



Rutland County Council

Catmose Oakham Rutland LE15 6HP.

Telephone 01572 722577 Email governance@rutland.gov.uk

RECORD OF DECISIONS AT A MEETING OF THE CABINET

Tuesday, 21st January, 2020 at 9.30 am

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

IN

ATTENDANCE: Miss G Waller Councillor
Mr P Ainsley Councillor

OFFICERS PRESENT: Mrs H Briggs Chief Executive
Mr M Andrews Strategic Director for People(DAS/DCS)
Mrs H Bremner Head of communications
Mr S Della Rocca Strategic Director for Resources
Ms D Godfrey Deputy Director Children's Services
Mrs C Trail Strategic Director for Places
Mrs J Morley Governance Officer

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

There were no announcements from the Chairman or the Chief Executive.

466 DECLARATIONS OF INTEREST

Councillor Stephenson declared an interest in item 7 on the agenda, Fees and Charges, as she pays a charge on an A board that she has outside her shop.

467 RECORD OF DECISIONS

The record of decisions made at the meeting of the Cabinet held on 23 December 2019 were confirmed.

468 ITEMS RAISED BY SCRUTINY

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

469 DRAFT 2020/21 REVENUE AND CAPITAL BUDGET

Report No.03/2020 was received from the Strategic Director for Resources.

Councillor Brown, Portfolio Holder for Planning, Environment, Property and Finance introduced the report the purpose of which was to present a draft budget for consultation prior to the budget being formally set by Council in February 2020.

During discussion the following points were noted:

- The Government was expected to make some announcements on the fairer funding formula within the next 6-8 weeks.
- Beyond 2021 the funding formula was not known but the picture looked challenging, particularly for Rutland's situation. As a result RCC was proposing a maximum adult social care precept and Council tax to meet the challenges.
- There was a demand pressure of £1.6 million where the Council had a duty to respond, for example for older people's residential care, fostering and SEND costs. This pressure was exacerbated when more care cases were deemed to fall under Adult Social Care rather than Health.
- Demand pressures would be offset in part by savings of c£479k.
- External auditors and the recent Peer Challenge both felt that the Council's budget represented very good value for money.
- Rutland's funding split was 80% from Council Tax revenue and 20% from Government. This was in stark contrast to other Councils whose funding split was 60/40.
- Councillor Wilby commended the Section 151 officer and the Portfolio Holder for Finance, for their hard work on the budget.
- Councillor Walters voiced his concerns that the Public did not realise just how unfairly funded RCC was and asked how this was being brought to their attention. Councillor Brown had produced a video for the Council's website and for social media to explain this point. The video outlined the issue and made comparisons with the City of Westminster which was a much richer area but which still received more Government funding and therefore had lower council tax rates.
- Mr Della Rocca was aware that a lot of myths and preconceptions existed concerning the budget and had written a list of frequently asked questions and answers, to go alongside the report on the website, to dispel some of these.
- Councillor Stephenson felt that it was the responsibility of all Members of the Council to disseminate these simple messages and that there was need to work with communities to get these messages across.
- If Council Tax was not raised by 2% over the next five years then there would be shortfall of c£3million which would be in addition to any Government funding reductions.

DECISIONS:

Cabinet:

1. APPROVED for consultation:

- The General Fund Budget for 2020/21 detailed in Appendix 1 of the report, section 3 including savings proposals.

- The Directorate budgets per Appendices 4-6 of the report.
- An increase in Council Tax of 1.99% with a further 2% for the Adult Social Care precept.
- The capital programme as detailed in Section 4 of Appendix 1 of the report.
- The consolidation of the Insurance/Legal reserve into the earmarked “pressure reserve” with the ceiling on that reserve maintained at £1m.
- The ceiling on the Extreme Weather reserve is increased from £100k to £200k.

2. NOTED:

- That the funding position may change when the NNDR (business rates) tax base and local government finance settlement is finalised.
- That additional revenue or capital expenditure may be incurred in 2020/21 funded through 2019/20 budget under spends to be carried forward via earmarked reserves. The use of reserves for budget carry forwards is not currently shown in the budget but will have no impact on the General Fund.
- The estimated surplus of £126k on the Collection Fund as at 31 March 2020 (2.2 of Appendix 1 of the report) of which £108k is the Rutland share.
- That Council will be considering the Treasury Management Strategy and Capital Investment Strategy separately.
- The position on the Dedicated Schools Grant budget as per para 2.5 of the report.

Reasons for the decision

- i. *The Council is required to set a balanced budget and agree the level of Council tax for 20/21.*
- ii. *The draft budget for consultation is affordable within the context of the MTFP and will allow the Council to meet service aims and objectives for the coming year*

470 FEES AND CHARGES 2020/21

Report No.04/2020 was received from the Strategic Director for Resources. Councillor Brown, Deputy Leader and Portfolio Holder for Finance, introduced the report the purpose of which was to set out the proposals for fees and charges for services provided by the Council for the financial year 2020/21.

During discussion the following points were noted:

- Taxi and licence fees would be subject to a specific consultation and brought back to Cabinet separately.

- Care home fees were also subject to a separate report.
- The report covered a wide number of services and included fees which were statutory and set at a national level, and others where the Council had some discretion.
- Where costs related to staff time, fees had increased by 4.5% and in some areas, fees had been increased in line with neighbouring councils' levels.

DECISIONS:

Cabinet **RECOMMENDED** to Council:

1. To **APPROVE** the level of fees and charges for 2020/21 as set out in Appendices 1-4 of the report with the exception of taxi and private hire vehicle licenses and Residential Home Care rates.
2. To **NOTE** that taxi and private hire vehicle licenses fees will be subject to change based on the outcome of forthcoming consultation through a public notice procedure and be brought back for approval following that consultation.
3. To **NOTE** that weekly Residential Home Care rates are subject to a separate report.

Reasons for the decision

The annual review of fees and charges is an integral part of the budget and council tax setting process and is also to ensure the Council is compliant with legislative guidance. It is therefore recommended that Cabinet approve the proposals set out in the document.

471 TREASURY MANAGEMENT STRATEGY

Report No.05/2020 was received from the Strategic Director for Resources.

Councillor Brown, Deputy Leader and Portfolio Holder for Finance introduced the report the purpose of which was to set out the statutory reports expected in relation to treasury and capital investment operations for 2020/21, linked to the Council's Budget, Medium Term Financial Strategy and Capital Programme.

During discussion the following points were noted:

- The Chartered Institute of Public Finance and Accountancy (CIPFA) had updated their guidance and the Strategy had been prepared in line with this guidance.
- There had been no change in the Council's attitude to borrowing which was to take a very conservative approach. Any borrowing to invest would be approved by the Council and it was Council policy not to invest outside of the County.

DECISIONS:

Cabinet **RECOMMENDED** to Council to **APPROVE:**

- a) the Treasury Management Strategy in Appendix 1 of the report including the Investment Strategy, Borrowing strategy, Minimum Revenue Provision statement and Capital Expenditure Prudential indicators.

b) the Capital Investment Strategy in Appendix 2 of the report.

Reasons for the decision

The Council is required to approve a Treasury Management Strategy and Capital Strategy

472 PROGRESS UPDATE ON ST GEORGE'S BARRACKS

Report No.15/2020 was received from the Chief Executive who introduced the report. The purpose of the report was to provide Cabinet with a progress report on the St George's Project.

During discussion the following points were noted:

- The Chief Executive and the Interim Deputy Director for Places were attending a Garden Communities Event with colleagues from the MoD to learn more about garden communities.
- As a result of the Council meeting amendment that was passed the evening before, the terms of the Housing Infrastructure Bid would go to Scrutiny and full Council before being approved.

DECISION:

Cabinet **NOTED** the progress update in respect of the St George's Project.

Reasons for the decision

Progress on the project is in line with the programme.

473 ROAD SAFETY STRATEGY

Report No.2/2020 was received from the Strategic Director for Places.

Councillor Stephenson, Portfolio Holder for Culture & Leisure, Highways & Transportation and Road Safety introduced the report the purpose of which was to seek approval of the 'Road Safety Guide' and delegation of authority to the Strategic Director for Places, in consultation with the Portfolio Holder for Culture, to approve any post consultation amendments to the Road Safety Guide and approve the final version.

During discussion the following points were noted:

- The Cabinet were asked to note that that the document was a guide and not a strategy.
- Councillor Stephenson hoped that the guide would have a wide audience as road safety was of concern to all in the community.
- In reviewing speed limits the guide stated that police data would be used to identify the number of collisions. This would now be amended to also take account of local communities' views as there was a perceived mismatch between what the police recorded and what local communities referred to anecdotally.

- It would be possible for parishes to fund their own speed calming measures should RCC deem it unnecessary.
- Once approved the document would be professionally produced and released for wider circulation in the Spring.
- Councillor Brown was pleased that the Council now had this important document for parish councils and villages to guide them on the opportunities they had for speed management.
- Councillor Stephenson, the Portfolio Holder, thanked Dr Johnson and officers for the job they had done in producing the guide whilst observing statutory guidelines.

DECISION:

Cabinet APPROVED:

1. The 'Road Safety Guide' for partner consultation.
2. The delegation of authority to the Strategic Director for Places in consultation with the Portfolio Holder for Culture & Leisure, Highways & Transportation and Road Safety to:
 - Approve any post consultation amendments to the Road Safety Guide; and
 - Approve the final version of the Road Safety Guide.

Cabinet NOTED:

1. That a technical appendix to the 'Road Safety Guide' would be produced at a later date.
2. That the traffic calming policy had been incorporated into the public facing 'Road Safety Guide'.

474 REPROCUREMENT OF HOMECARE

Report No.16/2020 was received from the Strategic Director for People.

Councillor Walters, Portfolio Holder for Health and Adult Social Care introduced the report the purpose of which was to set out the existing provision of homecare for older people and current lack of capacity within the system. It requested approval to commence procurement for homecare contracts, and to potentially procure further contracts in the future, under the current framework should there be further need.

During discussion the following points were noted:

- Councillor Wilby commented on the shortage of people available to work in these difficult jobs and provide services.
- In order to have sufficient capacity in the system in future there were no alternative options.

DECISIONS:

1. Cabinet **APPROVED** the procurement of additional homecare services under the current framework to provide additional capacity to the current provision.

2. Cabinet **AUTHORISED** the Strategic Director for People, in consultation with the Cabinet Member with Portfolio for Health and Adult Social Care to award the contract(s) for homecare resulting from this procurement in line with the Award Criteria as set out in Appendix B.
3. Cabinet **DELEGATED** authority to the Strategic Director for People, in consultation with the Cabinet Member with Portfolio for Health and Adult Social Care, to approve a further procurement and award any future contract(s) for homecare under a framework that meet needs.

Reasons for the decisions

Additional capacity on the framework is required to meet the needs of vulnerable individuals in Rutland. Additional providers can only be taken onto the framework through a transparent and fair process, which is equitable with that current providers experienced. The procurement will be undertaken in the same way and using the same award criteria to ensure this is the case

475 RESIDENTIAL CARE HOMES

Report No.13/2020 was received from the Strategic Director for People.

Mr Walters, Portfolio Holder for Safeguarding- Adults, Public Health, Health Commissioning and Community Safety introduced the report the purpose of which was to set out the proposed intentions for our in-county older people's residential care and nursing homes and the payments we make for care for 2020/21. The report requested approval to award revised continuing contracts with the homes and to set the rates of payment from the Council to providers for care.

During discussion the following points were noted:

- Councillor Brown asked whether 2% was enough of an increase to provide us with the amount of residential care that was required in the County.
- The Council was very open to having an uplift in the rates above the consumer price index (CPI) but providers needed to be open about the true cost of care.

DECISIONS

- 1) Cabinet **APPROVED** the continuation of contracts with in-county older people's Residential Care and Nursing Homes, implementing a refreshed contract for the next 5 years, with the option to extend for a further 3 years annually.
- 2) Cabinet **APPROVED** the offer of an inflationary uplift of 2% to the rates paid to providers.

Reasons for the decision

The recommendations to approve the continuation of contracts and the revised rates for providers will enable the Council to continue to offer appropriate and quality placements to vulnerable older people who require residential and nursing care.

476 LOCAL PLAN - REGULATION 19

Report No.21/2020 was received from the Strategic Director for Places. Councillor Brown, Portfolio Holder for Environment, Finance, Planning and Property introduced the report the purpose of which was to update Cabinet on progress with the preparation of the Local Plan and seek the views of Cabinet prior to Full Council considering the Pre-Submission (Regulation 19) publication version of the Local Plan. The recommendations are intended to ensure that the Plan is sound by being positively prepared, justified, and effective, as well as being consistent with national policy and being legally compliant.

During discussion the following points were noted:

- The approval of the plan was not just about the sites that were being put forward but also about the Policies which would become the 'Bible' for the Planning Committee.
- Having an up to date Local Plan meant that that the Council could provide certainty and ensure that development was in the most appropriate location.
- The Local Plan was supported by an infrastructure delivery plan which, although not cast in stone, could be used as a framework.
- Failure to adopt the Plan left the Council at risk of Government intervention and ultimately without a sound and legal plan, developers would have almost free rein to develop wherever they thought appropriate.
- An approved HIF bid was not a requirement of an approved Local Plan. South Kesteven District Council (SKDC) and Melton Borough Council would both have had plans adopted without the terms and conditions of the HIF bid being agreed.
- The Planning Inspector was happy for the Stamford North development to be included in the SKDC Local Plan without any agreements being in place.
- Officers and the Portfolio Holder were congratulated on producing a Plan that met the needs of the community and that was legally sound.
- Councillor Walters acknowledged the high level of public interest in the document but felt that as a Councillor his role was to protect the interests of Rutland as a whole and that this therefore was the right plan for Rutland.

DECISIONS:

- 1) Cabinet **NOTED** the contents of this report and the appended Pre-Submission Rutland Local Plan 2018-2036 (Regulation 19 Publication version) and the Policies Map;
- 2) Cabinet **PROVIDED** final comments in need of further planning policy clarification through the Local Plan; and,
- 3) Cabinet **RECOMMENDED** the appended Pre-Submission Local Plan to Full Council for a decision to approve the Local Plan prior to commencing the statutory Publication Stage (Regulation 19);

Members of the Cabinet also **NOTED** that Full Council would be requested to:

- 1) Approve the Pre-Submission Local Plan (Regulation 19 Publication Version) so that it can be published for its statutory 6-week stage;

- 2) Support the Local Plan to be Submitted (Regulation 22) to Government for its Independent Examination in Public, unless any unforeseen and significant issues arise post Publication that would require re-consideration of the Local Plan. It is proposed that any non-material minor amendments (such as typographical, mapping, formatting, desktop publishing and design of the Local Plan) deemed necessary before the Local Plan is Submitted and during the Examination period will be delegated to, and made by, the Director of Places in consultation with the Local Plan lead Cabinet Portfolio Holder;

Reasons for the decision

Officers consider that the attached Local Plan is sound, positively prepared, justified, and effective, as well as being consistent with national policy and legally compliant. In this regard, it should be noted that the revised NPPF (2019) revised the tests of soundness so that the Local Plan should be 'an appropriate strategy', and not 'the most appropriate strategy' as set out in the previous NPPF.

Cabinet is requested to consider this report and provide any final comments or areas in need of further planning policy clarification through the Local Plan, and to recommend the Local Plan to Full Council for a decision to approve the Local Plan prior to commencing the statutory Publication Stage.

477 EXCLUSION OF THE PRESS AND PUBLIC

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

478 CATMOSE SPORTS CONTRACT

Report No.21/2020 was received from the Strategic Director for Places. Councillor Stephenson introduced the report the purpose of which was to approve a variation to the current contract for the operation of the Catmose Sports facility with Stevenage Leisure Ltd, to extend the contract on current terms by twelve months, terminating on 31st March 2022. The extension would allow time for the consideration of appropriate future leisure provision for the County, and implementation of Member decisions.

During discussion the following points were noted:

- Parking had improved significantly on the Catmose site since an additional parking extension area had been added. Most residents using the sports facilities parked during the day and later in the evening but there were sometimes issues at peak times.
- What was being proposed was a sensible move forward and it was expected that a lot more detail would be included in the proposal that eventually came forward.

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Cabinet unanimously voted to move into private session

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At 10.44am Cabinet voted to move back into public session in order to vote on the report's recommendations.

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DECISIONS:

1. Cabinet **APPROVED** a variation to the current contract for the operation of the Catmose Sports facility with Stevenage Leisure Ltd, to extend the contract on current terms by twelve months, terminating on 31st March 2022.
2. Cabinet **APPROVED** the use of £29,000 from "Invest to Save" funds, and authorises the Director for Places to agree the appointment of a consultancy, in consultation with the Portfolio Holder for Culture & Leisure, and the Portfolio Holder for Finance, to scope appropriate future leisure provision for the County.

Reasons for the decisions

Extending the current contract would provide sufficient time for a thorough appraisal of the leisure market options, and for Members to make an informed decision on the future of sports and leisure in the County.

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The Chairman declared the meeting closed at 10.46am.

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