



# Rutland County Council

Catmose Oakham Rutland LE15 6HP.  
Telephone 01572 722577 Facsimile 01572 75307

## **RECORD OF DECISION AT A MEETING OF THE CABINET**

**Tuesday, 16th July, 2019 at 10.00 am**

**Decisions published on Thursday 18 July 2019**

**Decisions will be implemented on Wednesday 24 July 2019 unless the Call-in Procedure as outlined in Procedure Rule 206 is invoked.**

**PRESENT:** Mr O Hemsley  
Mr G Brown  
Mrs L Stephenson  
Mr A Walters  
Mr D Wilby

<b>OFFICERS</b>	Mrs H Briggs	Chief Executive
<b>PRESENT:</b>	Mr M Andrews	Strategic Director for People(DAS/DCS)
	Mrs H Bremner	Head of communications
	Mr S Della Rocca	Strategic Director for Resources
	Mrs C Traill	Strategic Director for Places
	Mrs J Morley	Governance Officer

**IN**

**ATTENDANCE:** Miss G Waller                      Councillor

### **120 APOLOGIES FOR ABSENCE**

There were no apologies.

### **121 ANNOUNCEMENTS FROM THE CHAIRMAN AND/OR HEAD OF THE PAID SERVICE**

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

### **122 DECLARATIONS OF INTEREST**

No declarations of interest were received.

### **123 RECORD OF DECISIONS**

The Record of Decisions made at the meeting of the Cabinet held on 18 June 2019, copies of which had been previously circulated, were confirmed as a true record and were signed by the Chairman.

## 124 ITEMS RAISED BY SCRUTINY

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

## 125 ST GEORGE'S BARRACKS PROGRESS REPORT

Report No.111/2019 was received from the Chief Executive.

Mrs Briggs, Chief Executive, introduced the report the purpose of which was to provide Cabinet with a progress report on St George's Barracks project further to the report of March 2018.

During discussions the following points were noted:

- The report advised Cabinet that the Council's submission to the Garden Communities Programme had been successful and that £150,000 had been allocated for 2019/20. This funding would be applied to support the design work that was included in the Council's submission.
- The terms of the funding had not yet been disclosed but the indications were that they would be the standard section 31 conditions of the Local Government Act 2003 and a fairly light touch. The grant would be accepted under delegated powers however if the terms of acceptance for the bid turned out to be anything other than standard then a further report would be brought back to Cabinet.
- Acceptance on the programme, even without any funding, gave the Council access to technical support, environmental direction and information and advice from the other garden community projects around the country.

### DECISIONS:

Cabinet:

1. **NOTED** the progress update in respect of the St George's Barracks Project.
2. **SUPPORTED** the St George's project joining the MHCLG Garden Communities Programme and **AGREED** that the acceptance of terms and conditions would be delegated to the Chief Executive, Leader/Portfolio Holder for Finance and the Chief Finance Officer in line with the Financial Procedure Rules as set out in paragraph 12 of the report.

*Reason for the decisions:*

*Progress on the project is in line with the programme.*

## 126 AMENDED RUTLAND S75 PARTNERSHIP BOARD TERMS OF REFERENCE

Report No.105/2019 was received from the Strategic Director for People. Mr Walters, Portfolio Holder for Safeguarding – Adults, Public Health, Health Commissioning and Community Safety introduced the report the purpose of which was to:

1. Seek Cabinet approval for modest streamlining changes to the Terms of Reference for the East Leicestershire and Rutland Clinical Commissioning Group (ELRCCG) and Rutland County Council (RCC) Section 75 Agreement Partnership Board
2. Request that henceforth authority to approve minor changes to the Section 75 Agreement and Terms of Reference for the Partnership Board were delegated by Cabinet to the Partnership Board. As the Portfolio Holder for Health is a member of the Partnership Board, it will be up to them to assess whether any proposed changes are minor.

During discussions the following points were noted:

- Mr Walters, Portfolio Holder for Safeguarding – Adults, Public Health, Health Commissioning and Community Safety, requested that there be an amendment to the proposed membership as set out in the terms of reference, paragraph 3 of the report, so that any decisions made would require one representative from the CCG but two from RCC; both a Member and an officer.
- Paragraph 12.2 of the report requested delegation of authority to make *minor* amendments which would not include any significant changes to the budget.

## **DECISIONS**

Cabinet:

1. **APPROVED** proposed membership and quoracy changes to the Rutland Section 75 Partnership Board, as set out in its Terms of Reference but subject to the amendment proposed by Councillor Walters, which would require decisions to be made by both an RCC officer **and** Member.
2. **AUTHORISED** the Partnership Board to approve minor changes to the Terms of Reference and operation of the Partnership Board under delegated authority from Cabinet.

*Reasons for the decisions:*

*The proposed changes to the governance of the Section 75 Partnership Board Agreement are recommended:*

- a. *To sustain an appropriate breadth of representation on the Board, without impeding decision-making if full attendance is not possible.*
- b. *To improve the balance of participation across the two participating organisations, reflecting the maturity of this well-established partnership mechanism.*

*The delegation of authority to make minor amendments to the Section 75 Agreement is requested to protect Cabinet time for significant decision-making*

## **127 ANNUAL REPORT ON TREASURY MANAGEMENT AND ACTUAL PRUDENTIAL INDICATORS 2018/19**

Report No.88/2019 was received from the Strategic Director for Resources. Mr G Brown, Deputy Leader and Portfolio Holder for Planning, Environment, Property and Finance introduced the report, the purpose of which was to show how the Council had

performed against the Treasury Management Strategy for 2018/19 as set out in Report No.06/2018.

During discussion the following points were noted:

- This was a straightforward report which showed there had been no change in approach.
- The key points to note were that the Council had only invested in approved prudent institutions, there had been no unsupported borrowing for 2018/19, and no external debt had been repaid early as there had not been any financial incentive to do so.
- The strategy met the CIPFA (The Chartered Institute of Public Finance and Accountancy) Code of Practice and the Council's own financial rules.
- The section on world markets that was included with the report was welcomed by Members.

## **DECISIONS:**

Cabinet:

1. **NOTED** the actual 2018/19 prudential indicators within the report.
2. **NOTED** that the treasury management stewardship for 2018/19 was in compliance with the treasury management strategy.

*Reasons for the decisions:*

*The report summarises treasury management performance in the year and meets the requirements set out in section 6.*

## **128 RUTLAND COUNTY MUSEUM & COTTAGE ROOF WORKS**

Report No. 113/2019 was received from the Strategic Director for Places. Mr G Brown, Deputy Leader and Portfolio Holder for Planning, Environment, Property and Finance introduced the report the purpose of which was to obtain authority from Cabinet to release up to £86,750 of Capital Receipts and approve the appointment of A J Bryan Construction Ltd for the contract sum of £69,400 to allow the repair/replacement of major components of the museum roof.

During discussion the following points were noted:

- The museum roof needed repair not only because it was a listed building but also to maintain it properly for the staff who worked there.
- Two bids had been assessed from which A J Bryan Construction Ltd had been brought forward for recommendation.

## **DECISIONS**

Cabinet:

1. **APPROVED** the release of up to £86,750 of (which includes £10,410 contingency and £6,940 of management costs) of Capital Receipts to replace the roof at Rutland County Museum and Catmose Cottage during summer 2019.

2. **APPROVED** the appointment of A J Bryan Construction Ltd. for the sum of £69,400 to repair and replace the roof at Rutland County Museum and Catmose Cottage.
3. **AUTHORISED** the Head of Property Services to commit the contingency of up to £10,410 to cover additional expenses that could arise as a result of the project.

*Reasons for the decisions:*

*The recommendations set out in this report will ensure the roof is replaced where necessary with little, if any, impact on the operations of the Council.*

## **129 FUTURE MAINTENANCE - OPERATIONAL PROPERTIES**

Report No.112/219 was received from the Strategic Director for Places. Mr G Brown, Deputy Leader and Portfolio Holder for Planning, Environment, Property and Finance introduced the report the purpose of which was to allow the Head of Property Services to move forward and obtain competitive tenders for the works outlined in the report, so that figures reported to Cabinet were actual project costs, rather than estimates.

During discussion the following points were noted:

- The Council had not kept up with the required maintenance work for many of its properties and as such the work now needed was quite extensive.
- Some of the works would require technical input; for example the boilers at Catmose had been replaced but there was no zoning or individual control so the heating system was currently not fit for a modern workplace.
- Councillor Stephenson confirmed that the work undertaken would dovetail with any other strategic work planned.
- The ward members for Ketton, Mrs K Payne and Mr G Brown, would monitor the progress regarding works at Ketton Library.
- Councillor Wilby felt that the community issues section of the report should have made reference to the health and safety aspect of work undertaken and Councillor Brown acknowledged this.

## **DECISIONS**

Cabinet:

1. **AUTHORISED** the Head of Property Services in consultation with the Portfolio Holder for Planning, Environment, Property and Finance to appoint appropriate professional support through the agreed revenue budget 2019/20 to fully develop the programme and scope of works, to ensure the costs are robust.
2. **AUTHORISED** the Head of Property Services in consultation with the Portfolio Holder for Planning, Environment, Property and Finance to develop award criteria, issue tender documentation and receive bids from potential contractors for the works identified in this report.
3. **AUTHORISED** the Head of Property Services in consultation with the Portfolio Holder for Planning, Environment, Property and Finance to alter the timing and scope of the projects ensuring 'best value' for Rutland County Council.

4. **NOTED** that a series of reports will be provided to Cabinet seeking the release of project funds and approval to appoint contractors.

*Reasons for the decisions:*

*Early release of funding to support the development of project programme with realistic costs that will support submission of a future report to Cabinet, seeking the release of funds and award of contract.*

### **130 MOVING RUTLAND FORWARD AND ASSOCIATED DOCUMENTS**

Report No.99/2019 was received from the Strategic Director for Places. Mrs L Stephenson, Portfolio Holder for Culture and Leisure, and Highways and Transportation introduced the report the purpose of which was to provide Cabinet with a summary of the consultation process for Moving Rutland Forward (MRF) and associated documents and request that they were recommended to Council for approval.

During discussion the following points were noted:

- This was the fourth local transport plan for Rutland and it had undergone a very lengthy and comprehensive consultation process.
- The strategic aims of the Plan were to 1) facilitate the delivery of sustainable population and economic growth, 2) meet the needs of the most vulnerable residents and 3) to support a high level of health and wellbeing (including combating rural isolation).
- The scrutiny process was crucial to making sure that the Council got it right.
- Adoption of Moving Rutland Forward was just the starting point for delivering the Council's transport vision and a number of policies would be developed and revised during its implementation.
- The Portfolio Holder for Transport, Mrs L Stephenson, made an amendment to the second recommendation of the report requesting that the MRF be approved by Council as an indicator of travel, understanding that financial implications would be considered with each individual policy as it was developed.
- There had been three amendments to the document since original publication of the report in the Cabinet agenda pack (detailed below). The revised documents would be available at <https://www.rutland.gov.uk/my-community/transport/local-transport-plan/>
  1. Page 138 – the last paragraph referring to the Caldecott relief road – 5.3.2 was to be removed and replaced with:

*There is a long and well documented history of a demand for a bypass for Caldecott, and RCC has previously successfully submitted its case and had funding allocated for such a project. Whilst the previous scheme was shelved as a consequence of the 2007/8 financial crisis, the situation needs to be reviewed in the face of exacerbating factors such as further increases in average annual daily volumes as measured by the Department for Transport, the considerable planned expansion of Corby, and the growth of Rutland's tourism industry. We will commit to re-establishing the case for a relief road against set national standards and to seek the funds to undertake a feasibility study.*
  2. The A1 referenced in appendix B under 2.4, 5.2, 5.3.2, 5.3.3 and 8.5.2 would be included in the table on page 185 so that it read: *'We will work with our*

*partnership highway authorities to deliver an upgrade to motorway standard for the A1 between Peterborough and the M62 for both safety and economic reasons at the earliest opportunity.’ This would also be added to the implementation plan on page 221.*

3. The Road Safety Strategy work had been brought forward to this year which meant that the parking strategy had been moved to later on in the first tranche of work.
- Members still had some concerns about the readability and length of the document for Cabinet and the public but recognised that it had been a long process to get to this stage and there was a need to move on and support the Plan.
- Mrs Stephenson’s amendments to the documents, which emphasised that this was an indication of the direction of travel and the Plan would evolve further, was welcomed by Members.

## **DECISIONS**

Cabinet:

1. **NOTED** the content of the consultation report
2. **RECOMMENDED** Moving Rutland Forward, and associated documents and assessments (Appendices B-M) to Council for approval as an indicator of the direction of travel, understanding that financial implications would be considered with each individual policy as it was developed.

*Reasons for the decisions:*

1. *MRF and associated documents have been developed to address the transport challenges faced in Rutland that have been identified via in-depth interrogation of a wide ranging evidence base and engagement with various stakeholders.*
2. *The vision and aspirations of MRF and associated documents will help to deliver solutions to these challenges, whilst also delivering against the council’s corporate aims and objectives. As such, adoption of MRF and its subsequent delivery has a vital role to play in the future evolution of Rutland and will – we hope – achieve its title and help move Rutland forward.*

## **131 EXCLUSION OF THE PRESS AND PUBLIC**

Cabinet **AGREED** to remain in public session unless detailed discussion was held on the exempt information at which point the meeting would move into exempt session.

## **132 HOME TO SCHOOL TRANSPORT TENDERS**

Report No.98/2019 was received from the Strategic Director for Places. Mrs L Stephenson, Portfolio Holder for Culture and Leisure, Highways, Transportation & Road Safety introduced the report the purpose of which was to detail the outcome of the recent OJEU procurement of statutory home to school contracts and seek approval to award.

During discussion the following points were noted:

- Not supporting the recommendations would put the Council at risk of not meeting its statutory obligations.
- Mrs Stephenson, the Portfolio Holder for Transport, had received some questions on home to school transport from Councillor Waller and the responses to these have been appended to the minutes.
- The Strategic Director for Places would provide further detail to Cabinet on whether the proposed Rutland contract was good value for money compared to other contracts that the Welland Procurement Unit had advised on.
- The Strategic Director for Places confirmed that although the process was running three weeks behind, the contract would be in place and operational for the beginning of the new school term.
- Some preliminary checks on licenses were carried out pre tender but most were done after the contract was awarded.
- Officers would confirm how much the Council was saving against the budget set at the beginning of the year.
- The community safety section of the report should have considered the implications of transporting children across the County and issues such as DBS checks.
- Mr Brown asked whether the timing of the contract process could be bought forward as six weeks before the start of the academic year seemed to be too late to resolve any issues, had anything gone wrong. Mrs Stephenson responded that ideally the process would happen sooner but that it was dependent on information provided by schools and the schools admissions process could be very variable.

## DECISIONS

Cabinet:

1. **AUTHORISED** the award of the home to school transport contracts listed in the results table in Appendix A.
2. **DELEGATED** authority to the Strategic Director for Places in Consultation with the Strategic Director of Finance and Deputy Director of Corporate Governance to enter into all necessary contracts for the award.

*Reasons for the decisions:*

*It is recommended that Cabinet approve the award of home to school transport contracts listed in Appendix A so that home to school transport services can commence in August 2019.*

## 133 ANY ITEMS OF URGENT BUSINESS

No items of urgent business were received.

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**The Chairman declared the meeting closed at 10.51am**

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## Responses to Councillor Waller's questions regarding the Home to School Transport Report

- 1. Value for money:** All tendered contracts are compared against previous comparable routes and (where appropriate) are costed for provision via the in-house commissioned transport fleet to ensure we achieve best value. The contracts awarded are those that (as a package) represent best value for money. Every year we are scrutinising every route and working through every entitled student in the county's transport requirements to ensure that we are integrating as many routes as possible and that we are using the correct mode of transport to achieve efficiencies. For example we are introducing a further 2 double decker vehicles (instead of 4 separate coaches) onto secondary bus routes this year to remove buses from the road and to achieve lower spend. The contract in this report are not all of our contracts, just those that came up for retendering this year, or those that require adjustment due to demand changes.
- 2. Denominational Transport:** When RCC withdrew support for denominational transport, it was agreed that this would be phased out and any students remaining in the statutory school system would continue to receive the free transport. There is 1 student remaining and 19-20 will be the last academic year where RCC support transport on denominational grounds to the Kings school in Peterborough. This will be a taxi contract for 1 year and the remaining spaces within the taxi will be sold to fare-payers to generate income to help support the contract for the remaining entitled student. Due to the home address of the entitled student, timings, route and school dates etc, public transport is not an option and the taxi contract costs versus any other option is the best value choice for the coming academic year.
- 3. Post 16 Transport:** Our current post 16 transport policy supports assisted transport on fixed criteria (closest college offering courses chosen within 8 miles of the county boundary). Students who are entitled to assisted transport to Harington school via this policy will pay a contribution of £520 for the academic year (they are exempt if evidence of low income shown).
- 4. Public service routes:** We already have, and will continue to, move secondary and post 16 students onto public transport routes wherever possible and where this achieves best value. We also ensure where possible our scholar services are registered as public bus services. For example the 185 and 29 are essentially college /school services that have been registered as public bus services and are therefore available for anyone to use.

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