

## CABINET

12<sup>th</sup> January 2021

### RADIO PROJECT

#### Report of the Chief Executive (Interim)

Strategic Aim:	Vibrant Communities	
Key Decision: No	Forward Plan Reference: N/A	
Exempt Information	Yes	
Cabinet Member(s) Responsible:	Mr O Hemsley, Leader and Portfolio Holder for Rutland One Public Estate & Growth, Tourism & Economic Development, Resources (other than Finance)  Mr G Brown, Deputy Leader and Portfolio Holder for Planning and Finance	
Contact Officer(s):	Mark Andrews, Chief Executive (Interim)  Rob Persani, Rutland Community Radio Project Manager	Telephone 01572 758339 email: mandrews@rutland.gov.uk  Telephone 01572 722577 email: rpersani@rutland.gov.uk
Ward Councillors	ALL	

#### DECISION RECOMMENDATIONS

That Cabinet:

1. Approves the issuing of a grant to the 'Rutland and Stamford Sound Community Interest Company' (the CIC).
2. Approves the transfer of ownership of any items purchased for the Project from the budget allocated to the Project to the CIC.
3. Endorses the completion of the remainder of the Project by the CIC.
4. Authorises the Director for Resources 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.

## **1 PURPOSE OF THE REPORT**

- 1.1 In July 2020, the previous Chief Executive created a Project to assess the feasibility of establishing a community-based radio platform for Rutland and Stamford following the closure of Rutland Radio (the Project).
- 1.2 It was envisaged from the outset that any Project would be moved at 'arm's length' to the Council within a suitable vehicle which would be proposed through the feasibility study. The independent Board appointed to provide scrutiny and governance to the Project has formed a community interest company, with the name, 'Rutland and Stamford Sound Community Interest Company' with a view to the CIC undertaking the work necessary to complete the feasibility Project.
- 1.3 The Board is recommending that Cabinet approves the issue of a grant in the sum equivalent to the remaining budget allocated to the Project to the CIC to complete the feasibility project and to support the transfer of the responsibility of completing the Project to the CIC.

## **2 BACKGROUND AND MAIN CONSIDERATIONS**

- 2.1 Following a takeover which resulted in a rebranding and refocussing of Rutland's local radio station, RCC set up the Project on 28<sup>th</sup> August 2020 to investigate the feasibility of establishing a community-based radio platform for Rutland and Stamford.
- 2.2 A Project Manager post was created on a fixed term contract limited to twelve months, to manage the Project.
- 2.3 The previous Chief Executive used her delegated powers to create a budget of up to £50,000 for the Project to include the costs of the Project Manager's salary.
- 2.4 An independent Board (The Board) comprising 6 members, was appointed in early November 2020, by community representatives, selected for their mix of skills, qualifications and experience to provide governance, scrutiny and validation for the successful definition and delivery of the Project thus providing accountability to the local community for the Project's stated aims. The Board has worked closely with the Project Manager throughout this first stage of feasibility analysis for the Project.
- 2.5 During the first phase of the Project, an initial study has been completed into the feasibility of establishing a community-based radio station. As a result of the due diligence completed to date the Board has unanimously agreed that there is proven evidence of sufficient demand for a community radio station to serve the Rutland and Stamford area and that it is technically feasible to quickly establish a pilot station.
- 2.6 The Board is now recommending that the Project is progressed to the next phase with the timely implementation of *Rutland and Stamford Sound* (the Pilot Station) that will both validate the expected community demand and confirm the feasibility of a suitable operational platform.
- 2.7 The Pilot Station would initially operate online, as that initial operating model for the Pilot Station is flexible enough to be scalable, as and when future technological developments provide opportunities for expansion, with minimal

disruption to the quality of the station's output.

- 2.8 Audience predictions were subsequently prepared for both an online-only model and FM<sup>1</sup> and/or SSDAB models. The Board agreed that, there was sufficient evidence of numbers to justify an initial delivery on an online platform that would provide a basis from which to grow future interest and development.
- 2.9 The Pilot Station needs to be independent of the Council to be able to seek advertising, grant funding and/or apply for a licence from Ofcom. It is therefore necessary that this second phase of the Project is delivered by an independent organisation.
- 2.10 The interim report at Appendix 1 sets out the key conclusions from the work undertaken by the Project to date, the reasons for selecting a CIC to operate the Pilot Station and proposals for the ongoing governance of the Project. The proposals are linked to 10 Guiding Principles which the Board developed to provide demonstrable measures of success for the Project and for its stakeholders, justification against these principles is outlined at Appendix 2. The Financial Analysis and Assumptions for the potential Pilot Station, that will both validate the expected community demand and confirm the feasibility of a suitable operational platform, are summarised at Appendix 3.

### **3 CONSULTATION**

- 3.1 The Proposal and potential financial implications have been discussed with the Leader, the Head of HR, the Finance Manager and the Monitoring Officer.

### **4 ALTERNATIVE OPTIONS**

- 4.1 The Project could remain as a Council project but this would hinder the ability to seek advertising, funding and/or apply for a licence from Ofcom. This would compromise the ability of the Project to progress to the next stage of the feasibility study, namely the establishment of a Pilot station, which has been identified as a necessary step to complete the Project. Therefore, the Project cannot be successfully completed if it remains as a Council project.

### **5 FINANCIAL IMPLICATIONS**

- 5.1 A budget of up to £50,000 was allocated to this Project by the previous Chief Executive using delegated powers. This request is that a grant equivalent to the remaining sum of that budget as well as any items purchased for the project using that budget is allocated to the newly formed CIC, which will undertake the remainder of the project by way of a grant. It involves no additional spend to that already provided for the Project so there are no financial implications resulting from issuing a grant.
- 5.2 A significant proportion of the grant will be needed to pay the Project Manager's salary. It is estimated that there will be c£13,300 remaining once the salary costs

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<sup>1</sup> OFCOM are no longer issuing Community Radio FM licences but Alicia Kearns (MP) is exploring future possibilities through the DCMS.

have been paid.

- 5.3 The costs of employing the Project Manager including administering a salary and line management are currently absorbed by the Council as this work is undertaken by officers. There is no budget for the employment costs other than the salary, which would become the responsibility of the CIC if the Project is transferred.

## **6 LEGAL AND GOVERNANCE CONSIDERATIONS**

- 6.1 This is not a key decision as it is for a grant which is less than £50,000. A budget was created by the previous Chief Executive using delegated powers which means that Cabinet has as yet not had any input into the Project so it is appropriate for the decision in relation to the issuing of a grant to the CIC to undertake the remainder of the Project to be made by Cabinet.
- 6.2 The Project was to investigate the feasibility of launching a community radio station for Rutland. The Board has identified that launching a pilot station is a necessary part of the feasibility study and as such falls within the remit of the Project.
- 6.3 The CIC will be required to sign a grant agreement which will provide some governance in relation to how the grant is spent.

## **7 DATA PROTECTION IMPLICATIONS**

- 7.1 There are no Data Protection implications arising from this report.

## **8 EQUALITY IMPACT ASSESSMENT**

- 8.1 There are no equalities implications arising from this report.

## **9 COMMUNITY SAFETY IMPLICATIONS**

- 9.1 The provision of a community-based radio platform with community focused content would, if successful, have a positive impact on Community Safety as it would be a forum for sharing community safety advice and information.

## **10 HEALTH AND WELLBEING IMPLICATIONS**

- 10.1 The establishment of a radio station aims to provide the local community with a sense of belonging and understanding of the local area and a feeling of connection with others in the local area, driving increased wellbeing

## **11 ORGANISATIONAL IMPLICATIONS**

### **11.1 Human Resource implications**

- 11.2 If the responsibility for completing the feasibility project is transferred to the CIC along with the budget for the Project then it is expected that the Project Manager post will also transfer to the CIC in accordance with the Transfer of Undertakings (Protection of Employment) Regulations 2006 (TUPE).

- 11.3 There is no minimum consultation period for a TUPE transfer and as the Project Manager postholder, the CIC and in the event of Cabinet approval, the Council all support the transfer then it could be effective within a short time of a Cabinet decision to support the proposals in this Report.
- 11.4 The intention is that the transfer of the Project Manager post to the CIC will be completed as soon as possible, and hopefully prior to the pilot station broadcasting.
- 11.5 The transfer of the Project Manager post to the CIC removes any conflict of interest as it is anticipated that the Project Manager will undertake some broadcasting on the Pilot station. It is preferable that he broadcasts as an employee of the independent CIC formed to complete the Project as opposed to as a Council employee.
- 11.6 The Project Manager post is a fixed term post created for the sole purpose of managing this Project and the transfer of the post would not in itself be an issue for the Council. The Council would want assurances from the CIC that they would administer the Project Manager's salary, with lawful deductions being made and undertake appropriate line management for the post holder.

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

- 12.1 The transfer of the Project to a CIC will enable the Project to be completed in that it will be possible to complete all of the stages required to establish and test a pilot radio station.

## **13 BACKGROUND PAPERS**

- 13.1 There are no additional background papers to the Report.

## **14 APPENDICES**

- 14.1 Appendix 1: Project Feasibility Interim Report
- 14.2 Appendix 2: Supporting Justification
- 14.3 Appendix 3: Financial Information and Assumptions (Exempt)

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