



Rutland County Council

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RECORD OF DECISION AT A MEETING OF THE CABINET

Tuesday 18 April 2017 at 9.30 am

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Decisions published on Wednesday 19 April 2017

Decisions will be implemented on Thursday 27 April 2017 unless the Call-in Procedure as outlined in Procedure Rule 206 is invoked.

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PRESENT:

Mr T Mathias
Mr R Foster
Mr A Walters

Mr R Clifton
Mr O Hemsley
Mr D Wilby

OFFICERS

PRESENT:

Mr M Andrew
Mrs H Briggs
Mr D Brown
Mr S Della Rocca
Mr A Edwards

Mr J Faircliffe

Dr R Johnson

Mrs D Mogg
Mr K Quinn

Mr N Tomlinson

Mr von der Voelsungen

Mr S Westwood

Assistant Director for People
Chief Executive
Director for Places
Assistant Director – Finance
Head of Property Services
(for part of the meeting)
Housing Strategy and Enabling Officer
(for part of the meeting)
Senior Transport Manager
(for part of the meeting)
Director for Resources
Service Manager - Early Help &
Inclusion – Universal & Partnerships
(for part of the meeting)
Senior Highways Manager
(for part of the meeting)
Parking Services Manager
(for part of the meeting)
Independent Chair of the
Leicestershire & Rutland Local
Safeguarding Children Board and
Safeguarding Adults Board (for part of
the meeting)

IN

ATTENDANCE:

Mr O Bird
Mr W Cross

Mrs G Waller

Ward Member for Oakham South West
Ward Member for Braunston and
Belton
Ward Member for Normanton

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

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

745 DECLARATIONS OF INTEREST

No declarations of interest were received.

746 RECORD OF DECISIONS

The Record of Decisions made by the Cabinet on 21 March 2017, copies of which had been previously circulated were confirmed by Cabinet.

747 ITEMS RAISED BY SCRUTINY

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

748 RUTLAND ONE PUBLIC ESTATE

(KEY DECISION)

Report No. 77/2017 from the Chief Executive was received.

The Portfolio Holder, Mr Mathias, introduced the report, the purpose of which was to update Cabinet in relation to a new project – Rutland – One Public Estate (ROPE) and to outline the initial funding arrangements for the project and to seek the necessary approvals in line with the Council's Constitution.

DECISION

- 1) Cabinet **AGREED** to formally record its support for the Rutland – One Public Estate (ROPE) project and the opportunities that it presented.
- 2) Cabinet **AUTHORISED** the submission of a further bid of up to £500,000, should the opportunity arise, the final details and amount to be approved by the Chief Executive and Leader.
- 3) Cabinet **DELEGATED** the acceptance of terms and conditions of any funding awarded from the One Public Estate Team in respect of this project to the Chief Executive in consultation with the Leader.
- 4) Cabinet **APPROVED** the allocation of £50,000 from the Invest to Save Reserve and £50,000 from Section 106 monies for the ROPE project.

Reason for Decision

1. *The project would allow the Council to explore options and to test the feasibility of proposals for a more effective and efficient use of the Public Estate in Rutland. The recommendations made within the report would enable the project to progress and to bid for external funding.*

749 UPDATE TO OAKHAM LIBRARY/CHILDREN'S CENTRE EXTENSION

(KEY DECISION)

Report No. 72/2017 from the Director for Places (Development and Economy) was received.

The Portfolio Holder, Mr Mathias, introduced the report, the purpose of which was to update Cabinet on the progress towards the delivery of a joint Children's Centre and Library and to seek additional budget to allow the completion of the works. Combined these works would provide an asset that would support services for the people of Oakham for the next 25 years.

During discussion for the following points were raised:

- i. The Visions (Children's Centre) had given notice to vacate their current premises at Catmose College by 31 December 2017.
- ii. If the additional funding was not approved there could be a potential for:
 - a. The Department of Education (DoE) to try to claw back the grant awarded for this project, and other fees/expenditure would be written off.
 - b. That work planned for the library roof would not be finished which would result in costs being incurred in the future.
- iii. That consideration should be given to the future of Children in Rutland and the importance of the project.
- iv. The addition of a recommendation to ensure that lessons were learnt when budgeting for future projects. This recommendation was to request that the Chairman of Audit & Risk Committee is to invite Internal Audit to complete an investigation into the significant increase in the required funds.
- v. Concerns were raised regarding the revised estimates:
 - a. Library being 66% above the original budget
 - b. Children Centre 56% above the original budget
- vi. That there had been a naivety that, once the building was stripped back additional works would not be identified.
- vii. The total budget of £989,000 for the project is not anticipated to be exceeded, but there would be potential for additional work, to be identified, for example, once ground and foundation work commenced.
- viii. That if the budget for the project was to increase again and exceed the £1million threshold that Cabinet could approve, then approval would be required by Full Council in line with the Councils Financial Procedure Rules.

DECISION

- 1) Cabinet **APPROVED** an increase in the budget of up to £309,000 for the Oakham Library refurbishment and the Children's Centre extension.
- 2) Cabinet **NOTED** progress made towards the delivery of the combined Oakham Library and Children's Centre.
- 3) Cabinet requested the Chair of the Audit and Risk Committee to add a review onto the Internal Audit Plan for 2017/18.
- 4) Cabinet **DELEGATED AUTHORITY** to the Chief Executive in consultation with the Leader and Assistant Director Finance to determine the source of funding for the additional budget.

Reason for Decision

1. *The provision of additional funding as set out in the report would allow the combined project to move forward and provide a joint asset that would serve the people of Rutland for the next 25 years.*

750 PRIVATE SECTOR HOUSING RENEWAL POLICY

(KEY DECISION)

Report No. 67/2017 from the Director for Places (Development and Economy) was received.

The Portfolio Holder, Mr Hemsley, introduced the report, the purpose of which was to ask Cabinet to approve a new Private Sector Housing Renewal Policy. This included a revised consideration of stock condition and a more flexible approach regarding disabled adaptations for properties of all tenures (ownership types), reflecting the opportunities of the Better Care Fund (BCF) and helping to meet the Council's responsibilities under the Care Act 2014.

During discussion the following points were raised:

- i. The Council were currently underspent on this budget. The adoption of this Policy would allow Rutland County Council (RCC) to spend this budget more effectively and help more people.
- ii. The Conditions on page 81 of the report were National Terms and Conditions with little room for local customisation. A change to the wording to make it clear that this was in conjunction with the National Standards was requested.
- iii. The process for generating the Hazards score was a complex calculation that was set out in National Regulations.
- iv. Ward Members could report maintenance complaints from residents directly to Spire Homes' and could refer complaints regarding housing associations to the Housing Ombudsman if unresolved through an association's own procedure. Mr Walters requested that this information was circulated.
- v. The percentage comparator for homes that failed to meet the decent homes standard was approximately 20%.
- vi. The Policy would be monitored so that any improvements could be made in the planned review in April 2018.

DECISION

- 1) Cabinet **AUTHORISED** the publication and adoption of the Private Sector Housing Renewal Policy attached at Appendix A to Report No. 67/2017.

Reasons for Decision

1. *The revised Private Sector Housing Renewal Policy provided a more up-to-date assessment of the condition of private sector housing assistance, together with the Housing and Homelessness Strategy 2017-22, the Homelessness Review 2016, the Home Energy Conservation Act Progress Report 2017 and the Strategic Housing Market Assessment 2014 and 2015 update.*
2. *The policy for discretionary grants for adaptations would allow the best use to be made of the available resources within the existing budget, to promote independent living and to support timely discharges from hospital.*

751 HIGHWAYS CAPITAL PROGRAMME

(KEY DECISION)

Report No. 6/2017 from the Director for Places (Environment, Planning and Transport) was received.

The Portfolio Holder, Mr Mathias, introduced the report, the purpose of which was to consider the allocation of the highway maintenance capital funding for 2017/18 and the indicative allocations for 2018/19 and 2019/20.

During discussion the following points were raised:

- i. All returns were submitted to the Department for Transport (DfT) by the deadline in March 2017.
- ii. Confirmation was given that no spending would take place until monies had been received.
- iii. Leicestershire County Council (LCC) had undertaken a full review of the Structures Service Level Agreement following a change in their management staff. This has resulted in an increase to £16,000 per annum for the service; this increase was in line with indexation that LCC should have applied annually. Work had been carried out to ensure that this was cost effective.

DECISION

1) Cabinet **APPROVED**:

1. The highway capital programme for 2017/2018 (attached as Appendix A to Report No. 6/2017).
2. The use of £378k National Productivity Investment (NPI) funding for design and consultation works to Oakham Town Centre.
3. The continued use of the Midlands Highway Alliance (MHA) Medium Schemes Framework for procuring schemes over the agreed term maintenance contract threshold as part of an alliance with other Midland authorities.
4. The continued delegation of the statutory function for the maintenance of all highway related structures to Leicestershire County Council, under Section 101 of the LGA.

2) Cabinet **NOTED** the indicative programmes for 2018/19 and 2019/20 (attached as Appendices B and C to Report No. 6/2017).

3) Cabinet **AUTHORISED** the Director for Places (Environment, Planning and Transport), in consultation with the Portfolio Holder to approve the use of any savings generated from Capital schemes to bring forward schemes from the forward programme (Appendices B and C to Report No. 6/2017), or works as may be required to expedite the delivery of capital maintenance works.

Reason for Decisions

1. *To help deliver the Council's strategic aim of "sustainable growth" and to fulfil the Council's statutory duties with regard to highway maintenance and road safety as efficiently as possible.*

752 INTEGRATED TRANSPORT CAPITAL PROGRAMME

(KEY DECISION)

Report No. 55/2017 from the Director for Places (Environment, Planning and Transport) was received.

The purpose of which was to consider the Integrated Transport Capital Programme for 2017/18 and the approval process for future integrated transport schemes.

Mr Mathias advised that questions had been received from Miss Waller and that Mr Brown - Director for Places (Environment, Planning & Transport) would respond to them.

During discussion the following points were raised:

- i. The procedural changes were to ensure that the Programme was more streamlined, and to reduce the time taken from application to construction.
- ii. Parish Councils would be consulted on solutions when identified. This was a change and would be added into the process. Currently this was notification and not consultation.
- iii. Confirmation was given that Safety was taken into consideration at the Initial Screening List stage of the process.
- iv. Clarification was given that the £55,000 funding that Cabinet were being asked to approve was for construction of a scheme on listed in Appendix A to report number 55/2017.
- v. Recommendation 1 was to have the following wording added at the end '*subject to consultation with Ward Members*' to ensure all consultations were carried out.
- vi. That new traffic calming schemes were frequently revisited after implementation. This was due to work that was carried out being what Parish Councils wanted, and not what was required as a solution to traffic issues.
- vii. Clarification was given that the screening at Wireless Hill roundabout was to improve visibility.
- viii. The Speed Indicator Device (SID) at Thistleton Road, Market Overton would be checked to clarify whether it had been installed without RCC's knowledge.
- ix. The speed limit on Oakham Bypass was to remain at 40mph as recommended by Officers. At the time of the construction of the bypass the Police had suggested a speed limited of 50mph in certain areas. At the time consideration was given to this and due to the potential short distance between speed limit changes it was decided that the speed limit should be 40mph.
- x. To put a withdrawn scheme back on the project list Parish Councils would need to make a new application for the scheme. .

DECISION

1) Cabinet APPROVED:

1. The spend on schemes listed in Appendix A to Report No. 55/2017. Subject to consultation with Ward Members.
2. The recommendations for monitoring and rejection of the schemes listed in Appendix B to Report No. 55/2017.
3. The recommendations for feasibility, retention or removal of the schemes listed in Appendix C to Report No. 55/2017.

4. The procedural changes set out within this report, including delegated authority to the Director for Places (Environment, Planning and Transport) in consultation with the Portfolio Holder for transport to approve or decline construction of schemes under £5000 and schemes recommended in the feasibility studies.
- 2) Cabinet **AGREED** to delegate authority to the Director for Places (Environment, Planning and Transport) in consultation with the Portfolio Holder for transport to create or modify traffic regulation orders (TROs) where this is required as part of a scheme and the changes comply with DfT guidance.

Reasons for Decisions

1. *The recommendations within this report for scheme construction had been made based on the results of feasibility studies undertaken by a highways consultancy in conjunction with feedback from the highways section.*
2. *The proposed improvements to the IT capital programme would provide a more robust scoring system that took into account the new corporate aims and objectives.*
3. *The proposed spend was within budget.*
4. *Delegated authority had been requested in order to move proposals through the system more quickly. At present it could take up to 3 years for a successful proposal to go from initial submission through to completion of works.*

753 PARKING REVIEW 2016-2017

(KEY DECISION)

Report No. 18/2017 from the Director for Places (Environment, Planning and Transport) was received.

The Portfolio Holder, Mr Mathias, introduced the report, the purpose of which was to consider amendments and additions to parking restrictions.

DECISION

- 1) Cabinet **APPROVED** the recommended amendments and additions to parking restrictions listed in Appendix 1 of Report No. 18/2017.
- 2) Cabinet **AGREED** to delegate the consideration of any objections to the statutory consultation for the Traffic Regulation Orders (TROs) to the Director for Places (Environment, Planning and Transport) in consultation with the Ward Members and Portfolio Holder for highways, along with the authority to modify the TROs.

Reason for Decisions

1. *The recommended amendments and additions to parking restrictions would help to ensure, so far as was reasonably practicable, the safe and expeditious movement of traffic while providing adequate parking to support the local economy and the needs of residents.*

754 LEICESTERSHIRE & RUTLAND SAFEGUARDING ADULTS BOARD (LSAB) AND LOCAL SAFEGUARDING CHILDREN BOARD (LRLSCB) BUSINESS PLANS 2017/18

Report No. 88/2017 from the Independent Chair of the Leicestershire and Rutland Local Safeguarding Children Board and Safeguarding Adults Board was received.

The Portfolio Holder, Mr Foster, introduced the report, the purpose of which was to present the Draft Business Plan of the Leicestershire and Rutland Local Safeguarding Children Board (LSCB) and the Safeguarding Adults Board (LRSAB) for 2017/18 for consideration and comment by Cabinet. Mr Foster also welcomed Mr S Simon Westwood, Independent Chair of the Leicestershire & Rutland Local Safeguarding Children Board and Safeguarding Adults Board to the meeting.

During discussion the following points were raised:

- i. The Business Plans were both draft documents with the following areas requiring additional work:
 - a. Adult thresholds and joint working with Service Users
 - b. Significant gaps in tables (page 150)
- ii. The language to be reviewed and clarity to be provided to the phrase 'Toxic Trio'. This referred to domestic abuse, substance misuse and mental health issues.
- iii. The feedback given by Scrutiny Panels had been incorporated into the draft Business Plans.
- iv. Clarification was provided that the Leicestershire and Rutland Local Safeguarding Children Board (LSCB) and the Safeguarding Adults Board (LRSAB) role was to ensure that objectives were met, not to set the initial objectives.
- v. The final versions of the Business Plans would return to Cabinet once approved by the LSCB and LRSAB.

DECISION

- 1) Cabinet **NOTED** the Safeguarding Boards' Business Plan and that any comments, proposed additions or amendments to the priorities would be incorporated in the final version of the Business Plans.

Reason for Decision

1. *The Safeguarding Boards had produced their annual plans for 2017-18 based upon analysis of safeguarding risks in Leicestershire and Rutland and consultation with agencies, partnerships and children and vulnerable adults. These plans were presented to Cabinet for their input.*

755 INCLUSION SPECIAL EDUCATIONAL NEEDS AND DISABILITY (SEND) TRANSFORMATION PLAN UPDATE TRANSFORMATION PLAN UPDATE

Report No. 80/2017 from the Director for People was received.

The Portfolio Holder, Mr Wilby, introduced the report, the purpose of which was to provide Cabinet with an update on the transformation of services for children and young people with disabilities and special educational needs (SEND) following the report describing the options available to enable the Local Authority to offer more localised provision to Rutland children and young people and to bring about improvement in the identification and provision for children with Special Educational Needs and Disability that was presented to Cabinet in January 2017 together with a high level action plan.

During discussion the following points were raised:

- i. The team were working to bring as many SEND children back into the County for their education as possible.
- ii. Wilds Lodge had achieved their third OFSTED 'Outstanding' inspection.
- iii. The additional funding would be utilised to clear the backlog (30-40) educational psychology non statutory cases.
- iv. RCC had four members of staff that were aligned to the Early Help team so to provide a broader resource.
- v. Part of the funding would be used to better understand the needs assessments data collated. This would allow for a better understanding of engagement support.
- vi. All children that required an EHC plan would receive one. Increasing intervention at an early stage would prevent any unnecessary assessments taking place.
- vii. The allocated funding of £500,000 was due to the low number of children in Rutland that required these services. This was the minimum amount that could be allocated.
- viii. The out of hour's telephone message was to be checked to ensure it was clear that it related to Adults and Children.
- ix. Concern was raised regarding Childrens and Adolescent Mental Health Services (CAMHS) providing information to RCC in a timely manner.
- x. The flow chart on page 176 of the report would be tested to ensure it was accurate. Concern was raised that the flow chart currently indicated that full assessments would be made by the duty desk within 24 hours.
- xi. Confirmation was given that Parents, Regional Care Professionals would be asked when a needs assessment had been carried out.
- xii. Recommendations below would be deferred due to additional work required:
 - a. The recommendation to develop the next phase (2) of the Transformation Project Plan and undertake actions necessary to implement the Rutland Special Educational Needs and Disability (SEND) Inclusion Strategy.
 - b. The SEND Inclusion Strategy.

DECISION

1) Cabinet APPROVED:

1. The use of £50k of the SEND earmarked reserve to support the delivery of service pressures and service development.

2) Cabinet DEFERRED

1. The agreement and approval of the recommendation to develop the next phase, (2) of the Transformation Project Plan and undertake actions necessary to implement the Rutland Special Educational Needs and Disability (SEND) Inclusion Strategy.
2. The approval of the SEND Inclusion Strategy.

Reason for Decision

1. Recommendations 1 and 3 would be deferred due to additional work required.

756 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 11.30 am.