



# Rutland County Council

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**Meeting:** CABINET

**Date and Time:** Tuesday, 20 August 2019 at 10.00 am

**Venue:** COUNCIL CHAMBER, CATMOSE

**Governance Officer to contact:** Jo Morley 01572 758271  
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## A G E N D A

- 1) APOLOGIES FOR ABSENCE
- 2) ANNOUNCEMENTS FROM THE CHAIRMAN AND/OR HEAD OF THE PAID SERVICE

- 3) DECLARATIONS OF INTEREST

In accordance with the Regulations, Members are required to declare any personal or prejudicial interests they may have and the nature of those interests in respect of items on this Agenda and/or indicate if Section 106 of the Local Government Finance Act 1992 applies to them.

- 4) RECORD OF DECISIONS

To confirm the Record of Decisions made at the meeting of the Cabinet held on 16 July 2019.

**5) ITEMS RAISED BY SCRUTINY**

To receive items raised by members of scrutiny which have been submitted to the Leader (copied to Chief Executive and Governance Officer) by 4.30 pm on Friday 16 August 2019.

**REPORTS OF THE CHIEF EXECUTIVE**

**6) PROGRESS UPDATE ON ST GEORGE'S BARRACKS**

Report No.121/2019  
(Pages 5 - 8)

**7) RUTLAND COUNTY COUNCIL ANNUAL REPORT 2018/19**

Report No.124/2019

*(Report to follow)*

**8) STRATEGIC PARTNERSHIP AGREEMENT - RUTLAND COUNTY COUNCIL AND CAMBRIDGESHIRE AND PETERBOROUGH COMBINED AUTHORITY**

**(KEY DECISION)**

Report No.119/2019  
(Pages 9 - 16)

**REPORTS OF THE STRATEGIC DIRECTOR FOR RESOURCES**

**9) COUNCIL TAX - COUNCIL TAX SUPPORT, CARE LEAVERS RELIEF AND EMPTY HOMES PREMIUM**

Report No.115/2019  
(Pages 17 - 42)

**10) QUARTER 1 FINANCE MANAGEMENT REPORT**

**(KEY DECISION)**

Report No.114/2019  
(Pages 43 - 66)

**REPORT OF THE STRATEGIC DIRECTOR FOR PLACES**

**11) BARROWDEN AND WAKERLEY NEIGHBOURHOOD PLAN**

**(KEY DECISION)**

Report No.122/2019  
(Pages 67 - 86)

## **12) ANY ITEMS OF URGENT BUSINESS**

To receive items of urgent business which have previously been notified to the person presiding.

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**MEMBERS OF THE CABINET:** Mr O Hemsley Chairman  
Mr G Brown  
Mr A Walters  
Mr D Wilby  
Mrs L Stephenson

### **SCRUTINY COMMISSION:**

**Note: Scrutiny Members may attend Cabinet meetings but may only speak at the prior invitation of the person presiding at the meeting.**

**ALL CHIEF OFFICERS  
PUBLIC NOTICEBOARD AT CATMOSE  
GOVERNANCE TEAM**

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**CABINET**

20<sup>th</sup> August 2019

**PROGRESS UPDATE ON ST GEORGE'S BARRACKS**

Report of the Chief Executive

Strategic Aim:	All	
Key Decision: No	Forward Plan Reference: FP19/0718	
Exempt Information	No	
Cabinet Member(s) Responsible:	Mr O Hemsley, Leader and Portfolio Holder for Rutland One Public Estate & Growth, Tourism & Economic Development, Resources (other than Finance)	
Contact Officer(s):	Helen Briggs, Chief Executive	01572 758201 hbriggs@rutland.gov.uk
Ward Councillors	Normanton - Mr K Bool and Miss G Waller	

**DECISION RECOMMENDATIONS**

That Cabinet notes the progress update in respect of the St George's Project.

**1 PURPOSE OF THE REPORT**

1.1 The purpose of this report is to provide Cabinet with a progress report on the St George's project.

**2 BACKGROUND AND MAIN CONSIDERATIONS**

2.1 The St George's Barracks project is a significant project for the County Council and the County as a whole. This report provides a summary of progress to date. It includes updates on:

- Housing Infrastructure Fund
- Master planning and viability
- The St George's Advisory Group
- The Officers Mess project
- The Governments Garden Community programme

- Greater Cambridgeshire Greater Peterborough Local Enterprise Partnership Growth Fund

### **3 HOUSING INFRASTRUCTURE FUND**

- 3.1 There has been no change since the previous report in July. We are awaiting the outcome of our submission.

### **4 MASTER PLANNING AND VIABILITY**

- 4.1 Work on the Evolving Masterplan will continue during 2019. This is expected to include further work on:

Design and layout  
Highways and transport infrastructure  
Employment

- 4.2 The work identified in 4.1 will be supported by the creation of a Project Board Sub Group specifically to support on-going design work.
- 4.3 The sub groups have now agreed Terms Of Reference (TOR) and we are awaiting nominations from the Advisory Group in line with the TOR. These have been promised by the end of the first week in September.

### **5 ST GEORGE'S ADVISORY GROUP**

- 5.1 A meeting took place on 1<sup>st</sup> August 2019. As there were some new members the Group received an overview and progress report on the project. The next meeting is planned for October 2019.

### **6 THE OFFICERS MESS PROJECT**

- 6.1 The Project Board has now ceased and the MOD have confirmed that this site will be rolled into to the main site and treated as one project led by the Land Sale Delivery Partner (LSDP).

### **7 THE GARDEN COMMUNITIES PROGRAMME**

- 7.1 In line with the authority delegated by Cabinet in July we have accepted the funding and the site is now designated as a Garden Community.
- 7.2 Discussions are taking place with Homes England who will administer the programme. Monitoring will be light touch. The £150k funding must be spent in 2019/20 and there is an option to bid for further funds in following years.
- 7.3 A meeting has taken place with the Leader and Lord Matthew Taylor to discuss the project and his on-going support is proving to be very useful.

## **8 GREATER CAMBRIDGESHIRE GREATER PETERBOROUGH LOCAL ENTERPRISE PARTNERSHIP (GCGPLEP) – GROWTH FUND**

8.1 Work on the development of a further Expression of Interest (EOI) is progressing.

## **9 CONSULTATION**

9.1 Non-statutory consultation in relation to the High Level Master Plan for St George's has now finished. The analysis of the responses and all of the responses have been shared and are available on our web site. These responses will be considered as part of the work towards completing the Local Plan.

9.2 The St George's Advisory Group will also support on-going engagement with Parish Councils and be represented on the soon to be established subgroups.

9.3 There is significant engagement on-going with the local business community, the education sector and a wider stakeholder group including utilities, neighbouring councils and developers.

## **10 ALTERNATIVE OPTIONS**

10.1 This is a progress report so this element is not relevant to most of the report.

## **11 FINANCIAL IMPLICATIONS**

11.1 None relevant to this report.

## **12 LEGAL AND GOVERNANCE CONSIDERATIONS**

12.1 None relevant to this report.

## **13 DATA PROTECTION IMPLICATIONS**

13.1 A data protection impact assessment has not been completed as there are no data protection implications.

## **14 EQUALITY IMPACT ASSESSMENT**

14.1 Not relevant for a progress report.

## **15 COMMUNITY SAFETY IMPLICATIONS**

15.1 None.

## **16 HEALTH AND WELLBEING IMPLICATIONS**

16.1 None.

**17 CONCLUSION AND SUMMARY OF REASONS FOR THE RECOMMENDATIONS**

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

**18 BACKGROUND PAPERS**

18.1 None.

**19 APPENDICES**

19.1 None.

A Large Print or Braille Version of this Report is available upon request – Contact 01572 722577.



**CABINET**

20<sup>th</sup> August 2019

**STRATEGIC PARTNERSHIP AGREEMENT – RUTLAND  
COUNTY COUNCIL AND CAMBRIDGESHIRE AND  
PETERBOROUGH COMBINED AUTHORITY**

**Report of the Chief Executive**

Strategic Aim:	All	
Key Decision: Yes	Forward Plan Reference: FP/260719	
Exempt Information	No	
Cabinet Member(s) Responsible:	Mr O Hemsley, Leader and Portfolio Holder for Rutland One Public Estate & Growth, Tourism & Economic Development, Resources (other than Finance)	
Contact Officer(s):	Helen Briggs, Chief Executive	01572 758201 hbriggs@rutland.gov.uk
Ward Councillors	N/A	

**DECISION RECOMMENDATIONS**

That Cabinet:

1. Authorises the Chief Executive in consultation with the Leader to enter into the Strategic Partnership Agreement.
2. Delegates to the Chief Executive, in consultation with the Leader, authority to make any amendments necessary to finalise the agreement with Cambridgeshire and Peterborough Combined Authority.

**1 PURPOSE OF THE REPORT**

- 1.1 The purpose of this report is to seek Cabinet approval for the Strategic Partnership Agreement with Cambridgeshire and Peterborough Combined Authority (CPCA).

**2 BACKGROUND AND MAIN CONSIDERATIONS**

- 2.1 Rutland County Council has been a member of the Greater Cambridge and Greater Peterborough Local Enterprise Partnership (GCGPLEP) since its inception.

- 2.2 In September 2018 Rutland County Council (RCC) was informed by the GCGPLEP that they were minded to ask the Government to remove Rutland County Council from the LEP to ensure that its boundaries mirror those of CPCA.
- 2.3 RCC has remained committed to securing the best possible economic partnerships that enable the County to flourish and the Council has and continues to engage constructively with neighbouring LEPs and authorities to identify partnership opportunities.
- 2.4 The Council has also continued its engagement with the CPCA to work with them and identify funding for projects within RCCs area. Following discussions with the Chief Executive and Leader the attached agreement is proposed to enable RCC and CPCA to:
- Collaborate on the proposals for future strategic planning;
  - Explore joint opportunities for investment to enable growth, particularly in infrastructure or skills development;
  - Provide joint investment for initiatives that contribute to inclusive growth, including through new funding models;
  - Deliver joint projects of mutual benefit that improve the lives of residents and workers in the sub-region;
  - Build on the existing partnership working, across the sub-region; and
  - Develop a coordinated approach to the Local Growth Fund, agreeing which of the CPCA and GLLEP pots are most appropriate for specific projects;
  - Share information, data and evidence that informs the future development of the sub-region.
- 2.5 The Agreement also sets out (at section 3) the practical structures for working together in the future.
- 2.6 As Councillors will see from the agreement this does not provide for specific funding but puts in place a mechanism to ensure regular contact is maintained and the relationship between Rutland and CPCA is structured to ensure that we are able to identify and build on shared interests.

### **3 CONSULTATION**

- 3.1 The Council has engaged actively with CPCA to develop the agreement proposed.

### **4 ALTERNATIVE OPTIONS**

- 4.1 Cabinet could choose not to enter into the Partnership Arrangement. This would mean that there would be no agreed structure around to engage with key partners and would impact on the ability to secure funding in the future.

## **5 FINANCIAL IMPLICATIONS**

5.1 None relevant to this report.

## **6 LEGAL AND GOVERNANCE CONSIDERATIONS**

6.1 The Agreement sets out an understanding between the 2 authorities of how they will work together. This agreement is expressly made subject to the decision making processes of each and so any outcomes from the processes contained in the agreement will be subject to the Council's usual processes as set out in the Constitution

## **7 DATA PROTECTION IMPLICATIONS**

7.1 A data protection impact assessment has not been completed as there are no data protection implications.

## **8 EQUALITY IMPACT ASSESSMENT**

8.1 Not relevant for a progress report.

## **9 COMMUNITY SAFETY IMPLICATIONS**

9.1 None.

## **10 HEALTH AND WELLBEING IMPLICATIONS**

10.1 None.

## **11 CONCLUSION AND SUMMARY OF REASONS FOR THE RECOMMENDATIONS**

11.1 The Agreement as proposed will facilitate partnership working with the CPCA who are a key partner in the securing investment both sub-regionally and from central government.

## **12 BACKGROUND PAPERS**

12.1 None.

## **13 APPENDICES**

13.1 Appendix A – Strategic Partnership Agreement

**A Large Print or Braille Version of this Report is available upon request – Contact 01572 722577.**

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## **STRATEGIC PARTNERSHIP AGREEMENT**

**Between**

**RUTLAND COUNTY COUNCIL (RCC)**

**And**

**CAMBRIDGESHIRE AND PETERBOROUGH COMBINED AUTHORITY (CPCA)**

## 1 Background to the Agreement

- 1.1 The CPCA and RCC recognise the strong linkages between their two areas and the need to continue and enhance joint working, irrespective of the future configuration of the Local Enterprise Partnerships, and the Mayoral Combined Authority's requirement to ensure co-terminosity of services.

## 2 Overall Commitment

- 2.1 Both parties share a commitment to do more to develop the productivity of firms, raise skill levels, make home ownership affordable, address health and educational inequalities, and generate revenue to pay for public services in the future. Partnership is essential to delivery and the public sector, in particular needs, to work more closely to leverage all its resources.
- 2.2 Together, we are committed to coordinate our resources and build a consensus that gives our communities, businesses and central government the confidence that when they make decisions to live, grow and invest in our sub-region they do so knowing there's not a better area in the country to do it.
- 2.3 In this regard, we are aligned to the objective of **working together to bring about inclusive growth across our sub-region to support growth and create healthy and prosperous communities and places**. In particular, we will:
- 2.3.1 Collaborate on the proposals for **future strategic planning**
- 2.3.2 **Explore joint opportunities** for investment to enable growth, particularly in infrastructure or skills development;
- 2.3.3 **Provide joint investment** for initiatives that contribute to inclusive growth, including through new funding models;
- 2.3.4 **Deliver joint projects** of mutual benefit that improve the lives of residents and workers in the sub-region;
- 2.3.5 **Build on the existing partnership working**, across the sub-region
- 2.3.6 **Develop a coordinated approach** to the Local Growth Fund, agreeing which of the CPCA and GLLEP pots are most appropriate for specific projects;
- 2.3.7 **Share information, data and evidence** that informs the future development of the sub-region.

### **3 In practice, this will mean:**

- 3.1 **Political Sovereignty:** proposals or decisions agreed between the organisations will continue to be taken by the CPCA Board and RCC, in line with their own decision-making processes.
- 3.2 **Meetings;** Representatives of the two organisations shall:
  - 3.2.1 Meet three times a year to review joint working, identify opportunities for collective working, and agree future priorities.
- 3.3 **Funding:** Both organisations will work together to:
  - 3.3.1 Subject to each others decision making processes, and priorities, identify potential opportunities for HMG investment into the sub-region, supporting the development of business cases and identification of funding streams; including approaches to HMG around the Housing Infrastructure Fund recognising that Rutland provides significant housing for high value employees involved in growing Peterborough's economy; and increasing the capacity and safety of the A1 between the Orton Interchange and the A606 exit, which provides a key flow of both goods and people into the north of the CPCA economy;
  - 3.3.2 Where appropriate to do so, and subject to respective decision-making processes, provide investment funds to support mutually beneficial proposals, such as the use of CPCA's current allocation of Local Growth Funds for the development of the St George's 9 Ha employment site
- 3.4 **Under our normal duty to cooperate** we will consult one another during the development of strategic documents, including:
  - 3.4.1 Local development plans (both statutory and non-statutory)
  - 3.4.2 Local transport, skills and industrial strategy plans and other strategic plans which promote growth, housing and infrastructure strategies.
- 3.5 **Review;** Both parties commit to regularly reviewing the partnership relationship and its focus, including data driven analysis of what is being achieved achieving. This review process will be carried out through the meetings three times a year, as well as through ongoing dialogue.

## **STRATEGIC PARTNERSHIP AGREEMENT**

**Between**

**RUTLAND COUNTY COUNCIL (RCC)**

**And**

**CAMBRIDGESHIRE AND PETERBOROUGH COMBINED AUTHORITY (CPCA)**

Signed on behalf of Cambridgeshire & Peterborough Combined Authority:

Name

Date

Signed on behalf of Rutland County Council:

Name

Date



**CABINET**

20 August 2019

**COUNCIL TAX-COUNCIL TAX SUPPORT, CARE LEAVERS RELIEF AND EMPTY HOMES PREMIUM**

Report of the Strategic Director for Resources

Strategic Aim:	All	
Key Decision: No	Forward Plan Reference: FP/280619	
Exempt Information	No	
Cabinet Member(s) Responsible:	Mr G Brown, Deputy Leader and Portfolio Holder for Planning, Environment, Property and Finance.	
Contact Officer(s):	Saverio Della Rocca, Strategic Director for Resources (s.151 Officer)	01572 758159 sdrocca@rutland.gov.uk
	Andrea Grinney, Revenue and Benefits Manager	01572 758227 agrinney@rutland.gov.uk
Ward Councillors	All	

**DECISION RECOMMENDATIONS**

That Cabinet:

1. Recommends to Council to continue with the existing the Local Council Tax Support (LCTS) scheme and to adjust it annually for inflation in line with the Governments Adjudications and Operations Circulars from 2020/21 financial year and onwards.
2. Recommends to Council to retain the existing Discretionary Fund Policy and to approve the addendum to the Policy for Care Leavers detailed at Appendix A effective from 2020/21 financial year and onwards.
3. Notes that Council has approved that the Strategic Director for Resources (s.151 officer) in consultation with the Cabinet Member with portfolio for Finance, can make minor changes to the Local Council Tax Support scheme and the Discretionary Fund as a result of best practice, guidance or legislation.
4. Approves that Officers undertake a public consultation on the premium for long term empty homes as described in the report and detailed at Appendix B.

## **1 PURPOSE OF THE REPORT**

- 1.1 To review whether any changes are required to the Local Council Tax Support scheme and the Discretionary Fund for 2020/21 financial year and onwards.
- 1.2 To seek approval of the Care Leavers addendum to the Discretionary Fund Policy to ensure that the Council is helping care leavers to achieve financial stability by alleviating the pressure of paying Council Tax up to the age of 25.
- 1.3 To seek approval to undertake a public consultation exercise in order to ascertain people's views about making changes to the Council Tax premium on empty homes that have been unoccupied for over two years.

## **2 BACKGROUND AND MAIN CONSIDERATIONS**

- 2.1 The Government abolished Council Tax Benefit from 1<sup>st</sup> April 2013. All billing authorities had to replace this with a local scheme by 31<sup>st</sup> January 2013. A significant amount of work was undertaken to model, forecast and consult on an affordable scheme for 2013/14. The Council approved a scheme in January 2013 (Report 2/2013), adopted the same scheme in 2014/15 (Report 226/2013) and 2015/16 (Report 185/2014), and undertook a full review in October 2016 for 2017/18 onwards (Report 166/2016). Members have not reviewed the scheme since that time. It is prudent to review the scheme periodically to assess whether there is a compelling reason to change. This review is covered in Section 3.
- 2.2 The Council also approved a Discretionary Fund (DF) alongside LCTS in January 2013. The DF was reviewed in December 2013 (Report 256/2013) and again in January 2015 (Report 2/2015). In 2016 (Report 166/2016) the budget was reduced from £50k to £25k per annum. The budget is now £20k following a further small saving. It is worthwhile reviewing this fund alongside the main LCTS scheme. This is covered in Section 4.
- 2.3 In July 2016, the Government published 'Keep on Caring' which outlines the strategy to improve the lives and life chances of care leavers. The document identifies five key outcomes. The fifth outcome is that care leavers should achieve financial stability. The report provides an example of an authority that has exempted care leavers from paying council tax as good practice. This can be achieved in Rutland by inserting an addendum to the existing DF as detailed at point 5 below.
- 2.4 Since April 2013, local authorities have been able to charge a premium for empty homes. The Council set our premium at the maximum level of 50% from 1<sup>st</sup> April 2018 following a public consultation (Report 148/2017 and 165/2017). Since then the Government have given local authorities the discretion to increase the premium. Officers are requesting approval to consult on the premium as details at point 6 below.

## **3 LOCAL COUNCIL TAX SUPPORT SCHEME**

- 3.1 The Local Council Tax Support scheme (LCTS) is means tested and provides support to people of working age who are on a low income by reducing their Council Tax bill by up to 75%.

3.2 Pensioners are not affected and can receive up to 100% support. The Government decide the rules that pertain to pensioners.

3.3 LCTS is largely based on the abolished Council Tax Benefit scheme and takes into account: the make-up of the household, i.e. single, couple, any children, non-dependents, any disabilities, they may have, their earned and unearned income and any savings held. For example:

- Ms Y, aged 35 is a single parent to Jay aged 10 and Lucy aged 7. She has recently been made redundant and has claimed LCTS. She is entitled to £17.24 per week, which is a 75% reduction on her Council Tax bill. This has reduced her monthly instalments from £119.00 to £30.00.
- Mr & Mrs T are a pension age couple. Their only income is from state pension. They are entitled to £23.00 per week, which is 100% of the Council Tax bill. Therefore they have nothing to pay.

3.4 The table below details the split between working age and pension age and what we have spent:

<b>Year</b>	<b>Working age Number /%</b>	<b>Spend</b>	<b>Pension Age Number/%</b>	<b>Spend</b>
2013/14	1,043 / 47%	£457,337	1,154 / 53%	£1,017,349
2014/15	1,001 / 48%	£436,457	1,098 / 52%	£951,402
2015/16	951 / 48%	£423,440	1,020 / 52%	£889,645
2016/17	928 / 49%	£429,492	978 / 51%	£892,861
2017/18	874 / 48%	£438,744	929 / 52%	£895,617
2018/19	826 / 47%	£443,818	926 / 53%	£908,368

3.5 The table below breaks down working age claimants by marital status and whether or not they have children in their household. This demonstrates that there has been a gradual change over the last six years which is attributed to wider welfare reforms i.e. pension age is increasing and older people have less dependent children and the restriction of benefit to the 'two child allowance' meaning larger families with more income are less likely to qualify.

<b>Year</b>	<b>Single</b>	<b>Couple without children</b>	<b>Lone parents</b>	<b>Couple with children</b>	<b>Disabled*</b>
2013/14	37.3%	8.6%	32.2%	21.8%	6.0%
2014/15	36.7%	8.9%	33.5%	21.0%	4.8%
2015/16	38.7%	8.6%	33.1%	19.6%	5.4%

2016/17	41.6%	8.2%	34.2%	16.1%	4.6%
2017/18	41.7%	9.8%	31.4%	17.0%	5.6%
2018/19	43.4%	8.8%	32.9%	14.8%	3.5%

\*Disabled claimants also fall into one of the other categories.

3.6 The Council established five main principles for the scheme. The principles are detailed below with an assessment of whether they are still being met.

### 3.7 Principle 1 - The scheme should reduce the overall cost of benefits

3.7.1 Prior to LCTS, the Government funded council tax benefit. The Council historically paid out £1.8m in benefit but was only given c£1.5m to develop and run its own scheme. The original scheme was designed to deliver a service within the £1.5m funding envelope.

3.7.2 The cost has decreased slightly from £1.466m in 2014/15 to £1.352m in 2018/19 because claimant numbers are reducing; in 2013/14 there were 2,197 (1,043 working age) claimants – this has reduced to 1,739 (813 working age) in 2018/19.

### 3.8 Principle 2– Support should be directed to those most in need

3.8.1 The scheme is means tested and take into account various factors including a claimant's income, savings, age, family circumstances and disability. If claimants fall below a level of income (for their set of circumstances) then the Council will provide some support.

3.8.2 In 2016 we reviewed the scheme as follows:

- We added a new principle to ensure that the scheme is aligned as far as possible to other benefit regulation changes and delegated authority to the Assistant Director (Finance), in consultation with the Cabinet Member with portfolio for Finance, to make minor changes to LCTS and DF as a result of best practice, guidance or legislation;
- We reduced the DF budget from £50k to £25k; and
- We introduced the annual adjustment for inflation in line with the Governments adjudications and operations circular.

3.8.3 The means tested model is believed still to work as:

- Collection rates are still high- we collected 98.8% of Council tax in 2018/19;
- The Council is not seeing applications for extra help from specific groups which could indicate problems or issues with the scheme; and
- There have been no complaints about our scheme.

3.8.4 Additional support can also be given through the DF by reviewing the income and expenditure of households.

### **3.9 Principle 3 – Incentives to work should be included**

3.9.1 Various provisions were built in to promote working such as allowing those in work to keep more of their earned income before it is taken into account and support reduced.

3.9.2 There has also been a reduction in the number of households claiming LCTS. In 2013/14 there were 1,043 working age people claiming LCTS, in 2018/19 this has fallen to 813.

### **3.10 Principle 4 – The scheme should be broadly in line with those of other authorities in the area**

3.10.1 The scheme is broadly similar to other neighbouring schemes as they are also means tested and are based on the abolished Council Tax Benefit system.

3.10.2 Other local authorities have reviewed their scheme periodically in a similar way.

### **3.11 Principle 5 – the scheme is affordable to the authority**

3.11.1 The issue of affordability is very relevant. The Council has no knowledge of its possible financial settlement beyond 19/20 and may have to make savings of £1m - 2.5m over the life of the MTFP so the scheme may not be affordable in the long term.

3.11.2 If Members wished to reduce the cost of the scheme further this would mean reducing the entitlement of c800 working age claimants (the scheme for pensioners cannot be changed as it is set nationally)

<b>Saving</b>	<b>Average support loss per claimant per annum</b>
£50k	£60
£100k	£121
£200k	£242

3.11.3 The example below details the impact of this for a couple with two children and an overall saving target of 20% (£90,000).

Mr and Mrs X live in Uppingham with their children aged 12 and 8. Mr X works full time, their total household income is £1,400 per month. They receive £7.40 per week LCTS and this means their Council Tax instalments are £80 per month. If we reduce LCTS they will receive £5.92 per week and their Council Tax instalment would increase to £89 per month.

3.11.4 Whilst in principle reducing support levels could deliver a saving, there are various factors that may offset this:

- a) Any changes are likely to result in significant technology costs along with the necessary resources to implement, train staff, revise literature and communicate to customers. The cost of this is likely to be c£50k (software costs alone would be a one off c£40k)

- b) Those 'losing' support may well seek additional help through the Discretionary Fund. Assuming 10% of those impact apply then we would need additional staffing to process and respond to claims and possibly require a top up to the DF.
- c) Other LAs making changes have seen collection rates dip. A 0.1% change would mean £30k pa and increase the amount of debt recovery work.

3.11.5 If the Council wants to change the scheme then a full public consultation would be required.

**3.12 Principle 6 - the scheme is aligned as far as possible to other benefit regulation changes.**

3.12.1 This principle was added when the scheme was reviewed in 2016 because the Government are updating Housing Benefit regulations in line with the welfare reform agenda but are not updating the default LCTS scheme and this can be confusing for claimants and officers.

3.12.2 The rollout of Universal Credit (UC) commenced in Rutland in October 2017. Working age residents are starting to claim UC instead of Housing Benefit. Existing Housing Benefit claimants do not have to migrate to UC until they are told to do so by the DWP. Managed migration to UC is currently being tested in Harrogate but no plans for the rest of the country have been announced yet. However, the DWP state that it should be completed by June 2024. Nationally there are c£2m people claiming UC and c£6m yet to migrate.

3.12.3 Other welfare reforms are continuing as well. Some highlights are as follows:

- Mixed age couples- from May 2019 couples will only be able to access the pension age income-related benefits when both partners have reached the qualifying age. This means that some couples will be classed as working age for longer (i.e. until the youngest reaches the pension qualifying age).
- Severe Disability Premium (SDP) – this is an extra amount that is included in some means tested benefits to help with the cost of disability. SDP has not been included in UC and as a result of a High Court case, people in receipt of SDP will not move to UC until managed migration. People who are claiming UC and have 'lost out' are being compensated.
- Child Poverty Action Group (CPAG) have recently won a case at the Court of Appeal concerning how the DWP were unlawful in how it was using income in an assessment period which was causing the UC award to fluctuate, and this was causing significant hardship to the claimants. It is likely that the DWP will change their approach in light of this decision.

3.12.4 It is worth noting that some authorities are starting to move away from a means tested scheme and adopting an alternative discount based or income banded scheme for a number of reasons:

- UC payments can change from month to month and this has a knock on effect of changing Council Tax instalments every month which is difficult for

taxpayers to manage. Moving to an alternative scheme gives taxpayers more stability.

- The changes detailed above are also time consuming for officers to administer. Moving to an alternative scheme reduces the administrative burden for the authority and reduces the overall cost by reducing the resources required to administer the scheme.
- Means tested schemes are based on Council Tax Benefit which was abolished in 2013. Incorporating numerous changes to welfare benefits over the years is making schemes complex and hard for taxpayers to understand. When changing schemes most are simplifying it.

3.12.5 Based on the above, we may want to consider changing our scheme in the future when the impact of UC is known and as and when our neighbours decide to review their schemes.

### **3.13 Summary**

3.13.1 The review detailed above has established that the scheme largely continues to deliver on its objectives and at this time there is no compelling reason to make any amendments other than to continue to adjust for inflation in line with the Governments annual Adjudication and Operations Circulars (this ensures that the value of support stays the same in real terms).

## **4 LOCAL COUNCIL TAX SUPPORT DISCRETIONARY FUND**

4.1 The Council approved a Discretionary Fund (DF) alongside LCTS in January 2013. The DF was reviewed in December 2013 (Report 256/2013) and again in January 2015 (Report 2/2015).

4.2 The DF supports the LCTS scheme and can provide additional top-up financial support of up to 100% off their Council Tax bill. Each case is assessed on its own merits against set criteria. Expenditure and personal circumstances are also taken into account i.e. medical inability to work due to health reasons, carer responsibilities.

For example: Mr K aged 59, is unable to work due to a disability. He is claiming Employment Support Allowance and Personal Independence Payments. He is required to attend numerous medical appointments which is costly as Mr K is not able to drive and has to arrange for a taxi. Mr K receives £22.84 per week in LCTS and has Council Tax instalments of £39 per month. Upon application Mr K was awarded a top up of 25% which has remitted his Council Tax bill in full for the financial year.

4.3 The following table details the number of awards for the financial years and the expenditure:

Year	Number of awards	Average value of awards	Number of applications rejected	Total expenditure
2013/14	129	£114,70	68	£14,796
2014/15	172	£140.59	42	£24,182
2015/16	144	£121.17	47	£17,449
2016/17	102	£245.66	24	£25,057
2017/18	64	£167,12	39	£10,696
2018/19	75	£203.37	21	£15,253

4.4 The DF appears to be working well:

- It is well publicised with references made in reminder letters and other literature;
- The fund is not over subscribed;
- Collection rates remain strong as indicated above; and
- There have been no appeals or complaints in the last 3 years.

4.5 The view is that there is no compelling reason to change the DF at this time as it is working well. For reasons cited above, removing the DF would also be undesirable. All local authorities are obliged to consider cases of hardship under Section 13a of the LGFA 1992 so even if the DF was reduced we would have to have some arrangement in place for responding to applications for additional support under hardship.

## 5 CARE LEAVERS

5.1 We currently provide support to care leavers using the Local Council Tax Support scheme (LCTS) which can reduce care leavers Council Tax bills by up to 75%. We can top this up to 100% using the Local Council Tax Support Discretionary Fund (DF) as care leavers up to the age of 22 are named as a vulnerable group and eligible to apply.

5.2 In order to claim LCTS and DF, the care leaver must complete a LCTS application form, a DF application form and provide supporting evidence for their income and expenditure. This process can be overwhelming for care leavers who have little experience of undertaking such tasks and do so without the support of their family to help them.

5.3 A number of local authorities, including our neighbours, have already introduced Council Tax relief for care leavers by creating a new relief or by formalising and simplifying their existing arrangements to support the Government's strategy. We propose to continue giving discounts but to simplify arrangements. Care Leavers or



their representative will be required to complete a simple application form which is then endorsed by their Personal Advisor. This removes the existing requirement of making applications for LCTS and DF and providing supporting evidence. If the care leaver's circumstances do not change; the relief will remain in place until they reach their 25<sup>th</sup> birthday.

5.4 An addendum to the Discretionary Fund Policy (Appendix A) details how we will support care leavers up to the age of 25 by alleviating the pressure of paying Council Tax and making the application process easier.

5.5 Eligible care leavers will receive the following amount of relief:

- Care leavers who are solely liable to pay council tax will have their bill reduced to nil.
- Care leavers who are jointly liable with another person (their partner or joint tenant) will have their bill reduced to nil.
- Where a care leaver is a resident of another household but not liable to pay the bill, the taxpayer will receive a 50% reduction.

## **6 LONG TERM EMPTY HOMES PREMIUM**

6.1 Since 1<sup>st</sup> April 2013, local authorities have been able to charge a premium for empty homes that fall into certain defined categories. We set our premium at the maximum level of 50% from 1<sup>st</sup> April 2018. Since then, the Government have introduced new measures to enable local authorities to increase the premium as follows:

- A maximum of 100% premium for properties that have been empty for less than five years;
- A maximum of 200% premium for properties that have been empty for more than 5 years; and
- From 2021/22 onwards, a maximum of 300% premium for properties that have been empty for at least ten years.

6.2 The Government provide a number of property exemptions at 100% for homes that meet certain criteria i.e. the owner is in a care home or the owner has died. The Council has no power to change these. The Government has also provided for some exceptions from paying the premium for armed services personnel who are away from their home as a result of their service and annexes that form part of a single property.

6.3 There are two key factors that support a review at this time:

- Financial pressure that the Council continues to face the Council faces a financial gap of c£1m-£2.5 over the life of the MTFP and introducing the premium may generate income of c£500k - £550k; and
- Increasing pressures to bring long term empty homes back into use – there are 38 homes in Rutland that have been empty for more than two years.

- 6.4 Approval is being sought to undertake a public consultation to seek views on our premium percentage for long term empty homes. The draft consultation is attached at Appendix B.
- 6.5 If approved, the consultation will run until 2nd October 2019. During this time officers will promote the consultation using a number of methods including; a mailshot to a random selection of residents and empty home owners, social media promotions and a flyer included with all communications from the Revenues and Benefits team.

## **7 CONSULTATION**

- 7.1 LCTS - The Council is required to consult with the major precepting bodies and the public when making changes to LCTS Scheme. However no changes are being recommended.
- 7.2 DF and Care Leavers - The DF is not part of the main scheme as is it established under s13A (1)(c) of the Local Government Finance Act 2012. This means that each application is determined entirely at the discretion of the Council and consultation is therefore not required in law in order to make changes to the DF including an addendum for care leaver's relief.
- 7.3 Long Term Empty Homes Premium - Although there is no statutory duty to consult on the premium for long term empty homes, all public authorities have a duty to act fairly in the exercise of their functions and to consider whether consultation is required. The Council consulted in 2017 when considering introducing the premium, therefore it would be appropriate to consult again if changes are being considered. The Council is required to consult the Leicestershire Fire authority and the Police and Crime Commissioner for Leicestershire.

## **8 ALTERNATIVE OPTIONS**

- 8.1 LCTS - The Council has a statutory duty to adopt a LCTS scheme. Consideration has been given to making changes to the existing scheme or to devise a new scheme but this option has been rejected at his time due to the following reasons:
- The existing scheme currently meets the established principles;
  - There would be significant technology costs in revising the existing scheme or devising a new scheme; and
  - The impact of Universal Credit and other welfare reforms is still largely unknown so any changes should wait until the position becomes clearer.
- 8.2 DF- The Council has a number of options regarding the DF. It could revise the DF with a view to including more categories of individuals or circumstances in the main scheme, it could remove the DF altogether or reduce the budget further. There are no compelling reasons to make significant changes at this time as the points made at 8.1 are also relevant for the DF.
- 8.3 Care Leavers - The Council could continue to award support under the existing LCTS scheme and DF, which can be a barrier for care leavers, time consuming and requires ongoing review. This is not recommended.

- 8.4 The Council could decide not to support care leavers at all, which may result in the Council having to take recovery action to enforce payment which can be distressing for care leavers and doesn't support the Government strategy, therefore this is not recommended.
- 8.5 Long Term Empty Homes Premium– the Council could decide not to review the premium. In light of the comments made in Section 6, this is not recommended.

## **9 FINANCIAL IMPLICATIONS**

- 9.1 LCTS- the cost of LCTS sits within the Collection Fund and is effectively netted of the income amount shown in the Medium Term Financial Plan for Council Tax. There will be no direct financial implications from keeping the scheme the same.
- 9.2 DF- this is funded from the General Fund with any unlikely excess demand met from the Welfare Earmarked reserve which has built up from savings in this area over the last few years.
- 9.3 Care Leavers- The cost of relief can be met from the existing DF budget detailed at 9.2 above.
- 9.4 Both the Leicester, Leicestershire and Rutland Police and Crime Commissioner and the Combined Fire Authority has agreed to pay a contribution (in line with its share of Council Tax) of the total overall cost of care leavers relief each year.
- 9.5 Long Term Empty Homes Premium - the cost of undertaking a consultation can be met from existing budgets.
- 9.6 The financial impact of any changes will be assessed as part of the response to the consultation exercise and the development of formal proposals.

## **10 LEGAL AND GOVERNANCE CONSIDERATIONS**

- 10.1 LCTS – The Local Government Finance Act 2012 requires that for each financial year, each billing authority must consider whether to revise its scheme or replace it with another scheme. The Council must make any revision to its scheme, no later than 31 January in the financial year preceding that from which the scheme is to have effect.
- 10.2 DF- The DF policy is established under s13A (1)(c) of the Local Government Finance Act 1992 as amended.
- 10.3 Care Leavers - the Council has the power to determine its own discretionary discount for any specific circumstances under Section 13A of the Local Government Finance Act 1992. This relief will be an addendum to the DF policy originally approved by the Council on 7<sup>th</sup> January 2013 (Report 2/2013).
- 10.4 Long Term Empty Homes Premium – The Council has discretionary authority to set a premium for long term empty homes under sections 11B of the Local Government Finance Act 1992 and The Council Tax (Prescribed Classes of Dwellings) (England) (Amendment) Regulations 2012 (SI2964/2012) and Rating (Property in Common Occupation) and Council Tax (Empty Dwellings) Act 2018.

## **11 DATA PROTECTION IMPLICATIONS**

- 11.1 LCTS and DF– A Data Protection Impact Assessments (DPIA) has not been completed as there are no new issues or risks arising from this report to the rights and freedoms of natural persons.
- 11.2 Care Leavers – a Data Impact Assessment (DPIA) has been completed. No adverse or other significant risks/issues were found. A copy of the DPIA can be obtained from Andrea Grinney.
- 11.3 Long Term Empty Homes Premium – A Data Protection Impact Assessment (DPIA) has been completed for the consultation. No adverse or significant risks/issues were found. A copy of the DPIA can be obtained from Andrea Grinney.

## **12 EQUALITY IMPACT ASSESSMENT**

- 12.1 LCTS and DF– An Equality Impact Questionnaire has not been completed because there are no service, policy or organisational changes being proposed.
- 12.2 Care Leavers – An Equality Impact Questionnaire has been completed. There are no specific issues arising from the report or the relief.
- 12.3 Long Term Empty Homes Premium – An Equality Impact Questionnaire will be completed when the consultation data is analysed.

## **13 COMMUNITY SAFETY IMPLICATIONS**

- 13.1 There are no community safety implications arising from this report.

## **14 HEALTH AND WELLBEING IMPLICATIONS**

- 14.1 There are no health and wellbeing implications arising from this report.

## **15 CONCLUSION AND SUMMARY OF REASONS FOR THE RECOMMENDATIONS**

- 15.1 LCTS and DF– It is the view of officers that there is no compelling reason for making changes to the scheme. Should Members wish to propose changes then officers will need to consider the steps required. Legal advice received is that formal consultation will be required if any changes to the structure of the scheme are made. This would exclude adjusting applicable amounts in the scheme in line with the Government's annual circular
- 15.2 Care Leavers – Young people who leave care are provided with support as part of our statutory duties to help them transition into adulthood and living independently. As corporate parents it is crucial that we offer a wide range of support to enable care leavers to succeed. Alleviating the financial burden of paying council tax empowers and enables care leavers and supports our intentions set out in the Care Leavers' Covenant.

- 15.3 Long Term Empty Homes Premium- the premium was last reviewed in 2017, given the financial pressures that the Council is facing and our desire to reduce the number of empty homes in our area, is reasonable to consult the public on what we can change.

## **16 BACKGROUND PAPERS**

- 16.1 Cabinet Report 2/2013
- 16.2 Cabinet Report 226/2013
- 16.3 Cabinet Report 256/2013
- 16.4 Cabinet Report 185/2014
- 16.5 Cabinet Report 2/2015
- 16.6 Cabinet Report 166/2016
- 16.7 Cabinet Report 148/2017
- 16.8 Cabinet Report 165/2017

## **17 APPENDICES**

- 17.1 Appendix A- Care Leavers Relief
- 17.2 Appendix B- Long Term Empty Homes Premium Consultation

A Large Print Version of this Report is available upon  
request – Contact 01572 722577.

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# Rutland County Council

## CARE LEAVERS – COUNCIL TAX RELIEF

Version & Policy Number	Draft V 1.0
Guardian	Andrea Grinney, Revenues & Benefits Manager 01572 758227
Date Produced	23 <sup>rd</sup> May 2019

Approved by Cabinet	
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## **Summary of document**

This document appends the Local Council Tax Support scheme. Care leavers relief provides full or part reduction in Council Tax for care leavers under the age of 25 in order to support their transition out of care.



## **1.0 BACKGROUND**

- 1.1 The Government's care leavers strategy, 'Keep on Caring' which was published in July 2016, encourages local authorities to introduce measures to exempt care leavers from paying Council Tax.
- 1.2 Care leavers are faced with a new set of potentially overwhelming financial responsibilities, often without the support of family that other young people can rely on. Alleviating the financial pressure of paying council tax supports one of the key outcomes for care leavers of achieving financial stability.

## **2.0 LEGISLATIVE FRAMEWORK**

- 2.1 The Council is able to determine its own discretionary discount for specific circumstances under Section 13A of the Local Government Finance Act 1992 (as amended).
- 2.2 This addendum will form part of the Local Council Tax Support Discretionary Fund (DF) scheme originally approved by the Council on 7<sup>th</sup> January 2013 (Report 2/2013).
- 2.3 This addendum will adopt the processes and procedures detailed in the above schemes- for example; backdating, appeals, fraud etc.

## **3.0 CARE LEAVERS RELIEF**

- 3.1 Care leavers who are liable to pay Council Tax will have their Council Tax reduced to nil if the eligibility criteria are met; until they reach their 25<sup>th</sup> birthday. This will also apply if the care leaver is jointly liable with another person or there are other residents in the property e.g. they live with their partner.
- 3.2 In cases where the care leaver is a resident of a household, but they are not liable to pay the Council Tax; the taxpayer will receive a 50% reduction until the care leaver reaches their 25<sup>th</sup> birthday. e.g. lodging with a friend. (This may have the effect of reducing the council tax to nil if other statutory discounts, exemptions, reductions or LCTS are awarded).
- 3.3 In cases where the care leaver is living in a House in Multiple Occupation (HMO) no relief will be given as the landlord is responsible for paying the Council Tax.
- 3.4 The relief will end on the day before the care leavers 25<sup>th</sup> birthday.

## **4.0 ELIGIBILITY CRITERIA**

- 4.1 The term 'care leaver' is defined in the Childrens Act 1989 (as amended) and applicants will need to meet this definition in order to be eligible to apply for relief under this policy. In simple terms a care leaver is an adult who has spent time in foster or residential care, or in other arrangements outside their immediate or extended family before the age of 18. Their time in care could have lasts for a few months or from birth until their 18<sup>th</sup> birthday.
- 4.2 Statutory discounts, exemption and reductions will be awarded first, if the eligibility criteria are met e.g. single person discount.

## **5.0 APPLICATION PROCESS**

- 5.1 The care leaver, or their representative i.e. their Personal Advisor, must complete an application form and providing supporting evidence if required.
- 5.2 Officers will seek written confirmation from their Personal Advisor within Childrens Services of the relevant Council, to verify that the care leaver meets the criteria detailed at 4.1.
- 5.3 Awards will be made directly to the Council Tax account only.
- 5.4 The care leaver, their representative or the relevant taxpayer will be notified of the award and advised of their duty to notify us of any change in their circumstances within 21 days.
- 5.5 If the care leaver is eligible to claim Housing Benefit; an application will need to be made. If there is a shortfall i.e. the Housing Benefit payment doesn't cover the rent; the care leaver can apply for a Discretionary Housing Payment.

**A large print version of this document is available on request**



**Rutland**  
County Council

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## Consultation on the Council Tax premium for long term empty homes

### 1. Why are we consulting?

The Government gave local authorities discretion to set a premium for long term empty homes. The premium increases the amount of Council Tax that people pay on their bill if they own a home that has been empty for over 2 years.

We set our premium at 50% from April 2018. Since then the Government has given local authorities discretion to further increase the premium as follows:

- a maximum of 100% premium for properties that have been empty for less than five years;
- a maximum of 200% premium for properties that have been empty for more than 5 years: and
- from 2021/22, onwards a maximum of 300% premium for properties that have been empty for at least ten years.

There are two key drivers that have prompted us to think that we need to look at them again now:

- a) We continue to face financial pressures. Although we spend less per household than the average UK council, we continue to receive less central government funding than other councils. It is therefore important that we look at the premium that we charge to make sure that we consider any opportunities to increase our income before we look at reducing or cutting services.
- b) Empty homes continue to have an impact on our community. They can be a health and safety risk to others, they can be a focal point for anti-social behaviour and they can be a waste of housing when people are in need. We want to do what we can to bring empty homes back into use.

### 2. What are we consulting on?

We are asking for your views on 4 main issues:

- a) whether we should we do what we can to increase our income;
- b) the amount of premium that we charge on long term empty homes;
- c) whether we should provide an exemption to the premium for certain groups; and
- d) whether or not we should help people who have a premium to pay but are suffering from genuine financial hardship.

### **3. What we are not consulting on?**

We are not consulting on:

- a) Our Local Council Tax Support scheme and the discretionary fund that sits alongside the main scheme. This helps people who are on a low income and reduces or fully remits the amount of Council Tax that they have to pay.
- b) Our Discretionary Crisis Fund that helps people in one-off severe financial hardship.
- c) Our Discretionary Housing Payments Policy. This fund helps people who have a shortfall in their rent.
- d) Other empty home exemptions that we can't change because they are set by central government. For example- a home that is empty as the owner is now living in a residential care home.

We have no plans to change the above. If we want to look at these again we will conduct a separate consultation.

### **4. How can I have my say?**

We are inviting all residents and other key stakeholders to have their say and we are keen to hear your views so please tell us what you think by:

- Completing our online survey at <https://www.rutland.gov.uk/my-council/have-your-say/public-consultations/>
- Completing and returning a paper survey

A large print copy is available on request. If you need some help in completing the questionnaire please contact us by email at [localtaxation@rutland.gov.uk](mailto:localtaxation@rutland.gov.uk)

### **5. What happens next?**

The consultation closes on 2<sup>nd</sup> October 2019. We will use the information from the consultation to help make our decision. A report with recommendations will be taken to Cabinet on 15<sup>th</sup> October 2019.

1. We continue to face financial pressures. Although we spend less per household than the average UK council, we continue to receive less central government funding than other councils. It is therefore important that we look at all the level of premium that we charge to make sure that we consider any opportunities to increase our income before we look at reducing or cutting services. There is more information on our website about our funding and spending here <https://www.rutland.gov.uk/my-council/contacts-facts-and-figures/council-spending/low-cost-council/>

**Do you think we should do what we can to increase our income before we look at reducing or cutting services?** (please tick one box)

**Yes**  **No**  **Don't know**

**If No, can you indicate what services you think we could reduce or cut?**

2. We currently charge a premium of 50% on homes that have been empty for over 2 years. This means that people pay 150% Council Tax.

**Example 1-** Ms Baxter lives in Birmingham and owns Hope Cottage in a Rutland village. The property has been empty and up for sale for 4 years. She has received a number of offers but none for the asking price. The house is in Band B. Ms Baxter has been charged an extra 50% on her Council Tax bill for this house from 2019/20 (£592.29).

If we increase the premium Ms Baxter will pay a premium of 100% from 1<sup>st</sup> April 2020 (£1,184.58), a premium of 200% from 1<sup>st</sup> April 2021 (£2,369.16) and a premium of 300% from 1<sup>st</sup> April 2025 onwards (£3,553.74).

**Example 2-** Mr Webb owns Foxglove House in Oakham. Mr Webb inherited the property when his mother died 6 years ago. He doesn't want to sell or rent out the house as he is emotionally attached to it. The house is in Band C. Mr Webb has been charged an extra 50% on his Council Tax bill for this house from 2019/20 of £915.52.

If we increase the premium Mr Webb will pay a premium of 200% from 1<sup>st</sup> April 2020 (£3,662,08) and premium of 300% from 1<sup>st</sup> April 2023 onwards (5,493.12)

In 2018/19 we charged 35 premiums at 50% which resulted in additional income of £26,500.

**Do you think we should increase the premium to: 100% for properties that have been empty for less than five years; 200% for properties that have been empty for more than five years and 300% for properties that have been empty for longer than 10 years (the latter from 2021/22)? (please tick one box)**

**Yes**

**No**

**Don't know**

**Please explain why you have said yes or no**

**3. The Government have decided that there are some exemptions from being charged the premium, these are:**

- A property which is left empty by a member of the armed services, who is away from the property as a result of their service; and
- A property which forms part of single property i.e. an annexe

We can also determine other circumstances that we may want to exclude from paying the premium.

Example - Mr Radcliffe inherited Raven Lodge, Cottesmore when his mother died 4 years ago. The bungalow is on a complex for the over 55's. It is being actively marketed and the price has been reduced to attract a buyer but to date, no offers have been made. Mr Radcliffe has been billed for Council Tax and a premium on the empty home. He can't afford to pay the bill because he is in poor health and is receiving home care and his sole income is from state benefits.

**Do you think we should offer an exemption from paying the premium if the owner is actively trying to sell or let the property for a reasonable local market value?**

**Yes**

**No**

**Don't know**

**If you think we should exempt other types of owners or circumstances please tell us who and why?**



4. We currently offer help to people who have to pay Council Tax for an empty home but can't afford to pay their bill due to genuine financial hardship.

Example - Miss Browne owns and lives at Cherry Cottage, Langham. Her house was struck by lightning, a fire broke out and she had to move out. She has been rehoused in temporary accommodation by her home insurance company. Miss Browne has been billed for Council Tax and a premium on the empty home. She can't afford to pay the bill because she is unable to work as she was injured while she was escaping from the fire and is now claiming out of work benefits.

**Do you think we should continue to offer a discretionary discount to people who have to pay council tax for an empty home if they are suffering from genuine financial hardship?** (please tick one box)

Yes

No

Don't know

5. Do you have any other comments that you wish to make about paying a premium on long term empty homes?

6. Please indicate which statement best describes you:  
(please tick one box)

- |  |                          |
|--|--------------------------|
| a) I own a property in Rutland that is empty | <input type="checkbox"/> |
| b) I live in Rutland                         | <input type="checkbox"/> |
| c) I am representing an organisation         | <input type="checkbox"/> |
| d) Other                                     | <input type="checkbox"/> |

Thank you for taking the time to complete this survey.

Please return this completed survey to Rutland County Council, Catmose, Oakham, Rutland LE15 6HP.

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**CABINET**

20th August 2019

**QUARTER 1 FINANCE MANAGEMENT REPORT**

**Report of the Strategic Director for Resources**

Strategic Aim:	Sound Financial and Workforce Planning	
Key Decision: Yes	Forward Plan Reference: FP/030519	
Exempt Information	N/A	
Cabinet Member(s) Responsible:	Mr G Brown, Deputy Leader and Portfolio Holder for Planning, Environment, Property and Finance.	
Contact Officer(s):	Saverio Della Rocca, Strategic Director for Resources (s.151 Officer)	01572 758159 sdrocca@rutland.gov.uk
	Andrew Merry, Finance Manager	Tel: 01572 758152 amerry@rutland.gov.uk
Ward Councillors	N/A	

**DECISION RECOMMENDATIONS**

That Cabinet:

1. Notes the 2019/20 estimated revenue and capital outturn positions as at Quarter 1
2. Notes the approved changes to the original budget detailed in Appendix A including the decision to use ring fenced BCF reserves to part fund the 19/20 programme
3. Notes the additional pressures for 2020/21 detailed in para 2.4

**1 PURPOSE OF THE REPORT**

- 1.1 To inform Cabinet and all members of the full year forecast position as at Quarter 1 for 2019/20 and to highlight issues that may impact on the Medium Term Financial Plan to enable them to maintain sound financial management of the Council's operations.

## 2 BACKGROUND AND MAIN CONSIDERATIONS

### 2.1 Overall position

2.1.1 This reports sets out the latest financial position as at Quarter 1. It includes:

- A summary of the revenue budget forecast for 19/20 (2.2)
- Details of high risk/pressures (2.3)
- Forward look to 20/21 (2.4)
- A summary of the capital budget forecast for 19/20 (2.5)
- Other updates (2.6)

### 2.2 2019/20 Revenue forecast

2.2.1 The Council approved its 2019/20 budget in February 2019. Since the budget was approved, Cabinet has approved further budget changes as detailed in Appendix A. The Q1 revenue position is that the Council is forecasting a surplus of £261k compared to a budgeted deficit of £249k.

	Ref	Budget (Report 44/2019)  £000	Revised Budget  £000	Q1 Forecast Outturn  £000	Latest Forecast Year End Variance £000
People	B,C,D	18,079	18,501	18,334	(167)
Places		12,253	12,509	12,433	(76)
Resources		6,492	6,738	6,467	(271)
<b>Directorate Totals</b>		<b>36,824</b>	<b>37,748</b>	<b>37,234</b>	<b>(514)</b>
Pay Inflation		65	65	0	(65)
Social Care Contingency		300	165	165	0
<b>Net Cost of Services</b>		<b>37,189</b>	<b>37,978</b>	<b>37,399</b>	<b>(579)</b>
Appropriations		(2,310)	(2,310)	(2,310)	0
Capital Financing		1,764	1,764	1,764	0
Interest Receivable	E	(200)	(200)	(300)	(100)
<b>Net Operating Expenditure</b>		<b>36,443</b>	<b>37,232</b>	<b>36,553</b>	<b>(679)</b>
Financing		(36,827)	(36,840)	(36,886)	(46)
Revenue contribution to capital	F	0	248	248	0
Transfers to/(from) reserves	B	438	(391)	(176)	215
<b>(Surplus)/Deficit</b>		<b>(384)</b>	<b>249</b>	<b>(261)</b>	<b>(510)</b>
<b>General Fund 1 April 19</b>	A	<b>(8,970)</b>	<b>(8,963)</b>	<b>(8,963)</b>	<b>0</b>
<b>General Fund 31 March 20</b>		<b>(8,916)</b>	<b>(8,714)</b>	<b>(9,224)</b>	<b>(510)</b>

2.2.2 Whilst the overall position is favourable when compared with the budget, it is still early in the financial year, the key issues to note are:

- a) The starting position of the General Fund balance brought forward from 1 April has reduced by £7k because the Quarter 3 18/19 position was used when the 19/20 budget was set. The Revenue and Capital Outturn Report (79/2019) details the actual outturn and balance on the General Fund for 1 April 2019.
- b) The budget has been updated as per Appendix A and decisions made by Cabinet. The Council is proposing to use BCF ring fenced reserves to fund an element of the 19/20 programme.
- c) At Directorate level, the net position is an underspend of £514k, although this includes £215k relating to ring fenced funding which will be transferred to earmarked reserves should the position not change. Appendices D1-D3 shows the detailed position of each directorate.
- d) There are 7 functional areas where forecast overspends are more than £25k over budget. More detail are given in Appendix B. Some of these are emerging pressures and the impact of future years is shown in 2.4.1. There are also a number of large underspends which are shown in 2.3.3.
- e) Income received on investments has been better than predicted and it is anticipated that this will be over achieved by £100k. The main reasons for this is that the Council has higher balances than budgeted as there are no projects coming through to utilise the £10m capital investment fund
- f) There are 3 capital projects that were approved during quarter 1 with a funding source of Revenue contributions. See para 2.5.2 for more details.

## 2.3 High risk/pressure areas

2.3.1 Whilst it is still early in the financial year and many forecasts can change quickly particularly those in demand-led areas (social care, fostering and adoption, homelessness for example), the position at Quarter 1 is as follows:

Directorate	Within budget?	Ceilings>25k overspent?	Ceilings>£25k underspent?	Requests for budget changes?
Places	Yes	1	1	No
Resources	Yes	0	6	No
People	Yes	6*	9	No

\* In the People Directorate, individual functions (e.g. Direct Payments) may be overspent with corresponding underspends elsewhere as part of the strategy to manage needs within the overall Adult Social Care budget.

2.3.2 Where functional forecasts are projected to be more than £25k over budget, an explanation can be found in Appendix B. There is no request for additional budget in any area at Quarter 1 to enable the Council to keep clear visibility of where pressures exist. This may be reviewed at Q2.

Function	Forecast overspent	Further Detail Appendix B
<b>Peoples</b>		
Permanency and Protection Service	£39,000	B1
Fostering, Adoption and Care Leaver Service	£160,000	B2
Early Intervention - SEND & Inclusion	£63,000	B3
ASC Prevention and Safeguarding	£31,000	B4
ASC Support and Review - Direct Payments	£66,000	B5
ASC Support and Review - Residential & Nursing	£240,000	B6
<b>Places</b>		
Planning Policy	£27,000	B7

2.3.3 A summary of significant under spends (above £50k) is shown below:

Function	Under spend	Comments
<b>Places</b>		
Commercial Properties	52,000	This is mainly due to the occupation levels at the Kings Centre being above projections. The plan assumed 80% occupancy where we are running at 100%
<b>People</b>		
Directorate Management	86,000	Underspends relate to staffing vacancies that are being recruited to.
Early Intervention	176,000	A child with a high cost support package has transitioned into Adult Social Services.
ASC Housing	103,000	Homelessness Prevention grant received and carried forward from 2018/19. This will be transferred to ear-marked reserves at year end
ASC Support and Review - Homecare	114,000	This underspend relates to pilot the MiCare project, which is funded by BCF. The project has been expanded and the under spend relates to delays in the Phase two roll out.
ASC Hospital & Reablement	94,000	Underspends relate to staffing vacancies that are being recruited to.
<b>Resources</b>		
Revenues and Benefits	96,000	The service is carrying vacant posts and a better than predicted recovery of Housing Benefit Overpayments

## 2.4 Forward look to 20/21

### *Potential pressures and savings*

2.4.1 The Quarter 1 position has highlighted pressures that may have an impact beyond this financial year alongside some potential savings. All figures are provisional and are summarised in the table below:

<b>Area</b>	<b>Saving £</b>	<b>Pressure £</b>
SEN high needs - see para Appendix B3		£100k +
Local Plan - see Appendix B7		£195k
Adult Social Care - two high cost placements have transferred into the service - see Appendix B6		£170k
Printing – going Digital First has seen the Council reduce the number of printers and the amount of printing undertaken. A saving of £20k is included at Q1 and up to £40k is anticipated	£40k	
Dog Warden contract – the Council has moved from a fixed price contract to a “pay as you go” which is estimated to deliver a saving of up to £20k	£20k	
Interest receivable – based on current returns and level of balances available to invest, the Council expects to exceed budgeted investment income	£60k	
Collection Fund surplus – the Council is likely to have a surplus on the Collection Fund arising from more houses coming into the rating system and lower than expected council tax support.	£130k	

### *Medium Term Financial Plan*

2.4.2 The MTFP presents a position based on various assumptions and estimates about variables that are predominantly outside the control of the Council. The Council's experience is that these can change over time and sometimes quite significantly. The MTFP is updated regularly to take account of government decisions, ministerial announcements and other information which means that assumptions need to be revisited.

2.4.3 In recent times, the Government has indicated that the Comprehensive Spending Review may not be completed this year with the 20/21 local government finance settlement similar to 19/20. This is likely to be favourable to the Council.

2.4.4 In light of the above, the MTFP is under review and a presentation will be given on the updated MTFP in September.

## 2.5 Capital update

2.5.1 The table below shows the position at Quarter 1 on the capital programme. A detailed capital programme can be found in appendix C. The under spend of £16.240m relates to schemes that are currently hold and no expenditure is expected this financial year.

	<b>Total Project Budget</b>	<b>Prior Years Outturn (A)</b>	<b>Estimated Future Outturn (B)</b>	<b>Total Project Outturn (A+B)</b>	<b>Total Project Variance</b>
	<b>£000</b>	<b>£000</b>	<b>£000</b>	<b>£000</b>	<b>£000</b>
<b>Approved Projects</b>					
Commercialisation	13,366	227	110	337	(13,029)
Asset Management Requirement	7,149	793	3,302	4,095	(3,054)
Strategic Aims and Priorities	8,042	4,713	3,172	7,885	(157)
<b>Total</b>	<b>28,557</b>	<b>5,733</b>	<b>6,584</b>	<b>12,317</b>	<b>(16,240)</b>
<b>Financed By:</b>					
Grant	(12,347)	(4,148)	(5,146)	(9,294)	3,053
Prudential Borrowing	(13,069)	(582)	(686)	(1,268)	11,801
Capital Receipts	(1,555)	(159)	(192)	(351)	1,204
Revenue Contributions	(522)	(274)	(248)	(522)	0
Developers Contribution	(1,064)	(570)	(312)	(882)	182
<b>Total Financing</b>	<b>(28,557)</b>	<b>(5,733)</b>	<b>(6,584)</b>	<b>(12,317)</b>	<b>16,240</b>

2.5.2 The table below shows that the programme has increase by £17k since outturn, giving a revised capital programme of £28.557m. The changes in the programme are as follows:

<b>Project</b>	<b>Amount £000</b>	<b>Amount £000</b>
<b>Approved Capital Programme (Outturn – Total Project C/F 79/2019)</b>		<b>28,540</b>
Disabled Facilities Grant – additional 2019/20 Better Care Funding (Ring Fenced Grant)	17	
Disabled Facilities Grant – additional funding has been given from Winter Pressures (Revenue Contribution)	40	
Catmose Boiler Renewal – boiler replacement and associated equipment at Catmose House (Report 74/2019) (Revenue Contribution)	98	



Oakham Enterprise Park – Investments in Unit 2 & 4 to maximise the return on investment (Report 75/2019) (Revenue Contribution)	110	
Integrated Transport Block (ITB) – Transfer of underspend on completed projects back to ITB.	(248)	
<b>Total Adjustments</b>		<b>17</b>
<b>Revised Capital Programme</b>		<b>28,557</b>

## 2.6 Other updates

- 2.6.1 The position on outstanding debt with the CCG continues to improve with £161k outstanding, 60% of this debt is less than 90 days old.
- 2.6.2 New Homes Bonus is a crucial funding source to the council generating c£250k per annum of funding for the Council. New Homes Bonus is a reward based on the number of new homes delivered in Rutland between the 1<sup>st</sup> October and the 30<sup>th</sup> September. As part of the budget setting process the Council estimated that 203 band D equivalent houses would be delivered. Up to the 30<sup>th</sup> June there had been 153 new homes delivered with a further 67 planned before the 30<sup>th</sup> September. If these homes are delivered it will result in an additional £120k of income over the next 4 years.

## 3 CONSULTATION

- 3.1 Formal consultation is not required for any decisions being sought in this report. Internal consultation has been undertaken with all officers regarding pressures and forecasts.

## 4 ALTERNATIVE OPTIONS

- 4.1 No alternative options as the report is to note the current position.

## 5 FINANCIAL IMPLICATIONS

- 5.1 The report highlights the impact of the forecast on the MTFP. General Fund balances will increase by c£261k compared to a budgeted decrease of £249k based on current forecasts.

## 6 LEGAL AND GOVERNANCE CONSIDERATIONS

- 6.1 Where Directors wish to increase a functional budget by over £100k OR they anticipate that the overall Directorate budget is likely to be overspent (there is no de-minimis level) they must seek approval in advance from Cabinet or Council for a virement to cover any increase.
- 6.2 There are two functions (Adult Social Residential Care and Fostering and Adoption) within the People Directorate that fall into this category. No request is being made to change the budget but will reviewed at Q2 as the overall Directorate spending remains within budget.

6.3 There are no legal implications arising from this report.

## **7 EQUALITY IMPACT ASSESSMENT**

7.1 An Equality Impact Assessment (EqIA) has not been completed because there are no service, policy or organisational changes being proposed.

## **8 DATA PROTECTION IMPLICATIONS**

8.1 A data protection impact assessment has not been completed as there are no data protection implications.

## **9 COMMUNITY SAFETY IMPLICATIONS**

9.1 There are no community safety implications.

## **10 HEALTH AND WELLBEING IMPLICATIONS**

10.1 There are no health and wellbeing implications.

## **11 CONCLUSION AND SUMMARY OF REASONS FOR THE RECOMMENDATIONS**

11.1 As the Council is required to make savings over the medium term, the Q1 position is positive, despite a number of significant variances.

## **12 BACKGROUND PAPERS**

12.1 None

## **13 APPENDICES**

Appendix A: Approved Budget Changes 2019/20  
Appendix B: Adverse Variances Greater than £25k  
Appendix C: Capital position  
Appendix D: Directorate Forecasts

A Large Print or Braille Version of this Report is available upon request – Contact 01572 722577.

## Appendix A: Approved Budget Changes

This Appendix shows changes to functional budgets and other budget changes. In accordance with FPR's, Cabinet can approve virements in any functional budget of up to £250k in any one year to a cumulative value of £500k across all functions. Changes above £500k must be approved by Council on a recommendation from Cabinet. In approving requests, Cabinet or Council may agree the use of earmarked reserves (ER), use the General Fund (GF) or make virements between directorates.

For the purposes of the rules, Cabinet is allowed to use earmarked reserves (approved by Council) in an unlimited way as long as they are used for their intended purpose and is allowed to carry forward unused budget from one period to the next so use of these reserves are not counted against the delegated limit for functional budget changes and shown as "Cabinet Other".

Description	Net Cost of Services £000	Capital Financing £000	Funding £000	Transfer to/(from) Reserves £000	Spend on Capital £'000	(Surplus)/ Deficit £000	Cabinet* £500k Limit £000	Cabinet Other £000	Council £000	Ch Exec. s151 Officer £000
<b>Approved Budget Q4 (79/2019)</b>	<b>37,189</b>	<b>(746)</b>	<b>(36,840)</b>	<b>438</b>	<b>0</b>	<b>41</b>				
(i) Catmose Boiler Renewal (74/2019)	0	0			98	98		98		
(ii) Oakham Enterprise Park (75/2019)	0	0			110	110		110		
(iii) Winter Pressure Funding	(40)	0			40	0				40
(iv) Better Care Fund	226	0		(226)	0	0				226
(v) Budget Carry Forward	603	0		(603)	0	0		603		
<b>Approved Budget at Q1</b>	<b>37,978</b>	<b>(746)</b>	<b>(36,840)</b>	<b>(391)</b>	<b>248</b>	<b>249</b>	<b>0</b>	<b>208</b>	<b>0</b>	<b>40</b>

- i) Report 74/2019 approved the release of up to £98k from the General Fund to undertake works on the Boilers at Catmose House
- ii) Report 75/2019 approved the release of up to £110k from the General Fund to undertake works at Oakham Enterprise Park
- iii) Planned winter pressure expenditure has been reallocated, as part of the overall Better Care Fund projects, from revenue to capital to fund disabled facility grants as per para 2.5.2
- iv) The Better Care Fund programme has been finalised for 19/20 and will use £X from the BCF reserve. At the end of 18/19 £439k was held in the BCF reserve.
- v) In the Revenue and Capital Outturn 2018/19 (79/2019), Cabinet approved budget carry forwards of £713k of which £603k has been added to the 19/20 budget. In some areas, Officers are now indicating that funds may not be required and if this position remains the same during the year then funds will be released back to the General Fund.

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## Appendix B: Adverse variances over £25k

This Appendix shows budgets where existing forecasts predict that they will be overspent by more than £25k.

Ref	Function	Reason for Overspend
B1	<b>Permanency and Protection Service</b>	The main reason for the over spend in this area is due to the use of agency staff covering a vacancy. Recruitment is underway.
	Budget £406k	
	Forecast £445k	
B2	<b>Fostering, Adoption and Care Leaver Service</b>	The main reason for the overspend is due to the development of a child's need which has resulted them being placed in residential care at a higher cost (c£121k) than previous care package.
	Budget £1,523k	
	Forecast £1,684k	
B3	<b>Early Intervention - SEND &amp; Inclusion</b>	Overspend is relating to staffing costs that were previously funded from a ring fenced grant that has ceased. With the number of children being referred, then the Council has thus far been unable to reduce staffing numbers.  The total pressure could be in excess of £100k pa in the future but a review is being undertaken to assess mitigating actions.
	Budget £276k	
	Forecast £339k	
B4	<b>ASC Prevention and Safeguarding</b>	There has been additional demand on direct payments for carer support with the number of service users rising from 90 at the start of the year to 102 at Q1.
	Budget £186k	
	Forecast £217k	
B5	<b>ASC Support and Review - Direct Payments</b>	There are two reasons for this function being overspent:  1. There has been a drop in health funding of £40k, and 2. The number of service users being supported has risen from 75 to 82
	Budget £766k	
	Forecast £832k	

<b>Ref</b>	<b>Function</b>	<b>Reason for Overspend</b>
B6	<b>ASC Support and Review - Residential &amp; Nursing</b>	There have been two high cost cases transferred into this service, one from children's services. The other is a prison leaver who the Secretary of State has deemed is the responsibility of the Council.
	Budget £2,831k	
	Forecast £3,070k	
B7	<b>Planning Policy</b>	The over spend relates to the work required to deliver the Local Plan (additional works of the Woolfox site and increased legal costs). Next year, it is envisaged there will be a further £195k pressure as the Local Plan goes through the Inspection process.
	Budget £582k	
	Forecast £609k	

## Appendix C: Capital Programme

COMMERCIALISATION CAPITAL PROGRAMME								
Project	Project Description	Approved at Budget Setting	New Projects approved	Total Project Budget	Prior Year Outturn	2018/19 Outturn	Estimated Project Outturn	Project Over/ (Under) Spend
		£000	£000	£000	£000	£000	£000	£000
Oakham Enterprise Park	The capital project for Oakham Enterprise Park is to develop the site to maximise the return on the asset (Report 170/2017 & 75/2019)	2,206	110	2,316	181	110**	291	(2,025)
St Georges-Officers Mess	The capital project is to move forward and agree the best option for the acquisition of the Officers Mess (Report 54/2018)	850	0	850	46	0*	46	(804)
Investment Properties	The capital project is to support commercial investments to generate income towards RCC current level of service delivery (Report 6/2018)	10,000	0	10,000	0	0*	0	(10,000)
Invest to Save	The project is to support the council on any invest to save projects that have been identified. (Report 44/2019)	200	0	200	0	0*	0	(200)
Total Commercialisation Capital Programme		13,256	110	13,366	227	110	337	(13,029)

\* Denotes projects currently on hold

\*\* Report 170/2017 on hold report 75/2019 still progressing as per report

ASSET MANAGEMENT REQUIREMENT CAPITAL PROGRAMME								
Project	Project Description	Approved at Budget Setting	New Projects approved	Total Project Budget	Prior Year Outturn	2018/19 Outturn	Estimated Project Outturn	Project Over/ (Under) Spend
		£000	£000	£000	£000	£000	£000	£000
School Maintenance	The capital project is to address maintenance issues in maintained schools and to support the smooth transition to Academy Status. (Report 184/2017)	455	0	455	389	66	455	0
Schools – Increase Schools Places	The capital project is to increase school places within Rutland. (Report 219/2016)	3,001	0	3,001	34	0*	34	(2,967)
Highways Capital Projects	The highways capital project is for the permanent repair of carriageways, footways, surface dressing and bridges in Rutland (Report 56/2019)	2,440	0	2,440	0	2,440	2,440	0
Integrated Transport Block	The capital project is for the improvement of new transport schemes within Rutland (Report 141/2018)	869	(248)	621	23	598	621	0
Barleythorpe Road Car Park	The capital project is to finalise the boundary landscaping at Barleythorpe Road Car Park (Delegated Approval)	6	0	6	3	3	6	0
Oakham Town Centre	The capital project is to support the future generation of Oakham Town Centre (Report 19/2017)	428	0	428	341	0*	341	(87)

\* Denotes projects currently on hold



ASSET MANAGEMENT REQUIREMENT CAPITAL PROGRAMME (continued)								
Project	Project Description	Approved at Budget Setting	New Projects approved	Total Project Budget	Prior Year Outturn	2018/19 Outturn	Estimated Project Outturn	Project Over/ (Under) Spend
		£000	£000	£000	£000	£000	£000	£000
Museum Roof	The capital project contributes towards the design and development tender package for the repair and replacement of the roof at Rutland Museum and Catmose Cottage (Report No 113/2019)	15	0	15	4	11	15	0
Catmose Boiler Renewal	The capital project is to replace the boiler and associated equipment at Catmose House. Works will be completed in the summer of 2019 (Report 74/2019)	0	98	98	0	98	98	0
Future Maintenance Requirements	The project is to support the development of a robust programme of works and development of costs for future maintenance on operational properties. (Report 193/2018)	85	0	85	0	85	85	0
Total Asset Management Requirements Capital Programme		<b>7,299</b>	<b>(150)</b>	<b>7,149</b>	<b>794</b>	<b>3,301</b>	<b>4,095</b>	<b>(3,054)</b>

STRATEGIC AIMS AND PRIORITIES CAPITAL PROGRAMME								
Project	Project Description	Approved at Budget Setting	New Projects approved	Total Project Budget	Prior Year Outturn	2018/19 Outturn	Estimated Project Outturn	Project Over/ (Under) Spend
		£000	£000	£000	£000	£000	£000	£000
Devolved Formula Capital	The funding is passed directly to schools to use for capital improvements to buildings and other facilities. (Ring- fenced funding)	11	0	11	0	11	11	0
Disabled Facilities Grant	The project supports disabled people to live more independently and safely in their own homes by providing home adaptations. (Ring- fenced funding)	221	57	278	0	278	278	0
SEND	The project provides Rutland with the opportunity for additional local education places to improve outcomes for children and young people with Special Educational Needs and Disabilities (SEND) and assist them as they mature into independence. (Report 86/2018)	1,049	0	1,049	3	1,046	1,049	0
Sports Grants	The project allowed communities to bid for funds relating to sports, recreation, leisure and community facilities (Report 80/2015)	500	0	500	343	0*	343	(157)
Rutland Agricultural Society	Cabinet approved a loan of £70k to Rutland Agricultural Society for the purpose of extending and improving the car park at the Rutland showground. (Report 8/2019)	70	0	70	0	70	70	0

\* Denotes projects currently on hold

STRATEGIC AIMS AND PRIORITIES CAPITAL PROGRAMME (continued)								
Project	Project Description	Approved at Budget Setting	New Projects approved	Total Project Budget	Prior Year Outturn	2018/19 Outturn	Estimated Project Outturn	Project Over/ (Under) Spend
		£000	£000	£000	£000	£000	£000	£000
Oakham Castle Restoration	Funding was awarded by heritage lottery, the project saw a 12th century curtain wall restored and improved, as well as works to the Great Hall. It also included a varied programme of events and family activities bring alive the history of the castle. (Report 229/2014)	2,400	0	2,400	2,167	233	2,400	0
Digital Rutland	The project supports the connecting of homes and businesses within Rutland to a faster broadband (Report 85/2019)	3,283	0	3,283	2,168	1,115	3,283	0
S106 – Third Part Payment	The projects are funded through S106 based on the individual agreement term and conditions (Delegated approval)	55	0	55	12	43	55	0
Great Casterton C of E Primary S106	The project is for extension works to provide wheelchair friendly access to a cloakroom and classroom. (Delegated Approval)	43	0	43	0	43	43	0
9 Buckingham Road - Extension	Cabinet approved the extension of a council owned property to create a five or six bedroom house. (Report 18/2018)	225	0	225	13	212	225	0
IT Projects	The allocation will support a number of IT capital projects within the council (Delegated Approval)	128	0	128	6	122	128	0
Total Strategic Aims and Priorities Capital Programme		7,985	57	8,042	4,712	3,330	8,042	0
<b>Total Capital Programme</b>		<b>28,540</b>	<b>17</b>	<b>28,557</b>	<b>5,733</b>	<b>6,584</b>	<b>12,317</b>	<b>(16,240)</b>

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## Appendix D1: People Budget Forecast

Function	Outturn 2018/19	Approved Budget	Revised Budget	Q1 Forecast	Q1 Forecast variance to current budget
Directorate Management	1,626,701	1,859,300	1,885,500	1,799,500	(86,000)
Business Intelligence	129,513	147,300	159,300	154,700	(4,600)
Crime Prevention	250,225	274,500	274,500	268,800	(5,700)
<b>Total Directorate Costs</b>	<b>2,006,439</b>	<b>2,281,100</b>	<b>2,319,300</b>	<b>2,223,000</b>	<b>(96,300)</b>
Public Health	91,262	60,700	60,700	78,800	18,100
BCF Programme Support	89,850	89,500	107,300	107,400	100
BCF Unified Prevention	291,144	288,500	405,000	404,700	(300)
BCF Holistic Management of Health & Wellbeing	1,002,107	845,800	911,900	901,600	(10,300)
BCF Hospital Flows	1,047,080	991,000	1,044,400	1,036,700	(7,700)
<b>Adults and Health (Ringfenced)</b>	<b>2,521,443</b>	<b>2,275,500</b>	<b>2,529,300</b>	<b>2,529,200</b>	<b>(100)</b>
Non BCF Contract & Procurement	531,010	507,000	453,000	472,100	19,100
ASC Community Inclusion	854,492	1,058,400	1,058,400	1,038,800	(19,600)
ASC Prevention & Safeguarding	260,049	185,600	185,600	217,000	31,400
ASC Prevention & Safeguarding - Staffing	315,529	266,000	266,000	271,400	5,400
ASC Housing	138,293	150,000	176,000	73,200	(102,800)
ASC Support & Review - Daycare	215,913	218,400	218,400	203,800	(14,600)
ASC Support & Review - Direct Payments	755,561	766,400	766,400	832,100	65,700
ASC Support & Review - Homecare	1,775,281	1,834,900	1,834,900	1,720,700	(114,200)
ASC Community Income	(317,629)	(290,500)	(290,500)	(336,800)	(46,300)
ASC Support & Review - Other	258,871	289,100	384,100	337,100	(47,000)

<b>Function</b>	<b>Outturn 2018/19</b>	<b>Approved Budget</b>	<b>Revised Budget</b>	<b>Q1 Forecast</b>	<b>Q1 Forecast variance to current budget</b>
ASC Support & Review - Residential & Nursing	2,987,245	2,830,500	2,830,500	3,070,100	239,600
ASC Support & Review - Staffing	431,384	583,700	583,700	551,400	(32,300)
ASC Hospital & Reablement	386,024	403,600	403,600	309,800	(93,800)
<b>Adults and Health (Non Ringfenced)</b>	<b>8,592,024</b>	<b>8,803,100</b>	<b>8,870,100</b>	<b>8,760,700</b>	<b>(109,400)</b>
Safeguarding	214,460	217,400	217,400	218,800	1,400
Referral, Assessment and Intervention Service	168,705	228,500	228,500	204,700	(23,800)
Permanency and Protection Service	421,992	406,000	406,000	445,400	39,400
Fostering, Adoption and Care Leaver Service	1,392,849	1,523,000	1,523,000	1,683,500	160,500
Early Intervention - Targeted Intervention	1,191,734	1,383,600	1,417,600	1,241,400	(176,200)
Early Intervention - SEND & Inclusion	342,266	275,800	275,800	339,200	63,400
Early Intervention - Universal and Partnership	347,666	386,300	386,300	349,400	(36,900)
<b>Childrens</b>	<b>4,079,672</b>	<b>4,420,600</b>	<b>4,454,600</b>	<b>4,482,400</b>	<b>27,800</b>
Schools & Early Years	467,843	328,100	357,100	349,900	(7,200)
Rutland Adult Learning & Skills Service (RALSS)	3	(29,200)	(29,200)	(11,100)	18,100
<b>Learning and Skills</b>	<b>467,847</b>	<b>298,900</b>	<b>327,900</b>	<b>338,800</b>	<b>10,900</b>
<b>Total People - GF (Ringfenced)</b>	<b>2,521,443</b>	<b>2,275,500</b>	<b>2,529,300</b>	<b>2,529,200</b>	<b>(100)</b>
<b>Total People - GF (Non Ringfenced)</b>	<b>15,145,982</b>	<b>15,803,700</b>	<b>15,971,900</b>	<b>15,804,900</b>	<b>(167,000)</b>
<b>Total People (Excluding DSG)</b>	<b>17,667,425</b>	<b>18,079,200</b>	<b>18,501,200</b>	<b>18,334,100</b>	<b>(167,100)</b>

## Appendix D2: Places Budget Forecast

Function	Outturn 2018/19	Approved Budget	Revised Budget	Q1 Forecast	Q1 Forecast variance to current budget
Directorate Management	231,365	233,900	295,900	280,400	(15,500)
Development Control	341,375	189,600	189,600	181,900	(7,700)
Drainage & Structures	195,539	174,500	174,500	176,400	1,900
Emergency Planning	31,881	30,900	30,900	33,500	2,600
Environmental Maintenance	1,128,043	1,148,800	1,148,800	1,145,900	(2,900)
Forestry Maintenance	112,508	101,400	101,400	91,400	(10,000)
Highways Capital Charges	1,531,700	1,613,500	1,613,500	1,613,500	0
Highways Management	179,899	139,700	174,700	155,500	(19,200)
Commissioned Transport	1,543,180	1,600,800	1,600,800	1,602,600	1,800
Lights Barriers Traffic Signals	111,354	143,300	143,300	128,500	(14,800)
Parking	(328,115)	(325,500)	(325,500)	(325,100)	400
Pool Cars & Car Hire	106,812	103,800	103,800	106,800	3,000
Public Protection	395,677	403,800	403,800	386,300	(17,500)
Public Rights of Way	81,512	95,800	92,800	86,000	(6,800)
Public Transport	819,809	842,600	842,600	844,800	2,200
Road Maintenance	485,892	399,200	399,200	411,600	12,400
Transport Management	274,771	319,900	328,900	334,700	5,800
Waste Management	2,415,424	2,306,900	2,306,900	2,328,000	21,100
Winter Maintenance	295,030	263,400	263,400	263,400	0
Planning Policy	264,589	486,000	582,000	608,900	26,900

<b>Function</b>	<b>Outturn 2018/19</b>	<b>Approved Budget</b>	<b>Revised Budget</b>	<b>Q1 Forecast</b>	<b>Q1 Forecast variance to current budget</b>
Tourism	14,519	15,500	15,500	10,800	(4,700)
Health & Safety	18,978	39,200	58,200	43,600	(14,600)
Property Services	994,587	1,058,400	1,058,400	1,078,200	19,800
Building Control	(33,975)	(50,100)	(50,100)	(34,700)	15,400
Commercial & Industrial Properties	(151,014)	(243,000)	(243,000)	(294,600)	(51,600)
Economic Development	163,233	164,300	164,300	144,200	(20,100)
Culture & Registration Services	105,252	106,900	106,900	102,100	(4,800)
Libraries	484,966	455,100	455,100	462,100	7,000
Museum Services	374,907	392,700	392,700	394,300	1,600
Sports & Leisure Services	(23,573)	41,600	79,600	70,000	(9,600)
<b>Total Places</b>	<b>12,166,125</b>	<b>12,252,900</b>	<b>12,508,900</b>	<b>12,431,000</b>	<b>(77,900)</b>



## Appendix D3: Resources Budget Forecast

Function	Outturn 2018/19	Approved Budget	Revised Budget	Q1 Forecast	Q1 Forecast variance to current budget
Chief Executives Office	281,122	202,600	252,600	226,400	(26,200)
Directorate Management	275,101	302,800	302,800	301,300	(1,500)
Communications	173,362	163,700	168,700	179,100	10,400
Corporate Costs	127,385	150,800	150,800	155,300	4,500
Pensions	193,029	210,000	210,000	210,000	0
Audit Services	152,506	154,200	154,200	148,700	(5,500)
Insurance	244,664	256,800	256,800	255,300	(1,500)
Accountancy & Finance	577,573	686,100	642,000	629,700	(12,300)
Information Technology	1,388,998	1,400,500	1,460,500	1,434,400	(26,100)
Business Support Services	850,827	944,800	884,800	848,900	(35,900)
Members Services	191,806	218,700	218,700	218,600	(100)
Customer Services Team	273,092	310,600	408,600	382,600	(26,000)
Elections	67,087	151,100	151,100	124,700	(26,400)
Legal & Governance	434,375	430,300	460,300	456,400	(3,900)
Human Resources	466,570	463,600	570,700	553,900	(16,800)
Revenues & Benefits	285,960	404,900	404,900	308,600	(96,300)
Financial Support	27,417	40,000	40,000	33,000	(7,000)
<b>Total Resources Directorate</b>	<b>6,010,872</b>	<b>6,491,500</b>	<b>6,737,500</b>	<b>6,466,900</b>	<b>(270,600)</b>

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## CABINET

20th August 2019

### BARROWDEN & WAKERLEY NEIGHBOURHOOD PLAN DECISION STATEMENT

#### Report of the Deputy Director for Places

Strategic Aim:	Sustainable Growth	
Key Decision: Yes	Forward Plan Reference: FP/120719	
Exempt Information	No	
Cabinet Member(s) Responsible:	Cllr Hemsley, Leader and Portfolio Holder for Rutland One Public Estate & Growth, Tourism & Economic Development, Communications, Resources (other than Finance)	
Contact Officer(s):	Rob Harbour, Deputy Director for Places	Tel: 01572 720909
	Roger Ranson, Planning Policy Manager	Tel: 01572 758238 rranson@rutland.gov.uk
Ward Councillors	Cllr. Karen Payne, Cllr. Gordon Brown	

#### DECISION RECOMMENDATIONS

That Cabinet is recommended to:

1. Note the Examiner's Report and recommended modifications to the Barrowden & Wakerley Neighbourhood Development Plan to meet the Basic Conditions.
2. Agree to publish the 'Decision Statement' as set out at Appendix 2 of the report.
3. Agree to put the Barrowden and Wakerley neighbourhood Plan (subject to the recommended modifications) to Referendum and delegate all arrangements for this to the Chief Executive.
4. Following a referendum where more than 50% of those voting vote in favour of the proposal, to delegate the decision to "make" the Neighbourhood Plan part of the Development Plan to the Strategic Director for Places, in consultation with the Portfolio Holder.

## **1. PURPOSE OF THE REPORT**

To note the Examiner's recommended modifications to the Barrowden & Wakerley Neighbourhood Development Plan, agree the publication of the 'Decision Statement' and make arrangements to hold a Neighbourhood Plan Referendum on the plan.

## **2. BACKGROUND AND MAIN CONSIDERATIONS**

- 2.1 Barrowden Parish Council submitted the Barrowden & Wakerley Neighbourhood Development Plan (BWNDP) to Rutland County Council (RCC) for examination in May 2019. An Independent Examiner was appointed to examine the Plan; this took place between March and July 2019. The Examiner considered representations and determined that no public hearing was required.
- 2.2 The Examiner has now issued his final report and concludes, that subject to a number of modifications, the Barrowden & Wakerley Neighbourhood Development Plan can proceed to referendum. Rutland County Council must issue a 'Decision Statement' setting out how the Barrowden & Wakerley Neighbourhood Development Plan will be modified in response to the Examiner's Report.
- 2.3 The BWNDP covers the plan period 2016 to 2036 and has been prepared for a designated neighbourhood area which covers the whole of Barrowden Parish in Rutland and Wakerley Parish in East Northamptonshire District.

### **Recommended modifications to the BWNDP to meet the Basic Conditions**

- 2.4 The Examiner was appointed to assess whether the BWNDP meets certain legal requirements for NDPs, known as the 'Basic Conditions', these state NDPs should:
- i) Have regard to national policies and advice contained in guidance issued by the Secretary of State,
  - ii) Contribute to the achievement of sustainable development,
  - iii) Be in general conformity with the strategic policies contained in the development plan for the area,
  - iv) Not breach, and otherwise be compatible with, EU obligations.
- 2.5 Many of the Examiner's modifications are to bring clarity to the wording used and ensure a policy based approach that meets the needs of decision makers in applying the Plan when it is 'made'.
- 2.6 Details of each modification are contained in the Decision Statement (Appendix 2).

### **Decision Statement**

- 2.7 The Regulation 14 and 16 stages of the neighbourhood plan making process offers those parties affected by the NDP the opportunity to make representations on the plan. That is not just the right to object but also to support proposals in the plan or make comments.

- 2.8 This is followed by an examination and the issuing of a report (by an independent Examiner) containing a series of recommendations. The Neighbourhood Planning (General) Regulations 2012 state that a Local Planning Authority (LPA) must then publish the actions which will be taken in response to the recommendations of the Examiner. This is known as the 'Decision Statement'.
- 2.9 The Neighbourhood Plan Regulations impose no obligations for the examiner or the LPA to have to consult on the changes to the Plan which they are minded to accept. Anyone affected by the NDP that does not endorse the plan will have the chance to vote to reject it at referendum.
- 2.10 It is recommended that Members accept the Examiner's modifications to the BWNDP and approve the Decision Statement as attached at Appendix 2. The Barrowden & Wakerley NPG have reported they will ask Barrowden Parish Council to accept the plan as modified at their Parish Council meeting scheduled for 14th August. Similar arrangements will be made for the Wakerley Village Meeting to agree to the modifications.
- 2.11 The LPA must issue its final decision within 5 weeks and the submission version of the BWNDP would then be revised and a Referendum would take place.

### **Next Steps**

- 2.12 Following the publication of the Decision Statement, the BWNDP can proceed to referendum which will be organised by Rutland County Council. It is provisionally agreed that the referendum will be held no later than 17 October 2019. If over 50% of those voting are in favour of the BWNDP, then the Plan can be 'made' (adopted) by RCC and will form part of the statutory Development Plan for the Parishes of Barrowden and Wakerley.

## **3. ALTERNATIVE OPTIONS**

- 3.1 If the authority proposes to make a decision which differs from that recommended by the examiner, it must notify relevant people and invite representations. Any representations must be submitted within 6 weeks of the local planning authority inviting representations. The local planning authority may, if it considers it appropriate to do so, refer the issue to further independent examination.

## **IMPLICATIONS**

### **4. FINANCIAL IMPLICATIONS**

- 4.1 The Council can claim a neighbourhood planning grant from the Department for Communities and Local Government (DCLG) which will cover the costs involved in this process, once the date has been set for a referendum.

## 5. LEGAL AND GOVERNANCE CONSIDERATIONS

- 5.1 At the point where the local planning authority makes the decision on whether the neighbourhood plan should proceed to referendum, it needs to be satisfied that the neighbourhood plan proposal has regard to national policy and guidance, contributes to sustainable development, is in general conformity with the strategic policy of the development plan for the area and doesn't breach or is otherwise compatible with the EU obligations.
- 5.2 Following a successful referendum the neighbourhood plan, will be "made" by the Council, and will become part of the statutory development plan. Rutland County Council will have regard to the provisions of the neighbourhood plan as a material consideration in the determination of planning applications within the parish of Barrowden and East Northants District Council will have regard to the neighbourhood plan within the parish of Wakerley. .
- 5.3 Changes to the Neighbourhood Plan Regulations are now in force, bringing with them time limitations on taking Neighbourhood Plans through the statutory processes. In light of these it is considered appropriate to amend the Council's constitution to delegate decision making for a number of these stages (as set out in the table below). It is therefore proposed that the following scheme of delegation is incorporated into the constitution. This will ensure that future Neighbourhood Plans can progress in a timely manner whilst maintaining a Member involvement at appropriate stages.

Stage	Proposed Decision maker
Designate Neighbourhood Area or Neighbourhood Forum	Strategic Director: Places in consultation with Portfolio Holder
Council comments at Regulation 14 consultation	Strategic Director: Places in consultation with Portfolio Holder and relevant Ward member(s)
Submission consultation and proceed to Examination	Cabinet
Decision Statement in respect of recommendations within the Examiners report and proceed to Referendum	Strategic Director: Places in consultation with Portfolio Holder
Make the Neighbourhood Plan part of the Development Plan	Strategic Director: Places in consultation with Portfolio Holder

## 6. DATA PROTECTION IMPLICATIONS

- 6.1 A Data Protection Impact Assessments (DPIA) has not been completed for the following reason there are no risks/issues to the rights and freedoms of natural persons.

## **7. EQUALITY IMPACT ASSESSMENT**

7.1 An Equality Impact Assessment (EqIA) has not been completed for the following reasons:

- a) DCLG guidance on the application of EqIA indicates that RCC is not required to undertake such an assessment of the neighbourhood plan;
- b) an EqIA is not required to satisfy the 'basic conditions' that need to met in drawing up the submission draft plan.

## **8. COMMUNITY SAFETY IMPLICATIONS**

8.1 None.

## **9. HEALTH AND WELLBEING IMPLICATIONS**

9.1 The neighbourhood plan includes policies to protect the villages' character and heritage and proposals on a range of topics including green infrastructure, housing, community facilities and services that could help to improve health and wellbeing.

## **10. CONCLUSION AND SUMMARY OF REASONS FOR THE RECOMMENDATION**

10.1 The Barrowden & Wakerley Neighbourhood Plan is considered to meet the 'Basic Conditions' subject to modifications set out by the examiner. It is recommended the Decision Statement should be agreed and for the Neighbourhood Plan to proceed to a referendum within the statutory 56 days of the publication of the Decision Statement.

## **11. BACKGROUND PAPERS**

11.1 None

## **12. APPENDICES**

- 12.1 Appendix 1: Barrowden & Wakerley Neighbourhood Area Map
- 12.2 Appendix 2: Decision Statement and Recommended Modifications to the BWNDP
- 12.3 Appendix 3: Post Examination version of the Barrowden and Wakerley Neighbourhood Plan with modifications tracked changes

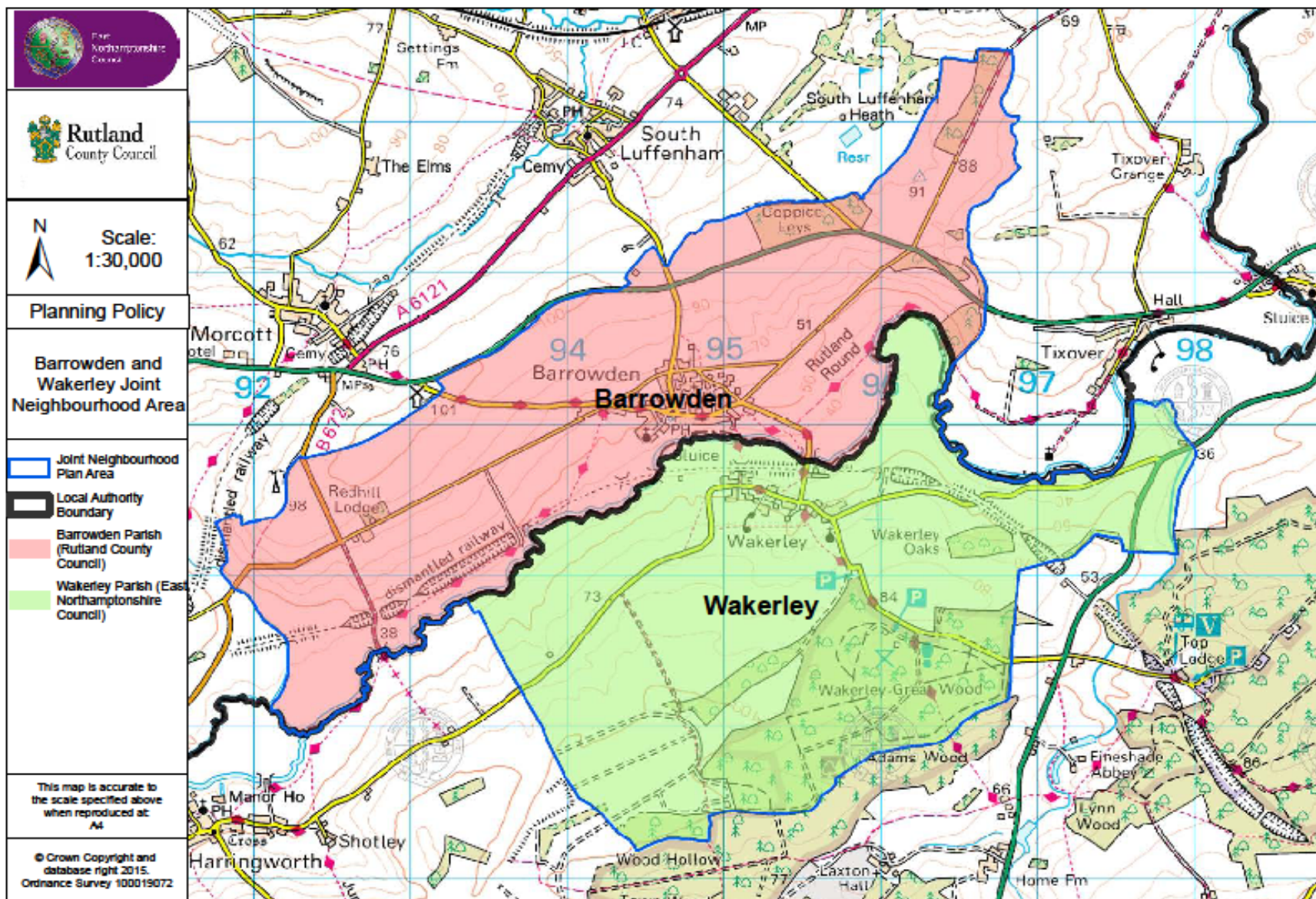
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# Appendix 1: Barrowden & Wakerley Neighbourhood Area

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# Barrowden & Wakerley Neighbourhood Development Plan

## Decision Statement: July 2019

**Published pursuant to Section 38A(9) of the Planning and Compulsory Purchase Act 2004 and Regulation 18 of the Neighbourhood Planning (General) Regulations 2012**

### 1. Introduction

- 1.1 Under the Town and Country Planning Act 1990 (as amended), Rutland County Council (RCC) has a statutory duty to assist communities in the preparation of neighbourhood development plans and orders and to take plans through a process of examination and referendum. The Localism Act 2011 (Part 6 chapter 3) sets out the Local Planning Authority's responsibilities under Neighbourhood Planning.
- 1.2 This statement confirms that the modifications proposed by the examiner's report have been accepted, the draft Barrowden & Wakerley Neighbourhood Development Plan has been altered as a result of it; and that this plan may now proceed to referendum.

### 2. Background

- 2.1 The Barrowden & Wakerley Neighbourhood Development Plan relates to the area that was designated by Rutland County Council and East Northamptonshire Council as a neighbourhood area on 27 April 2015. The plan area designated covers the whole of Barrowden Parish in Rutland and Wakerley Parish in East Northamptonshire as well as the surrounding area.
- 2.2 Following the submission of the Barrowden & Wakerley Neighbourhood Development Plan to the Council, the plan was publicised and representations were invited. The publicity period ended on 26 May 2018.
- 2.3 Mr Andrew Ashcroft BA (Hons) MA, DMS, MRTPI was appointed by Rutland County Council with the consent of Barrowden Parish Council, to undertake the examination of the Barrowden & Wakerley Neighbourhood Development Plan and to prepare a report of the independent examination.
- 2.4 The examiner's report concludes that subject to making the modifications recommended by the examiner, the Plan meets the basic conditions set out in the legislation and should proceed to a Neighbourhood Planning referendum.

### **3. Decision**

- 3.1 The Neighbourhood Planning (General) Regulations 2012 requires the local planning authority to outline what action to take in response to the recommendations of an examiner made in a report under paragraph 10 of Schedule 4A to the 1990 Act (as applied by Section 38A of the 2004 Act) in relation to a neighbourhood development plan.
- 3.2 Having considered each of the recommendations made by the examiner's report, and the reasons for them, Rutland County Council in consultation with Barrowden Parish Council has decided to accept the modifications to the draft plan. Table 1 below outlines the alterations made to the draft plan under paragraph 12(6) of Schedule 4B to the 1990 Act (as applied by Section 38A of 2004 Act) in response to each of the Examiner's recommendations. The reasons set out have in some cases been paraphrased from the Examiners report for conciseness. This statement should be read alongside the Examiner's Report.
- 3.3 If the Authority is satisfied that, subject to the modifications being made, the Neighbourhood Plan meets the legal requirements and basic conditions then it can proceed to referendum.

**Appendix 3:**

Policy or Section of NDP	Recommendation Modification	Justification	Decision
Policy BW1: Landscape Character and important views	<p>In the first part of the policy:</p> <ul style="list-style-type: none"> <li>• insert 'where practicable' before 'enhance'</li> <li>• insert 'unacceptable' before 'adverse'</li> </ul> <p>In the second part of the policy:</p> <ul style="list-style-type: none"> <li>• replace 'shall' with 'should'</li> <li>• replace 'and should' with 'and incorporate'</li> </ul>	For clarity.	Accept modification
Policy BW2: Development within Wakerley	It meets the basic conditions.		
Policy BW3: Local Green Space in Barrowden Village	<p>Replace the second sentence of the policy with:</p> <p>'Development will only be supported within the designated Local Green Space in very special circumstances'</p> <p>At the end of paragraph 5.15 add:</p> <p><i>'Policy BW3 applies the national approach towards the protection of identified local green spaces. The County Council will be able to determine if very special circumstances apply to any development proposals which may come forward in the Plan period. However, they are likely only to consist of proposals which are designed to enhance the special character of the designated space and</i></p>	<p>The policy itself helpfully sets out the limited circumstances where development may be supported within the designated LGS.</p> <p>However, in doing so it goes well beyond the matter of fact approach set out on paragraphs 76 and 78 of the NPPF. The recommended modification addresses this matter.</p>	Accept modification

	<i>which would not have an unacceptable adverse impact on the view into the countryside from Mill Lane'</i>		
Policy BW4: Sensitive areas important to Wakerley	In the opening part of the policy insert 'unacceptable' between 'an' and 'adverse'	A technical modification to the policy to qualify the scale and significance of the adverse harm.	Accept modification
Policy BW5: Local Green Infrastructure Corridor	In the first part of the policy: <ul style="list-style-type: none"> <li>• replace 'shall' with 'should'</li> <li>• replace 'and' at the end of i. with 'and/or'</li> </ul> <p>In the second part of the policy replace 'these' with 'they'</p> <p><i>At the end of paragraph 5.19 add:</i></p> <p><i>'The identified Corridor sits within both the neighbourhood area and its wider context including that of the River Welland. Plainly a neighbourhood plan can only apply policies within the designated area. For the purposes of this neighbourhood plan Policy BW5 only applies to that part of the green corridor within the neighbourhood area.'</i></p>	For clarity.	Accept modification
Policy BW6: Design Principles	In the first part of the policy <ul style="list-style-type: none"> <li>• replace 'will be expected to' with 'should'</li> <li>• replace 'preserve and enhance' with 'conserve or enhance'</li> </ul> <p>In the second part of the policy add 'as appropriate to the development concerned' after 'of materials'</p>	A series of recommended modifications to ensure that the policy uses correct and appropriate language. Some of the wording uses such as 'will be expected' will be challenging to apply consistently through the development management	Accept modification

	<p>In the fourth part of the policy:</p> <ul style="list-style-type: none"> <li>• inset at the beginning: 'Development proposals should retain'</li> <li>• replace 'Conservation Area' with 'conservation areas'</li> <li>• delete 'shall be retained'.</li> </ul>	process throughout the Plan period.	
Policy BW7: The local impact of construction	Delete the policy	This policy addresses the local impact of construction. However neither of the two elements are land use policies.	Accept modification
Policy BW8: Surface Water Flooding	The policy meets the basic conditions.		
Policy BW9: Infill and backland development within Barrowden	<p>Replace the opening part of the policy with:</p> <p>'Development proposals for the development of housing on small sites within the Planned Limits of Development for Barrowden will be supported where:'</p> <p>In the second criterion add 'or other' between 'garden' and 'land'</p>	For clarity and the modifications will also assist RCC with the delivery of its development management function.	Accept modification
Policy BW10: Dwelling Type and Size	<p>In the first part of the policy replace 'Proposals for...shall' with: Development proposals for new residential development will be supported where they'</p> <p>Delete the second part of the policy</p>	To a certain extent the second part of the policy compounds the effects of the first part. However, it does so without any compelling clarity.	Accept modification

	<p><i>At the end of paragraph 5.42 add: 'Proposals for the development of larger dwellings (four or more bedrooms) either in their own right or where they are included as part of a wider package of houses will be considered on their merits. Developers will be expected to provide information about the way in which the larger dwellings would meet defined local need for housing in general, and any shortfall of such accommodation in particular'</i></p>	<p>In particular it provides no clear guidance to either RCC or the wider development industry on how any shortfall for larger houses would be both assessed and then monitored/updated within the Plan period.</p>	
<p>Policy BW11: Affordable Housing</p>	<p>Replace the policy with:</p> <p>'Proposals for the development of rural exception sites for affordable housing will be supported where:</p> <ul style="list-style-type: none"> <li>• they otherwise meet the criteria for such development in the development plan;</li> <li>• they produce development which meets the design principles in Policy BW6 of this Plan'</li> </ul> <p><i>At the end of paragraph 5.47 add:</i></p> <p><i>'Policy BW11 provides a more general policy approach to this important matter.'</i></p>	<p>A preference for a particular development is not a policy.</p> <p>The second part of the policy comments that any such proposals should be supported by the Parish Council after consultation with the local community.</p> <p>In its response to my clarification note the Parish Council commented that this aspect of the policy was one where it has sought to follow the principles set out in the Central Lincolnshire Local Plan. The inspector examined neighbourhood plans that have been produced within the strategic context of that Local Plan.</p>	<p>Accept modification</p>



		<p>However, in those cases they were able to rely on a recently-adopted Local Plan produced for the relevant administrative area.</p> <p>Neither the Rutland Core Strategy nor the NNJCS include such a strategic policy. In this context it is beyond the inspectors remit to apply a development plan policy from another administrative area to the submitted neighbourhood plan.</p>	
Policy BW12: Working from Home	<p>In the first part of the policy replace the opening element with: 'Insofar as planning permission is required proposals for working from home will be supported provided that:'</p> <p>Delete 11.</p> <p>In the second part of the policy:</p> <ul style="list-style-type: none"> <li>• delete 'valued' in the opening component</li> <li>• in 1 replace 'exclusion' with 'removal'</li> </ul> <p><i>In paragraph 5.50 insert 'valued' between 'the' and 'residential' in the third sentence.</i></p>	For clarity.	Accept modification

Policy BW13: Bed and breakfast accommodation	It meets the basic conditions.		
Policy BW14: The protection of community facilities	Insert 'only' between 'will' and 'be'  In the second criterion of the policy delete 'satisfactorily'	Modifications recommended to align with relevant strategic policies on this matter (Policy CS7 of the Rutland Core Strategy and Policy 7 of the NNJCS)	Accept modification
Policy BW15: The provision of new community facilities	Replace the opening section of the first part of the policy with: 'Proposals for the provision of new community facilities within the Planned Limits of Development of Barrowden will be supported where they would.'  Replace II. in the second part of the policy with: 'It is demonstrated that there is no suitable site for community facilities within the Planned Limits of Development.'  Replace the opening section of the second part of the policy with: 'Proposals for the provision of new community facilities outside the Planned Limits of Development of Barrowden will be supported where.'  In III in the second part of the policy insert 'is well related to the built form of the village and' after 'The site'	Modifications suggested to ensure that the policy will have the clarity required by the NPPF and provide a practical guidance both to developers, community and recreational groups and RCC alike:  <ul style="list-style-type: none"> <li>clarifying in the supporting text that the starting point for any new community facility should be within the Planned Limits of Development of Barrowden unless exceptional circumstances exist;</li> <li>altering the initial section of the first part of the policy so that it uses appropriate policy language;</li> <li>altering the initial section of the second part of the policy so that it uses appropriate policy language; and</li> </ul>	Accept modification

	<p>In the second part of the policy section V replace 'with I, II and III of criterion 1 above with 'the three criteria in the first part of the policy'</p> <p><i>Insert the following as an additional sentence after the first sentence in Paragraph 5.58:</i></p> <p><i>'New community facilities should be provided within Barrowden. It is the main concentration of existing commercial and community facilities in the neighbourhood area. The development of new facilities will reinforce its sustainable location and will ensure that the new facilities are readily accessible by the whole community.'</i></p> <p><i>Insert the following as an additional sentence at the end of Paragraph 5.58:</i></p> <p><i>'Such exceptional circumstances are addressed in the second part of Policy BW15'</i></p>	<ul style="list-style-type: none"> <li>clarifying the locational and access requirements for new facilities outside the village</li> </ul>	
Policy BW16: Fibre Broadband	Delete 'from an agreed location'	The deletion of 'from an agreed location' in the policy is recommended. It is unclear how this part of the policy would be applied, especially if it required the co-operation of a third party or different landowner	Accept modification
Monitoring and Review	<i>Replace the first sentence of paragraph 6.1 with:</i>	A key phase in the monitoring and review process will be when the two emerging Local Plans are	Accept modification

	<p><i>'Whilst there is no statutory requirement to monitor a made neighbourhood plans, it is good practice to ensure that any Plan is kept up to date'</i></p> <p><i>At the end of paragraph 6.1 add: 'In this context the Parish Council and the Parish Meeting will assess the need for the Plan to be reviewed either because of changes to local and/or national planning policies or within 5 years of the making of the Plan. The assessment process will begin at the point at which the first of these two circumstances arises. The adoption of the two emerging Local Plans will be an important consideration in the local planning policy scenario'.</i></p>	<p>adopted. The recommended modifications address this matter.</p>	
Other Matters (General)	<p><i>Modification of general text (where necessary) to achieve consistency with the modified policies.</i></p>	<p>This report has recommended a series of modifications both to the policies and to the supporting text in the submitted Plan.</p> <p>Where consequential changes to the text are required directly as a result of recommended modifications to the policy concerned, the inspector has highlighted them in his report.</p> <p>However other changes to the general text may be required elsewhere in the Plan as a result of the recommended modifications to</p>	Accept modification

		the policies. It will be appropriate for RCC/ENDC and the Parish Council/Parish Meeting to have the flexibility to make any necessary consequential changes to the general text.	
Other Matters (Specific)	<p><i>Paragraph 5.51 – replace 1.7 million with 1.8 million</i></p> <p><i>Appendix 2 3a – replace ‘Protect and enhance footpaths’ with ‘Protect and enhance public rights of way’</i></p>	To meet basic conditions.	Accept modification

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