



Circular Fin 16/2021

Head of Finance,

6 September 2021

Re: 2022 Budget meeting and other budgetary matters

Dear Head of Finance,

In accordance with the powers conferred by section 103 of the Local Government Act 2001 (as amended), the Local Government (Financial and Audit Procedures) Regulations 2014 and the Local Government (Financial and Audit Procedures) (Amendment) Regulations, I am directed by the Minister to refer to the 2022 Budget meeting and other budgetary matters.

1. Budget 2022 - Prescribed Periods

The prescribed periods that apply for the holding of **2022 Budget meetings** are as follows:

All local authorities and joint bodies: 01 November 2021 to 30 November 2021.

The prescribed periods that apply for the holding of a meeting of a **municipal district** to consider the draft budgetary plan are as follows:

All local authorities: 14 October 2021 to 15 November 2021.

As set out in the Local Government (Financial and Audit Procedures) (Amendment) Regulations 2015 the meeting with a municipal district must conclude no later than 10 days prior to the local authority budget meeting.

2. Consultation on main budget at Municipal District/Local Area level and Schedule of Municipal District Works.

2.1 Consultation on main budget at Municipal District/local area level

Elected members perform a range of important reserved functions at municipal district level including consideration of draft budgetary plans for the district and amendment of same; adoption of a schedule of works for the district and adoption of statements on the economic elements and the community elements of the Local Economic and Community Plan for the



consideration of the local authority. The municipal district system maximises efficiency while retaining a high degree of local, community-focussed decision-making, implementation and democratic representation, in line with the principle of subsidiarity. In this context, you are asked to ensure that Draft Budgetary Plans fully reflect the range of municipal district functions.

2.2 General Municipal Allocation and Draft Budgetary Plan

In keeping with these principles, and as required by Section 102(4A)(a) of the Local Government Act 2001 (as amended), local authorities are required, as part of the budgetary process, to ensure there is formal consultation with municipal district members for each municipal district in the council's functional area, in the preparation of the draft local authority budget. It is open to each local authority (in consultation with the relevant municipal district) to agree the precise format this consultation may take (e.g. Budget Workshops; Budget Strategy Meetings etc.). The consultation should afford members the opportunity to input to the development of the local authority budget and identify particular priorities for that municipal district for the year ahead, for consideration within that overall budget. Where possible, this process should be informed by data in relation to the expenditure levels in each municipal district in the current year. Local authorities are also requested to ensure that the consideration of Draft Budgetary Plans be appropriate and meaningful, having due regard to the role of the Municipal District. Your attention is drawn to the template for such plans, (Appendix 3 of Circular Fin 05/2014) which should be customised or amended as appropriate.

This consultation should also apply to equivalent sub-structures (local area level) within the city authorities, Cork, Dublin and Galway, and the 3 county authorities within the Dublin area, Dún Laoghaire-Rathdown, Fingal and South Dublin, again leaving the exact format to individual authorities in consultation with the relevant members.

2.3 Schedule of Municipal District Works

Section 103A of the Local Government Act 2001 (inserted by section 58 of the Local Government Reform Act 2014) provides that, following the adoption of the annual budget, a schedule of proposed works of maintenance and repair to be carried out during the financial year in each municipal district shall be prepared, for adoption by the municipal district members. The Schedule of Municipal District Works (SMDW) is, in effect, a plan of works that prioritises and apportions the use, within each municipal district, of funding provided in the overall local authority revenue budget for particular purposes. Consideration should also be given to replicating this approach in the city authorities and the 3 county authorities within the Dublin area.

In the case of local authority areas which do not have municipal districts it is considered that it would be good practice to prepare a schedule of works in any event to identify where works will be prioritised in the local authority area during the year.



Local authorities are reminded that:

- Preparation and adoption of the SMDW is a mandatory requirement.
- The SMDW must be prepared under the direction of the Chief Executive.
- The SMDW is to be prepared as soon as may be following the adoption of the annual budget, for consideration and adoption by resolution, with or without amendment, by the municipal district members.
- If not adopted by the municipal district members, the SMDW reverts to the full council for the elected members consideration and adoption, with or without amendment.

By virtue of being adopted at district level, the SMDW represents an important enhancement of subsidiarity in local government. The provision is fundamentally important to the new system of governance at sub-county level, giving effect to measures set out in the *Government's Action Programme for Effective Local Government, Putting People First*.

The SMDW is among the most important reserved functions introduced by the Local Government Reform Act 2014.

Detailed guidance on the preparation and adoption of the SMDW was issued in Circular LG 27/2014 (FIN 21/2014) which local authorities are requested to adhere to.

3. Report to the Department of Finance - Preliminary estimate of capital and current income and expenditure for the forthcoming financial year: Requirement for Expenditure Benchmark purposes

Fin 05/2014 and Fin 08/2015 set out the requirement that each local authority provide a report to the Department setting out its preliminary estimate of current and capital income and expenditure for the forthcoming financial year. This requirement remains in place for 2022 with completed returns to be submitted to the Department **no later than Friday 17th September 2021**. The local government sector data will then be consolidated by the Department of Finance with information from all parts of general government. As the date of preparation of this report predates the budget meeting, it should include the best estimate of revenue and capital income and expenditure to the end of the current year and for the next financial year 2022. Any known policy changes impacting on the income and expenditure categories between 2023 and 2026 should be noted on the template.

This report is important for 2022 as it will form the basis of assessing the sector's impact on the Expenditure Benchmark rule as required under the Stability and Growth Pact.

Implications for expenditure management of the local government sector

The Local Government Sector is subject to the public expenditure rules set out as part of the management of the Stability and Growth Pact similar to the rules applying to all Government Departments by way of Ministerial ceilings. Local authorities are included in General Government Expenditure and therefore expenditure can only grow beyond the rates set if extra revenue



raising measures are taken (e.g. Government raise taxes or local authorities increase local charges).

Under the Expenditure Benchmark component of the fiscal rules, unplanned expenditure giving rise to the need for a proposed increase to expenditure ceilings cannot be funded by cyclical (i.e. non-permanent) revenues but, rather, through expenditure savings and efficiencies elsewhere or via discretionary revenue measures. The overall allocation of expenditure ceilings by sector remains a matter for Government as part of the budgetary process.

Own resource expenditure at local government level will impact on these expenditure rules, however any revenue raising measures taken by the sector can be kept and spent within the sector.

Own resource expenditure can be broadly defined as expenditure arising from income generated from a local authorities own sources; this includes income generated from commercial rates, goods and services, income from Local Property Tax (excluding any self-funding element) and any non-mortgage borrowing that may be availed of by the local authority.

Grants to local authorities from a Government Department or agency are accounted for in that Department's expenditure ceiling and therefore not accounted for as own resource expenditure by the local authority.

The table to be completed as per Appendix 1 is attached in a spreadsheet accompanying this Circular, and should be sent to eimear.whelan@housing.gov.ie no later than **Friday 17th September 2021**.

4. Statutory Budget Book

Format of 2022 statutory budget book

The budget pack is currently being tested by pilot sites and will issue once testing has been completed.

Reminders

- Table A Commercial rates should be presented gross
- Table A 'Amount of Rates to be Levied (Gross of BYA)' plus 'Value of Base Year Adjustment' = 'Net Amount of Rates to be Levied'
- Table C should set out the Annual Rate of Valuation (ARV) and the Base Year Adjustment (BYA) to apply to each of the dissolved rating authorities (note Table C is relevant only for Councils which continue to apply BYAs).
- Table C - Note that the 'Base Year Adjustment 2022' column (iii) is the sum of column (ii) minus column (i) i.e. a general local authority ARV of 70 with an effective ARV in a rating area of 65 shows as a BYA of -5



- Totals of BYA and Net Effective Valuation (NEV) in Table C should be consistent with those in Table A (the NEV for all former rating areas should be listed in Table C in order to present the total NEV)
- Section 32 penalty income should be shown in Division H, Other income, account element 'Other fines'
- Any change in approach to vacancy refunds will be reflected in a cost increase or reduction (Regulation 29 of Local Government (Financial & Audit Procedures) Regulations 2014 and Circular Fin05/2014)
- Transactions between legal entities within the local government sector should be shown as 'Inter-authority transactions'
- Income from services provided on an agency basis for entities outside the local government sector should be shown as 'agency services & repayable works'
- Cost drivers to be in L1 for budget allocations

Local authorities are requested, insofar as is possible, to exercise restraint in adopting the ARV, notwithstanding the requirement to adopt budgets which are sufficient to meet the expenditure arising.

The Local Government Rates and Other Matters Act 2019 was passed by the Oireachtas and enacted on 11 July 2019. Certain provisions of the Act relating to rates were commenced shortly after enactment. Specifically, these were:

- an amendment of the formula for Rate Limitation Orders to ensure that revaluations are revenue-neutral; and
- amendments to standardise timeframes allowed to public utility undertakings in line with other ratepayers undergoing valuation by the Commissioner of Valuation.

Plans to commence the legislation and introduce the regulations are temporarily delayed, with the revised aim of achieving the necessary amendments and commencing the Act in 2021 and signature of prescribed regulations in 2022. That being so, it would be intended for the legislation to be operational for the planning of local authority 2023 budgets.

5. Submission of budget information

A CSV file and one signed hard copy of the adopted budget should be submitted to Niamh Kinsella (niamh.kinsella@housing.gov.ie) at the Department of Housing, Local Government and Heritage, Carriglawn, Newtown Road, Wexford Town, Y35 AP90. The submission of information to the Department is required by **Friday 31 December 2021**.

To reduce the level of queries, the following checks should be completed prior to submission:

- All checks on the soft copy budget check sheets are at 0
- CSV files should be checked for format errors, such as the Local Authority code number, incorrect line errors, commas, etc.
- Soft copy budget files should be submitted with each CSV file



- All soft copy budget files should be compared to hard copy budget books submitted to ensure no inconsistencies
- All CSV figures should be rounded to whole numbers; and
- All submissions to be checked and submitted by the contact person for the local authority's budget files in event of any queries arising

Is mise, le meas,

Lorraine O'Donoghue
Principal Officer
Local Government Finance