autumn Statement however (and settlements since), reduced the anticipated policing budget cuts.
- ii. Planned Utilisation – The current MTFP highlights a financial recurrent deficit prior to efficiencies of £7.168m by 2025/26. After taking into account known efficiency schemes and opportunities (some of which will be very challenging to deliver from a practical perspective and also a public expectation viewpoint), a deficit of £3.390m remains. The deficit is based on assumed 'flat cash' grant per annum, coupled with a £6m reduction arising from the Funding Formula Review; the cost neutrality of future Operation Uplift funding; all offset by precept increases of 6.82% per annum. Plugging the recurrent gaps non-recurrently on an annual basis up to 2025/26 (and accounting for the non-recurrent surpluses), would require not only the entirety of this committed fund, but a further £8.592m of additional funding. However, one would not necessarily require this committed fund to be sufficient to cover the future unmet deficit, as the deficit needs to be addressed through recurrent efficiency schemes, as opposed to a non-recurrent 'sticking plaster'. The committed fund may therefore be fully utilised moving forward, in order to manage the timing differences of balancing the budget on an annual basis (a statutory requirement) against the implementation of additional efficiency schemes.

b) Commissioning Strategy and Force Initiatives - (Line C2)

- i. Purpose – This committed fund is primarily designed to pump-prime both the delivery of the Commissioner's Strategic Commissioning Intentions, and also specific Office of the Police and Crime Commissioner (OPCC) and Gwent Police initiatives, to deliver the Commissioner's Police and Crime Plan.
- ii. Planned Utilisation – As a result of the Wellbeing of Future Generations Act 2015 and the associated creation of Public Service Boards (PSB),

the Commissioner's Commissioning Strategy will become intrinsically linked to the work of PSBs in the future. Once the priorities and the work programme of the five PSBs in Gwent have become embedded, the opportunities for co-commissioning (with both the OPCC and Gwent Police) will become clearer and subsequently, so too will the utilisation of this committed fund. In addition, this committed fund may be destined to support the delivery of a more targeted approach to deliver certain aspects of the Commissioner's Police and Crime Plan, such as supporting the Commissioner's Police Community Fund or developing diversion/crime prevention initiatives.

c) Airwave - (Lines C3)

- i. Purpose – Due to the length of the lifecycle and the complexity of the funding model for the initial Airwave replacement programme it was necessary, at its inception, to create a committed fund (in this instance, as with PFI, also referred to as a 'sinking fund'). This ensures that the affordability of the scheme is safeguarded for its entire duration and the variable impact of its financial cycle is minimised.
- ii. Planned Utilisation – the Airwave system is being phased out and will be replaced by the Emergency Services Mobile Communications Programme's (ESMCP) Emergency Service Network (ESN). This will provide the next generation communication system for the 3 emergency services (police, fire and rescue, and ambulance) and other public safety users. Based on current estimates of the cost of transition and dual running implications of this programme, coupled with the revenue contribution into the committed fund from base budgets, it is estimated that although this committed fund will not be fully utilised at the current date of transition sometime during 2023/24, further delays in the delivery of ESN may necessitate further dual running costs, which would ultimately deplete this reserve in its entirety.

d) Other Financial Liabilities – Tribunal and Ombudsman Liabilities through to Speed Awareness Training) - (Lines C4a to C4h)

- i. Purpose – The rationale for these committed funds has been previously articulated in the table in paragraph 4.2 above.
- ii. Planned Utilisation – Again, as mentioned previously, these committed funds receive extensive scrutiny at the year-end and also during each budget setting cycle. Therefore, although these committed funds still show a balance of £3.617m in 2025/26, this does not mean that the committed funds are not required up to this point in time, rather the plans for their utilisation are not finalised to identify the timing of the individual committed fund's utilisation.

4.13	<p><u>Capital Committed Funds</u></p> <p>a) <u>Capital Grant - (Line A1)</u></p> <p>i. Purpose – This is the committed fund referred in paragraph 4.11b above.</p> <p>ii. Planned Utilisation – As per paragraph 4.11b above.</p> <p>b) <u>Capital Receipts - (Line A2)</u></p> <p>i. Purpose – This is the committed fund referred in paragraph 4.11c above.</p> <p>ii. Planned Utilisation – As per paragraph 4.11c above.</p>
5.	<p><u>NEXT STEPS</u></p> <p>5.1 In discharging their scrutiny duty, this reporting of the Commissioner's Reserves and Committed Funds Strategy will hopefully assist Members in understanding the overall financial landscape.</p> <p>5.2 With the unknowns surrounding the next full CSR and also the impact of the Funding Formula Review, this strategy will be instrumental in stakeholder engagement and any mitigation strategies.</p> <p>5.3 Furthermore, at the December meeting of the PCP, the Commissioner will present his budget and precept proposal for 2021/22. The extent of the Commissioner's reserves and committed funds position will be a key component in discussing his proposal. In advance of the December meeting, in summarising the detailed explanations in Section 4 above, the following key messages emerge:</p> <p>a) Following the audit of the 2019/20 Statement of Accounts, Audit Wales were satisfied that the levels of the Commissioner's reserves and committed funds position presents no material uncertainties about going concern;</p> <p>b) By the end of the 2025/26 financial year, it is forecast that the Commissioner will have reserves and committed funds totalling £11.431m (bottom right hand corner of Appendix 2) – this assumes however, that the current outstanding future recurrent budgetary imbalances up to 2022/23 (highlighted through the MTFP), will be underwritten from reserves and committed funds (Line C1 in the Uncommitted Earmarked Funds Section). As already stipulated, recurrent budgetary imbalances must be found from recurrent efficiencies – Reserves and committed funds should only be utilised to manage annual timing differences. Therefore, adjusting Line B1 back to its current carrying amount, produces an underlying total reserves and committed funds figure of £14.356m;</p> <p>c) However, taking into account the CFO's judgement (based on relevant local circumstance), that a General Reserve of £4.750m should be held –</p>

	<p>this leaves an underlying committed funds balance of £9.606m, which equates to those committed funds that are either there to risk manage the current MTFP, or required beyond the current MTFP;</p> <p>d) Indeed, the committed funds set aside to fund the current Capital Programme are exhausted during 2022/23, whereby, the Commissioner faces the need to borrow moving forward with the associated impact upon revenue budgets within the MTFP;</p> <p>e) The forecast reserves and committed position does not take into account the following events which would increase this figure:</p> <ul style="list-style-type: none"> i. Additional sales of capital assets than those already identified; ii. Additional sums from further acceleration of the delivery of efficiency schemes; and iii. Underspensing in the capital programme or slippage which defers spend to future financial years. <p>f) Similarly, the forecast reserves and committed funds position does not take into account the following events which would further reduce this figure:</p> <ul style="list-style-type: none"> i. The impact on reserves of future CSR or any transitioning arrangements to a new Funding Formula allocation; ii. Further significant investment to deliver the Estate Strategy and Programme Fusion; iii. Pump-priming for future areas of service improvement; and iv. Overspending in the capital programme or acceleration which brings forward spend.
<p>6. 6.1</p>	<p><u>FINANCIAL CONSIDERATIONS</u> This is a financial report.</p>
<p>7. 7.1</p>	<p><u>PERSONNEL CONSIDERATIONS</u> The generation and utilisation of the Commissioner’s reserves and committed funds have significant impact on the personnel of both the OPCC and also Gwent Police. Therefore, the individual movements of funds both in and out of the overall reserves and committed funds portfolio are subject to specific reporting and governance requirements, to ensure personnel considerations are documented.</p>
<p>8. 8.1</p>	<p><u>LEGAL IMPLICATIONS</u> The legal background and framework within which the Commissioner manages his reserves portfolio have been identified throughout this report.</p>
<p>9. 9.1 9.2</p>	<p><u>EQUALITIES AND HUMAN RIGHTS CONSIDERATIONS</u> This report has been considered against the general duty to promote equality, as stipulated under the Strategic Equality Plan and has been assessed not to discriminate against any particular group.</p> <p>Consideration has been given to requirements of the Articles contained in the European Convention on Human Rights and the Human Rights Act 1998 in</p>

	preparing this report.
10.	<u>RISK</u>
10.1	The management of the Commissioner's Reserves and Committed Funds Strategy holds significant inherent risks, as by their very nature, reserves and committed funds reflect the risk profile of local circumstances. However, as previously articulated, the Reserves and Committed Funds Strategy is formally scrutinised once a year and is also subject to regular review during monthly management reporting and also during periodic revisions to the MTFP.
11.	<u>PUBLIC INTEREST</u>
11.1	This is a public document.
12.	<u>CONTACT OFFICER</u>
12.1	Darren Garwood-Pask, Chief Finance Officer.
13.	<u>ANNEXES</u>
13.1	Appendix 1 – Medium Term Financial Projections 2020/21 to 2025/26. Appendix 2 – Reserves and Committed Funds Position at 26 th November 2020.