

**Report of the Chief Officer – Financial Services
Report to Executive Board
Date: 13th December 2017**

Subject: Initial Budget Proposals for 2018/19

Are specific electoral Wards affected? If relevant, name(s) of Ward(s):	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Is the decision eligible for Call-In? Recommendation 15.2 is eligible for call in; 15.1 is not eligible.	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Does the report contain confidential or exempt information?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

Summary of main issues

1. The purpose of this report is to set out the initial budget proposals for 2018/19.
2. These budget proposals support the Council's Best City/Best Council ambitions, policies and priorities aimed at tackling inequalities (please refer to the Best Council Plan 2018/19 refresh report which is on today's agenda).
3. These budget proposals are set within the context of the 2018/19 – 2020/21 medium term financial strategy which was approved by the Executive Board in July 2017 and the implications of the Chancellor's Autumn budget statement on 22nd November 2017.
4. Whilst the government's multi-year funding settlement 2016/17 to 2019/20 provides some certainty, there are still a number of assumptions within the budget proposals that will not be known until the provisional local government finance settlement is announced, which is likely to be mid-December 2017.
5. The financial climate for local government continues to present significant risks to the Council's priorities and ambitions. The Council continues to make every effort possible to protect the front line delivery of services, and whilst we have been able to balance the budget each year since 2010, have continued to deliver a broad range of services despite declining income, and have avoided large scale compulsory redundancies, it is clear that the position is becoming increasingly challenging to manage and looking ahead over the medium term it will be increasingly difficult to maintain current levels of service provision without significant changes in the way the Council operates.

6. The headlines from the 2018/19 initial budget proposals, when compared to the 2017/18 budget, are as follows:
- A reduction in revenue support grant from government of £18.5m (28.5%)
 - A reduction in the settlement funding assessment of £14.0m (6.6%)
 - An increase in council tax of 1.99% together with a further 3% in respect of the Adult Social Care precept and an increase in the council tax base, generating an additional £17.5m of local funding
 - A combination of reduced core funding and cost pressures means that the Council will need to deliver £38.2m of savings by March 2019.
 - An increase in the Council's net revenue budget of £13.5m to £506.2m
7. In respect of the Housing Revenue Account, whilst there are proposals to increase service charges, the continued implementation of the Government's rent cap, introduced from April 2016, will mean that the majority of tenants, excluding those properties that have benefited through PFI investment, will again see reductions of 1% from April 2018.
8. Further, this report explains that Government has invited applications from local authorities to pilot 100% Business Rates Retention in 2018/19, and that the Leeds City Region Business Rates Pool, of which Leeds is a member, has submitted an application. The opportunity to pilot 100% retention appears to offer the prospect of significant financial benefits for the Leeds City Region, with minimal risk to the constituent authorities. However, funding for pilot schemes is limited and it is anticipated that not all applications will be successful. Successful applications will be announced before or alongside the publication of the draft local government finance settlement in December 2017. As such, these initial budget proposals do not reflect the application to pilot 100% retention.

Recommendations

9. Executive Board is asked to agree the initial budget proposals and for them to be submitted to Scrutiny and also for the proposals to be used as a basis for wider consultation with stakeholders.
10. Executive Board is asked to agree that, should the application to pilot 100% business rates retention succeed, Leeds should continue as a member of that designated Business Rates Pool and should act as lead authority for it. Notwithstanding this decision, the continuation of the Pool will be dependent upon none of the other member authorities choosing to withdraw within the statutory period after designation.

1. Purpose of report

- 1.1 In line with the Council's constitution, the Executive Board is required to publish initial budget proposals two months before approval of the budget by

Full Council, scheduled for the 21st February 2018. This report sets out the initial budget proposals for 2018/19, set within the context of the medium term financial strategy approved by Executive Board in July 2017, the implications of the Chancellor's Autumn Budget statement in November 2017 and further savings proposals to bridge the revised estimated budget gap.

- 1.2 Subject to the approval of the Executive Board, these initial budget proposals will be submitted to Scrutiny for their consideration and review, with the outcome of their deliberations to be reported to the planned meeting of this board on the 7th February 2018. These budget proposals will also be made available to other stakeholders as part of a wider and continuing process of engagement and consultation. Further, at the meeting of the board in February 2018, it is proposed to provide an update of the medium-term financial strategy approved by the board at its July 2017 meeting.
- 1.3 In accordance with the Council's budget and policy framework, decisions as to the council's budget are reserved to full council. As such, the recommendation in paragraph 15.1 is not subject to call in as the budget is a matter that will ultimately be determined by full council.
- 1.4 However, the recommendation in paragraph 15.2, regarding the Council's participation in the 2018/19 100% business rates retention pilot scheme, the potential impact of which is not currently reflected in these initial budget proposals, is a decision of the Executive Board and as such is subject to call-in.

2. The national context and Autumn budget

- 2.1. The economic context in which public spending must be considered is very much dominated by the debate concerning the impact of the EU referendum and the strength and resilience of the national economy. Further, the fiscal rules approved by Parliament in January 2017 commit the Government to reducing the cyclically-adjusted deficit to below 2% of GDP by 2020/21 and having debt as a share of GDP falling in 2020/21. In its November 2017 "Economic and Fiscal outlook" the Office of Budget Responsibility (OBR) expects that the government will meet both fiscal targets, and that borrowing will reach its lowest level since 2001/02 by the end of the forecast period. Debt as a share of GDP is forecast to fall in 2018/19 and in every year of the forecast.
- 2.2. Within its economic forecast the OBR notes that economic growth has been stable but modest so far in 2017 on the back of a slowdown in consumer spending, but also that GDP growth has been slowing in contrast with many other advanced economies. The OBR projects that GDP growth will be 1.4% and 1.3% in 2018 and 2019 respectively, down from the 1.6% and 1.7% forecast at the March Budget, whilst CPI inflation is forecast at 2.4% and 1.9% respectively over the same period. Whilst the unemployment rate is projected to be 4.4% and 4.3% during 2018 and 2019 respectively, lower

than the March forecast of 5.1% and 5.2%, earnings growth has also been revised down in line with a weaker outlook for productivity. It is within this economic context that the initial budget proposals for 2018/19 need to be considered.

2.3. **Autumn Budget 2017**

2.3.1. On the 22nd November 2017, the Chancellor delivered his first Autumn Budget.

2.3.2. The key announcements in the 2017 Autumn Budget were:

- The Budget sets aside a further £3 billion over two years to prepare for EU exit;
- Government will lend local authorities in England up to £1 billion at a new discounted interest rate, the 'Local Infrastructure Rate', accessible for three years to support infrastructure projects that are high value for money. Details of the bidding process will be published in December;
- A £1.7 billion Transforming Cities Fund to support intra-city transport, targeting projects which drive productivity. Half will be allocated via competition for transport projects in cities and the other half on a per capita basis to the six combined authorities with elected mayors;
- A range of measures to increase housing supply, including lifting the Housing Revenue Account borrowing caps for councils in areas of high affordability pressure (£1 billion), so they can build more council homes, the introduction of planning reforms to ensure more land is available for housing, £204 million to fund innovation and skills in the construction sector and raising the stamp duty threshold to £300,000 for first time buyers;
- A power for local authorities to increase the council tax premium on empty homes from 50% to 100%, a measure intended to encourage owners to bring empty properties back into use rather than to increase local authority funding;
- A £220 million Clean Air Fund to allow local authorities to help individuals and businesses adapt as measures to improve air quality are implemented, funded by a Vehicle Excise Duty supplement on some diesel cars first registered from 1 April 2018 and a rise in the existing Company Car Tax diesel supplement;
- £6.3 billion of additional funding for the NHS: £3.5 billion of capital investment in estates transformation and improvement and efficiency schemes and £2.8 billion in resource funding, of which £335 million will be provided in 2017/18 to address winter pressures;
- A commitment to fund pay awards as part of a pay deal for NHS staff on the Agenda for Change contract;
- £42 million of additional Disabled Facilities Grant in 2017/8;

- Following the recommendations of the Low Pay Commission (LPC) the National Living Wage (NLW) will increase by 4.4% from £7.50 to £7.83 from April 2018. The Government has also accepted the LPC's recommendations for the other National Minimum Wage rates;
- A £1.5 billion package to address concerns regarding the delivery of Universal Credit, including removal of the seven-day waiting period for entitlement, enabling claimants who need it to access up to a month's worth of Universal Credit within five days as an interest-free advance and, from April 2018, new claimants already in receipt of housing benefit will continue to receive it for two weeks. Also, Government will make it easier for claimants to have the housing element of their award paid directly to their landlord;
- A number of changes to business rates, including bringing forward the switch in business rates indexation from RPI to CPI to 2018/19 and continuing the £1,000 business rate discount for public houses introduced in 2017/18 for a further year, all of which will be fully compensated by Government. The frequency of business rate revaluations will increase from five years to three following the next revaluation, currently due in 2022;
- Fuel and alcohol duties have been frozen for 2018/19.

3. Developing the 2018/19 budget and medium term financial strategy with the refreshed 2017/18 Best Council Plan.

- 3.1. Between the 2010/11 and 2017/18 budgets, the Council's core funding from Government has reduced by around £239m. Additionally the Council has faced significant demand-led cost pressures, especially within Adult Social Care and Children's Services. To date, the Council has responded successfully to the challenge since 2010 through a combination of stimulating good economic growth, creatively managing demand for services, increasing traded and commercial income, growing council tax from new properties and a significant programme of organisational efficiencies, including reducing staffing levels by over 3,200 FTEs.
- 3.2. Through targeting resources into preventative services the Council has ensured that the implications of demand and demographic pressures, that have resulted in significant cost pressures in other local authorities, have been contained within Leeds. Specifically within Housing Services Leeds only has 33 households registered in temporary accommodation and no one in Bed & Breakfast accommodation. In comparison Birmingham had 1,740 households in temporary accommodation of which 379 are in Bed & Breakfast. In respect of the Bed & Breakfast this equates to an annual cost to Birmingham of £9m whereas Leeds spends nothing. Similarly since 2010 the rate per 10,000 of children looked after has reduced by 18% whilst the national average has risen by around 3.4%

- 3.3. In February 2017, Council approved the 2017/18 Best Council Plan and the supporting budget. The Best Council Plan is the Council's strategic planning document and sets the context and policy direction against which the budget and medium-term financial strategy are developed. The policy direction is clearly explained in the 2017/18 Best Council Plan: that the Council's 'Best City' and 'Best Council' ambitions remain - articulated around Leeds having a strong economy and being a compassionate city and the Council being an efficient and enterprising organisation – with a focus on reducing poverty and tackling the range of interlinked inequalities that persist across the city.
- 3.4. Inevitably, managing the large reduction in government funding and increasing cost pressures has meant that the Council has had to make some difficult decisions around the level and quality of services. However, as signposted in the 2017/18 Best Council Plan and 2017/18 budget reports to Council in February 2017, it will become increasingly difficult over the coming years to identify further financial savings without significant changes in what the Council does and how it does it. This will have significant implications for the services provided directly and those commissioned by the local authority, impacting upon staff, partners and service users. In order to deliver the Council's ambitions of tackling poverty and reducing inequalities, consideration may have to be given to stopping, delivering differently or charging for those services that are no longer affordable and are a lesser priority than others. This will be achieved through a continuing process of policy and service reviews across the Council's functions and ongoing consultation and engagement.
4. **Estimating the net revenue budget for 2018/19**
 - 4.1. **Settlement funding assessment – reduction of £14.0m**
 - 4.1.1. Settlement funding assessment is essentially the aggregate of government grant and business rate baseline funding for a local authority. As part of the 2016/17 financial settlement, Government offered councils a 4-year funding settlement for the period 2016/17 to 2019/20, which Executive Board agreed to accept in September 2016.
 - 4.1.2. 2018/19 represents the third year of the four year funding offer, approved by Executive Board in September 2016 and confirmed by DCLG in November 2016. The Council continues to expect to receive the amounts published as part of that offer, barring any exceptional circumstances and subject to the normal statutory consultation process for the local government finance settlement.
 - 4.1.3. Table 1 below sets out the council's settlement funding assessment for 2018/19 which is in line with the multi-year settlement. For 2018/19, this represents a reduction of £14.0m compared to 2017/18 which is equivalent to a 6.6% reduction.

Table 1 – Settlement Funding Assessment

	2017/18	2018/19	Change	
	£m	£m	£m	%
Revenue Support Grant	65.0	46.5	(18.5)	-28.5
Business Rates Baseline Funding	148.0	152.4	4.5	3.0
Settlement Funding Assessment	213.0	198.9	(14.0)	-6.6

4.1.4. The business rates element of the settlement funding assessment is determined by taking the 2017/18 baseline business rates amount of £148.0m and uplifting it by inflation. Following the decision in the Autumn Budget to bring forward the switch in business rates indexation from RPI to CPI, this uplift for inflation, based on the September 2017 Consumer Price Index, is 3.0%. In 2018/19 the calculated baseline business rates has then been adjusted by £0.1m, the difference between the estimated business rates tariffs for 2017/18 and 2018/19 before and after the impact of the 2017 Revaluation was known. The business rates element of settlement funding assessment is therefore £152.4m, net of the estimated 2018/19 tariff adjustment of £13.7m.

4.1.5. In addition to formula grant, there are a number of other funding streams that notionally comprise the settlement funding assessment. These are outlined in table 2 below and include early intervention, homelessness prevention, lead local flood authorities and learning disability & health reform funding.

Table 2 - Breakdown of the Settlement Funding Assessment

	2017/18	2018/19	Change
	£m	£m	£m
Formula Grant	167.65	154.51	(13.14)
Council tax freeze grant 2011/12	6.64	6.64	0.00
Council tax freeze grant 2013/14	2.77	2.77	0.00
Early intervention grant	16.34	15.05	(1.29)
Preventing homelessness	0.86	0.86	0.00
Lead local flood authority grant	0.23	0.24	0.01
Learning disability & health reform grant	11.03	11.27	0.24
Local welfare provision	2.59	2.59	0.00
Care act funding	4.84	4.98	0.14
Sustainable drainage systems	0.02	0.02	0.00
Carbon monoxide & fire alarm grant	0.00	0.00	0.00
Settlement Funding Assessment	212.97	198.93	(14.04)

4.2. Business rates retention

4.2.1. Leeds has the most diverse economy of all the UK's main employment centres and has seen the fastest rate of private sector jobs growth of any UK city in recent years. Yet this apparent growth in the economy has not

translated into business rates growth; in fact the income from business rates available to the Council declined from 2014/15 to 2016/17, and is only expected to return to 2014/15 levels in 2018/19.

- 4.2.2. The total projected rateable value of businesses in Leeds is £918.7m which would generate gross business rates income of £440m. Further business rates growth is anticipated in 2018/19 increasing gross business rates collected to £453m. However, as shown in Table 3, the impact of a range of business rate reliefs (see paragraph 4.3 below) and statutory adjustments reduces this to a net income figure of £375.5m.
- 4.2.3. Under the current business rates retention (BRR) scheme, Leeds City Council's share of this income is £184m (49%). The Authority then pays a tariff of £13.7m to Government as Leeds is assessed to generate more business rates income than it needs and must also meet its share of the business rates deficit created in 2017/18, a further £12.9m. This leaves net income of £157.4m which contributes to the Council's net revenue budget.

Table 3 – Rateable Value in Leeds and Business Rates Income Generated

	£m
Rateable Value in Leeds projected to 31 December 2017	918.7
multiplied by business rates multiplier	0.479
Gross business rates based on projected rateable value	440.1
Estimated Growth	12.5
equals gross business rates to be collected in Leeds	452.6
less: -	
Uprated Mandatory Reliefs	-65.7
Uprated Discretionary Reliefs	-2.5
Transitional Adjustments (year 2)	15.8
equals net business rates paid by ratepayers	400.1
less adjustments for: -	
Bad debts and appeals	-5.9
Cost of collection	-1.2
Projected Enterprise Zone and renewable energy projects yield	-1.7
Transitional Adjustments repaid to Government	-15.8
equals non-domestic rating income in Leeds	375.5
Split into shares: -	
Leeds City Council (49%)	184.0
<i>West Yorkshire Fire Authority (1%)</i>	<i>3.8</i>
<i>Central Government (50%)</i>	<i>187.8</i>
less deductions from operation of business rates retention scheme: -	
Leeds City Council's tariff from Local Government Finance Settlement	-13.7
Leeds City Council's share of deficit from 2017-18	-12.9
Leeds City Council 's 2018-19 income from business rates	157.4

- 4.2.4. As shown above, business rates income is shared between local and central government. Local authorities experiencing business rates growth are able to retain 49% of that growth locally, but also bear 49% of the risk if business rates fall or fail to keep pace with inflation, although a safety-net mechanism is in place to limit losses in year.

- 4.2.5. In particular, BRR exposes local authorities to risk from reductions in rateable values. The system allows appeals if ratepayers think rateable values have been wrongly assessed or that local circumstances have changed. One major issue is that successful appeals are usually backdated to the start of the relevant valuation list, which means that for every £1 of rateable value lost on the 2010 list growth of £6 would be necessary to fund the cost. At the end of October 2017 there were around 3,600 outstanding appeals against the 2010 ratings list in Leeds.
- 4.2.6. A new rating list, primarily based on rental values in 2015, was introduced on 1st April 2017. This ratings list should be more accurate than the previous 2010 list which was based on rental values in 2008, just before the 'financial & economic crisis'. Further, appeals submitted against this new list can only be backdated to 1st April 2017. This, together with the impact of the new 'check, challenge, appeal' appeals process also introduced on 1st April 2017, should reduce business rate appeals and volatility going forward. At the end of October 2017, the Council has received only 70 checks and challenges against the 2017 ratings list, with only 17 of these remaining outstanding. No appeals have been received as yet.
- 4.2.7. Since 2013/14 the total amount repaid by way of business rate appeals is in the order of £125m, with a cost to the Council of £61m. The provision for business rate appeals within the collection fund has been reviewed and recalculated to recognise new appeals and the settlement of existing appeals, and the 2018/19 initial budget proposals provide for an additional £13.5m contribution from the general fund to fund this provision.
- 4.3. **Small Business Rates Relief and other mandatory reliefs**
- 4.3.1. From April 2017, Government increased the rateable value threshold for small businesses from £6,000 to £12,000. As a result an additional 3,300 small businesses in Leeds now pay no business rates at all and in total in the current year around 11,500 or 40% of business properties in Leeds pay no business rates. Whilst Small Business Rates Relief reduces the business rates income available to Leeds, the authority recovers 50% of this income through government grant and a further proportion through other ratepayers who pay rates based on a slightly higher business rate multiplier. The proportion any individual authority recovers depends on the mix of large and small businesses in that area.
- 4.3.2. Unlike Small Business Rates Relief, local authorities do bear 50% of the cost of other mandatory business rate reliefs such as mandatory charity relief and empty rate relief, but have no control over entitlement and no powers to deal with their use in business rates avoidance. Costs of mandatory reliefs have increased significantly since the introduction of BRR, further reducing Leeds' retained business rates income: mandatory charity relief alone has increased by over 48%, from approximately £18.5m in 2012/13 to £27.5m in 2017/18, costing the council an estimated £4.4m more in lost income in 2017/18.
- 4.3.3. At the March 2017 Budget, the Chancellor announced three additional measures to support businesses affected by the 2017 Revaluation: support

for small businesses, a business rate discount for public houses and £300 million of funding over four years for local authorities to establish local discretionary relief schemes 'to deliver targeted support to the most hard-pressed ratepayers'. The discount for public houses was initially for one year only but has been extended for a further year in the Autumn Budget, whereas the other two reliefs will be provided for four years. These reliefs reduce business rates income by £590k in 2018/19 but the Council will be fully compensated through government grant.

4.4. Business rates Retention and the Initial Budget Proposals

- 4.4.1. In terms of the initial budget proposals, it is estimated that the local share of business rates funding in 2018/19 will be £184.0m, as set out in table 3 above. This includes an estimated £8.0m for a national appeals adjustment which relates to the potential future appeals against the 2017 business rates list. As per table 4 below, the initial budget proposals recognise business rate growth above the baseline of £17.86m, an increase of £1.14m (6.8%) from the 2017/18 budget.

Table 4 – Business Rates, Estimated Growth above the Baseline

	2017/18 £m	2018/19 £m	Change £m
Business rates local share	178.07	184.00	5.93
Less: business rates baseline	161.35	166.13	4.79
Growth above baseline	16.72	17.86	1.14

- 4.4.2. The £184.0m local share of business rates funding is then reduced by the £13.7m tariff payment and the £12.9m deficit on the collection fund to give the £157.4m estimated business rates funding shown in table 5 below.

Table 5 – Business Rates Retention 2017/18 & 2018/19

	2017/18 £m	2018/19 £m
Business rates baseline (including tariff)	148.0	152.4
Projected growth above the baseline to March	13.6	11.9
Estimated growth in the year	3.2	5.9
Total estimated growth	16.7	17.9
Estimated provision for appeals	(22.4)	(13.5)
Additional cost of transitional arrangements and provision for bad debts	0.6	0.7
Estimated year-end Collection Fund deficit (Leeds Share)	(21.8)	(12.9)
Estimated Business Rates Funding	142.9	157.4
Increase/(reduction) against the Business Rates baseline	(5.0)	5.0
Business Rates Retention - Additional General Fund Income		10.0

- 4.4.3. Comparing the £157.4m of business rates funding against the £152.4m business rates baseline produces a surplus of £5.0m which is a £10.0m improvement against the budgeted shortfall in the 2017/18 financial year. Contained within this £10m improvement is an £8.9m improvement in the budgeted deficit (£12.9m in 2018/19 and £21.8m in 2017/18), releasing additional funding for frontline services.
- 4.4.4. The council is a member of the Leeds City Region Business Rates Pool along with the other four West Yorkshire Authorities, Harrogate and York. The benefit of the current pooling arrangement is that the levy income generated by Leeds, Harrogate and York is retained in the region rather than being paid over to the Government. The initial budget proposals assume that this arrangement will continue in 2018/19. Based on the estimated growth in business rates above the baseline, the estimated levy payment from Leeds to the Pool in 2018/19 is £2.0m.
- 4.5. **Application to Pilot 100% Business Rate Retention**
- 4.5.1. In September 2017, Government invited applications from local authorities to pilot 100% Business Rates Retention in 2018/19. This is an expansion of the existing 100% pilot programme and is intended to help Government and the local government sector to explore options for the design of future increased business rate retention.
- 4.5.2. These pilot schemes are for one year only and would allow participating authorities to retain all additional growth in business rates above the business rate baseline determined by Government, whereas currently 50% of that growth is remitted to Government. Government wants to see this additional growth income being used to promote financial stability and sustainability in pooled areas and being invested to encourage further growth. Successful applicants will be given a 'no detriment' guarantee so that no pool of authorities will be worse off as a result of piloting 100% retention: thus removing the increased risks associated with 100% business rate retention whereby losses would no longer be shared 50/50 with Government.
- 4.5.3. The Leeds City Region Business Rates Pool has submitted an application to pilot 100% retention. The additional growth which could be retained regionally if the Pool's application succeeds is estimated to be in excess of £30m. The business plan submitted to Government proposes that member authorities would be allocated 50% of this additional growth income to improve financial stability within their authorities, with the Pool itself retaining 50% to continue to support and enable regional economic growth. Given the 'no detriment guarantee', the opportunity to pilot 100% retention appears to offer the prospect of significant financial benefits for the Leeds City Region, with minimal risk to the constituent authorities.
- 4.5.4. However, funding for pilot schemes is limited and it is anticipated that not all applications will be successful. Successful applications are expected to be announced before or alongside the publication of the draft local government

finance settlement in December 2017. At this stage these initial budget proposals do not reflect the application to pilot 100% retention.

- 4.5.5. The application itself is not binding. Should the application be successful, any member of the proposed pilot Pool will still be able to withdraw during the statutory 28 day window after Government designates the new 100% pilot Pool, as set out in the Local Government Finance Act. It must be noted that, should any member withdraw, not only would the pilot Pool be revoked but there would be no opportunity to fall back on the existing pooling arrangements.
- 4.5.6. This report asks Executive Board to agree that, should the application to pilot succeed, Leeds should continue as a member of that designated Business Rates Pool and should act as lead authority for the Pool. Notwithstanding this decision, the continuation of the Pool will be dependent upon none of the other member authorities choosing to withdraw within the statutory period after designation.

4.6. Council Tax

- 4.6.1. The 2017/18 budget was supported by a 4.99% increase in the level of council tax, 3% of which was attributable to the adult social care precept. Leeds council tax remains the 2nd lowest of the English core cities and mid-point of the West Yorkshire districts, as detailed in table 6 below.

Table 6 – 2017/18 Council Tax Levels (Figures include Police and Fire Precepts)

Core Cities	Band D £:p	West Yorkshire	
		Districts	Band D £:p
Nottingham	1,851.74	Kirklees	1,594.80
Bristol	1,799.75	Calderdale	1,575.89
Liverpool	1,751.92	Leeds	1,488.05
Newcastle	1,682.34	Wakefield	1,479.89
Sheffield	1,655.48	Bradford	1,469.71
Manchester	1,502.12		
Leeds	1,488.05		
Birmingham	1,438.45		

- 4.6.2. Government provided funding for the on-going effect of previous council tax freezes up to 2015/16. The council accepted council tax freeze grant for the years 2011/12 to 2013/14. As a result government funding of £9.4m was built into the council's 2015/16 settlement (the grant for freezing council tax in 2012/13 was for one year only).
- 4.6.3. The 2018/19 initial budget proposals recognise £4.9m of additional income from increases to the Council Tax base (3,773 band D equivalent properties) but also a decrease in the contribution from the collection fund of £1.7m (a budgeted £1.5m collection fund surplus in 2017/18 decreasing to an

estimated deficit on the collection fund of £0.2m in 2018/19).

- 4.6.4. In previous years Government has set a limit of up to but not including 2% for council tax increases above which a Local Authority must seek approval through a local referendum. The referendum ceiling for 2018/19 has yet to be announced; once known the council will need to make a decision about the proposed council tax increase. However, subject to an announcement, it is proposed that the standard council tax is increased by 1.99%.
- 4.6.5. In the 2017/18 provisional local government settlement, the Secretary of State announced additional flexibility, permitting local authorities to increase council tax by up to an additional 3% each year between 2017/18 and 2019/20 specifically to fund adult social care services, with the maximum total increase in these three years not exceeding 6%. This flexibility recognised demographic changes leading to growing demand for adult social care, and increased pressure on council budgets.
- 4.6.6. Table 7 below sets out the estimated total council tax income in 2018/19, recognising the estimated increase in the council tax base and the £0.2m estimated deficit on the collection fund together with £8.6m of additional income generated from the Adult Social Care precept and the general increase in the council tax rate.

Table 7 – Estimated Council Tax Income in 2018/19

	2017/18 Baseline £m	2018/19 Forecast £m
Previous year council tax funding	267.1	284.8
Change in tax base - increase / (decrease)	4.5	4.9
Increase in council tax level (1.99%)	5.4	5.6
Adult Social Care precept (3%)	8.1	8.6
Council Tax Funding before surplus/(deficit)	285.1	303.9
Surplus/(Deficit) 2016/17	1.8	
Surplus/(Deficit) 2017/18	1.5	1.5
Surplus/(Deficit) 2018/19		(0.2)
Change in collection fund contribution - increase/(decrease)	(0.3)	(1.7)
Total - Council Tax Funding	284.8	302.3
Increase from previous year		17.5

- 4.6.7. The settlement funding assessment includes an element to compensate parish and town councils for losses to their council tax bases arising as a result of local council tax support (LCTS). As this amount is not separately identifiable it is proposed, as in previous years, that LCTS grant should be reduced in line with the assumptions for Leeds's overall reduction in the settlement funding assessment, a reduction of 6.6% for 2018/19 from £75k to £70k.

4.7. **Adult Social Care Precept and Grant Income**

- 4.7.1. The initial budget proposals for 2018/19 also reflect additional grant monies made available by Government specifically for adult social care. Together the precept and the grant will be utilised to fund a range of adult social care pressures and priorities with the use of the balance of the “Spring Budget “ money for which bids were invited from both internal and external partners, having now been agreed by NHS England
- 4.7.2. As discussed above in para 4.6.6, it is proposed that the Leeds element of the council tax is again increased by a 3% adult social care precept in 2018/19.
- 4.7.3. In applying the precept the Government require Councils to demonstrate that adult social care budgets, (when compared to changes in other non-ring fenced services), are not reduced by a greater proportion than those non-ring fenced services. Based on the equivalent return made to Government in 2017, the 2018/19 initial budget proposals for Adults and Health are consistent with this requirement.
- 4.7.4. Collectively the Spring Budget monies, announced in the March 2017 budget, and the improved Better Care Fund total approximately £51m over the period 2017 to 2020. The ‘Spring Budget’ money was to be included within the improved Better Care Fund and was targeted at three areas: sustaining the care market, provision of social care and to ease the pressures on local health services.
- 4.7.5. The Council has agreed the planned spend with health partners and this has also been approved by the Health and Wellbeing Board for the three years of funding and by NHS England for 2017/18 and 2018/19 (being the current two year cycle of approval).
- 4.7.6. A summary of the use of the additional funding made available through the iBCF and the Spring Budget is as follows:
- Prevention/Self Care/Self-Management £5.5m
 - Reducing Pressures on the NHS £7.6m
 - Stability of the Provider Market £1.0m
 - Provision for Leeds Health & Care Plan £2.0m
 - Demand and Demographic Pressures in Social Care £22.7m
 - Reducing/Reversing planned reductions in Social Care £15.3m
- 4.7.7. The above priorities total £54.1m, however it is expected that this level of overprogramming can be managed within the overall allocation of £51m over the next three years.
- 4.7.8. Table 8 below outlines how the additional funding provided by the Better Care Fund, the “Spring Budget” grant announcement and the proposed adult social care council tax precept all combine to increase the spending power

within adult social care.

4.7.9. **Table 8 Adult Social Care “Spending Power”**

	2017/18 £m	2018/19 £m	2019/20 £m
Base Budget	205.6	220.3	225.2
Spring Grant 17/18	14.7	(14.7)	
Spring Grant 18/19		9.4	(9.4)
Spring Grant 19/20			4.8
Improved Better Care Fund		11.1	10.1
ASC Support Grant		(3.3)	
ASC Precept		8.6	
ASC 3% Savings target		(6.2)	
	220.3	225.2	230.7

4.7.10. Members should note that the increased “spending power” figures reflected in the table above will not necessarily translate into how the Council’s Adults and Health managed budget for 2018/19 and beyond will look. This is because the grant income and the associated expenditure will net each other off in budget terms in each year that the grant is received.

4.8. **The net revenue budget 2018/19**

4.8.1. After taking into account the anticipated changes to the settlement funding assessment, business rates and council tax, the council’s overall net revenue budget is anticipated to increase by £13.5m or 2.7% from £492.7m to £506.2m, as detailed in table 9 below and at Appendix 1.

Table 9 – Estimated Net Revenue Budget 2018/19 Compared to the 2017/18 Net Revenue Budget

	2017/18 £m	2018/19 £m	Change £m
Revenue Support Grant	65.0	46.5	(18.5)
Business Rates Baseline	148.0	152.4	4.5
Settlement Funding Assessment	213.0	198.9	(14.0)
Business Rates Growth	8.9	9.9	1.0
National Appeals Adjustment	7.9	8.0	0.1
Business Rates Deficit	(21.8)	(12.9)	8.9
Council Tax (incl. Adult Social Care Precept)	283.2	302.4	19.2
Council Tax surplus/(deficit)	1.5	(0.2)	(1.7)
Net Revenue Budget	492.7	506.2	13.5

- 4.8.2. Table 10 below analyses the £13.5m estimated increase in the net revenue budget between the settlement funding assessment and locally determined funding sources.

Table 10 – Increase in the Funding Envelope

Funding Envelope	2018/19 £m
Government Funding	
Settlement Funding Assessment	<u>(14.0)</u>
Sub-total Government Funding	(14.0)
Locally Determined Funding	
Council Tax (incl tax base growth)	17.5
Business Rates	<u>10.0</u>
Sub-total Locally Determined Funding	27.5
Increase/(decrease) in the Net Revenue Budget	13.5

5. Initial budget proposals 2018/19

- 5.1. This section provides an overview of the changes in funding, primarily specific grants (paragraphs 5.3 to 5.4), and cost increases (paragraphs 6.1 to 6.19) which the council is facing in 2018/19 and concludes with the savings proposals (paragraphs 7.1 to 7.11) to balance the 2018/19 budget to the estimated available resources.
- 5.2. Table 11 provides a high level of summary of these changes:

Table 11 Summary of Changes in Funding, Cost Increases and Savings Proposals

	2018/19
	£m
Funding	
Additional Net Revenue Charge	(13.5)
Increases in Specific Grant	(13.1)
Fall out of one off funding	5.8
	<u>(20.9)</u>
Pressures	
Pressures - Inflation	10.9
Pressures - Other	48.2
	<u>59.1</u>
Funding and Cost Pressures	38.2
Solutions	
	£m
Efficiencies	(22.2)
Changes to services	(1.0)
Income - fees & charges	(6.3)
Income - traded services, partner & other income	(1.5)
Grant & Other income	(3.4)
Proposal to Use Capital Receipts / S106 balances	(3.9)
	<u>(38.2)</u>

5.3. Decreases/(Increases) in Funding

5.3.1. Changes in both the Settlement Funding Assessment (SFA) of £14.0m and local funding (£27.5m) are detailed in sections 4.1.3, 4.4.3 and 4.6.6 respectively.

5.3.2. **Specific Grant Funding Changes- Adults and Health (£16.1m).** In February 2017 the Government announced a total of £2.021bn as supplementary funding to the Improved Better Care Fund (Spring Budget money) which is required to be spent on social care. Of the £674m to be distributed in 2018/19 Leeds will receive £9.4m. This is in addition to the known increase of £11.1m in Improved Better Care Fund receivable by Leeds which had previously been announced. The one off Adult Social Care support grant of £3.3m, part funded by changes in New Homes Bonus, will fall out of the base budget in 2018/19.

5.3.3. In the 2015 spending review the Government indicated its intention to make savings on local authority public health spending and a further £1.2m reduction in the Public Health Grant has been included in these initial budget proposals for 2018/19.

5.3.4. **Specific Grant Funding Changes – Children and Families Directorate.** There will be a further reduction in the Education Services grant (ESG) receivable of £2.47m in 2018/19, meaning there is no ESG in the Council's base budget going forward. In 2018/19 £2.5m of Department for Education Innovations grant, which is supporting the base budget in 2017/18, will drop out with the balance of the grant being carried forward so that it can be

deployed to continue to invest in the Leeds children strategy through trialling new approaches to working with children and families and by investing in and reforming preventative services in order to manage demand.

- 5.3.5. **Specific Grant Funding Changes – Communities and Environment.** The Housing Benefits administration grant is expected to reduce by £0.25m, whilst the Fraud & Error Recovery Incentive Scheme grant has been replaced by the new Right Benefit Initiative grant and the bonus and maintenance elements of FERIS will no longer be paid with a consequent reduction in the level of grant receivable (£0.35m).
- 5.3.6. **Specific Grant Funding Changes – Flexible Homelessness Support Grant.** In February 2017 the Government announced details of the new Flexible Homelessness Support Grant (FHSG) which replaced the Temporary Accommodation Management Fee. Since FHSG is calculated on the basis of homelessness prevention outcomes and, as Leeds has achieved a high level of preventions, the allocation for Leeds in 2018/19 has been set at £1.794m.
- 5.3.7. **Specific Grant Funding Changes - Homelessness Reduction Act.** The Council has received £0.168m in 2018/19 to meet the new burdens associated with the Homelessness Reduction Act.
- 5.3.8. **Specific Grant Funding Changes - New Homes Bonus.** Government introduced the New Homes Bonus in 2011 to encourage housing growth: councils receive grant for a number of years for each net additional property added in each year. This grant is funded by top slicing revenue support grant. In 2016/17 Government made some changes, including reducing the number of years the bonus is receivable from six to four over two years and imposing a growth baseline before bonus is paid. The £1.5m pressure reflects the impact of these changes on the base budget and reduces the base budget in 2018/19 for NHB to £11.8m Government has recently consulted on further changes, to be announced in the Local Government Finance Settlement, that may impact upon future bonus payments.
- 5.3.9. **Grant Funding Changes – Section 31 grant.** An additional £2.2m of Section 31 grant is estimated in 2018/19. Approximately £1.7m of this income is compensation for losses to business rates income as a result of the change in business rate indexation (inflation) announced at the Autumn Budget, from RPI (3.9%) to CPI (3%). Most of the remainder of the S31 grant relate for reliefs granted to businesses following the 2017 revaluation, the majority of which have been awarded through the West Yorkshire Local Discount Scheme, approved by Executive Board in June 2017, providing targeted support to the small and medium sized local businesses most affected by the business rates revaluation.
- 5.4. **Contributions to/(from) Earmarked Reserves** – the reduction of £5.8m in the use of earmarked reserves to support the base budget reflects a

reduction in the contributions of £6.7m from the ELI reserve, the capital reserve and the Street Lighting reserves. These reductions are partially offset by contributions from the Insurance Reserve and the Wellbeing and Youth Activity Fund Reserve (£0.9m).

6. Projected Cost Increases

6.1. The table below summarises the projected cost increases in the 2018/19 initial budget proposals.

6.2. *Table 12 Cost Increases*

	2018/19
	£m
Inflation	10.9
Employer's LGPS contribution	0.9
Leeds CC minimum pay rate	0.6
National Living Wage - commissioned services	4.7
Fall-out of capitalised pension costs	(0.4)
Demand and demography - Children Looked After	3.0
Demand and demography - Adult Social Care	3.2
Demand and demography - Other	0.1
Adult Social Care - Client Contributions	1.4
Adult Social Care - Partner Income	8.0
Adult Social Care Spring Budget Spend	9.4
Homelessness Grant Spend	2.0
Income pressures (S278, Markets, Sport)	1.8
Cultural Legacy	0.4
Tour de Yorkshire	0.2
West Yorkshire Transport Fund	0.2
Elections - after fallow year	1.1
Expansion of Brown Bin Collections	0.4
Housing Benefit Overpayment income	1.2
Other Pressures	6.2
Debt - external interest / Minimum Revenue Provision	4.0
Projected Cost Increases	59.1

6.3. **Inflation** - the budget proposals include allowance for £10.9m of net inflation in 2018/19. This includes provision of £4m for a 1% pay award for those staff not impacted by the Council's minimum pay rate (see paragraph 6.5 below). The budget proposals allow for inflation where there is a contractual commitment, but anticipate that the majority of other spending budgets are cash-limited. An anticipated 3% general rise in fees and charges has also been built into the budget proposals where they can be borne by the market, although there are instances where individual fees and charges will increase more than this.

- 6.4. **Local government pensions** - the most recent actuarial valuation took place in December 2016 and, in line with the agreed phased increase, the employer's contribution will rise from the 15.6% contribution in 2017/18 to 15.9% by 2018/19. This increase creates a pressure of £0.9m which has been incorporated into these initial budget proposals for 2018/19.
- 6.5. **Leeds City Council minimum pay rate**– at its September 2015 meeting Executive Board agreed that the Council would move towards becoming a real Living Wage employer. In November 2015 the Living Wage Foundation announced a living wage of £8.25 per hour (outside London) and this was implemented by the Council in January 2017. The initial budget submission provides £0.6m for further increases in the Leeds City Council minimum wage which assumes a rise from the current £8.25 to £8.45 in 2018/19.
- 6.6. **National Living Wage for commissioned services** - in respect of services commissioned from external providers by both Adults and Health and Children and Families directorates, provision of £4.7m has been included and this is consistent with the national minimum wage assumptions for 2018/19.
- 6.7. **Fall out of capitalised pension costs** – the fall out of capitalised pension costs associated with staff who have left the Council under the Early Leaver's Initiative (ELI) will save an estimated £0.4m.
- 6.8. **Demand and Demography** – the initial budget proposals recognise the increasing demography and consequential demand pressures for services in Adults and Health and Children and Families. Within Adults and Health the population growth forecast assumes a steady increase from 2017 in the number of people aged 85-89 during 2018 (1.87%). This will result in additional costs of £0.8m for domiciliary care and placements and increasing cash personal budgets. The learning disability demography is expected to grow by £0.5m per annum, which includes an anticipated growth in numbers of 0.6% (based on ONS data) over the period; but noting that the high cost increase is primarily a combination of increasingly complex (and costly) packages for those entering adult care, as well as meeting the costs of the increasing need for existing clients whose packages may last a lifetime. The demography for clients with a Mental Health need and those with a Physical Impairment are expected to grow by 2.6% and 2.1% respectively incurring a combination of £0.3m of support. In addition, demand over that anticipated in 2017/18 is calculated to add £1.6m to package costs across all client groups in 2018/19.
- 6.9. Children and Families directorate continues to face demographic and demand pressures and £3m has been included to address this in the 2018/19 initial budget proposals. These pressures reflect relatively high birth rates (particularly within the most deprived clusters within the city), increasing inward migration into the city (particularly from BME groups from outside the UK), the increasing population of children & young people with special and very complex needs, greater awareness of the risks of child sexual exploitation, growing expectations of families and carers in terms of

services offered and changes in government legislation, including 'staying put' arrangements that enable young people to remain with their carers up to the age of 21.

- 6.10. The initial budget proposals also provides £0.1m for demand and demography within the Waste Management function.
- 6.11. **Within Adults and Health**, the Adult Social Care precept and the grant will be utilised to fund a range of pressures, identified at paragraph 4.7 above. These include demand and demography, the minimum wage in commissioned services, further reductions in the public health grant and the loss of targeted income from partners.
- 6.12. The receipt of the **Homelessness Grant** represents a significant windfall to the Council and it will be used to achieve further increases in homelessness prevention outcomes, further reductions in temporary accommodation placements and to best assist entrenched rough sleepers with drug and alcohol dependency issues. Additional resources have been provided to fund costs associated with the new duties arising from the Homelessness Reduction Act.
- 6.13. **Income variations** - the level of Section 278 grant (Highways Act 1980) receivable to support the 2018/19 budget is anticipated to reduce by £1m. In addition income receivable from rents at Kirkgate Market is anticipated to reduce by £0.58m whilst income receivable at the Council's Leisure Centres is also projected to reduce by £0.2m.
- 6.14. **Cultural legacy** - in October 2017 Executive Board agreed that the city's bid to be European Capital of Culture in 2023 be submitted. Despite the recent EU announcement that UK cities will be not be allowed to bid, the Council remains committed to creating a cultural legacy for the city. An amount of £0.38m has been incorporated into the 2018/19 budget to help deliver these outcomes and this amount will be held in an earmarked reserve pending further updates.
- 6.15. **Tour de Yorkshire** – in order for the Council to host one of the stages of the Tour de Yorkshire a resource of £0.2m is required to be reinstated into City Development's budget. This budget was removed in 2017/18, a year in which Leeds did not host a start/finish stage of the race.
- 6.16. **West Yorkshire Transport Fund** – from the 1st April 2015 the West Yorkshire Combined Authority began operations overseeing strategies for growing the economy, creating jobs, developing new affordable homes and improving the transport network. The initial forecast for council levies indicates an increase of £0.2m in 2018/19 and contributes towards the aspiration to deliver a regional £1.4bn transport fund.
- 6.17. **Expansion of Brown Bin Collections** - in order to cover the remainder of suitable properties across the city an additional three garden waste routes are estimated to be required. The annual net cost of these routes, based on

15,000 properties per route and including disposal, is around £360k.

6.18. **Debt (external interest)** – the Council forecasts an additional borrowing requirement of £108m to support the 2018/19 capital programme of £325m. The additional revenue cost of this borrowing is forecast at £4m. This increase comprises £2.4m relating to funding new capital programme spend, £0.5m additional cost of switching some short term funding to long term funding, £0.3m additional costs of premiums as a result of previous restructuring of debt and the remainder due to the impact of use of capital receipts to fund PFI liabilities, £0.3m brokerage fees and movements in other income streams

6.19. **Other Pressures** - other budget pressures of £8.5m have been identified for 2018/19. These pressures include:

- A £1.2m net reduction in income receivable from Housing Benefits overpayment;
- £1.1m is required to reinstate the Elections budget after a fallow year;
- A net £1.4m is required to reinstate the budget associated with the re-occupation of the refurbished Merrion House, most of which relates to the business rates payable;
- £0.5m increased maintenance requirement for the Council's buildings;
- £1.7m of pressures with Children and Family directorate;
- £0.3m of pressures in Adults and Health directorate;
- £1.1m of pressures within Resources & Housing directorate;
- £0.4m of pressures within Communities & Environment directorate; and
- £0.8m of pressures within the Council's Strategic Accounts.

7. **The Budget Gap – Savings Options - £38.2m**

7.1. After taking into account the impact of the anticipated changes in funding of £20.9m and cost pressures of £59.1m outlined above, it is forecast that the council will need to generate savings, efficiencies and additional income to the order of £38.2m in 2018/19 to balance to the anticipated level of resources available.

7.2. Table 13 below summarises the proposed savings to balance the 2018/19 budget with additional detail in the sections below and in Appendix 2.

7.3. **Table 13 Proposals to Balance**

Solutions	£m
Efficiencies	(22.2)
Changes to services	(1.0)
Income - fees & charges	(6.3)
Income - traded services, partner & other income	(1.5)
Grant & Other income	(3.4)
Proposal to Use Capital Receipts / S106 balances	<u>(3.9)</u>
	(38.2)

7.4. In order to both manage the reductions required for the period 2017/18 to 2019/20, and protect front line services, the Council embarked on an ongoing process of review across a range of services and policy areas in 2016. The outcome of these reviews were incorporated into the Council's 2017/18 budget and they have also been included in these initial budget proposals for 2018/19. These service and policy reviews have been, and will continue to be, updated as part of an iterative approach to developing the Council's strategic plan and aligned medium term financial strategy and annual budgets. All services are within scope though the Council remains committed to protecting front line services as far as possible especially those that provide support to the most vulnerable.

7.5. **Efficiencies – savings of £22.2m**

7.5.1. In terms of efficiencies, the council has taken quite a distinctive approach. The focus has been on efficiencies realised through stimulating good economic growth and creatively managing demand for services. This whole city approach drives ambitious plans despite austerity. It is born from our vision for Leeds to be the best city in the UK: one that is compassionate with a strong economy that can tackle poverty and reduce inequalities. This approach, coupled with a significant programme of more traditional efficiencies, has enabled the council to make the level of savings required since 2010 whilst simultaneously creating the conditions for a thriving and sustainable city where people's lives are better.

7.5.2. Efficiency of the council's own operations remains important and we have reduced budgets in all areas of the council and will continue to do so, whilst protecting frontline services and those for the most vulnerable. At the centre of this work is a whole organisation cultural change programme coupled with modernisation of the work environment creating the necessary conditions for fundamental organisational change and efficiency improvements.

7.5.3. Appendix 2 provides the detail of a range of proposed efficiency savings across all directorates which total some £22.2m in 2018/19. These savings are across a number of initiatives around:

- Organisational design;
- Continuing demand management through investment in prevention and early intervention, particularly in Adult Social Care and Children's Services;
- Savings across the range of support service functions;
- Ongoing recruitment and retention management;
- Reviewing leadership and management;
- Realising savings by cash-limiting and reducing non-essential budgets;
- Ongoing procurement and purchasing savings.

7.6. Changes to Services – savings of £1.0m

7.6.1. By necessity, managing the reductions in government funding in addition to a range of cost increases means that the council will have to make some difficult decisions around the level and quality of services that it provides and whether these services should be increasingly targeted toward need.

7.6.2. Appendix 2 sets out these detailed service change proposals, which together target savings of £1.0m by March 2019.

7.7. Fees & Charges – additional income of £6.3m

7.7.1. At its February 2016 meeting, Executive Board approved the recommendations from Scrutiny Board (Strategy & Resources) on fees and charges which included agreement that all fees would be reviewed annually and increased by at least the rate of inflation, that officers should benchmark their charging frameworks each year and that full-cost recovery in line with CIPFA guidance should apply as part of the annual budget setting process.

7.7.2. The initial budget proposals reflect these principles and assume a general increase in fees and charges of 3%, and Appendix 2 sets out detailed proposals around a number of fees, charges and subsidised services. If approved, these proposals would generate an additional net £6.3m of income in 2018/19.

7.8. Traded Services, partner income & other income – additional income of £1.5m

7.8.1. Appendix 2 provides details across directorates of a number of proposals that together would generate additional net income of £1.5m.

7.9. Grants – additional income / reduction in grant related spend £3.4m

7.9.1. A combination of reduced grant related spend and additional grant income will save a net £3.4m in Adults and Health and Children and Families directorates, details of which can be found in Appendix 2.

7.10. **Use of Section 106 balances.**

- 7.10.1. Planning obligations, also known as Section 106 agreements (based on that section of the 1990 Town & Country Planning Act) are private agreements made between Local Authorities and developers and can be attached to a planning permission. Through this mechanism contributions can be sought for the costs associated with providing community and social infrastructure the need for which has arisen as a result of a new development taking place.
- 7.10.2. At 31st March 2017 the Council had £32.1m of Section 106 earmarked reserves on its balance sheet. Subject to satisfying any legal requirements contained in the Section 106 agreement e.g. clawback, it is proposed that the balances held by the Council be used to support the 2018/19 revenue budget. If the balances are used in this way it needs to be recognised that this creates an obligation in future years as the Council will be required to identify the resources to meet expenditure commitments that would previously have been funded through Section 106 balances.

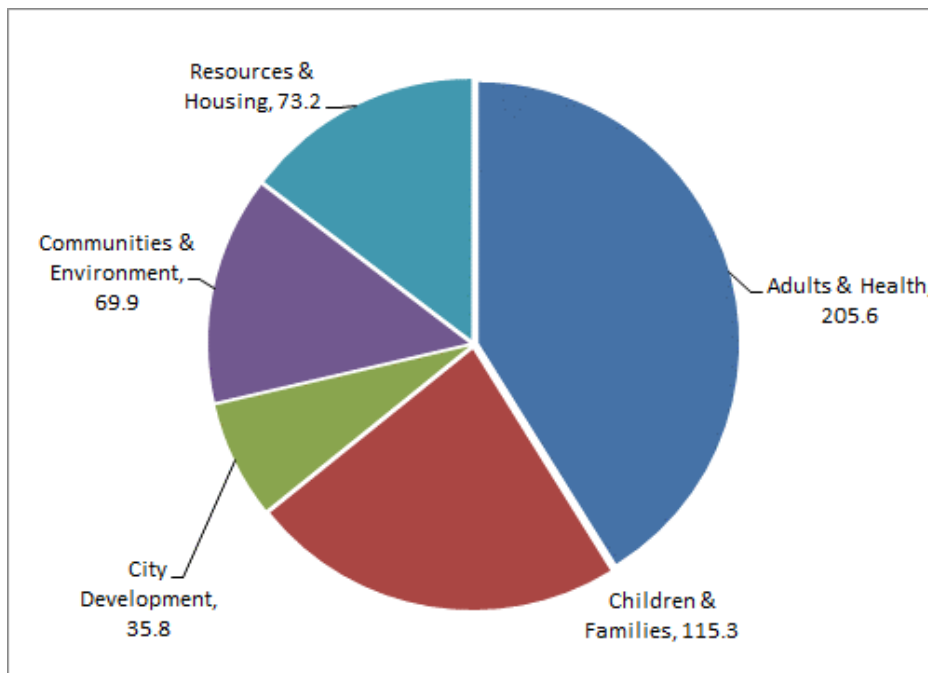
7.11. **Flexible use of Capital Receipts.**

- 7.11.1. In March 2016 the Secretary of State for Communities and Local Government issued guidance, which allowed Local Authorities to use capital receipts to support the delivery of more efficient and sustainable services by extending the use of capital receipts to finance costs of efficiency initiatives that deliver significant savings. This guidance requires the Council to prepare, publish and maintain a Flexible Use of Capital Receipts Strategy. The Strategy, received at Council on February 22nd 2017, agreed the use of capital receipts to fund the severance/redundancy costs associated with the transformation of the council implemented through the policy and service programme and with members of staff seeking to exit the Authority through the Early Leaver's Initiative. These initial budget proposals assume that capital receipts are set aside to resource similar transformational expenditure in 2018/19 and 2019/20.
- 7.11.2. In using capital receipts in the manner described above this will increase the estimated budget gap for 2020/21 since the pressure of £26.2m, identified in Medium Term Financial Strategy that was received at July's Executive Board, assumed the full use of capital receipts to contribute towards offsetting the pressure associated with the required increase in the Council's Minimum Revenue Provision (MRP).

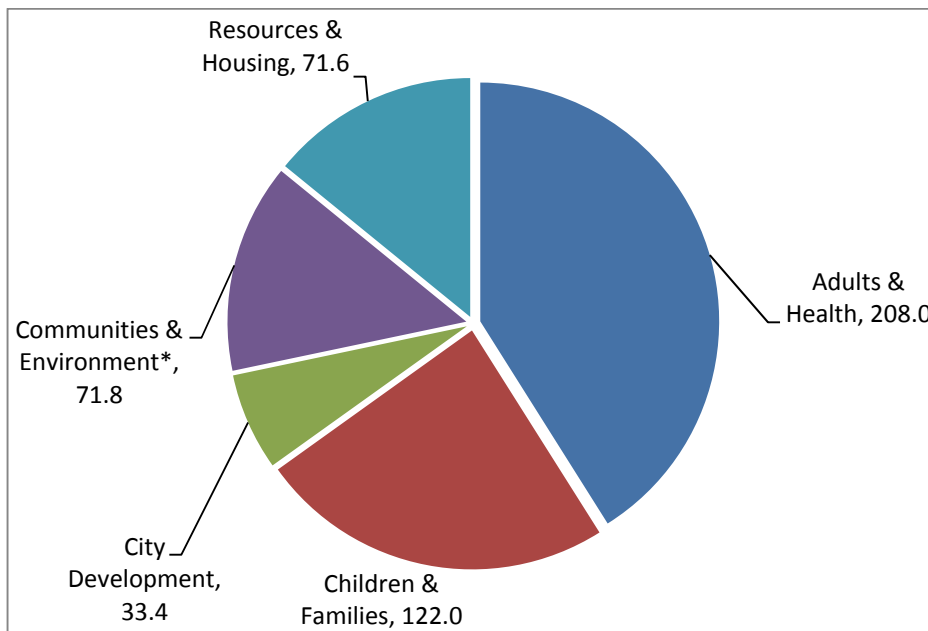
7.12. **Summary Budget By Directorate**

- 7.12.1. The pie charts below show the share of the council's net managed expenditure between directorates for 2017/18 and the proposed allocations for 2018/19 based on the initial budget proposals.

7.12.2. Net Managed Budget 17/18 OE £m (restated)



7.12.3. Net Managed Budget 18/19 OE £m (Proposed)



7.12.4. It should be noted that these resource allocations may be subject to amendments as we move through the budget setting process. Net managed expenditure represents the budgets under the control of individual directorates and excludes items such as capital charges

pensions adjustments and allocation of support costs in directorate budgets.

- 7.12.5. The initial budget proposals would mean that the council's spend on Children and Families and Adult Social Care will increase from 64.2% of service budgets in 2017/18 to 65.1% in 2018/19 which reflects the council's priorities around supporting the most vulnerable across the city and to prioritise spending in these areas.

8. Impact of proposals on employees

- 8.1. The council has operated a voluntary retirement and severance scheme since 2010/11 which has already contributed significantly to the reduction in the workforce of around 3,200 ftes to March 2017, generating savings of £60m per year.
- 8.2. The 2017/18 budget requires a reduction in staffing numbers of 484 FTEs. In July 2017 Executive Board received an update to the Medium Term Financial Strategy in which the budget gap over the next 3 years was forecast at around £44m.
- 8.3. The Council reissued a S188 notice on 3rd August 2017 which indicated that an estimated reduction of a further 415 FTEs would be required by 2020.
- 8.4. The council will continue to strive to avoid compulsory redundancies – through natural turnover, continuing the voluntary early leaver scheme, staff flexibility and continuing the positive working with the trade unions.
- 8.5. The initial budget proposals outlined in this report provide for an estimated net reduction of circa 53 full time equivalents by 31st March 2019.

9. General Reserve

- 9.1. Under the 2003 Local Government Act, the Council's Statutory Financial Officer is required to make a statement to Council on the adequacy of reserves as a part of the annual budget setting process. It is also good practice for the Authority to have a policy on the level of its general reserve and to ensure that it is monitored and maintained.
- 9.2. The purposes of the general reserve policy are to help longer-term financial stability and identify any future events or developments which may cause financial difficulty by allowing time to mitigate these.
- 9.3. The general reserve policy encompasses an assessment of financial risks both within the Medium Term Financial Strategy and also in the annual budget. These risks should include corporate/organisation wide risks and also specific risks within individual directorate and service budgets. This analysis of risks should identify areas of the budget which may be uncertain

and a quantification of each “at risk” element. This will represent the scale of any potential overspend or income shortfall and will not necessarily represent the whole of a particular budget heading. Each assessed risk will then be rated and scored in terms of impact and probability.

- 9.4. The initial budget proposals for 2018/19 do not assume any contribution from the general reserve and the level of general reserves at 31st March 2019, as set out in the table below, is projected to be £18.6m.

Table 14 - General Reserve

General Reserve	2017/18	2018/19
	£m	£m
Brought Forward 1st April	20.0	18.6
Budgeted contribution/(use) in-year	(1.4)	0.0
Carried Forward 31st March	18.6	18.6

- 9.5. Whilst the Council maintains a robust approach towards its management of risk and especially in the determination of the level of reserves that it maintains, it is recognised that our reserves are lower than those of other local authorities of a similar size. However KPMG’s External Audit report 2016/17 concluded that “the Authority have demonstrated they have managed the level of reserves effectively in recent years despite the budgetary pressures they face. Overall we consider the Authority to have adequate arrangements in place regarding the management of its financial risks and potential impact on resource deployment.”
- 9.6. Whilst the continued reductions in funding and the pressures faced by the Authority make the current financial climate challenging, we will continue to keep the level of the Council’s reserves under review to ensure that they are adequate to meet identified risks.

10. **Schools Budget**

- 10.1. The Dedicated Schools Grant (DSG) for 2018/19 will now be funded in four separate blocks for early years, high needs, schools and central schools services.
- 10.2. A new National Funding Formula (NFF) will be implemented from April 2018 for high needs, schools and central schools services. The schools formula will be “soft” in 2018/19 and 2019/20 which means that local authorities will continue to set local formulae for schools.
- 10.3. The early years block will fund 15 hours per week of free early education for 3 and 4 year olds and the early education of eligible vulnerable 2 year olds. From September 2017, there is an additional 15 hours per week provision for working families of 3 and 4 year old children. The per pupil

units of funding will be confirmed in later in 2017/18 and the grant received will continue to be based on participation. The actual grant received during 2018/19 depends on pupil numbers in the 2018 and 2019 January censuses. The early year's pupil premium is now included in this calculation and is payable to providers for eligible 3 and 4 year olds at the rate of £0.53 per child per hour. The pupil premium grant will continue and it is expected that the rates will be protected. The grant value shown below is based on the projected pupil numbers in January 2018.

- 10.4. The high needs block will support places and top-up funding in special schools, resourced provision in mainstream schools and alternative provision; top-up funding for early years, primary, secondary, post-16 and out of authority provision; central SEN support and hospital & home education. A draft allocation under the NFF calculation has been published, though the final allocation will not be issued until December 2017. The value in the table below is before any deductions are made by the Education and Skills Funding agency (ESFA) in respect of funding for academies, free schools and post 16 places. The high needs block is facing a number of financial pressures and although Leeds is a net gainer under the national funding formula the full benefit of the increase in funding will not be felt for a number of years as there is an annual cap on gains within the national funding formula. Children and Families directorate have led a review of the high needs block which has included consultation with partners on options to bring spend back in line with the available funding. These options include transferring funding from the schools block and the central schools services block which will be subject to a separate consultation with schools and to approval from Schools Forum.
- 10.5. The schools block funds the delegated budgets of primary and secondary schools for pupils in reception to year 11. The grant for 2018/19 will be based on pupil numbers (including those in academies and free schools) as at October 2017. The pupil numbers from this census are not yet available, but it is expected that there will be an increase. Schools have been consulted on options for the local formula in 2018/19. The results of the consultation will be presented to Schools Forum to enable further discussion with a final decision being made by the Director of Children and Families in early 2018
- 10.6. As part of the NFF, the central school services block (CSSB) has been created from the DSG funding that is held centrally by the local authority for central services. This includes the funding which was previously delivered through the retained duties element of the ESG along with previously reported ongoing responsibilities and historic commitments. A draft allocation under the NFF calculation has been published, though the final allocation will not be issued until December 2017.
- 10.7. Funding for post-16 provision is allocated by the ESFA and no changes to the formula are expected for 2018/19. Funding for 2018/19 will be based

on 2017/18 lagged student numbers

- 10.8. Pupil Premium grant is paid to schools and academies based on the number of eligible Reception to year 11 pupils on the schools roll in January each year. The rates for 2018/19 are expected to remain at: primary £1,320, secondary £935, for each pupil registered as eligible for free school meals (FSM) at any point in the last 6 years and £300 for children of service families. The pupil premium plus rate for children looked after and children who have ceased to be looked after by a local authority because of adoption, a special guardianship order, a child arrangements order or a residence order will increase from £1,900 to £2,300
- 10.9. The Primary PE grant will be paid in the 2017/18 academic year to all primary schools at a rate of £16,000 plus £10 per pupil.
- 10.10. For the Year 7 catch up grant in 2017/18, funding is allocated to schools on the basis that they receive the same overall amount of year 7 catch-up premium funding received in 2016/17. It will be adjusted to reflect the percentage change in the size of their year 7 cohort, based on the October 2017 census. It is assumed that the 2018/19 will be on the same basis and so dependent on the October 2018 census information.
- 10.11. A grant for the universal provision of free school meals for all pupils in reception, year 1 and year 2 was introduced in September 2014. Funding for the 2017/18 academic year is based on a rate of £2.30 per meal taken by eligible pupils, giving an annual value of £437. Data from the October and January censuses will be used to calculate the allocations for the academic year.
- 10.12. The Education Services Grant (ESG) ceased at the end of August 2017. ESG funding for retained duties has transferred to the DSG from April 2017. Schools Forum previously agreed that this funding could be passported to the Local Authority. Approval for this for 2018/19 will be sought later in 2017/18.
- 10.13. **Schools funding summary**
The grants before ESFA deductions (e.g. for payments to academies) for 2017/18 (latest estimate) and 2018/19 are shown in table 15 above. The amounts for 2018/19 are subject to final confirmation.

Table 15 – The Estimated Schools Budget

	2017/18	2018/19	Change
	£m	£m	%
DSG - Schools Block	482.07	486.59	4.52
DSG - Central Schools Services Block		5.08	5.08
DSG - High Needs Block	62.65	66.34	3.69
DSG - Early Years Block	50.88	55.42	4.54
ESFA Post 16 Funding	31.54	31.33	-0.21
Pupil Premium Grant	42.28	42.94	0.66
PE & Sports Grant	3.36	4.26	0.9
Year 7 Catch-up Grant	0.87	0.87	0
Universal Infant Free School Meals Grant	8.87	8.58	-0.29
	682.52	701.41	18.89

11. Housing Revenue Account

- 11.1. The Housing Revenue Account (HRA) includes all expenditure and income incurred in managing the Council's housing stock and, in accordance with Government legislation, operates as a ring fenced account. The key movements in 2018/19 are detailed in Table 16.
- 11.2. The 2016 Welfare Reform and Work Act introduced the requirement for all registered social housing providers to reduce social housing rents by 1% for the 4 years from 2016/17. This reduction was implemented by the council in 2016/17 with a subsequent loss of £2.1m in rental income. Reducing rents by a further 1% in each of the three years from 2017/18 to 2019/20 equates to an additional estimated loss of £18.5m in rental income over this period. When compared to the level of resources assumed in the financial plan (and assuming that from 2020/21 rent increases will revert back to the previous policy of CPI+1%) this equates to a loss of £283m of rental income over the 10 year period (2016/17 to 2024/25).
- 11.3. Whilst the 2016 Act requires that social rents have to reduce by 1% per annum until 2019/20, properties funded through PFI can be exempt from this requirement. An increase in accordance with the government's rent formula of CPI (1% as at September 2016) + 1% is therefore proposed. This overall 4% rise equates to approximately £0.46m in rental income.
- 11.4. The costs associated with servicing the HRA's borrowing have increased due to a combination of discounts that had previously been applied to the overall level of debt falling out and the planned increase in borrowing to support the Council's new build programme.
- 11.5. The rollout of universal credit in Leeds commenced in 2016 and once fully implemented it will require the council to collect rent directly from around 24,000 tenants who are in receipt of full or partial housing benefit. Although the financial impact of this is still difficult to quantify it is likely to have

implications for the level of rental income receivable since the level of arrears is anticipated to increase.

- 11.6. A reduction in the qualifying period after which tenants are able to submit an application to purchase a council house through the government's Right to Buy legislation continues to sustain an increase in the number of sales with a subsequent reduction in the amount of rent receivable.
- 11.7. The reduction in rental income will need to be managed in addition to other pay, price and service pressures. A combination of staffing efficiencies, a reduction in the budget for supplies and services and the use of some of the retained element from Right to Buy receipts which can be used to fund capital expenditure will contribute towards off-setting these pressures.
- 11.8. Further consideration will be given to increasing service charges to reflect more closely the costs associated with providing services. This will generate additional income which will contribute towards offsetting the reduction in rental income receivable as a result of the change in Government's rent policy.
- 11.9. Tenants in multi storey flats (MSFs) and in low/medium rise flats receive additional services such as cleaning of communal areas, staircase lighting and lifts and only pay a notional charge towards the cost of these services meaning other tenants are in effect subsidising the additional services received. It is proposed that an additional £2 per week increase on multi storey flats with an inflationary increase of £1 per week on low/medium rise flats in 2018/19 would generate an additional £687k compared to 2016/17.
- 11.10. Currently tenants in sheltered accommodation receiving a warden service are charged £13 per week for this service. This charge is eligible for Housing Benefit. In 2016/17 a nominal charge of £2 per week was introduced for those tenants who benefited from the service but did not pay. This was increased to £4 a week in 2017/18 and it is proposed to increase this charge by a further £2 per week in 2018/198.
- 11.11. An analysis of the impact on individual tenants of reducing rents by 1% and implementing the proposed charges as above has been undertaken. This analysis shows that should the proposals be agreed 82.2%% of tenants will pay 78p less per week less in overall terms in 2018/19 than in 2017/18. Of those paying more, 11.5% will pay up to £1.36 more per week, 2.8% will pay 2.97p per week more, with the remaining 3.5% paying between £1.33 and £4.34 per week. These increases will be funded through Housing Benefit for eligible tenants. Approximately 58% of tenants are in receipt of Housing Benefits.
- 11.12. Since all housing priorities are funded through the HRA any variations in the rental income stream will impact upon the level of resources that are available for the delivery of housing priorities. Resources will be directed towards key priority areas which include fulfilling the plan to improve the homes people live in, expanding and improving older person's housing and improving estates to ensure that they are safe and clean places to live. Additional resources will also be spent on further fire prevention.
- 11.13. The Council remains committed to prioritising resources to meet the capital investment strategy and to replace homes lost through Right to Buy by the

planned investment in new homes and the buying up of empty homes. The council aims to maintain a consistent level of capital expenditure with a view to improving the condition of the stock.

11.14. **Table 16 – Housing Revenue Account Pressures and Savings**

	£m
Income	
Reduced rental income due to 1% rent reduction and reduced stock	4.06
Rent increase (CPI + 1%) for housing stock in PFI areas	(0.46)
Increases in service charges	(0.69)
Other Income	(0.43)
Total	2.48
Expenditure	
Pay and price pressures	1.00
Supplies and Services	(0.32)
Provision for Bad Debts	0.08
Variation in the contribution to the PFI contractor	1.41
Reduction in the revenue contribution to capital which is being realised through the use of additional Right to Buy receipts (debt set aside)	(5.50)
Increase in Fire Prevention Works	0.46
Other pressures	0.39
Total	(2.48)

12. Capital Programme

- 12.1. Over the period 2017/18 to 2020/21 the existing capital programme includes investment plans which total £1.2bn. The programme is funded by external sources in the form of grants and contributions and also by the Council through borrowing and reserves. Where borrowing is used to fund the programme, the revenue costs of the borrowing will be included within the revenue budget. Our asset portfolio is valued in the Council's published accounts at £4.9bn, and the council's net debt, including PFI liabilities stands at £2.46bn.
- 12.2. The initial budget proposals provide for a £4.0m increase in the cost of debt and capital financing. This assumes that all borrowing is taken short term at 0.50% interest for the remainder of 2017/18 and 0.85% in 2018/19.
- 12.3. The strategy allows for capital investment in key annual programmes, major schemes that contribute to the Best Council Plan objectives and schemes that generate income or reduce costs. Capital investment will continue to be subject to robust business cases being reviewed and approved prior to schemes approval. Whilst the capital programme remains affordable, its

continued affordability will be monitored as part of the treasury management and financial health reporting.

- 12.4. A capital programme update report will be presented to the Executive Board in February 2018.

13. Corporate Considerations

13.1. Consultation and Engagement

- 13.1.1. The initial budget proposals have been informed through the wealth of consultation evidence gathered in recent years on residents' budget priorities. Since 2012 there has been only minor changes to those priorities and, in addition, residents and service users have had significant involvement in on-going service-led change projects. Subject to the approval of the board, this report will be submitted to Scrutiny for their consideration and review, with the outcome of their deliberations to be reported to the planned meeting of this Board on the 7th February 2018.

- 13.1.2. Consultation is an ongoing process and residents are consulted on many issues during the year. It is also proposed that this report is used for wider consultation with the public through the Leeds internet and with other stakeholders. Consultation is on-going with representatives from the Third Sector, and plans are in place to consult with the Business sector prior to finalisation of the budget.

13.2. Equality and Diversity / Cohesion and Integration

- 13.2.1. The council continues to have a clear approach to embedding equality in all aspects of its work and recognises the lead role we have in the city to promote equality and diversity. This includes putting equality into practice taking into account legislative requirements, the changing landscape in which we work and the current and future financial challenges that the city faces.
- 13.2.2. As an example of the commitment to equality, scrutiny will again play a strong role in challenging and ensuring equality is considered appropriately within the decision making processes.
- 13.2.3. The proposals within this report have been screened for relevance to equality, diversity, cohesion and integration (Appendix 3) and a full strategic analysis and assessment will be undertaken on the revenue budget and council tax 2018/19 which will be considered by Executive Board in February 2018. Specific equality impact assessments will also be undertaken on all budget decisions as identified as relevant to equality as they are considered during the decision-making processes in 2018/19.

13.3. Council Policies and Best Council Plan

- 13.3.1. The refreshed Best Council Plan 2018/19 will set out the council's priorities aligned with the medium-term financial strategy and annual budget. Developing and then implementing the Best Council Plan will continue to inform, and be informed by the council's funding envelope and staffing and other resources.

13.4. Resources and Value for Money

- 13.4.1. This is a revenue budget financial report and as such all financial implications are detailed in the main body of the report.

13.5. Legal Implications, Access to Information and Call In

- 13.5.1. This report has been produced in compliance with the Council's Budget and Policy Framework. In accordance with this framework, the initial budget proposals, once approved by the board will be submitted to Scrutiny for their review and consideration. The outcome of their review will be reported to the February 2018 meeting of this Board at which proposals for the 2018/19 budget will be considered prior to submission to full Council on the 21st February 2018.
- 13.5.2. The initial budget proposals will, if implemented, have significant implications for Council policy and governance and these are explained within the report. The budget is a key element of the council's budget and policy framework, but many of the proposals will also be subject to separate consultation and decision making processes, which will operate within their own defined timetables and managed by individual directorates
- 13.5.3. In accordance with the council's budget and policy framework, decisions as to the council's budget are reserved to full council. As such, the recommendation at 15.1 is not subject to call in, as the budget is a matter that will ultimately be determined by full council, and this report is in compliance with the council's constitution as to the publication of initial budget proposals two months prior to adoption.
- 13.5.4. However, the recommendation in paragraph 15.2, regarding the Council's participation in the 2018/19 100% business rates retention pilot scheme, the potential impact of which is not currently reflected in these initial budget proposals, is a decision of the Executive Board and as such is subject to call-in.

13.6. Risk Management

- 13.6.1. The Council's current and future financial position is subject to a number of risk management processes. Failure to address medium-term financial pressures in a sustainable way is identified as one of the council's corporate risks, as is the council's financial position going into significant deficit in the current year resulting in reserves (actual or projected) being less than the minimum specified by the council's risk-based reserves policy. Both these risks are subject to regular review. In addition, financial

management and monitoring continues to be undertaken on a risk-based approach where financial management resources are prioritised to support those areas of the budget that are judged to be at risk, for example the implementation of budget action plans, those budgets which are subject to fluctuating demand, key income budgets, etc. This risk-based approach has been reinforced with specific project management based support and reporting around the achievement of the key budget actions plans.

13.6.2. It is recognised that the proposed strategy carries a number of significant risks. Delivery of the annual budget savings and efficiencies proposed will be difficult, but failure to do so will inevitably require the council to start to consider even more difficult decisions which will have far greater impact upon the provision of front line services to the people of Leeds.

13.6.3. A full risk assessment will be undertaken of the council's financial plans as part of the normal budget process, but it is clear that there are a number of risks that could impact upon these plans put forward in this report; some of the more significant ones are set out below.

- The reductions in government grants are greater than anticipated. Specific grant figures for the council for 2018/19 will not be known until later in the budget planning period.
- Demographic and demand pressures, particularly in Adult Social care and Children's services could be greater than anticipated.
- The implementation of proposed savings and additional income realisation could be delayed or the savings/additional income is less than that assumed in the budget.
- Inflation and pay awards could be greater than anticipated. The Consumer Prices Index (CPI) is now at its highest level since March 2012 and the Government's announcement in September 2017 that it is lifting the public sector pay cap could have implications for the 1% increase in pay assumed in these initial budget proposals. However, it should be noted that no additional funding was announced in the Chancellor's budget.
- The level of funding from partners could be less than assumed in the budget.
- Other sources of income and funding could continue to decline.
- The increase in the council tax base could be less than anticipated.
- The level of business rates appeals continues to be a risk. Whilst there is very little scope for new appeals against the 2010 list there are still a significant number of back dated appeals for which the Council has an appropriate provision. However there is very little information on which to assess appeals against the new 2017 list, therefore business rates income could be adversely affected which would have implications for the level of resources available to the Authority. In addition the position

on business rates retention, and specifically the impact of back-dated appeals, could deteriorate further.

- The initial budget proposals makes a number of assumptions about the costs associated with managing its debt. Currently the Council benefits from low interest rates but following the Monetary Policy Committee's decision on 2nd November there is now an upward movement in interest rates. If these are greater than increases assumed in the budget proposals then this this will lead to an further increase in the costs associated with financing the Council's debt portfolio.
- The Council and City's economic and fiscal position is clearly impacted upon by the wider national economic context. The UK's decision to exit the EU has undoubtedly fuelled economic and political uncertainty and the outcome of the negotiations between the UK and EU potentially, in the short term, could weaken the pound, increase inflation, reduce domestic and foreign direct investment and impact on borrowing costs. All of these have the potential to impact upon both not only the level of resources available to the Council but also the level of demand for the services that it provides.
- Following the introduction of the National Living Wage, national negotiations are underway to review the NJC spine structure and we are awaiting confirmation of these negotiations to understand the implications for the LCC pay structure to ensure an equal pay proof structure. These initial budget proposals do not reflect any implications of this review although it is recognised that pending the outcome of discussions it will be necessary to provide for this.

13.6.4. A full analysis of all budget risks in accordance will continue to be maintained and will be subject to monthly review as part of the in-year monitoring and management of the budget. Any significant and new risks and budget variations are contained in the in-year financial health reports submitted to the Executive Board.

14. Conclusions

- 14.1. This report has shown that the current financial position continues to be very challenging. The Council is committed to providing the best service possible for the citizens of Leeds and to achieving the ambition for the city of being the best in the UK with a firm focus on tackling inequalities. In order to achieve both the strategic aims and financial constraints, the council will need to work differently, helping people to look after themselves, others and the places they live and work by considering the respective responsibilities of the 'state' and the 'citizen' (the social contract). This approach underpins the medium-term financial strategy and the refreshed 2018/19 Best Council Plan.
- 14.2. Based on the government multi-year settlement there will be a further reduction in the settlement funding assessment for 2018/19 of £14.0m. This is offset by additional funding from business rates and council tax of £27.5m to give an increased net revenue budget of £506.2m (in 2018/19. However, the initial budget proposals for 2018/19 set out in this report,

subject to the finalisation of the detailed proposals in February 2018, will still require savings and additional income of £38.2m to produce a balanced budget.

- 14.3. Clearly savings of this magnitude will not be without risk and they also need to be seen in the context of the Council having undertaken a significant programme of budget reductions since 2010/11.

15. Recommendations

- 15.1. Executive Board is asked to agree the initial budget proposals and for them to be submitted to scrutiny and also for the proposals to be used as a basis for wider consultation with stakeholders
- 15.2. Executive Board is asked to agree that, should the application to pilot 100% business rates retention succeed, Leeds should continue as a member of that designated Business Rates Pool and should act as lead authority for it. Notwithstanding this decision, the continuation of the Pool will be dependent upon none of the other member authorities choosing to withdraw within the statutory period after designation.

16. Background documents¹

None.

¹ The background documents listed in this section are available to download from the Council's website, unless they contain confidential or exempt information. The list of background documents does not include published works.