



Rutland County Council

Catmose Oakham Rutland LE15 6HP

Telephone 01572 722577 Email: governance@rutland.gov.uk

Minutes of a **MEETING of the CABINET** held at Council Chamber, Catmose, Oakham, Rutland, LE15 6HP on Tuesday, 14th June, 2022 at 10.00 am

PRESENT: Councillor L Stephenson (Chair) Councillor R Powell (Vice-Chair)
Councillor S Harvey Councillor M Oxley
Councillor K Payne Councillor D Wilby

OFFICERS PRESENT: Mark Andrews Chief Executive
Sarah Khawaja Deputy Monitoring Officer
Saverio Della Rocca Strategic Director for Resources
Dawn Godfrey Strategic Director for Children's Services
Penny Sharp Strategic Director for Places
David Ebbage Governance Officer

IN ATTENDANCE: Councillor G Waller

1 APOLOGIES FOR ABSENCE

There were no apologies for absence.

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

There were no announcements made.

3 DECLARATIONS OF INTEREST

There were no declarations of interest.

4 RECORD OF DECISIONS

Consideration was given to the record of decisions made following the meeting of Cabinet on 24 May.

RESOLVED

That the record of decisions made at the meeting of the Cabinet held on 24 May 2022 be **APPROVED**.

5 ITEMS RAISED BY SCRUTINY

The Leader received a comprehensive report from Councillor G Waller following the first Overview and Scrutiny Committee which was held on 9th June 2022. The report was attached to these minutes.

6 ANNUAL REPORT 2021-2022

Report No. 106/2022 was introduced by Councillor K Payne, Portfolio Holder for Finance, Governance and Performance, Change and Transformation.

It provided Cabinet with an Annual Performance Report (APR) for the period April 2021 to March 2022.

During 2021-22 there had been several challenges the Council had contended with, including the ongoing impact of the pandemic, major policy change, local political movements, difficulty recruiting to staff vacancies and more recently the war in Ukraine and cost of living crisis. The Leader informed Members how proud the Council should be with the report despite all the challenges faced.

Members were impressed with how the report was produced. It was user friendly and had the Rutland feel to it.

All members of Cabinet expressed their thanks to officers to get us where we are and to improve on future performance.

It was proposed by Councillor K Payne that the recommendations of report No. 106/2022 be agreed, this was seconded and upon being put to the vote the motion was unanimously agreed

RESOLVED

That Cabinet:

1. **NOTED** the contents of the annual report and the performance of the Council over the last year.
2. **RECOMMENDED** the Annual Performance Report to July Full Council for consideration.

7 CAPITAL OUTTURN REPORT 2021/22

Report No. 105/2022 was introduced by Councillor K Payne, Portfolio Holder for Finance, Governance and Performance, Change and Transformation.

It provided Cabinet and all Members with the capital outturn position for 2021/22. The report showed how much the Council had spent in 2021/22 and how the capital programme had been funded. The nature of capital works meant that projects were likely to span more than 1 financial year, any amounts that were unspent would be spent in future years.

The report asked Cabinet to approve the closure of two affordable housing projects, Derwent Drive and Cottesmore Road. They were removed due to issues with planning and private right of access which meant developers stepped out of the project.

It was proposed by Councillor K Payne that the recommendations of report No. 105/2022 be agreed, this was seconded and upon being put to the vote the motion was unanimously agreed

RESOLVED

That Cabinet:

1. **NOTED** the capital outturn position as at 31st March 2022.
2. **NOTED** the changes to the latest capital programme as at 31st March 2022.
3. **NOTED** the unallocated capital funding as at 31st March 2022.
4. **APPROVED** the closure of two Affordable Housing capital projects.

8 REVENUE OUTTURN REPORT 21/22 AND BUDGET UPDATE 22/23

Report No. 104/2022 was introduced by Councillor K Payne, Portfolio Holder for Finance, Governance and Performance, Change and Transformation.

The report informed Cabinet of the provisional outturn for 21/22 subject to audit, the latest position on the 22/23 budget, including proposed changes since it was approved at budget setting and the latest Medium Term Financial Plan position including the projected financial gap for 23/24.

Councillor Payne highlighted the difficulty with recruitment which had a material impact on performance against the budget. This position was replicated across the sector where all Councils had struggled to recruit to core roles and to bring in additional resource even on a short term basis when funding had been available.

The Leader indicated that the report made us aware of the current service pressures within the Council and what the state of health Local Government is currently in.

It was proposed by Councillor K Payne that the recommendations of report No. 104/2022 be agreed, this was seconded and upon being put to the vote the motion was unanimously agreed.

RESOLVED

1. That Cabinet:

- a) **NOTED** the provisional outturn (subject to audit and finalisation of business rates figures) on the revenue budget;
- b) **APPROVED** transfer to and from reserves of £2.425m (Section 6 and Appendix C);
- c) **RECOMMENDED** to Council use of new grants received in 22/23 of £2.082m (Appendix F);

- d) **RECOMMENDED** to Council use of existing grants (i.e. those hold at year end) £0.439m in the 22/23 budget (Appendix F);
- e) **APPROVED** the use of 21/22 budget underspends of £0.486m in the 22/23 budget (Appendix C);
- f) **RECOMMENDED** to Council an increase to the 22/23 budget to cover additional costs as set out in Section 7.1 of £3m to be funded by General Fund (£2.742m), Earmarked Reserves (£0.318m);
- g) **NOTED** that the approach to the way budget would be managed was set out in 7.1.4 and that budget would only be released when there was more certainty over estimated figures, potential savings in 22/23 and new burdens funding;
- h) **RECOMMENDED** to Council to set aside £300k for further requests for funding that would emerge over the coming months as more information became available regarding planned Government reforms and the status of local projects (Section 8.7) and that the Chief Executive and Strategic Director for Resources were given authority to allocate this funding;
- i) **RECOMMENDED** to Council to establish a High Needs earmarked reserve (no upper ceiling) to cover historic costs as per para 7.8;
- j) **NOTED** that the MTFP assumptions in respect of pay inflation and other inflation had been updated (Section 8) and the revised MTFP showing a £2.6m funding gap in 23/24 was included in Appendix G.

2. That Cabinet:

- a) **NOTED** the view of the Council's s151 Officer that the Council's future financial position remains extremely challenging, the projected financial gap for 23/24 was increasing and that whatever savings actions the Council takes further support from Government was likely to be required (Section 9).

9 LEVELLING UP FUND (LUF) GRANT APPLICATION APPROVAL

Report No. 109/2022 was introduced by Councillor L Stephenson, Leader of the Council and Portfolio Holder for Policy, Strategy, Partnerships and Economy.

The report sets out the rationale for the bid and the benefits to the residents of Rutland in terms of rural connectivity, enhanced cultural offer, town centre regeneration and the economic opportunities presented by the Levelling Up proposition.

The joint proposition with Melton BC included town centre regeneration of the two town centres of Oakham and Melton and the third component would be for a high impact travel scheme, through the provision of a new mobi-hub and improvements to the rural public transport network, connecting the four main market towns of the area.

A lead authority was needed to manage the successful bid, the Council was a transport authority and Melton is not, therefore it was likely that it would fall upon Rutland. Additional resource must be sought for that to happen.

All Members welcomed the paper and were pleased with the transport aspects of the bid as transport links currently within the County were difficult.

Councillor S Harvey asked a question about the additional staffing costs that could be claimed back and if the Council could still claim if the bid was unsuccessful. Penny Sharp confirmed that the costs associated with the Local Authority would come if the bid was successful. In terms of costs of bidding, with Rutland being a Tier 2 authority, the Council was not eligible with capacity funding of which the Tier 1 authorities did get.

The deadline for submission was 6th July, with the short timeframe and the guidance being received at short notice, Councillor L Stephenson proposed two additional recommendations to be included within the original recommendations. This was seconded and upon being put to the vote the motion was unanimously agreed

RESOLVED

That Cabinet:

1. **APPROVED** the submission of a joint application by Rutland County Council and Melton Borough Council for Round 2 of Levelling Up Funding, in line with the Councils Constitution Financial Procedure Rules.
2. Authority be **DELEGATED** to the Strategic Director – Places in consultation with the Leader and Portfolio Holder for Economic Development to agree with Melton Borough Council which organisation acts as nominated Lead Local Authority for the Levelling Up Funding bid. The Lead Local Authority function should be undertaken on a full cost recovery basis and a formal agreement between the two local authorities governing the working arrangements including a partnership governance structure.
3. Authority be **DELEGATED** to the Section 151 Officer and Strategic Director – Places in consultation with the Leader and Portfolio Holder for Economic Development and Portfolio Holder for Resources to include indicative match funding in the bid so long as it has no direct impact on the Council's Medium Term Financial Plan and subject to formal Council approval should the LUF bid prove successful.
4. **NOTED** that the joint application was submitted on the basis that a detailed discussion regarding funding included any ongoing financial implications would be required should the Council be successful in securing the bid. Any discussions would result in a Full Council decision to accept or reject funding offered.

10 MARKET OVERTON NEIGHBOURHOOD PLAN

Report No. 107/2022 was introduced by Councillor R Powell – Deputy Leader and Portfolio Holder for Planning, Highways and Transport.

Councillor R Powell thanked and congratulated the volunteers for the effort and time that was put in to prepare the plan.

Councillor S Harvey as Ward Member also wanted to congratulate Market Overton and its villagers who had worked long hours to produce the excellent document.

It was proposed by Councillor R Powell that the recommendations of report No. 107/2022 be agreed, this was seconded and upon being put to the vote the motion was unanimously agreed

RESOLVED

That Cabinet **AGREED** that:

1. The draft Market Overton Neighbourhood Plan was published for public consultation for a minimum of 6 weeks.
2. Following public consultation, the draft plan and representations received were submitted for independent examination.
3. The Strategic Director of Places be authorised to appoint an independent examiner in consultation with the Market Overton Neighbourhood Plan Group
4. That following receipt of the examiner's report that the Strategic Director of Places in consultation with the Portfolio Holder with responsibility for Planning be authorised to publish the County Council's decision notice, update the Market Overton Neighbourhood Plan and undertake a referendum.
5. Subject to the outcome of the referendum that the Strategic Director of Places in consultation with the Portfolio Holder with responsibility for Planning be authorised to make the Market Overton Neighbourhood Plan part of the Development Plan for Rutland.

11 HIGHWAYS CAPITAL PROGRAMME - SECOND ALLOCATION 2022/23

Report No. 110/2022 was introduced by Councillor R Powell – Deputy Leader and Portfolio Holder for Planning, Highways and Transport.

The report asked Cabinet to approve the second allocation of the Highway Capital Programme for the balance of the Capital Highway Maintenance Block needs based from the first allocation, together with both the Capital Pothole and Incentive Funds, allocation by the Department for Transport (DfT) for 2022/23. Cabinet also recommended approval to Council as the total funding is in excess of £1m as per the financial procedure rules.

Members commended the highways department with the work they do to keep the roads fit for our County to drive on.

It was proposed by Councillor R Powell that the recommendations of report No. 110/2022 be agreed, this was seconded and upon being put to the vote the motion was unanimously agreed

RESOLVED

That Cabinet:

1. **RECOMMENDED** to Council that the Department for Transport (DfT) Capital Highways Maintenance Block funding allocation received to the value of

£1.506m was used for highway carriageway, footway, bridges and drainage schemes as per Appendix A to the report.

12 INTERIM POSITION STATEMENT ON HOUSING DEVELOPMENT

Report No. 98/2022 was introduced by Councillor R Powell – Deputy Leader and Portfolio Holder for Planning, Highways and Transport.

A lot of work has gone into the production of a new Local Plan but as Rutland does not have a 5-year housing supply it means decisions on planning applications currently are having to be tilted in favour of sustainable development to be in line with the National Planning Policy Framework (NPPF).

The report focused on re-establishing the 5-year supply. The interim position statement set out the Council's position in relation to guiding development towards the most sustainable locations and boosting the supply.

Whilst the document was not a Supplementary Planning Document, it was recommended that public consultation is undertaken in line with the requirements for a SPD as set out in the Council's Statement of Community Involvement.

Councillor M Oxley asked a question around Section 106 offers holding up the housing allocation numbers and what could be done to bring forward the Section 106 recommendations in order to add those to the housing supply calculation. Councillor Powell responded saying it was something officers were looking at in detail in terms of the housing supply and the deliverability of it. To adopt the statement now is the first step to improve that process.

Members supported the adoption of this statement now as communities are seeing the spare space within the areas decrease due to approved planning developments. Members also were in support for the speed up of Section 106 offers to be included within the housing supply calculations.

Penny Sharp explained that progress with concluding Section 106 agreements often rested with developers/land owners rather than the Council's planning team. Work is being carried out by officers alongside the legal team to look at speeding up the legal processes of those agreements. An update would come back to Cabinet when necessary.

Councillor R Powell proposed an additional recommendation to approve the Interim Position Statement on Housing Development in order to guide developers and investors and to function as a material consideration in decision making on planning applications pending the production of the Rutland Local Plan. This was seconded and upon being put to the vote the motion was unanimously agreed.

RESOLVED

That Cabinet:

1. **APPROVED** the Interim Position Statement on Housing Development in order to guide developers and investors and to function as a material consideration in decision making on planning applications pending the production of the Rutland Local Plan.

2. **APPROVED** the Interim Position Statement on Housing Development for public consultation in order to guide developers and investors and to function as a material consideration in decision making on planning applications pending the production of the Rutland Local Plan.
3. **DELEGATED** to the Strategic Director of Places in consultation with the Portfolio Holder for Planning, Highways and Transport the consideration of all responses made through the public consultation and the determination of any subsequent changes to the Interim Position Statement.

13 ANY ITEMS OF URGENT BUSINESS

There were no items of urgent business.

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The Chairman declared the meeting closed at 11.14am.

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