



Rutland County Council

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RECORD OF DECISION AT A MEETING OF THE CABINET

Tuesday, 16th June, 2020 at 10.00 am

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Decisions published on 16th June 2020

Decisions will be implemented on 24th June 2020 unless the Call-in Procedure as outlined in Procedure Rule 206 is invoked.

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

OFFICERS Mrs H Briggs Chief Executive
PRESENT: Mr M Andrews Strategic Director for People & Deputy
Chief Executive
Mr S D Rocca Strategic Director for Resources
Mr P Horsfield Monitoring Officer
Ms P Sharpe Strategic Director for Places
Ms D Godfrey Deputy Director - Children's Services
Mrs E Powley Governance Manager

23 APOLOGIES FOR ABSENCE

There were no apologies for absence. The Leader informed Cabinet that Councillor Walters would be in attendance imminently.

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

There were none.

25 DECLARATIONS OF INTEREST

There were none.

26 RECORD OF DECISIONS

Cabinet confirmed the record of decision made at the Cabinet meeting held on the 19th May 2020.

27 ITEMS RAISED BY SCRUTINY

Two items were raised by members of the Scrutiny Committee

- i) Children and Young People in relation to Item 7 – Children’s Services Improvement Plan and:
- ii) Growth Infrastructure and Resource Committee, in relation to Item 9 – Rutland Local Plan- Update on Timetable and Consultation.

Written representation of these items are appended to the minutes.

28 EMERGENCY POWERS - COVID 19 UPDATE

Councillor Hemsley as the relevant Cabinet Member elaborated on the report following agreement at the Cabinet meeting held on the 21st April 2020 where it was agreed that Cabinet review the emergency powers at each meeting of Cabinet to ensure that the powers were still required.

RESOLVED:

That the continued use of the Civil Emergency Delegation be noted.

Reason for Decision: It was agreed by Cabinet to review the emergency powers at Cabinet meeting to ensure that the powers are still required. The emergency response remains in effect and the situation remains uncertain. Should circumstances become more challenging in the near future, there is a need for the emergency powers to be in place to allow for continued decision making under the Council’s Scheme of Delegation

29 CHILDREN'S SERVICES IMPROVEMENT PLAN

Councillor Wilby, as the relevant Portfolio Holder elaborated on his report and explained that the Ofsted inspection had taken place between the 2nd and 13th March 2020, the overall judgement being that the children’s services required improvement to be good in all areas. It was further noted that no children were found to be at immediate risk of harm and Ofsted had recognised urgent safeguarding concerns were addressed promptly and staff continued to work hard.

The Deputy Director - Children's Services explained that the department had undertaken its own self-evaluation which identified similar improvement recommendations given by Ofsted. A number of steps had been taken including a new approach to the governance of improvement with the Children’s Services Improvement Board feeding into Cabinet on progress and it was reported that any Councillor could attend the Board to observe proceedings. Children and Young Peoples Scrutiny Committee would also consider recommendations of the Improvement Board. The comments that had been submitted by the Children and Young Peoples Scrutiny Committee were constructive with work being carried out to consider the comments and incorporate changes.

Councillor Walters joined the meeting. Having not been present during the discussion on the report, Councillor Walters abstained from voting to approve the recommendations.

RESOLVED:

That the Children’s Services Improvement Plan in response to the Ofsted inspection and areas for improvement identified by Ofsted be approved

That funding to invest in training for children's services to improve practice in line with the areas for improvement identified by Ofsted be approved.

Reason for the decisions: It is recommended that Cabinet approves the Children's Services Improvement Plan in response to the Ofsted inspection and areas for improvement identified by Ofsted. 13.2 It is recommended that Cabinet approves funding of c£49k over the next two years for training for children's services to improve practice in line with the areas for improvement identified by Ofsted.

30 FINANCIAL OUTTURN REPORT FOR 19/20 AND UPDATE ON BUDGET 20/21

Councillor G Brown as the relevant Cabinet Member, elaborated on the report and noted that the impact of the Covid 19 pandemic on the Medium Term Financial Plan (MTFP) and would continue to be assessed and monitored. The anticipated impact of Covid-19 on the Council's financial position included additional expenditure that may be incurred that is not covered by Government funding. It was reported that some services generating income were no longer in operation as the Council had reviewed its service offer in light of Government advice and was only running essential services. Other key areas where the Council collected income (council tax, business rates, rents) would likely to see reduced recovery rates, losses and bad debts.

The Chief Finance Officer explained that the information contained within the report had been written at a time when there was not a clear understanding of the impact of Covid 19. There were several areas of concern which included the collection of Council Tax, the extension of the rent deferral scheme for businesses, the leisure sector and the provision of care. The funding gap post Covid 19 was estimated to be between £2.5 to £3 million and a significant amount of work would need to be undertaken and Members would be invited to share their ideas on how to address the matter. Thanks was given to the Chief Finance Officer and his team for their hard work in the circumstances.

RESOLVED

- a) That the provisional outturn (subject to audit and finalisation of business rates figures) on the revenue budget and updated capital programme be noted.
- b) That the transfer to earmarked reserves from 19/20 underspends of £1.779m including £1.405m for ring fenced budgets be approved
- c) That the use of £72k from the highways reserve to fund additional works completed due to inclement weather be approved
- d) That the setting up of three new reserves and amending the ceiling of two reserves as detailed in section 2.4.3 and para 2.4.4 of the report be recommended to Council.
- e) That the impact of Covid-19 on the MTFP (para 2.5 of the report) be noted
- f) That the Capital budget adjustments (£231k) required to fund the capital programme (para 2.5.3 of the report) be approved

Reason for decisions: As the Council is required to make savings over the medium term, the outturn position is positive compared to Quarter 3. The approval of budget carry forwards will allow the 2020/21 budget to be updated to reflect spending plans.

31 RUTLAND LOCAL PLAN- UPDATE ON TIMETABLE AND CONSULTATION

Councillor G Brown, as the relevant Portfolio Holder elaborated on the report and explained that a review of the Statement of Community Involvement (SCI) at this time would allow progress with the Local Plan consultation, and enable the Regulation 19 consultation (and subsequent stages) with regards to the Local Plan which had been approved by Council in February 2020, to take place. He further explained that the SCI was not a development plan document and noted that there was no statutory requirement to consult on it. It was however considered good practice to undertake informal consultation on the proposed changes. Cabinet were being asked to approve the draft review for a four-week consultation; this having been proposed that the consultation on the revised SCI will run from Friday 19th June to Friday 17th July 2020. It was further noted that there were three stages of consultation had taken place in the preparation of the Local Plan which were highlighted in the report and the recommendation would enable the statutory consultation on the plan to progress.

Councillor G Brown updated Cabinet to the questions asked by the Growth Infrastructure and Resources Committee following the meeting held on the 11th June 2020 which are appended to the minutes.

RESOLVED:

1. That a revision to the Local Development Scheme (LDS) as set out in Appendix 1 of the report to reflect the proposed updated timetable for the Local Plan be considered and approved.
2. That the draft review of the Statement of Community Involvement (SCI) as set out in the Appendix 2 for 4 weeks consultation be considered and approved.

Reasons for decisions:

- i. *The Covid-19 pandemic has affected all aspects of the implementation of the Council's statutory functions. In the context of the Local Plan, a decision was made not to commence the planned Regulation 19 consultation on 24th March but to keep this decision under review. Since then recent MHCLG advice encourages Local Planning Authorities to progress with the preparation of local plans as these will be key to enabling the inevitable economic recovery which will be necessary once the pandemic is over.*
- ii. *As a result of postponement of the consultation the Local Plan timetable needs to be updated and published. Appendix 1 to this report sets out the revised timetable for the remaining stages in the process.*
- iii. *The current SCI has been reviewed in order to update all elements of community engagement in the planning process and to ensure that Covid-19 restrictions are appropriately covered. This review will also provide the opportunity to maintain progress with the Local Plan in circumstances where there are limitations on access, movement and face to face contact which make the current provisions of the SCI impossible to implement for an uncertain period of time. The draft reviewed SCI is set out in Appendix 2 and Cabinet is asked to approve this document for a four week consultation period beginning on Friday 19th June 2020.*
- iv. *The proposed changes to the SCI are in line with recent guidance issued by the Government.*

32 ANY ITEMS OF URGENT BUSINESS

There were no items of urgent business.

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The Chairman declared the meeting closed at 10.51am

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Report to Cabinet
Children's Scrutiny
Cllr Adam Lowe

As Chairman, I would like to thank the Cabinet for the opportunity to comment on the Improvement Plan.

The Plan has not been to Scrutiny formally, so I can only comment and pass on the feedback from the other members of the Children's Scrutiny, informally,

I cannot endorse the report formally as the whole of the Scrutiny Committee have not met.

Can Cabinet clarify if the document has been shared further than just Officers and RCC Councillors.

The following responses are the views and observations of RCC Children's Scrutiny Councillors.

All members of the Councillors of Scrutiny that were present, would like to extend our thanks to Cllr David Wilby, who attended an informal ZOOM meeting to help answer questions on the Improvement Plan.

We found this frank exchange positive and as always Cllr Wilby is very direct, which helped resolve several points I have not felt the need to raise again in this report.

Observation and Points for Cabinet:

- Cabinet Report (2.2) makes reference to a thorough review of the services in the past year, can that report be made available for the Scrutiny Committee Councillors.
- Some of the issues identified were not new, as already mentioned, the formation of the Children's Services Improvement Board is welcomed as it clear that the purpose is to address the Ofsted issues identified.
- The key objective is that the Ofsted actions are implemented and monitored with Scrutiny taking an active part, the intention is to add this to our Scrutiny work plan.
- The Children's Commissioning Group could formally invite Scrutiny to have a Children's Scrutiny Councillor representative, who could then report back to Scrutiny.
- I acknowledge that Cllr Wilby informal offer is greatly appreciated and both myself and Cllr Ainsley found the meeting we attended very useful, with an opportunity to formally attend and address the group should be the next step.
- It is important that the actions in the Plan are easily identified when being reported on and directly align with the Ofsted findings.

- The use of a Red, Amber, Green reporting matrix may make this easier in identifying gaps early on so we can, as a Council, re-focus our limited resource
- The introduction of a time line that can be monitored to track improvements to ensure the Council are on track with milestones and benchmarks to confirm we are heading in the correct direction may also ensure we remain ahead of the game, certainly before the next Ofsted
- We feel there is a RISK with Mark Andrews stepping into the CO role, this will leave a gap. What actions are Cabinet putting in place to mitigate the RISK.
- A meeting of Children's Scrutiny should now be a priority so that the whole of Scrutiny can review the Improvement Plan formally.
When can Children's Scrutiny hold that meeting, or is there still an issue with meetings and resource.

Councillor Adam Lowe
9th June 2020

END

**Feedback from GIR Scrutiny Committee SCI and timetable for the Local Plan
11th June 2020**

Comments regarding SCI

- Q) SCI too focussed on Covid. Needs to be more clearly the 5 year review with the limitations imposed by Covid clearly identified but as a stand-alone section. Alternatively, if this document is only for the present scenario then a time bound review period needs to be included.
- A) This is intended as a review of the SCI and picks up many issues that are not Covid-19 related; those that are Covid-19 related will be reviewed when circumstances change.
- Q) Ministerial guidance overrides the SCI so this document should not be seen as a “new” SCI.
- A) No, this is not the case – Ministerial guidance recommends that Local Planning Authorities seek to review their SCI in the light of current conditions but there are changes proposed to the SCI to reflect other changes (such as consultations on planning applications and advice regarding neighbourhood plans).
- Q) SCI needs to be more imaginative in how to reach out to the hard to reach. For example, schools, junior sports’ clubs and junior performing arts groups could be utilised to reach young people. Or, alternatively, don’t give examples of who will be consulted but rather identify the “hard to reach” e.g. young people as a target for consultation rather than specifying which organisations will be consulted.
- A) This will be taken into consideration and the consultation will seek comments on how the Council can best reach out to the hard to reach.
- Q) Cultural organisations should be included as one of the “general consultation” bodies.
- A) This will be considered as part of the consultation.
- Q) Need to make it clear we will provide documents in other languages, large print and braille.
- A) Yes, this change will be made before consultation begins.
- Q) Could the Council not mount outdoor exhibitions as part of its consultation process, utilising the market squares.
- A) This would be challenging given current restrictions on social distancing.
- Q) Why is there no CIL charging review and shouldn’t the reason be explained in the report, with any plan to have said review?

- A) The CIL charging review is not the subject of this report – as advised at the Scrutiny meeting the most appropriate time to review this will be once the Local Plan is adopted.

Comments regarding timing

- Q) Should the consultation period not be extended as was originally requested to take account of Covid?
- A) The policies and proposals have been in the public domain since January – at February Council it was stated that consideration would be given to a possible 8 week consultation, specifically due to the Easter period. The Local Plan Regulations specify 6 weeks as a minimum for the Regulation 19 consultation.
- Q) Is the timing sensible given the retirement of the CEO and pressure on staff due to Covid?
- A) This is irrelevant. A key driver is the need to support the local economy and to deliver much needed housing in the most appropriate locations. It is important to give confidence and certainty to development and investment in order to aid economic recovery. As Head of Paid Service the CEO has confirmed the resourcing to do this is available, if more is required it will be made available and it will not detract from dealing with the Covid Crisis or recovery in other areas.
- Q) Do we have the capacity to undertake the necessary community engagement?
- A) The Regulation 19 consultation is a well-established process and the staff resources are available to support this in line with the proposals set out in the SCI review.
(see also above)
- Q) Do we have the resources to respond to the comments we may receive to the Regulation 19 consultation and to any modifications proposed by the Inspector?
- A) Yes. Main modification stage referred to is a much later stage during the Examination process so it is unlikely to happen until later next year.