Flexible use of Capital Receipts Strategy 2025/26

1. Introduction

The proposals within this Flexible use of Capital Receipts Strategy have been prepared based on a capitalisation direction issued by the Secretary of State under Sections 16(2)(b) and 20 of the Local Government Act 2003: Treatment of Costs as Capital Expenditure.

2. The Direction

The Direction issued by the Secretary of State under Sections 16(2)(b) of the Local Government Act specifies that Local Authorities can treat as capital expenditure, expenditure which:

- "is incurred by the Authority that is designed to generate ongoing revenue savings in the delivery of public services and/or transform service delivery to reduce costs and/or transform service delivery in a way that reduces costs or demand for services in future years for any of the public sector delivery partners".
- "is properly incurred by the Authority for the financial years that begin on 1 April 2016 to 1 April 2024"
- The extension of the existing flexibility from 2022/23 onwards was updated in August 2022.
- The Autumn Policy Statement made clear Governments intention to extend flexible use of capital receipts to 2030. The government will also remove the restriction with respect to redundancy costs, imposed from April 2022, that limits the use of the flexibility to statutory redundancy costs only. This will support authorities in taking forward transformation and invest-to-save projects.

It is a condition of the Secretary of State's direction that the flexible use of capital receipts in accordance with the direction only applies to capital receipts which have been received in the years to which the direction applies.

When applying the direction, Authorities are required to have regard to Guidance on Flexible Use of Capital Receipts issued by the Secretary of state under Section 15(1)(a) of the Act.

In using the flexibility, the Council will have due regard to the requirements of the Prudential Code and to the CIPFA Local Authority Accounting Code of Practice.

The Council is also required to prepare a Flexible use of Capital Receipts Strategy before the start of the year to be approved by the Council – this is that Strategy.

3 The Council's Proposals

The Guidance sets out examples of qualifying expenditure which includes "funding the cost of service reconfiguration, restructuring or rationalisation (staff or non-staff), where this leads to ongoing efficiency savings or service transformation" and it is for this purpose that the Council is proposing to use Capital Receipts in 2025/26, where required. The Council maintains the ability to use new year capital receipts to support capital expenditure on short life assets.

4. 2025/26 Revenue Budget

To support the continued reconfiguration of the Council's Services to deliver the improvement and efficiencies set out in the Council's budget for 2025/26, it is proposed that any associated one-off costs are funded from capital receipts. The legitimacy of this use will be determined by the s151 Officer in order to ensure that it meets the requirements set out by the Secretary of State.

5. The Prudential Code

The Council has due regard to the requirements of the Prudential Code and the impact on its prudential indicators from the application of this Flexible Use of Capital Receipts Strategy. In line with this Strategy and the Council's overall Financial Strategies, the first call on capital receipts generated in the year will be utilised to meet the cost of voluntary severance. Any capital receipts which are received in excess of the amount required for this purpose will be used to fund revenue costs incurred to support the Council's service development and delivery of savings and efficiencies. These receipts have not been earmarked as funding for any other proposed capital expenditure and therefore there is no anticipated additional impact on the Council's prudential indicators as set out in the Council's Treasury Management Strategy.

The Council will also have due regard to the Local Authority Accounting Code of Practice when determining and including the entries required from undertaking and funding this scheme within the 2025/26 Statement of Accounts.

6. Monitoring the Strategy

Implementation of this Strategy will be monitored as part of regular financial reporting arrangements.