



Rutland County Council

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Members of Rutland County Council District Council are hereby summoned to attend the **TWO HUNDRED AND FIFTY FOURTH MEETING OF THE COUNCIL** to be held in the Council Chamber at Catmose, Oakham on **12 September 2016 commencing at 7.00 pm**. The business to be transacted at the meeting is specified in the Agenda set out below.

Prior to the commencement of the meeting, the Chairman will offer the opportunity for those present to join him in prayers.

Recording of Council Meetings: Any member of the public may film, audio-record, take photographs and use social media to report the proceedings of any meeting that is open to the public. A protocol on this facility is available at www.rutland.gov.uk/haveyoursay

Helen Briggs
Chief Executive

COUNCIL AGENDA ITEM 11

11) REPORTS FROM COMMITTEES OF THE COUNCIL

- a) To receive reports from Committees on matters which require Council approval because the Committee does not have the delegated authority to act on the Council's behalf.
 - i. Report of the Conduct Committee: Appointment of Town Council Representative on the Conduct Committee.

(Pages 3 - 6)

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TO: MEMBERS OF THE COUNCIL

Mr K Bool – Chairman of the Council
Mr E Baines – Vice-Chairman of the Council

Mr N Begy
Miss R Burkitt
Mr R Clifton
Mr W Cross

Mr O Bird
Mr B Callaghan
Mr G Conde
Mr J Dale

Mr R Foster
Mr O Hemsley
Mr J Lammie
Mr A Mann
Mr M Oxley
Mrs L Stephenson
Mr K Thomas
Mr A Walters

Mr R Gale
Mr T King
Mrs D MacDuff
Mr T Mathias
Mr C Parsons
Mr A Stewart
Miss G Waller
Mr D Wilby

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THE COUNCIL'S STRATEGIC AIMS

Creating a safer community
Creating an active and enriched community
Creating a brighter future for all
Meeting the health and wellbeing needs of the community
Creating a sustained environment
Building our infrastructure

COUNCIL

12 September 2016

APPOINTMENT OF TOWN COUNCIL REPRESENTATIVE TO CONDUCT COMMITTEE

Report of the Monitoring Officer

Strategic Aim:	All		
Exempt Information		No	
Cabinet Member(s) Responsible:		Mr O Hemsley, Portfolio Holder for Resources (excluding Finance), Culture, Sport & Recreation, Tourism and Housing	
Contact Officer(s):	Diane Baker, Head of Corporate Governance	01572 720941 dbaker@rutland.gov.uk	
	Debbie Mogg, Monitoring Officer	01572 758358 dmogg@rutland.gov.uk	
Ward Councillors	Not applicable		

DECISION RECOMMENDATIONS

That Council:

1. Approves the recommendation from Conduct Committee for the appointment of Councillor Adam Lowe of Oakham Town Council to Conduct Committee with immediate effect. The appointment will be valid until Annual Council 2019.

1 PURPOSE OF THE REPORT

- 1.1 To consider the recommendation from Conduct Committee on 6 September 2016 for the appointment of Councillor Adam Lowe as a Town Council representative on Conduct Committee.

2 BACKGROUND AND MAIN CONSIDERATIONS

- 2.1 The Conduct Committee is primarily responsible for promoting and maintaining high standards of conduct by councillors and co-opted members.
- 2.2 Membership of the Committee comprises six County Councillors, two members of separate Parish Councils in Rutland, one of whom shall be a member of a Town Council and one independent person, appointed under the Localism Act 2011. Parish Council representatives and the Independent Person are non-voting co-opted members.

- 2.3 At present, the Committee has one vacancy for a Parish (Town) Councillor following the resignation of Councillor Alec Crombie of Uppingham Town Council.
- 2.4 If the vacancy continues, the Committee is failing to comply with its Terms of Reference in that it does not have full representation across its membership.
- 2.5 In order to address this, an exercise to appoint to the vacant seat has been undertaken. This entailed an invitation to Town Councillors to express their interest in the vacancy. Those who expressed an interest were invited to complete an application form, which was considered by a panel comprising of the Chair of the Conduct Committee Councillor Stewart, and two members of the Conduct Committee, Councillor Bool and the other Parish Council representative Councillor Aley.
- 2.6 Four Councillors applied for the vacancy and three attended interview on 23 August 2016. Following the interviews, the panel are recommending the appointment of Councillor Adam Lowe, of Oakham Town Council, on the basis that Councillor Lowe demonstrated a good knowledge of the ethical standards process.
- 2.7 On 6 September 2016 the Conduct Committee considered a report on the Appointment of Councillor Adam Lowe as a Parish (Town) Council Representative on the Conduct Committee.
- 2.7.1 During consideration the following points were noted by the committee:
- i) Each of the 3 Town Councillors that came before the selection panel were asked a series of questions intended to draw out an understanding of the underlying principles of the ethical standards expected of Councillors and the role of the Conduct Committee. The panel members scored each answer independently; each panel member then collated the scores and only then were the results shared with the other panel members. The outcome was that each panel member had independently scored Councillor Lowe as the highest and therefore preferred candidate;
 - ii) Members were disappointed that more Town Councillors did not come forward and felt that this could be addressed by speaking to the relevant Town Councils regarding the way in which Members can be nominated when such vacancies occur;
 - iii) It was confirmed that there had been a significant number of complaints in recent months originating from Oakham Town Council, some of these complaints were still being investigated, whilst others had not been significantly serious to warrant further action. Some Councillors on the Committee felt that they were unable to endorse the appointment as they were aware of the complaints that had been put forward;
 - iv) The selection panel were not aware of any determination against Councillor Lowe that would justify diverting from the outcome of the selection process described above;
 - v) Having a representative from Oakham Town Council could be positive for the Conduct Committee. Should the Town Council Representative be conflicted in any matter coming before the Committee he would be

required to declare this and would not take part in this part of the meeting in the usual way; and

- vi) A review of the selection process may be appropriate should Members feel unable to support the decision of the selection panel.

2.7.2 The Conduct Committee **RECOMMENDED TO COUNCIL** the appointment of Councillor Adam Lowe of Oakham Town Council to the Conduct Committee by a vote of 3 members in favour and 3 Members abstaining. The Chair exercised the casting vote in favour of the recommendation.

2.8 If appointed, Councillor Lowe will join the Conduct Committee with immediate effect and be able to participate in the full business of the Committee.

3 CONSULTATION

3.1 No consultation has been necessary in recruiting to this vacancy.

4 ALTERNATIVE OPTIONS

4.1 The vacancy could be left unfilled; if this is the case, the Committee will be operating out with its Terms of Reference and not properly fulfilling its function.

5 FINANCIAL IMPLICATIONS

5.1 There are no financial implications arising from this report.

6 LEGAL AND GOVERNANCE CONSIDERATIONS

6.1 Councillors play a critical role in local life. The people who elect them expect the highest standards of behaviour and all local authorities, must by law, adopt a national code of conduct and Committee to oversee the behaviour of their councillors and, when necessary, receive complaints. It is important, therefore, that the membership of the Conduct Committee is representative of the different types of local councillors within the unitary authority.

7 EQUALITY IMPACT ASSESSMENT

7.1 An Equality Impact Assessment (EqIA) has not been completed as this report concerns the membership of a Committee. The recruitment process accords with fair practice and there are no adverse impacts on any other body.

8 COMMUNITY SAFETY IMPLICATIONS

8.1 There are no community safety implications arising from this report.

9 HEALTH AND WELLBEING IMPLICATIONS

9.1 There are no Health and Wellbeing implications arising from this report.

10 CONCLUSION AND SUMMARY OF REASONS FOR THE RECOMMENDATIONS

10.1 This report requests Council to consider the recommendation from Conduct Committee on 6 September 2016 for the appointment of Councillor Adam Lowe as

a Town Council representative on Conduct Committee. The Conduct Committee is responsible for the oversight of Councillor conduct and it is important, therefore, that the Committee retains full representation across its membership.

11 BACKGROUND PAPERS

11.1 No background papers.

12 APPENDICES

12.1 There are no appendices.

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