



Rutland County Council

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RECORD OF DECISION AT A MEETING OF THE CABINET

Tuesday, 12th January, 2021 at 10.00 am

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Decisions published on 12th January 2021

Decisions will be implemented on 20th January 2021 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 D Wilby

OFFICERS	Mr M Andrews	Interim Chief Executive
PRESENT:	Mrs P Sharp	Strategic Director for Places
	Mrs D Godfrey	Interim Director- Children's Services
	Mr S Della Rocca	Strategic Director for Resources
	Mr J Morley	Interim Director –Adult Service
	Mr P Horsfield	Monitoring Officer
	Mrs E Powley	Governance Manager

1 APOLOGIES FOR ABSENCE

Councillor Walters submitted his apologies.

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

There were no announcements.

3 DECLARATIONS OF INTEREST

Councillor Stephenson declared a pecuniary interest in Item 10 - Fees and Charges 2021/22 as a book shop owner in Uppingham. She would therefore not take part in the debate nor would she vote on the item.

4 RECORD OF DECISIONS

The record of the decisions made at the Cabinet meeting on the 15th December 2020 were unanimously agreed.

5 ITEMS RAISED BY SCRUTINY

There were no items raised by Scrutiny.

6 UPDATE ON HOUSING INFRASTRUCTURE FUNDING

Councillor G Brown commented that work continued in order to reach an agreement on the two key documents relating to the Housing Infrastructure Funding Grant; the Grant Determination Agreement (GDA) and the Allocations Agreement. Both the MOD and Rutland County Council have negotiated very firmly to make suitable amendments, and while some of these have been accepted, Homes England has generally maintained its standard position and have been extremely reluctant to make any modifications. It was noted that the GDA was almost complete with the exception of some details on dates and other wording changes requested in the last few days by Homes England on the schedules attached to the main GDA document.

Councillor G Brown explained that the Governance Team would issue a programme to members which would include dates for a full member's briefing with adequate time for Scrutiny to review the documents prior to Cabinet and full Council considering the proposals.

Councillor G Brown wished to put on record his appreciation of the hard work and many long hours that both Director of Places and the Monitoring Officer had put in over the last 9 months to bring the piece of work to a conclusion, especially when having to continue to manage their day-to-day responsibilities in these extremely difficult Covid times.

7 COVID 19 - USE OF EMERGENCY POWERS

The Leader of the Council, as the relevant Cabinet Member elaborated on the report and explained that as 2020 ended, there remained a continued applicability of the Civil Emergency Delegation. The Chief Executive explained that since the publication of the Cabinet agenda, the Country had moved from a tier system to a national lockdown and retaining the emergency powers allowed for flexibility in the decision making process when considered necessary.

RESOLVED:

- a) That the present position in Rutland in respect of COVID 19 be noted.
- b) That the continued applicability of the Civil Emergency Delegation be noted

8 DRAFT 2021/22 REVENUE AND CAPITAL BUDGET

Councillor G Brown as the relevant Cabinet Member, elaborated on the recommendations as set out in the report. He stated that the advice from the Councils S151 should be noted as should the representation to government about the level of funding which the Council's believes is unfair. He explained that the 21/22 local government finance settlement gave the council less government funding than in 20/21 despite all the talk of "new funding".

Councillor G Brown explained that the Government defined the amount of core funding that councils had available as "spending power". Since 2013/14 the Council's spending power had increased by 21% in absolute terms but government funded spending power had reduced by 35% and Council tax spending power had gone up by 53% since 2013/14 with nearly 81% of our funding now coming from Council tax. This compares to the national average of 60%. Significant grants had been received from Government to deal with additional pressures during the pandemic, but the financial impact of the pandemic is as yet unknown and will only materialise over next few years,

The Chief Finance Officer elaborated on the 4 main areas of concern:

First, in order to set a balanced budget there was a requirement to use £2.6m from reserves. It was explained that ideally, reserves should be to be used for one off purposes and in order to take action to minimise the use of reserves, there was an urgent need to stop spending. Second, with regards to the Medium Term Financial Plan it was noted that there was a need to prioritise and reshape services with emphasis being placed on 'living within the Councils

means'. The Council was urged to start projects now that would reduce the projected deficit for 22/23 to less than £1m.

Third, The Chief Finance Officer urged Members to think carefully about the percentage increase in Council Tax. Should there be an increase of 5% the Council would get additional £500,000 (over a 2.99% increase) and his advice was that in the financial circumstances this should be considered..

Fourth, he further explained that there was a need to retain a minimum level of reserves to cushion the Council and proposed that this be increased from £2 million to £3 million. Councillor G Brown explained that there would be consultation with the public and that lobbying, at Government level, was being undertaken to highlight the unfair distribution of the Local Government Settlement and the resulting impact on Rutland residents.

RESOLVED:

That consultation be approved:

- The General Fund Budget of £42.4m for 2021/22 detailed in Section 3
- An increase in Council Tax of 1.99% with a further 1% for the Adult Social Care precept of the 3% available over 2 years
- The capital programme as detailed in Section 6
- The creation of a new Earmarked Reserve for Ash Dieback (£500k) as per para 3.5.9
- The minimum reserve level be increased from £2m to £3m to reflect the changing risk profile.
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That Cabinet Notes:

- The advice from the Council's Section 151 Officer in respect of the budget as set out in para 2.1.12
- The Medium Term financial outlook and commits to taking action in 21/22 to address the deficit position
- Representations to government on the unfair distribution of the Local Government Settlement and the resulting impact on Rutland residents
- 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 2021/22 funded through 2020/21 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 deficit of c£186k on the Collection Fund as at 31 March 2021 (Section 4.2) of which £160k is the Rutland share
- That Council will be considering the Treasury Management Strategy and Capital Investment Strategy separately

9 TREASURY MANAGEMENT STRATEGY

Councillor G Brown, as the relevant Cabinet Member elaborated on the report and referred to the recommendations. He stated that there had been no changes proposed from last year's Treasury Management Strategy in terms of the Council's approach to borrowing. It was noted in the context of the budget and medium term financial position no other borrowing was advisable at the current stage.

Councillor G Brown further explained that the Government had raised serious concerns about some Councils who had borrowed to invest in commercial properties and had not generated the financial returns expected. It was explained that Rutland County Council's Capital Investment Strategy required investment in-county for regeneration.

RESOLVED:

That Cabinet recommend 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 which is unchanged from that approved last year in Report 05/2020

10 FEES AND CHARGES 2021/22

Councillor Stephenson, having declared an interest, withdrew from the meeting.

Councillor G Brown as the relevant Cabinet Member elaborated on the report and noted that a detailed schedule of all fees and charges was provided at Appendix 1 of the report. It was explained that fees and charges represented a significant source of finance for the Council, receiving approximately £4 million from fees and charges each year. It is important that fees and charges are set at an appropriate level so as to recover costs. Councillor G Brown referred to the increase in green waste charge, which had not increased since 2017. It was reported that there had been a significant reduction in printing costs and no increases were currently being proposed for parking tariffs, pending the parking strategy review in the spring. With regards to legal costs, it was explained that the Council charged £85 per hour and was applied in relation to any matters that require legal advice and can be recharged to customers in 2020/21. There has been no use of this charge in 2020/21 and it was proposed to continue with that level of charge in 2021/22.

RESOLVED:

That Cabinet recommend to Council to approve:

1. the level of fees and charges for 2021/22 as set out in Appendices 1-4 of the report be approved.
2. that taxi and private hire vehicle licenses fees would 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. that weekly Residential Home Care rates would be subject to a separate report.

Councillor Stephenson re-joined the meeting.

11 PRIVATE SECTOR HOUSING RENEWAL POLICY (INCLUDING DISABLED ADAPTATIONS)

Councillor G Brown, as the relevant Cabinet Member, elaborated on the report which sought Cabinet approval for a revised Private Sector Housing Renewal Policy for the period 2021-25. This would replace the previous document which covered 2017-21 and was due for review in 2020. It was noted that the current Policy was introduced in December 2017 and considered private stock condition in Rutland as well as disabled adaptations for all tenures. It was further noted that the Housing MOT was a home check service delivered across Rutland by the Longhurst Group who provided information, advice and support to help people maintain their independence and live as safely as possible in their own home for as long as they choose.

RESOLVED:

Cabinet approved the revised Private Sector Housing Renewal Policy attached at Appendix A of the report.

12 LEISURE REVIEW PROJECT COMMENCEMENT

Councillor Stephenson, as the relevant Cabinet Member elaborated on the report and explained that the report tied in with the 'Rutland Conversation' report debated at Council the previous evening. It was noted that there were a broad range of services across Rutland and there was a need to consider how people could access sports services. Since the introduction of various lockdowns and the tiering system due to pandemic, some parts of the leisure services had been able to resume limited operations over the summer; the second lockdown of November 2020 resulted in the closure of many leisure and hospitality businesses. It was noted that the leisure market was currently in a highly fragile state, with financially advantageous contracts extremely unlikely to be secured. It was therefore considered sensible that approval be sought to agree a further one-year extension to the current leisure contract to ensure that if required, sufficient time be available to undertake a robust procurement, and to maximise the chances that a competitive leisure market would be available to respond to the procurement.

In response to a question raised, Councillor Stephenson explained that the current contract was very complex and project structures required to undertake a needs analysis and options appraisal to underpin future leisure provision for the County had been arranged. The results of those investigations would be reported back to Scrutiny, Cabinet and Council, in order to secure approval for any future leisure provision.

RESOLVED:

1. That the Director for Places be authorised to form a Project Board and associated structures (attached as Appendix A of the report) in order to undertake a leisure provision needs analysis, and if required subsequent procurement.
2. That the content of the Needs Analysis and Options Appraisal Brief as attached at Appendix B of the report be approved and authorised the Director for Places and Portfolio Holder for Culture & Leisure to make any necessary subsequent amendments if required.
3. That the extension of the present Leisure Management contract with Stevenage Leisure Ltd (SLL) for up to one year (to 31st March 2023) if required to complete procurement processes be approved.
4. Cabinet authorised the Director for Places and the Director for Resources, in consultation with the Cabinet Member with Portfolio for Finance and the Cabinet Member with Portfolio for Culture & Leisure, to agree financial support for the present Leisure Management Contract of up to £100,000 in 2022/23, subject to interim performance reviews.

13 HIGHWAYS TRANSPORT WORKING GROUP PROCESS

Councillor Stephenson, as the relevant Cabinet Member elaborated on the report and explained that the report provided an opportunity to further review the processes relating to the Highway and Transport Concern Process (HTCP) so that, the best service within the budgets available were delivered.

It was noted that a separate report on the overarching Integrated Transport Capital Programme of works and the associated funding would be brought to Cabinet, anticipated in March 2021.

It was explained that there was a current backlog of concerns from the previous arrangements which had increased as a result of staff turnover and Covid 19 (having to suspend survey work and officers being redirected towards responding to the Covid crisis).

Through the initial assessment, works to address concerns would be classified as one of the four categories; Essential, Necessary, Beneficial and Amenity. It was explained that requests would be dealt with more swiftly with certain concerns would be addressed under delegated powers.

Cabinet noted that the Police data did not include all accidents and part of the proposal was to send communication to parishes, requesting that they keep their own evidenced log of accidents within their parish. Their logs can then be used to support police data when undertaking an initial assessment and/ or feasibility study (where required).

RESOLVED:

1. That the revised Highway and Transport Concern Process (HTCP) and timeframes be approved.
2. That a further report would be brought to Cabinet (anticipated in March 2021) on the overarching Integrated Transport Capital Programme and associated funding.

14 RUTLAND RADIO PROJECT

Councillor Hemsley, as Leader of the Council, explained that Following a takeover which resulted in a rebranding and refocussing of Rutland's local radio station, Rutland County Council set up the Project on 28th August 2020 to investigate the feasibility of establishing a community-based radio platform for Rutland and Stamford. An independent Board comprising 6 members, was appointed in early November 2020. It was noted that the Board had worked closely with the Project Manager throughout the first stage of feasibility analysis for the Project.

Councillor G Brown commented that he considered the recommendations to be the best route for Rutland and he was encouraged by the strength of the board.

Councillors Stephenson and Wilby commented that they were delighted to see the involvement of local people and noted the importance of good local communication.

RESOLVED:

- 1) That the issuing of a grant to the 'Rutland and Stamford Sound Community Interest Company' (the CIC) be approved.
- 2) That the transfer of ownership of any items purchased for the Project from the budget allocated to the Project to the CIC be approved.
- 3) That the completion of the remainder of the Project by the CIC be endorsed
- 4) That the Director for Resources be authorised to instruct the Head of Human Resources to complete the necessary steps in the process to facilitate the transfer of the Project Manager post in accordance with TUPE to the Radio Project CIC in as short a timeframe as is possible and not to oppose the transfer.

15 SPENDING OF COMMUTED SUMS FOR AFFORDABLE HOUSING

Councillor G Brown as the relevant Cabinet Member elaborated on the report and explained that the report considered further information on the bid by Platform Housing Group for £650,000 from the Rutland Affordable Housing Fund for the former allotment site at Brooke Road, Oakham. Much of this information has been received since funding was approved in principle by Cabinet on 17 November 2020. This current report proposes that the grant be approved, subject to planning consent and a satisfactory funding agreement being concluded.

With regards to State Aid, the Monitoring Officer explained that RCC would be able to manage this well and noted that there had been much bigger projects that had not been problematic or delayed by State Aid and that external solicitors had been engaged in relation to the funding agreement.

RESOLVED:

That a grant of £650,000 to the Platform Housing Group for the development on the former allotments at Brooke Road, Oakham subject to planning consent and a satisfactory funding agreement be approved.

That the Strategic Director - Places be authorised to conclude the funding agreement in consultation with the Portfolio Holder for Planning and Finance

16 ANY ITEMS OF URGENT BUSINESS

There were none.

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The Chairman declared the meeting closed at 11.28am.

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