



Rutland County Council

Catmose Oakham Rutland LE15 6HP.

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RECORD OF DECISION AT A MEETING OF THE CABINET

Tuesday, 20th September, 2016 at 9.30 am

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Decisions published on Thursday, 22 September, 2016

Decisions will be implemented on Friday, 30 September, 2016 unless the Call-in Procedure as outlined in Procedure Rule 206 is invoked.

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PRESENT:

Mr T King

Mr T Mathias

Mr R Clifton

Mr R Foster

Mr O Hemsley

Mr D Wilby

OFFICERS

PRESENT:

Mr M Andrews

Deputy Director for People

Mrs H Briggs

Chief Executive

Mr D Brown

Director for Places

Mr S Della Rocca

Assistant Director – Finance

Mrs D Mogg

Director for Resources

Dr T O'Neill

Director for People and Deputy Chief Executive

Mrs E Odabas

Transport Operations Manager (for part of the meeting)

Mr P Phillipson

Director for Places

Mr N Tomlinson

Senior Highways Manager (for part of the meeting)

Miss M Gamston

Corporate Support Officer

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Mr Mathias, Vice Chairman in the Chair

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273 ANNOUNCEMENTS FROM THE CHAIRMAN AND/OR HEAD OF THE PAID SERVICE

There were no announcements from the Chairman or Head of Paid Service.

274 DECLARATIONS OF INTEREST

No declarations of interest were received.

275 RECORD OF DECISIONS

The Record of Decisions made by the Cabinet on 16 August 2016, copies of which had been previously circulated were confirmed by Cabinet.

276 ITEMS RAISED BY SCRUTINY

The Chairman had not been formally notified of any items raised by Scrutiny.

Recommendations made at Places Scrutiny Panel on 15 September had been circulated to Cabinet members.

277 FUTURE OF INTERNAL AUDIT

(KEY DECISION)

Report No. 177/2016 was received from the Director for Resources.

The Assistant Director (Finance), Mr Della Rocca, introduced the report. In accordance with Section 6 of the Accounts and Audit Regulations 2011, the Chief Finance Officer and the Chief Executive are responsible for maintaining an adequate and effective internal audit of the Council's accounting records, control systems and financial transactions including any operations affecting the financial arrangements or the finances of the Council. The Internal Audit service is delivered in-house but as a result of difficulties in recruitment and other challenges, the report proposed an option for the future delivery of the Internal Audit service. Officers had looked at various options but had concluded that delegating the service to the Local Government Shared Service (LGSS) was the preferred option.

During discussion the following points were raised:

- i) That LGSS would be liable for the cost of staff redundancies where these resulted from a LGSS restructure.
- ii) Obligations to ensure 'pension protection' would be assessed at the time of transfer.

DECISIONS

- 1) Cabinet **APPROVED**, subject to satisfactory completion of due diligence and any consultations as appropriate, the delegation of the delivery of internal audit services to Local Government Shared Service under section 101 of the Local Government Act 1972.
- 2) Cabinet **AGREED** that authority be delegated to the Director for Resources in conjunction with the Portfolio Holder for Corporate Finance to formalise, approve and enter into a collaboration agreement with the Local Government Shared Service from 2017/18 in accordance with the principles set out in this report.

Reason for the decision

1. *The Council was required to have an internal audit service.*

278 HOME TO SCHOOL TRANSPORT POLICY CONSULTATION

(KEY DECISION)

Report No. 157/2016 was received from the Director for Places (Environment, Planning and Transport).

The Portfolio Holder, Mr Mathias, introduced the report, the purpose of which was to inform Cabinet of the responses received during the public consultation exercise on home to school and SEND transport policies and seek approval for implementation of the revised policies from September 2017.

It was noted that an explanation had not been provided regarding the blocks of yellow in text; officers were requested to provide an explanation in the future.

Recommendations made at Places Scrutiny Panel on 15 September had been circulated to Cabinet members. Changes discussed included:

- i. The inclusion of the pro-forma for assessing the safety of walking routes in Appendix B.
- ii. The amendment of section 9.1 to reduce the time for stage 1 reviews from 20 to 10 days.
- iii. The amendment of section 3.10 to allow free transport to be provided for pupils who move in year 10 as well as year 11.
- iv. The amendment of Section 6 to include the requirement for parents to be given reasonable notice of any changes to transport arrangements.

During the discussion the following points were raised:

- i) That a reduction in the time for stage 1 reviews from 20 to days would be in line with the Council's customer care standards.
- ii) That the time limit for second stage panels was in accordance with national guidance and it would be very difficult to shorten this time.
- iii) To provide free transport for pupils who moved in year 10 would have a cost implication of £10k to £13k per student per annum. Current policy was for years 6, 10 and 11 to be free; to change to year 11 only would result in a saving.
- iv) In the previous 18 months there had been three cases of house moves for year 10 pupils.
- v) The difference in cost between providing taxi transport from home to school or providing transport from home to a bus route to school was minimal.
- vi) That the diagram Appendix E needed to be corrected before the policy was finalised.
- vii) The change in provision of free transport to year 11 only had not been highlighted during public consultation; however, it is unlikely to be a major issue for most parents as it would be an unforeseeable event.
- viii) Transport appeals may start as a query and not initially be registered as a formal appeal.
- ix) That a decision on the withdrawal of free transport from years 6 and 10 be deferred to allow for further discussion between the Director for Places (Environment, Planning and Transport), the Portfolio Holder and the education department on the consequences.

- x) Concern was expressed that documents were not being written in plain English. Cabinet had previously requested that all policy documents when being reviewed were written in plain English.
- xi) Concern was expressed that during consultation significant change to policy were not highlighted.

DECISIONS

- 1) Cabinet **APPROVED** the home to school transport policy contained in Appendix 1 to Report No. 157/2016 for implementation from September 2017.
- 2) Cabinet **APPROVED** the special education needs and disabilities (SEND) transport policy contained in Appendix 2 to Report No. 157/2016 for implementation from September 2017.
- 3) Cabinet **AUTHORISED** the Director for Places (Environment, Planning and Transport in consultation with the Portfolio Holder for Places (Highways, Environment, Transport and Community Safety), and the education department to reach a decision within the next 30 days on year 10 free transport and to incorporate the following changes:
 - i. The inclusion of the pro-forma for assessing the safety of walking routes in Appendix B.
 - ii. The amendment of section 9.1 to reduce the time for stage 1 reviews from 20 to 10 days.
 - iii. The amendment of Section 6 to include the requirement for parents to be given reasonable notice of any changes to transport arrangements.

Reason for the decisions

1. *The draft policies had been through the required consultation process and proposed policies revised to address any valid issues raised.*
2. *To allow full consideration to be given to the consequences for parents by withdrawing free transport for year 10.*

279 SPEED LIMIT AND ACCESS RESTRICTION REVIEW 2015/16

(KEY DECISION)

Report No. 175/2016 was received from the Director for Places (Environment, Planning and Transport).

The Director for Places, Mr Brown, introduced the report, the purpose of which was to consider proposals to change speed limits.

During the discussion the following points were raised:

- i) Concern was expressed at the proposed process for considering future requests regarding the requirement for Town Council, Parish Council or Parish Meeting support. The Director for Places, Mr Brown, stated that there was a caveat where Rutland County Council (RCC) could progress a scheme if it was deemed to have merit.
- ii) That in the majority of cases members of the public contacted RCC direct with their concerns and were redirected to the Town or Parish Councils. If unhappy

- with a decision at Parish level individuals usually brought this to the attention of RCC or Ward Member.
- iii) That Parishes should be made fully aware of financial and enforcement implications.
 - iv) That for decision 1 d) a paragraph regarding enforcement to be included in the decision notice.
 - v) Application No. 19 (Appendix A to Report No. 175/2016), it was noted that the decision had not been communicated back to the Parish Council.
 - vi) Application No.8 (Appendix A to Report No. 175/2016), the Senior Highways Manager, Mr Tomlinson agreed to provide Mr Foster with the date that the request for comments was sent to Stretton Parish Council. Members were advised that the recommendation would have been the same if the Parish had supported the request.
 - vii) Application No.1 (Appendix A to Report No. 175/2016), Mr King requested that alternatives for this application be further considered.
 - viii) Application No. 20 (Appendix A to Report No. 175/2016), could be brought back as part of the integrated transport capital programme or stand alone item..
 - ix) Decisions were valid until the next review or for 12 months; if not implemented within that time due to a lack of parish funding they would need to be resubmitted.

DECISIONS

- 1) Cabinet **APPROVED**, subject to funding by the Parish Councils:
 - a) The reduction of the speed limit from 30mph to 20mph in Pilton, as shown on Drawing SLR-07.
 - b) The reduction of the speed limit from 60mph to 50mph along Barnsdale Avenue, Exton, as shown in Drawing SLR-10.
 - c) That the speed limit be reduced from 60mph to 40mph on the approach to the A47, Morcott, as shown on Drawing SLR-13.
 - d) That the speed limit be reduced from 40mph to 30mph on Edith Weston Road/Station Road, North Luffenham, as shown on Drawing SLR-15.
 - e) That the speed limit be reduced from 60mph to 40mph on Station Road, North Luffenham, as shown on Drawing SLR-04.
- 2) Cabinet **NOTED** the changes in the process for consideration of future requests for speed limit changes.

Reason for the recommendations

1. *Requests for changes to speed limits had been assessed in line with DfT guidance and consultation had been carried out. The recommended changes were generally those that meet DfT guidance and had the support of the Parish Council, Ward Members and the Police.*

280 RELOCATION OF THE CHILDREN'S CENTRE

(KEY DECISION)

Report No. 181/2016 was received from the Director of Places (Development and Economy).

The Portfolio Holder, Mr Foster, introduced the report, the purpose of which was to seek Cabinet approval for the release of up to £400k to relocate the Children's Centre (Visions) from Catmose College to the Oakham Library site; to combine this project with Oakham Library essential maintenance works, to minimise duplication of construction costs and site disruption; to increase the funding identified for the library maintenance works from £220k (approved by Cabinet on the 21st June 2016) to £280k, as a result of further detailed review of the site maintenance issues; and to give powers to the Director for Places (Development and Economy), the Portfolio Holder for Safeguarding Children and Young People and the Director for Resources to appoint the Lead Designer; and to select the procurement route, establish the award criteria and appoint the contractor who will deliver the combined project, so enabling the provision of additional school places at the earliest opportunity.

During the discussion the following points were raised:

- i) That the Decisions reflected the funding streams for each project as stated in paragraph 7.1 of Report No. 181/2016.
- ii) The development would be determined at the Development Control and Licensing Committee. Members of the public were already voicing concerns including parking on Bull Lane and parents crossing to the library.
- iii) Parking spaces be removed from future drawings as it was not intended to park on Bull Lane at this stage.

DECISIONS

- 1) Cabinet **APPROVED** the proposal to combine the project 'Oakham Library – Essential Works' (previously approved by Cabinet on the 21st June 2016) with this project – 'Relocation of the Children's Centre'.
- 2) Cabinet **APPROVED** the release of up to £400k to support the relocation of the Children's Centre from Catmose College to the Oakham Library site, and an additional £60k to deliver the library refurbishment works.
- 3) Cabinet **AUTHORISED** the Director of Places (Development and Economy) in consultation with the Portfolio Holder for Places (Development and Economy), the Portfolio Holder for Safeguarding Children and Young People and the Director for Resources to progress Option 2 that enable the most advantageous elements of a combined project.
- 4) Cabinet **AUTHORISED** the Director of Places (Development and Economy) in consultation with the Portfolio Holder for Places (Development and Economy), the Portfolio Holder for Safeguarding Children and Young People and the Director for Resources to select the procurement route, establish the award criteria and appoint the most advantageous supplier or suppliers dependent upon the procurement route selected for the combined project.
- 5) Cabinet **AUTHORISED** the Director of Places (Development and Economy) to appoint the Lead Designer for the combined project, in order to expedite the urgent works required.
- 6) Cabinet **NOTED** that funding for the relocation of the Children's Centre project was from Basic Needs funding; and that funding for the Library project was included in the revised capital programme funded by the Oakham North agreement.

Reason for the recommendations

1. *To allow the combined project to move forward and lead to the provision of additional teaching space at Catmose College, and Library and Children's Centre facilities that ensure service delivery for the next 25 years.*

281 ANY ITEMS OF URGENT BUSINESS

No items of urgent business had previously been notified to the Chairman.

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The Chairman declared the meeting closed at 11.01 am.

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