

Open Report on behalf of Pete Moore, Executive Director of Finance and Public Protection

Report to:	Executive
Date:	07 February 2017
Subject:	Revenue and Capital Budget Monitoring Report 2016/17
Decision Reference:	I011794
Key decision?	No

Summary:

This report provides an update on spending compared with budgets for the financial year which started on 1 April 2016.

The tables in this report show the actual income and expenditure for nine months of this financial year, along with the projections for spendings and a comparison of the projections against the approved budgets.

Recommendation(s):

Note the current position on the revenue and capital budgets.

Alternatives Considered:

1. This report shows the actual revenue and capital expenditure to date, and expected projected outturns for 2016/17 therefore no alternatives have been considered.

Reasons for Recommendation:

To consider the Council's budget monitoring position and decide on any corrective action necessary.

1. Background

1.1 In summary:

- Total revenue spending on services is predicted to be £2.617m or 0.64% less than the total budget (excluding the projected underspendings on Schools budgets). This is in line with prudent budget management practice;

- Total revenue spending on non-service budgets ('Other Budgets' in Table A) is projected to be £12.314m under budget. This primarily reflects a conscious policy decision implemented in December 2016 in relation to the long term borrowing strategy of the Council. Such borrowing funds capital expenditure and, in simple terms, action akin to re-mortgaging has been undertaken to reduce the revenue budget provision needed to repay borrowing. This will extend the period over which provision is made for debt repayment thereby saving significant revenue costs over the medium term but ultimately costing more money over the long term. This action saves around £9m this year and around £7.5m in next year's budget. These savings are earmarked to assist in funding the budget shortfalls for the next three financial years. These are presently estimated as:

2017/18	£26m (proposed to be funded by reserves)
2018/19	£34m
2019/20	£38m

This action is considered to be prudent financial management enabling the post-May 2017 Council to have access to reserves to phase in future budget savings that are required to reduce the aforementioned budget shortfalls.

- Total revenue income is predicted to be £1.624m, more than the total budget;
- General reserves at year end are forecast on this basis to be within the 2.5% to 3.5% range at the upper end, estimated to be at 3.5% of the total budget based on current spending; and
- Net capital spending is projected to be £6.380m underspend at the end of the financial year.

DISCUSSION

Revenue

Table A (Position as at 31 December 2016)

	Revised Net Revenue Budget	Net Expenditure	Year End Forecast	Forecast Variance	Forecast Variance
	£'000	£'000	£'000	£'000	%
COMMISSIONING STRATEGIES					
Readiness for School	5,308	3,287	5,264	-44	-0.83
Learn & Achieve	33,273	23,513	34,287	1,014	3.05
Readiness for Adult Life	4,337	4,403	4,495	158	3.64
Children are Safe and Healthy	64,335	46,947	63,442	-893	-1.39
Adult Safeguarding	2,295	1,437	2,295	0	0.00
Adult Frailty & Long Term Conditions	99,628	42,931	99,435	-193	-0.19
Carers	1,889	1,615	1,826	-63	-3.34
Adult Specialities	51,099	50,183	50,547	-552	-1.08
Community Resilience & Assets	11,212	7,776	11,212	0	0.00
Community Wellbeing	32,192	21,289	30,468	-1,724	-5.36
Sustaining & Developing Prosperity Through Infrastructure	45,266	37,764	45,188	-78	-0.17
Protecting & Sustaining the Environment	24,505	17,051	25,033	528	2.15
Sustaining & Growing Business & the Economy	1,394	594	1,216	-178	-12.77
Protecting The Public	23,154	16,746	23,054	-100	-0.43
How We Do Our Business	8,353	6,348	8,247	-106	-1.27
Enablers & Support To Council's Outcomes	36,628	27,956	36,243	-385	-1.05
Enablers & Support To Key Relationships	20	-115	20	0	0.00
Public Health Grant Income	-34,370	-25,778	-34,371	-1	0.00
TOTAL COMMISSIONING STRATEGIES	410,518	283,947	407,901	-2,617	-0.64
OTHER BUDGETS					
Capital Financing Charges	53,442	-92	44,458	-8,984	-16.81
Contingency	2,336	0	2,336	0	0.00
Other Budgets	12,120	5,810	8,790	-3,330	-27.48
TOTAL OTHER BUDGETS	67,898	5,718	55,584	-12,314	-18.14
SCHOOL BUDGETS					
Schools (DSB)	469,176	167,188	466,087	-3,089	-0.66
Schools Related Expenditure (DSB)	26,063	15,885	24,939	-1,124	-4.31
Dedicated Schools Grant	-496,192	-188,277	-496,192	0	0.00
Schools Budgets (Other Funding)	-4,071	-5,185	-4,071	0	0.00
TOTAL SCHOOL BUDGETS	-5,024	-10,389	-9,237	-4,213	83.86
TOTAL EXPENDITURE	473,392	279,276	454,248	-19,144	-4.04
INCOME					
Revenue Support Grant	-70,351	-53,467	-70,351	0	0.00
Business Rates	-103,528	-79,461	-104,891	-1,363	1.32
Council Tax	-253,801	-203,041	-253,801	0	0.00
Other Non Specific Grants	-18,975	-15,930	-19,236	-261	1.38
TOTAL INCOME	-446,655	-351,899	-448,279	-1,624	0.36
USE OF BALANCES					
Use of Balances - Earmarked Reserves	-25,937	-25,937	-25,937	0	0.00
Use of Balances - General Reserves	-800	-800	-800	0	0.00
TOTAL USE OF RESERVES	-26,737	-26,737	-26,737	0	0.00
TOTAL	0	-99,360	-20,768	-20,768	

Children's Services

1.2 Overall Children's Services are currently forecasting £0.235m overspend. However, it should be noted that this overspend includes £0.422m of costs for

young people on remand compared to the Government grant provided, which has central support to be funded from contingency due to the unpredictable nature of such instances. Once those costs are funded it will leave Children's Services forecasting £0.187m underspend.

1.3 Learn and Achieve is forecasting £1.014m overspend. This is due to the additional home to school transport including the costs associated with the following:

- closure of the Mablethorpe school site for Louth Monks Dyke College (£0.190m);
- an increase in SEN transport costs leading up to the new One School One Provider contracts (£0.280m); and
- an increase in the number of planned transport days (£0.670m).

1.4 The home to school transport budget is particularly difficult to predict, but in order to help address and mitigate this position the Education Transport Efficiencies Board have been asked to continue to seek efficiencies particularly in the areas of single occupancy vehicles and passenger assistant costs.

1.5 Children are Safe and Healthy is forecasting £0.893m underspend. This includes the additional costs for young people on remand (£0.422m). The majority of the underspend relates to one off and some permanent savings as a result of budget re-alignment and the planned early achievement of budget savings. This underspend has been specifically retained to help mitigate the overspend on home to school/college transport.

1.6 The DMT will continue to monitor the financial position to ensure any budget pressures are mitigated where possible.

Adult Care

1.7 The Adult Care and Community Wellbeing Finance Team continues to work closely with Budget Holders, Managers and Senior Managers across all areas. The experience, close working relationship and knowledge of those involved provide a high level of assurance with regards to the financial sustainability of the service. Adult Care is currently projecting an underspend of £0.808m against a total budget of £154.911m.

Adult Frailty and Long Term Conditions

1.8 Adult Frailty and Long Term Conditions is currently projecting an underspend of £0.193m.

1.9 Long term residential activity has increased slowly across the County, primarily due to a change in policy with long term placements being made at an earlier stage rather than keeping service users in short term care for long periods.

1.10 Spend on short term care and carers respite services has reduced primarily due to a reduction in short term bed usage as the new Prime Provider arrangements for homecare services have bedded in. A new contract has also been made to block book beds in a number of homes across the County, initially just for deficit beds but now for all types of placements.

1.11 There has been some growth in home support and direct payments for those with a Physical Disability due to a number of transition cases from Children's Services.

1.12 Analysis of Income collection suggests this will be on target for 2016/17.

1.13 Estimates also suggest that the infrastructure budget will produce a small underspend in 2016/17 due to a number of vacancies across several teams within the infrastructure area.

Specialist Adult Services

1.14 Specialist Adult Services are currently projecting an underspend of £0.552m.

1.15 The Adult Learning Disabilities Service (LD) is administered via a Section 75 (S75) agreement between the Council and NHS commissioners in Lincolnshire along with additional services related to learning disability that sit outside of the S75 that include the provision of in-house day services along with additional commissioning and management activity.

1.16 There have been a number of large support packages as a result of ongoing transitions from Children's Services to Adult Care and from those service users previously unknown to the Council. Whilst growth within the service has been built into this year's budget, these additional packages have created some additional pressure for 2016/17. Hence, early signs are that LD S75 may have a small overspend in 2016/17. However, at this early stage it is still uncertain if all of these packages will be taken up in year as they are not all yet in place.

1.17 The service has also seen an increase in levels of refunds back into the system from unspent service users' Direct Payments. This is expected to at least double for the whole year which should help to mitigate some of the unexpected high cost placements described above.

1.18 The Mental Health service is run on behalf of the Council by the Lincolnshire Partnership Foundation Trust (LPFT) by way of a Section 75 agreement. Current reports from LPFT suggest an increase in services activity, however there is an expectation that these budgets will remain on target in 2016/17.

Safeguarding

1.19 The Lincolnshire Safeguarding Adults Board discharges its function to safeguard adults on a multi-agency basis. This is led by an Independent Chair.

1.20 The current budget for Safeguarding for 2016/17 is £2.295m. This is an increase of £0.500m and has been funded from the 1% carry forward allocation awarded to Adult Care from 2015/16. The additional funding is being used to resource continuing pressures that the service has in the current financial year as a direct result of the Cheshire West ruling in Deprivation of Liberty Safeguards (DoLs).

1.21 The growth in available funds means the service now has resource to meet an additional amount of statutory obligations around DoLs for the current year and produce a balanced budget; however pressure in this area will continue to be significant until there is a change in the current legal framework.

Carers

1.22 This strategy is responsible for services provided to all carers including children helping to prevent inappropriate caring, helping to reduce the negative impact on the carer's wellbeing and development by ensuring adequate support for both service user and carer.

1.23 Carers will continue to see activity grow compared to last year including the number of direct payments and therefore it is assumed that the budget of £1.889m will have a small underspend of £0.063m in 2016/17.

Better Care Fund

1.24 The Better Care Fund (BCF) is a programme spanning both the NHS and local government to jointly plan and deliver local services while protecting ongoing Adult Care services within Lincolnshire. The minimum required investment to protect Adult Care service is £15.600m for 2016/17 (increasing from £15.400m in 2015/16).

1.25 BCF in 2016/17 has provided £16.825m in funding to protect adult care services; this is a reduction from the £20.000m provided in 2015/16. However the shortfall in BCF funding has been funded corporately within our own revenue budget. Services that continue to be funded include reablement, hospital discharge teams, and adult frailty and specialist adult services. Analysis of spend to date on projects and services funded via the BCF indicate that the allocation of £16.825m will be fully utilised in 2016/17

Wellbeing

1.26 This strategy is responsible for services related to the Councils statutory obligation for the delivery of Public Health services in Lincolnshire which include Health Improvement, Prevention and Self-Management, Housing Related Support, Prevention and Treatment of Substance Misuse and Sexual Health Services.

1.27 This strategy is projecting an underspend of £1.724m due to a combination of staffing underspends due to unfilled vacancies and efficiencies following recent re-provision of a number of services across the strategy.

Protecting and Sustaining the Environment

1.28 Within the strategy the Waste Management activity is currently forecasting an overspend of £0.528m. Whilst savings have been implemented in this area during the current year, this overspend represents a continuing rise in volumes of waste to be disposed and waste disposal costs. The Executive budget proposal for 2017/18 includes the funding of the cost pressure to address this issue.

Sustaining and Growing the Business and the Economy

1.29 A current projection of £0.178m underspend for the year is expected by the service. This is caused by increased income from Business Centres and potential underspending on business related projects.

Protecting the Public

1.30 Protecting the Public is forecasting an underspend of £0.100m due to higher than anticipated commercial training income by Fire and Rescue.

How We Do Our Business

1.31 How We Do Our Business is currently forecasting an underspend of £0.106m by the year end. This is within the Budget and Policy Framework – Finance and Audit area. The underspend relates to £0.040m due to Audit staff vacancies and £0.196m from the finance element of the Serco contract where volumes have been less than assumed in the contract. This is offset by £0.130m overspend on finance staffing due to ongoing Agresso problems.

Enablers and Support to Council's Outcomes

1.32 Enablers and Support to the Council's Outcome is currently forecasting to be £0.385m underspent by year end. This is mainly due an underspend of £0.562m in Commissioning due to a combination of staff vacancies, no requirement to purchase additional transformational resources and the ability to recharge resource costs to grant funded projects.

1.33 This is offset by an overspend of £0.136m in ICT Strategy and Support due to maintenance costs of social care legacy systems and a £0.098m overspend on Business Support as they deliver a £1.283m budget reduction.

Other Budgets

1.34 Capital Financing Charges are currently projecting an underspend of £9.184m. Capital financing charges are lower than originally planned due to:

- Slippage in the capital programme in 2015/16, which has resulted in a lower minimum revenue provision (MRP), the amount set aside by the Council to repay outstanding capital debt liabilities for 2016/17;
- A lower interest rate environment has reduced the forecast interest payments; and
- The Council has also reviewed its MRP Policy, which has reduced the costs to the Council in this area.

1.35 Unfortunately this lower interest rate environment also means that projected Interest Earned on Revenue Balances is also projected to fall in 2016/17 by £0.200m.

1.36 Other Budgets is currently projecting an underspend of £3.330m. This is explained by following:

- Corporate Redundancy is currently forecasting £2.500m underspend. This reflects the current value of redundancies expected as a result of Directorates restructuring. The value of this budget has been revisited for 2017/18 budget setting.
- A dividend of £0.483m was received from Eastern Shires Purchasing Organisation (ESPO). The council is a member of the ESPO joint committee and as such is entitled to receive a share of the dividend generated by the organisation.
- A funding of £0.200m was set aside in case Lincolnshire District Councils required additional funding in administering the new Council Tax Schemes. There was no call on this funding during 2015/16, therefore it is proposed within the budget plans for 2017/18 for this budget to be removed in future years.

Schools Budgets

1.37 School Budgets are currently £4.213m underspend. Budgets held centrally within the ring-fenced 2016/17 Dedicated Schools Grant (DSG) was once again set prudently due to the demand led and volatile nature of the services demands. In line with the DfE regulations any under or overspends will automatically be carried forward to the next financial year and the local authority will consult the Schools Forum on its use.

Council's General Funding

1.38 The Council's general funding is currently forecast to be £1.624m more than the revenue budget approved at full Council in February 2016. The most significant reasons for this forecast increase in funding are as follows:

- Business Rates-Pooling with Districts - £1.363m (more than was budgeted for). Following the lack of gains in pooling income for the Council in previous financial years (due to the timing and size of business rate appeals received by the district councils) the Council did not budget to receive any income in 2016/17. The income we are currently estimated to receive from business rates pooling for 2016/17 is £1.363m.
- New Homes Bonus Returned Funding Grant - £0.235m, (more than was budgeted for). At the time of budget setting, the Council had not been notified that we would be receiving this funding in 2016/17. This is funding that was originally allocated from the Local Government Finance Settlement to fund New Homes Bonus with a commitment from the Government that any unused funding would be returned to local authorities.

Use of Balances

1.39 The Council planned to use £20.229m from the Financial Volatility Reserve to balance the Council's budgets in 2016/17 and £0.800m from the General Fund to keep this balance at 3.5% of the Council's budget requirement. Further earmarked reserves will be drawn down into service budgets during the financial year.

Capital Programme

Table B (Position as at 31 December 2016)

Capital Programme	Gross Actual Expenditure	Gross Revised Budget	Gross Latest Forecast	Gross Forecast Variance	Net Actual Expenditure	Net Revised Budget	Net Latest Forecast	Net Forecast Variance
	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000
Children's Services								
<u>Readiness for School</u>								
Other Readiness for School	250	25	12	-13	250	25	12	-13
Sub Total	250	25	12	-13	250	25	12	-13
<u>Learn and Achieve</u>								
Devoled Capital	836	1,338	1,338	0	-430	0	0	0
Provision of School Places (Basic Need)	11,431	12,006	12,006	0	627	0	0	0
School Condition / Maintenance Capital	824	5,421	5,421	0	824	0	0	0
School Modernisation / Condition Capital	1,871	0	0	0	-2,598	0	0	0
School Access Initiative	72	118	120	2	72	118	120	2
Academy Projects	161	382	250	-132	161	382	250	-132
Other Learn and Achieve	156	135	54	-81	156	135	54	-81
Sub Total	15,351	19,400	19,189	-211	-1,188	635	424	-211
<u>Readiness for Adult Life</u>								
Other Readiness for Adult Life	5	-34	-2	32	-9	-34	-2	32
Sub Total	5	-34	-2	32	-9	-34	-2	32
<u>Children are Safe and Healthy</u>								
Universal Infant Free School Meals Capital	53	0	0	0	53	0	0	0
Other Children are Safe and Healthy	248	988	340	-648	248	988	340	-648
Sub Total	301	988	340	-648	301	988	340	-648
Adult Care								
<u>Adult Frailty, Long Term Conditions and Physical Disability</u>								
Adult Care	116	2,083	1,875	-208	116	208	0	-208
Better Care Fund - Disabled Facility Grants	0	2,970	2,970	0	-4,884	0	0	0
Sub Total	116	5,053	4,845	-208	-4,768	208	0	-208
Community Wellbeing and Public Health								
<u>Community Resilience and Assets</u>								
Libraries	191	635	635	0	191	635	635	0
Sub Total	191	635	635	0	191	635	635	0
<u>Wellbeing</u>								
Public Health	2,974	0	0	0	2,974	0	0	0
Sub Total	2,974	0	0	0	2,974	0	0	0
Economy and Place								
<u>Sustaining and Developing Prosperity Through Infrastructure</u>								0
Highways Asset Protection	22,601	32,630	30,630	-2,000	-2,622	657	-1,343	-2,000
Integrated Transport	2,935	3,242	3,242	0	-57	-70	-70	0
Lincoln Eastern Bypass	4,104	9,159	9,159	0	4,104	0	0	0
Lincoln East-West Link	7,477	5,167	5,167	0	7,421	5,167	5,167	0
Grantham Southern Relief Road	2,046	38,134	38,134	0	370	20,134	20,134	0
Transforming Street Lighting	4,738	5,955	5,855	-100	4,738	5,955	5,855	-100
Lincolnshire Waterways	795	696	750	54	795	696	298	-398
Historic Lincoln	77	-1,607	-1,607	0	1,015	-1,607	-1,607	0
Other Sustaining and Developing Prosperity Through Infrastructure	211	-124	421	545	261	-125	521	646
Sub Total	44,984	93,252	91,751	-1,501	16,025	30,807	28,955	-1,852
<u>Protecting and Sustaining the Environment</u>								
Boston Barrier	0	0	0	0	0	0	0	0
Flood Defense	0	2,200	2,200	0	0	2,200	2,200	0
Flood & Water Risk Management	707	592	592	0	157	592	592	0
Other Protecting and Sustaining the Environment	722	1,342	1,342	0	722	1,342	1,342	0
Sub Total	1,429	4,134	4,134	0	879	4,134	4,134	0
<u>Sustaining and Growing Business and the Economy</u>								
Skegness Countryside Business Park	-151	1,050	-159	-1,209	-151	1,050	-159	-1,209
Other Sustaining and Growing Business and the Economy	1,034	-124	1,210	1,334	70	-124	318	442
Sub Total	883	926	1,051	125	-81	926	159	-767
Finance and Public Protection								
<u>Protecting the Public</u>								
Fire and Rescue and Emergency Planning	1,409	2,513	2,335	-178	1,409	2,513	2,335	-178
Fire Fleet Vehicles and Associated Equipment	183	649	397	-252	183	649	397	-252
Other Protecting the Public	1	3	0	-3	1	3	0	-3
Sub Total	1,593	3,165	2,732	-433	1,593	3,165	2,732	-432
<u>Enablers and Support to Council's Outcomes</u>								
Broadband	79	711	917	206	-80	711	917	206
Infrastructure and Refresh Programme	346	2,694	2,049	-645	332	2,694	2,049	-645
Replacement ERP Finance System	0	2,227	323	-1,904	0	2,227	323	-1,904
Care Management System (CMPP)	953	488	925	437	953	488	925	437
Property	1,852	4,129	3,754	-375	1,852	4,129	3,754	-375
Property Rationalisation Programme	1,424	3,784	3,784	0	1,424	3,784	3,784	0
Sub Total	4,654	14,033	11,752	-2,281	4,481	14,033	11,752	-2,281
<u>Other Programmes</u>								
New Developments Capital Contingency Fund	0	8,400	8,400	0	0	8,400	8,400	0
Sub Total	0	8,400	8,400	0	0	8,400	8,400	0
Total Programme	72,731	149,977	144,839	-5,138	20,648	63,922	57,541	-6,380

1.40 The capital programme comprises a series of schemes/projects which often span a number of years. Where a scheme/project is known to be exhibiting a material variance to its spend profile this will be described in the narrative associated with that Director area.

Children Services

1.41 The Children's Services capital programme is currently forecasting a £0.840m underspend. The capital programme comprises of a number of schemes / projects, which often span over financial years. The majority of Children's Services capital budget is met by grant funding. The majority of the underspend relates to Foster Capital (£0.648m) where a number of projects have been delayed and will not now start until the new financial year.

Economy and Place

1.42 A projected underspend of £1.852m for Sustaining and Developing Prosperity through Infrastructure. This is due to delay in patching and recycling works due to restructuring/associated staff vacancies and some technical issues associated with recycled materials.

1.43 Sustaining and Growing Business and the Economy is currently projecting an underspend of £0.767m mainly due to delay in construction on the Skegness Countryside Business Park relating to utilities issue. However plans are now in place to progress this before the end of the financial year.

Finance and Public Protection

1.44 Finance and Public Protection is forecasting an underspend of £0.432m. This is mainly due to £0.178m project delays within Fire and Rescue property programme and £0.252m in their fleet programme. Further re-alignment of the fleet programme is being planned.

Enablers and Support to Council's Outcomes

1.45 A forecast of £2.281m underspend by Enablers and Support to Council's Outcomes is anticipated by end of the year. This is mainly due to the following:

- Replacement ERP Finance System - A £1.904m underspend caused by delays in making milestone payments to Serco relating to the ERP replacement, Agresso;
- Infrastructure and Refresh Programme - A further underspend of £0.645m within Infrastructure and Refresh programme due to delays in starting new projects; and

- Property – An underspend of £0.375m in Property due more schools converting to academies than anticipated and further requirement of delayed projects to be re-phased into 2017/18.

1.46 These underspends are offset by £0.206m overspend in Broadband due to additional costs of the new phase of the programme and £0.437m additional cost in delivering the Care Management System, Mosaic.

Other Programmes

1.47 For 2016/17 the Council set aside £7.500m in a New Developments Capital Contingency Fund for capital schemes which emerge during the financial year. There was also an underspending in 2015/16 of £1.650m which has been carried forward and is available for schemes in 2016/17. To date during the financial year £0.750m has been allocated. This has been utilised to fund the following schemes:

- Foster Care Capital Schemes (£0.600m);
- Replacement Air Conditioning Units across Council properties to comply with legislative requirements (£0.030m); and
- County Farms – Road Improvement Schemes (£0.072m) and works to meet Minimum Energy Efficiency Standards (£0.048m).

1.48 Within this budget the Council have also earmarked funds for the following schemes:

- A contribution to the Blue Light Collaboration Project with the Police and Ambulance Services (£4.800m); and
- County Council funding for highways works at Holbeach Peppermint Junction (£3.020m).

Capital Financing

1.49 The following table sets out the financing of the net capital programme:

NET CAPITAL PROGRAMME FUNDING	
Source of Financing	£'000
Revenue Contributions to Capital	4,994
Capital Receipts	0
Borrowing	58,928
TOTAL FUNDING	63,922

2. Legal Issues:

Equality Act 2010

Under section 149 of the Equality Act 2010, the Council must, in the exercise of its functions, have due regard to the need to:

* Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act

* Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it

* Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

The relevant protected characteristics are age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; and sexual orientation

Having due regard to the need to advance equality of opportunity involves having due regard, in particular, to the need to:

* Remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic

* Take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it

* Encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low

The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.

Having due regard to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to tackle prejudice, and promote understanding.

Compliance with the duties in section 149 may involve treating some persons more favourably than others.

The duty cannot be delegated and must be discharged by the decision-maker. To discharge the statutory duty the decision-maker must analyse all the relevant material with the specific statutory obligations in mind. If a risk of adverse impact is identified consideration must be given to measures to avoid that impact as part of the decision making process.

As the Report simply reports on performance against the budget, there are no implications that need to be taken into account by the Executive.

Joint Strategic Needs Analysis (JSNA and the Joint Health and Wellbeing Strategy (JHWS)

The Council must have regard to the Joint Strategic Needs Assessment (JSNA) and the Joint Health & Well Being Strategy (JHWS) in coming to a decision.

As the Report simply reports on performance against the budget, there are no implications that need to be taken into account by the Executive.

Crime and Disorder

Under section 17 of the Crime and Disorder Act 1998, the Council must exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent crime and disorder in its area (including anti-social and other behaviour adversely affecting the local environment), the misuse of drugs, alcohol and other substances in its area and re-offending in its area

As the Report simply reports on performance against the budget, there are no implications that need to be taken into account by the Executive.

3. Conclusion

3.1 The Council's current position on the revenue budget and capital programme are within the report for the Executive to note.

4. Legal Comments:

The Report sets out an update on spending compared with budgets for the financial year starting on 1 April 2016 to assist the Executive to monitor the financial performance of the Council.

5. Resource Comments:

The report indicates that both the current year revenue and capital budgets are projected to be spending within the resources available and therefore no additional call on the reserves of the Council will be required within the current financial year.

6. Consultation

a) Has Local Member Been Consulted?

n/a

b) Has Executive Councillor Been Consulted?

Yes

c) Scrutiny Comments

The Overview and Scrutiny Management Committee will consider this report at its meeting scheduled to be held on 26 January 2017. Comments from the Committee will be reported to the Executive.

d) Have Risks and Impact Analysis been carried out?

No

e) Risks and Impact Analysis

Not Applicable

7. Background Papers

No background papers within Section 100D of the Local Government Act 1972 were used in the preparation of this report.

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