



Rutland County Council

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Ladies and Gentlemen,

A meeting of the **GROWTH, INFRASTRUCTURE AND RESOURCES SCRUTINY COMMITTEE** will be held via Zoom on **Thursday, 13th August, 2020** commencing at 7.00 pm when it is hoped you will be able to attend.

Yours faithfully

Helen Briggs
Chief Executive

Recording of Council Meetings: Any member of the public may film, audio-record, take photographs and use social media to report the proceedings of any meeting that is open to the public. A protocol on this facility is available at www.rutland.gov.uk/my-council/have-your-say/

SUPPLEMENT

4) PETITIONS, DEPUTATIONS AND QUESTIONS

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Chair:
Geoff Mayling
6 Searson Close
Tallington, Lincs
PE9 4RF
Tel: 01780 740880

TALLINGTON

Parish Council

Agenda Item 4

Clerk:
Wendy Gray
13 Dovecote
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Rutland CC Local Plan - Statement of Community Involvement August 13th 2020

To members of the Rutland CC Growth, Infrastructure and Resources Scrutiny Committee

On behalf of Tallington Parish Council, Tallington, South Kesteven, Lincolnshire, we wish to make the following statement for the benefit of yourselves and your electorate.

On 16th June 2020 we agreed, minuted and then published our Concept Proposal for a new Stamford Northern Bypass. A copy of it in a PowerPoint presentation format was sent to all relevant parties that would have any ability to promote it or be affected by its contents, both in Lincolnshire and Rutland.

It has since been widely viewed on the TallingtonBypass.info website; its address published in the Rutland and Stamford Mercury, with over 11,000 views and only 5 emails received with comments against it.

Presentations and discussions have been had with several Parish Councils and individuals and more are planned as requests are made. The main aim being to ensure that relevant and good long-term infrastructure is planned for all of the pending and future development plans; especially those in the Great Casterton and north Stamford (Quarry Farm) areas in your Local Plan, but not least of all, that of St Georges Barracks. PLEASE NOTE: WE DO NOT ENDORSE OR SUPPORT ANY DEVELOPMENT ON THIS SITE - we just want to ensure that IF any SGB development does go ahead, the relevant infrastructure where it meets the A1 is well thought out beforehand - not like the current dangerous A1/A606 junction with Sidney Farm Lane!

Obviously our local needs are to get a bypass for Tallington to get across the notorious East Coast Main Line level crossing here. However we understand that this will attract more traffic to come this way through Stamford and from the A1 which is why we have looked at what WE consider would be the most logical solution from the drivers perspective - including cars and HGVs.

We also considered the effect it would have on the communities it would pass through. This is precisely why we have taken the unusual step of coming across the border into Rutland to show you and your communities the benefit of a radical rethink of the A606/A1 access and simple (and safer) remodelling of the A1/B1081 junction - to benefit ALL parts of YOUR Local Plan and ease the worries of small villages such as Edith Weston and Ketton that would be immediately affected by major development of the site.

We are therefore willing to answer any questions raised, hence our presence at this virtual meeting tonight to listen and then communicate in support of your decisions.

Wendy Gray

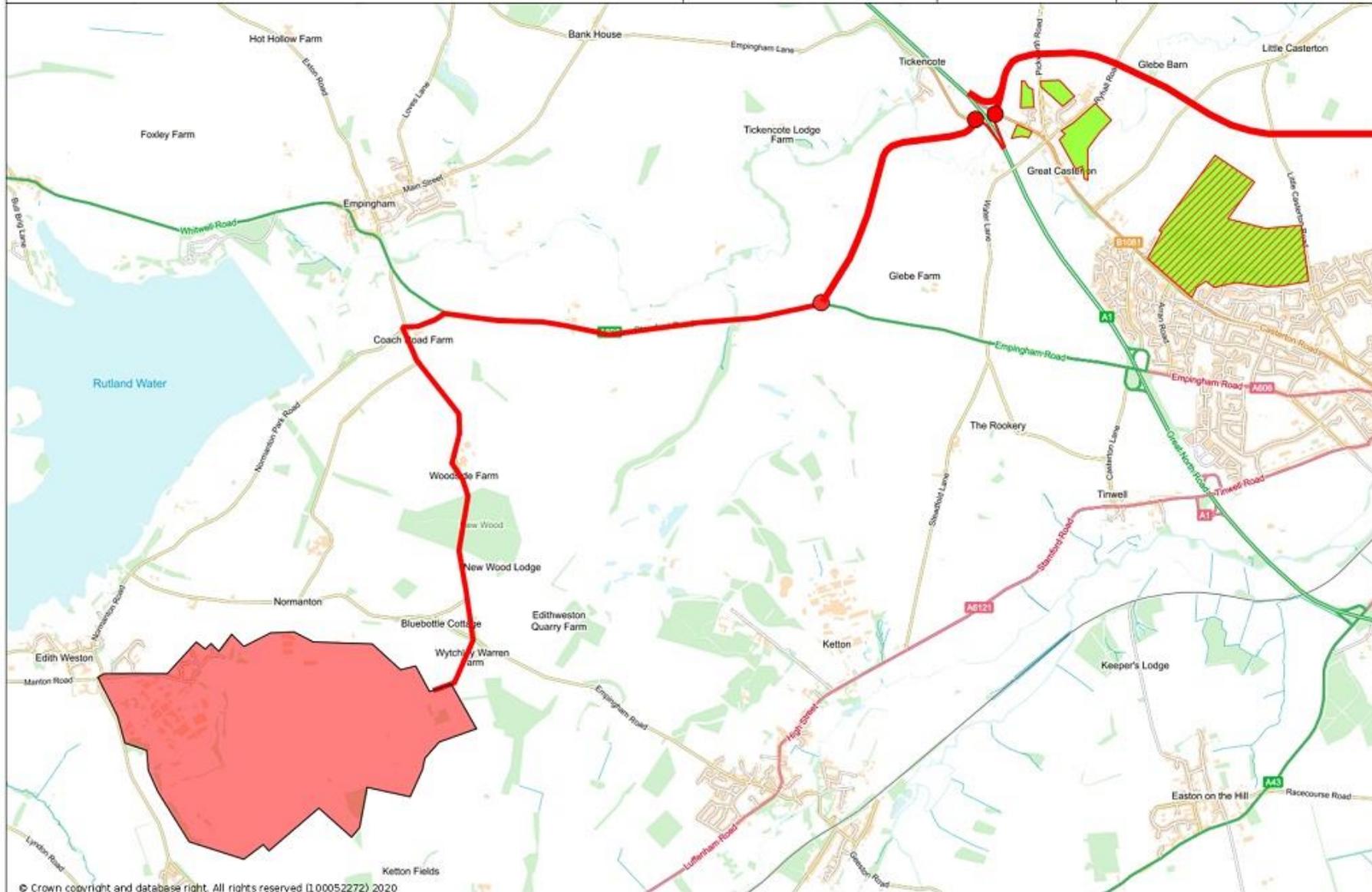
Wendy Gray
Parish Clerk

On behalf of Councillor Philip Sagar, Chair of the TPC Bypass Committee

Councillors Ken Otter, Geoff Mayling, Joan Brocklebank, Justin MacKenzie, John Olver & John Smith

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Deputation to GIR Scrutiny Committee

13th August 2020

From: C J Bacon Chair. Rutland Parish Council Working Group

This deputation concerns the changes proposed to Rutland County Council Statement of Community Involvement, on which consultation closed on 17th July 2020. Council have recently issued their response to the consultation. Your attention is respectfully drawn to the following content of **Report 97/2020**

- i) It is clear that the Parish Council Forum has, for many years, provided a useful opportunity to bring the Parishes together to share knowledge and experience. This should also have been seen as helpful to RCC, enabling it to respond to issues of concern and interest to parishes and also to act as sounding board and an opportunity to test its own ideas and new initiatives. **It is clearly a concern that this Forum is not more explicitly recognised in the revised SCI**
- ii) **Section 4 page 38** in which emphasis is placed in meeting **the MINIMUM requirements** for public participation. This aim is repeated in various other sections of the Report. What is lacking in this report is a clear statement suggesting that it is RCC's intention, wherever possible, to consult beyond the minimum, effectively to seek to work constructively with the community. Moreover, there is no mention that RCC would like to see much more real public participation, not just consultation, with people and community representatives on matters of interest in Rutland to us all.
- iii) **Paragraph 4.5 Table 1 pages 39 to 41** in which there is overt reference to engagement with Rutland Water Partnership. **It is clearly unacceptable to not give an equal clarity of reference to the Parish Council Forum. In rural areas especially, parishes are the lifeblood of the community, something that Covid 19 has again brought into sharp relief. A co-ordinating opportunity and voice for the Parishes is never more important and should be clearly reflected in the SCI**
- iv) **Appendix 2 Schedule of Main Issues Raised page 70** in which the "officer response" describes the Parish Council Forum as an "***un-constituted body***" -- "***not established for the purpose of responding to consultations and therefore does not have a role in making representation***"
Many bodies are able to respond to documents produced by a Local Planning Authority, without being specifically constituted to do so. Furthermore, for consultation wider than an individual Parish, it is reasonable for a body bringing together the parishes to discuss such issues and comment if considered appropriate. This is what community engagement is all about, after all.

May we invite you, as the GIR Scrutiny Committee, to review the content of these specific remarks in the overall context of a Statement of Community Involvement and consider whether you come to the same or a different conclusion from the authority who released this Report.

In the light of report 97/20 we wish to bring to the attention of the Scrutiny Committee the agreed minutes of the Parish Council Working Group Meeting held on 20th July 2020, which are set out below.

MINUTES

Parish Council Working Group

20th July 2020

Present: Cliff Bacon, Peter Coe, Jennifer Maskell, Neil Newton, Christopher Renner. (The two County Council representatives were invited to the Zoom meeting but did not attend)

1. Introduction:

This Parish Council Working Group meeting has been convened on the 20th July 2020 on the initiative of the Chairman of the PCWG because he has received notification from Governance that RCC are not prepared to convene a meeting of the PCWG at the present time under present circumstances.

2. Implications of the SCI Consultation on the Future of the Parish Council Forum and the Parish Council Working Group

It was agreed by all present that the recent SCI consultation has omitted all reference to the PCF and the PCWG as future consultation partners of Rutland County Council. Although this may only be during the Covid restrictions, the PCWG would expect that when these are lifted the Council would reinstate the PCF and the PCWG in their current form. The PCWG agreed to inform all Parish Councils of this situation and to canvass their views with regard to how they would like to see the future of the PCF and PCWG

It was observed that “consultation partners” are not necessarily bound to agree and that RCC have not appeared willing to listen and enter a constructive dialogue in response to valid and well-presented arguments at recent PCF meetings, which happen to be contrary to leadership thinking.

3. Corporate Peer Review Challenge Report November 2019

The content of this report was noted. Specifically in the Executive Summary it says that ***“mechanisms to facilitate continuous community engagement that is more than consulting on options but instead engages residents in co-designing and co-producing solutions at all levels --- A clear strategy that distinguishes between communications, consultation and engagement is needed.”*** This is summarised in **Key Recommendations numbers 1 and 3.**

The Executive Summary of the report encouraged RCC to work ***“with Town and Parish Councils to co-design and co-produce a framework for future engagement which may mean reviewing the current format of the Parish Council Forum and strengthening its role and remit so that it operates as a partnership”*** In view of this it appears to the PCWG all the more surprising that RCC are not planning to engage with the PCF and PCWG at the present time and shortly before a crucial public consultation process is due to open on Rutland’s Regulation 19 Local Plan.

PTO

4. The Future of the Parish Council Forum.

- i) It was unanimously agreed that the Chief Executive, the appointed interim Chief Executive, Leader and Deputy Leader of the Council should be encouraged to publicly endorse the value of the PCF and the PCWG as a pillar of community engagement, and to assure the parish communities of their continued support both during the Covid crisis and following the easing of the crisis. This should be evidenced by restoring the PCF and the PCWG as an important element of community involvement within the revised SCI after changes have been introduced following consultation responses.
- ii) It was unanimously agreed to report to the Chief Executive, the appointed interim Chief Executive, the Leader and Deputy Leader of the Council that the PCWG considered it entirely inappropriate to open consultation on the Regulation 19 Local Plan at a time of public health crisis and during a normal holiday period when public consultation capability is likely to be at its weakest and least effective status.
- iii) We formally ask the Council leadership to postpone the start of the consultation period and to prolong the consultation period when it does commence. The commencement of consultation should not commence until hard copies of the final consultation version of the Regulation 19 Local Plan are readily available for all residents to gain immediate access to them.
- iv) It was noted that the Planning Department would usually require a developer proposing a significant development to avoid submitting proposals during a holiday period.
- v) It was unanimously proposed that a meeting of the PCF should be convened in the near future in which the Leader and Deputy Leader be asked to explain and present the case as to why they wish to shift the spatial strategy and the settlement hierarchy of Rutland away from the well established pattern and to urbanise the County by the creation of a new town larger than Uppingham. There would then be an opportunity for a presentation by representatives of Parish Councils to put forward their views.
- vi) It was unanimously agreed that the PCWG would be writing to all parishes with the intention of
 - Advising parishes of the content of this meeting.
 - Advising parishes of the urbanisation risks to Rutland embodied in the Reg 19 Local Plan
 - Inviting parishes to attend a PC Forum Meeting on Zoom, advising only 1 representative to join the meeting from each parish.
 - Advising parishes of how to respond appropriately to the Regulation 19 Local Plan and providing assistance where necessary.

Unanimously agreed.

Cliff Bacon, Peter Coe, Jennifer Maskell, Neil Newton, Christopher Renner

Conclusion

The Corporate Peer Review Challenge of November 2019 made clear that real concerns were expressed about RCC's approach to community involvement and engagement. This was a constant theme also in the responses to the SCI consultation and we do not believe that these concerns have been adequately addressed in the proposed changes to the SCI.

Commencing during the period 2017 to 2018 there has been a noticeable progressive trend for RCC to move to suppress community involvement in vital planning issues concerning the future of Rutland, and, when the community have made their opinions known, to fail to publish those responses within a reasonable timescale, thus keeping the community unaware of the trend of opinion for as long as possible. Neither have the Council made any constructive intention to modify plans to meet community advice to consider changes of course.

If community involvement (or rather the lack of it) continues along these lines, the community response to the Regulation 19 Local Plan will include representations to the Inspectorate on this subject, among others.

Cliff Bacon.

Chairman Parish Council Working Group.

10th August 2020

Growth, Infrastructure and Resources Scrutiny Committee Meeting: 13 August

Question from Mrs Sharon Ashworth

“Given that the scrutiny committee did not have sight of the consultation questionnaire for the Statement of Community involvement before the process started, how many members of the scrutiny committee took the time to respond to the consultation?”

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Growth, Infrastructure and Resources Scrutiny Committee Meeting: 13 August

Question from Mr J Orme

Background

The proposed SCI provides for the Council to consult direct with Parishes (Parish Councils and Parish Meetings). The papers submitted to the Committee report that in response to the draft SCI a number of requests were made that, in addition to such direct consultation, the Parish Council Forum be recognised as a stakeholder and have a settled part in consultation arrangements.

The papers submitted to the Committee propose no amendment to the draft SCI – i.e. the Forum is not to have a settled place in future arrangements. The principal paper to the Committee says:

2.7.5 Role of the Parish Forum:

There is concern amongst some Parish Councils about the removal of a specific reference to the Parish Forum, as this is seen as playing an important role in identifying issues and concerns of the general population.

Rather than specify that the Parish Forum is a stakeholder, changes proposed to the SCI set out that each Parish and Town Council and the parish meetings were key stakeholders in their own right and that the Council would use a variety of means to engage with them (this could include amongst other formats the Parish Forums and/or the weekly Parish Briefings introduced to communicate through the Covid19 pandemic). In this way the changes make the SCI more flexible and adaptive to changing circumstances, therefore no further change is proposed to this paragraph.

In addition, the 'schedule of main issues' records the Officer Response on this issue as follows:

Noted. The Parish Forum is an un-constituted body which is chaired by the Chairmen of the County Council. The Forum was not established for the purpose of responding to consultations and therefore does not have a role in making representation. Each individual Town and Parish Council and Parish Meeting is individually consulted in their own right as a statutory consultee. The parish briefings originally set up by the Council as part of Covid-19 arrangements offer an opportunity for parish councils to ask questions and communicate with the Parishes. However, Table 1 sets out that existing partnerships, forums and groups will be engaged and through meetings, workshops and focus groups. The SCI therefore allows the flexibility to use forums such as the Parish Forum to engage different groups in the process.

The effect of the above

The effect of the above is that Parishes will have no certainty that a Forum meeting will be held in relation to Plan and Plan Document consultations. It will be a matter in the gift of the Council or its Chairman.

That is less than ideal. The Forum is a valuable mechanism, especially on contentious issues, whereby individual Parishes can get a better understanding (and thus improve their individual responses) by hearing and participating in the Forum discussion; in addition, Parishes as well as the Council, benefit from hearing Council participants respond to challenges raised at the Forum.

To have the matter proceed on the basis that Forum involvement will be possible, but is not obligatory and will be at the discretion of the Council, risks damaging public confidence in the Council's attitude to consultation.

Questions

“Is the Committee satisfied that officers have fully analysed and set out the considerations which ought to be taken into account in finalising the SCI in relation to the Parish Council Forum?”

“If so, does the Committee agree with the conclusion that the SCI not be amended in respect of the Parish Council Forum?”

“If so, how does the Committee propose that the Council avoid damage to the Council's reputation”

Jeremy Orme



EDITH WESTON PARISH COUNCIL

4 Normanton Cottages, Empingham Road,
Normanton, Rutland, LE15 8RW

10 August 2020

To the Scrutiny Committee

You will have seen, and I hope read, the letter Edith Weston Parish Council sent to the Monitoring Officer on 7th July expressing our concern over the decision to not carry out an equality assessment in advance of the Statement of Community Involvement consultation.

Edith Weston Parish Council had grave concerns that RCC were rushing the SCI consultation and cutting corners.

Having realised that it was unlikely that RCC would recall the consultation as it had already started, Edith Weston Parish Council asked that an Equality Impact Assessment be carried out immediately to inform the Cabinet's decision on the consultation outcome.

You may not have seen the reply we received but unfortunately it was less than clear and seemingly pushed back on our request - and I quote- *'The Council recognise the duties under the Equality Act 2010. Section 149 of the Act requires public authorities to have due regard to several equality considerations when exercising their functions. There is, however, no requirement to carry out an Equality Impact Assessment and one has not been completed, as recognised in paragraph 8.1 of the Report to Cabinet for the meeting on 16 June 2020.'*

For those of you that don't have Para 8.1 in front of you it explained RCC's decision that the current equality screening assessment for the Local Plan would require updating to take account of the amended proposals for the SCI, but nothing more, and this would not be done until after the consultation.

Albeit delayed, the Cabinet and Monitoring Officer have realised their mistake and rather than simply relying on an update to the Local Plan equality impact screening have now undertaken an equality impact screening on the Statement of Community Involvement policy changes.

Were RCC acting with good intentions delaying the equality screening and how has the delay impacted on consultation process? Well, the latter is easy - consultees have not been given the chance to comment on the equality screening outcome, not had the chance to decide if RCC comments against each of the nine protected characteristics are reasonable, and, lastly not had the chance to express any view as to if a full EIA is actually needed.

Before the Scrutiny committee even start to consider the responses to the consultation, they need to consider whether it was it reasonable for RCC to delay undertaking an Equality Impact Screening. Scrutiny also need to discuss the

screening itself and if RCC have fairly assessed the impacts on each of the 9 group. Age, disability and race need particular attention. We ask that you debate and discuss in full and give this matter the attention it deserves.

Yours sincerely

Paul Boggust

Paul Boggust
Edith Weston Parish Council Chairman

Growth, Infrastructure and Resources Scrutiny Committee Meeting: 13 August

Deputation from Mrs S Walling

It is clear that the process of consultation on the Statement of Community Involvement has been challenged in a number of ways, Gunning Principles and Government Code of Practice are mentioned, yet the view of the Cabinet, Officers and the Monitoring Officer is that the process was carried out PROPERLY, FAIRLY and PROPORTIONATELY.

In light of RCC's claims I give an example for consideration as the issue of leading questions seems to have been overlooked and whether the responses to these questions demonstrate effectiveness.

In the preamble to question 3 it refers to appendices 1, 2 and 3, yet the question asks if RCC should follow government advice in respect to provisions to Local Plan documents. This is not only a leading question, alone a matter for serious consideration by scrutiny, but also the wording of the question discouraged any response in relation to appendices 2 and 3. Only appendix 1 is entitled Local Plan Documents.

Only those people with the confidence to challenge RCCs response to Government advice and say No to question 3 were then given the chance to make suggested modifications to appendices 1,2 and 3 in question 3A..

The Statement of Community Consultation was ineffective, unfair and unreasonable. Each and every aspect needs to be fully debated by scrutiny and I suggest requires the sign off by all councillors before adoption.

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Question from C Gwilliam

I would like to present a deputation to the Growth, Infrastructure and Resources Scrutiny Committee on Thursday 13th August 2020.

My deputation refers to - Agenda item 8 - Statement of Community Involvement

My Name is Catherine Gwilliam

I am speaking on my own behalf.

My Question is as follows:

It is good that RCC have clearly listened to Edith Weston Parish Council and undertaken an equality screening on the policy changes in the revised Statement of Community Involvement but I question if the screening document presented to scrutiny by cabinet and the Monitoring Officer has adequately assessed the impacts and I ask scrutiny to consider the following points.

The purpose of the report at the top of the document seems woefully inadequate as it does not include any summary? The author of the screening document must surely qualify and summarise the changes to the SCI in order to support his assessment as to the degree of impact, ie the categories- None through to varied?

Secondly the only notable actions mentioned in the comments as having been taken to lessen the impact of changes to policy are:

- the inclusion in the SCI that limited telephone information is still available as an alternative to email and face to face

- the SCI needs to make clear that non-electronic representations can still be viewed or made with or without the standard form.

How useful is an acknowledgment in the SCI that limited telephone contact is available and is this evidence enough to satisfy the duty on Local Authorities?

This document requires the full attention of scrutiny and an experienced eye as scrutiny are tasked with overseeing the work of the cabinet. I look forward to hearing your response to my questions during the debate on Thursday.

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Question from Melanie Mansell

I would like to submit a question for the Growth, Infrastructure and resources Scrutiny committee-Thursday13th August 2020 at 7.00pm. This relates to item 8 - Statement of Community Involvement. My question is as follows: _

“Given that one of the Gunning principles require that ‘conscientious consideration’ must be given to the consultation response, and that there have been some serious challenges to the legality and appropriateness of the consultation, are the scrutiny committee satisfied that the leading nature of question 3 has not unfairly influenced those people who took the time to respond?, and to what extent does this render the Consultation on the Statement of Community Involvement ineffective?”

I ask that this is debated at the scrutiny meeting and not side-lined with only a written response provided with the minutes.

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Question from Paul C Gwilliam

I am speaking on my own behalf.

My Question is as follows:

In the Cabinet report point 2.8, the Scrutiny committee is advised to consider the changes made and to help it note that changes are shown as deleted text, and, new text is highlighted in grey.

If you compare the regulation 19 section in appendix 1 from the SCI consulted on, against the revised SCI presented to you today, there is no consistency with the use of grey highlighting and your job in comparison is not easy. The comment in the reg 19 section about advising those without internet access to contact planning is in grey text but this is not new text added following the consultation, neither is the complete statement about copies of the plan being available, the new text in that statement is that the response is available in print format. This is just one example.

There are 3 strands to my question to scrutiny -

1. The cabinet have seemingly made it unnecessary difficult for the scrutiny committee to do their job in the way the information on the proposed changes to the SCI have been presented. Why is this and what can be learnt?
2. What is the view of each and every committee member on this point and is there any agreement amongst the committee members?
3. Do committee members feel they understand the reasons for endless changes, corrections and tidy ups to fully consider the draft revised SCI?

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Question from N Milne

In the June 2020 Ketton Parish Council meeting minutes it is noted that Ketton Together has taken the time to consider how they can best support the village going forward. They acknowledged that a number of villagers will need to continue to self-isolate to protect themselves and their families & there will also be people who need to self-isolate because they have symptoms, or, have been contacted through the track and trace process.

Can Karen Payne confirm if she has discussed with Ketton Together the changes to the SCI, if so when was this and what was their view on the steps taken to ensure engagement by all those continuing to self-isolate? I am interested to learn their thoughts on a suggested triage systems for callers without internet access and the decision to still have documents available at the office. How would they get to the Catmose office if they are self-isolating and do not have access to transport? What would they need from the planning officers to respond to the next stage of the Local Plan consultation? Do the organisers of Ketton Together think there is a need for the planning officer support to be available for those who HAVE internet access but are self-isolating, this could be needed to compensate for the difficulty in having any form of contact with members of their local community who may be able to assist with answering questions on the Local Plan regulation 19 process? There is much to consider and ward councillors need to be sure they have talked with their parishioners in order to comment. Perhaps sign off by full council is needed.

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