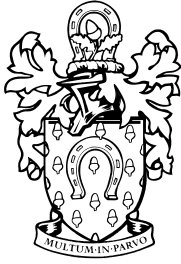


Public Document Pack



Rutland County Council

Catmose, Oakham, Rutland, LE15 6HP
Telephone 01572 722577 Facsimile 01572 75307
DX28340 Oakham

Members of Rutland County Council District Council are hereby summoned to attend the **TWENTY FIRST ANNUAL AND TWO HUNDRED AND SIXTY SECOND MEETING OF THE COUNCIL** to be held in the Council Chamber at Catmose, Oakham on **8 May 2017 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

A G E N D A

1) APOLOGIES FOR ABSENCE

To receive any apologies for absence from Members.

2) CHAIRMAN'S ANNOUNCEMENTS

To receive any announcements by the Chairman.

3) ANNOUNCEMENTS FROM THE LEADER, MEMBERS OF THE CABINET OR THE HEAD OF PAID SERVICE

To receive any announcements by the Leader, Members of the Cabinet or the Head of Paid Service.

4) DECLARATIONS OF INTEREST

In accordance with the Regulations, Members are invited to declare any disclosable interests under the Code of Conduct and the nature of those interests in respect of items on this Agenda and/or indicate if Section 106 of the Local Government Finance Act 1992 applies to them.

5) QUESTIONS FROM MEMBERS OF THE COUNCIL

To receive any questions received from Members of the Council in accordance with the provisions of Procedure Rule 30 and 30A

6) ELECTION OF CHAIRMAN OF THE COUNCIL

The Chief Executive will invite nominations for office of Chairman of the Council for the Municipal Year 2017/18.

Upon election, the incoming Chairman of the Council will be invested with the Chairman's Chain of Office by the outgoing Chairman.

The incoming Chairman will then take the Chairman's Chair.

The Chairman of the Council may make a short speech of acceptance of office.

7) ELECTION OF VICE-CHAIRMAN OF THE COUNCIL

The Chairman of the Council will invite nominations for the office of Vice-Chairman of the Council for the Municipal Year 2017/18.

Upon appointment, the outgoing Vice-Chairman will invest the incoming Vice-Chairman with the Chain of Office. The Chairman of the Council will then invite the Vice-Chairman to take the Vice-Chairman's Chair. In the event of the Vice-Chairman being re-elected, the Vice-Chairman will retain the Chain of Office and remain seated.

The Vice-Chairman of the Council may make a short speech of acceptance of office.

8) APPOINTMENT OF EXECUTIVE AND LEADERS SCHEME OF DELEGATION AND CABINET PROCEDURE RULES

To receive Report No.108/2017 from Director for Resources.

9) ESTABLISHMENT OF SCRUTINY PANELS AND STANDING COMMITTEES AND SCHEME OF DELEGATION (Pages 5 - 44)

To receive Report No.103/2017 from the Director for Resources.

10) POLITICAL BALANCE AND ALLOCATION OF SEATS TO POLITICAL GROUPS (Pages 45 - 50)

To receive Report No. 109/2017 from the Director for Resources.

11) APPOINTMENT OF CHAIRMEN OF SCRUTINY PANELS AND THE SCRUTINY COMMISSION

Scrutiny Panels

The Council is requested to appoint Chairman to each of the following Scrutiny Panels for the Municipal Year 2017/18:

- i. Adults and Health Scrutiny Panel
- ii. Children and Young People Scrutiny Panel
- iii. Growth, Infrastructure and Resources Scrutiny Panel

Scrutiny Commission

The Council is requested to appoint the Chairman of the Scrutiny Commission from one of the three Chairmen of the Scrutiny Panels appointed above.

In accordance with the provisions of Procedure Rule 192, the Chairmen of the Scrutiny Panels listed above will be automatically appointed to the Scrutiny Commission for the period of their office.

12) APPOINTMENT OF MEMBERS TO SCRUTINY PANELS

To appoint Elected Members (other than those appointed to the Cabinet and the Chairmanship of Scrutiny Panels) to each of the following Scrutiny Panels for the Municipal Year 2017/18:-

| | |
|---|----------|
| Adults and Health Scrutiny Panel | 6 Places |
| Children and Young People Scrutiny Panel | 6 Places |
| Growth, Infrastructure and Resources Scrutiny Panel | 6 Places |

13) CHAIRMAN AND VICE-CHAIRMAN OF COUNCIL COMMITTEES

- a) To elect the Chairman and Vice-Chairman of the following Standing Committees of the Council:

- i. Audit and Risk Committee
- ii. Conduct Committee
- iii. Planning and Licensing Committee
- iv. Employment and Appeals Committee

- b) To note that the Chairperson of the Health and Wellbeing Board will be the Portfolio Holder with responsibility for Health as set out in its Terms of Reference.

14) MEMBERSHIP OF COUNCIL COMMITTEES

- a) To appoint the remaining Members of the following Standing Committees of the Council assuming both a Chairman and Vice-Chairman have been elected in (12) above:-

- | | |
|-----------------------------|----------|
| i. Audit and Risk Committee | 5 Places |
|-----------------------------|----------|

- ii. Conduct Committee 4 Places
- iii. Planning and Licensing Committee 8 Places
- iv. Employment and Appeals Committee 5 Places

b) To appoint an additional elected member of Rutland County Council to the Health and Well Being Board in accordance with its Terms of Reference.

15) PROGRAMME OF MEETINGS 2017/18 (Pages 51 - 58)

To receive Report No.106/2017 from the Director for Resources.

16) APPOINTMENTS TO OUTSIDE ORGANISATIONS, WORKING GROUP AND FORA (Pages 59 - 76)

To receive Report No. 107/2017 from the Director for Resources.

17) MATTERS REFERRED TO COUNCIL BY MEMBERS OF THE COUNCIL

To consider any matters referred to Council by Members which in the opinion of the Chief Executive cannot wait until the next scheduled meeting of the Council to be determined.

---oOo---

TO: MEMBERS OF THE COUNCIL

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

| | |
|------------------|----------------|
| Mr N Begy | Mr O Bird |
| Miss R Burkitt | Mr B Callaghan |
| Mr R Clifton | Mr G Conde |
| Mr W Cross | Mr J Dale |
| Mr R Foster | Mrs J Fox |
| Mr R Gale | Mr O Hemsley |
| Mr J Lammie | Mrs D MacDuff |
| Mr A Mann | Mr T Mathias |
| Mr M Oxley | Mr C Parsons |
| Mrs L Stephenson | Mr A Stewart |
| Mr K Thomas | Miss G Waller |
| Mr A Walters | Mr D Wilby |

---oOo---

THE COUNCIL'S STRATEGIC AIMS

Sustainable Growth
 Safeguarding
 Reaching our Full Potential
 Sound Financial and Workforce Planning

ANNUAL COUNCIL

8 May 2017

ESTABLISHMENT OF SCRUTINY PANELS AND STANDING COMMITTEES AND SCHEME OF DELEGATION

Report of the Director for Resources

| | | |
|--------------------------------|--|---------------------------------------|
| Strategic Aim: | All | |
| Exempt Information | No | |
| Cabinet Member(s) Responsible: | Mr T Mathias, Leader, Portfolio Holder for Finance and Places (Highways, Transport and Market Towns) | |
| Contact Officer(s): | Debbie Mogg, Director for Resources | 01572 758358 dmogg@rutland.gov.uk |
| | Natasha Brown, Corporate Support Coordinator | 01572 720991 nbrown@rutland.gov.uk |
| Ward Councillors | N/A | |

DECISION RECOMMENDATIONS

That Council:

1. Appoints the Scrutiny Panels and Standing Committees as set out at paragraph 5 of the report for the Municipal Year 2017/18;
2. Approves the terms of reference for Scrutiny Panels as set out in Appendix A;
3. Approves the terms of reference for Standing Committees and the Scheme of Delegation as set out in Part 8 of the Constitution shown Appendix B;
4. Approves the proposed changes to Close of Meetings Procedure Rules as detailed in Section 6 of the report;
5. Approves the revised public speaking scheme for the Planning and Licensing Committee as set out in Appendix C;
6. Authorises the Monitoring Officer to incorporate the revisions and changes above into the Council's Constitution.

1 PURPOSE OF THE REPORT

- 1.1 The Constitution provides that under Part 4 Section 1, Procedure Rule 22 that the Annual Council meeting considers the establishment and terms of reference of Scrutiny Panels and Standing Committees.
- 1.2 A review of the current structure of Scrutiny Panels and Committees has taken place and this report presents a proposal for approval by Council. Changes to the current structure are detailed at paragraphs 3 and 4 of the report.

- 1.3 The Council must consider the structure before seats can be allocated in accordance with political balance rules.

2 BACKGROUND AND MAIN CONSIDERATIONS

- 2.1 There are currently 82 seats/voting places on the Council, as set out in the table below:

| Committee | No. of places |
|---|----------------------|
| Audit and Risk Committee | 7 |
| Conduct Committee | 6 |
| Development Control and Licensing Committee | 12 |
| Employment and Appeals Committee | 7 |
| Licensing Act Committee | 10 |
| Adults and Health Scrutiny | 10 |
| Children's Scrutiny | 10 |
| Places Scrutiny | 10 |
| Resources Scrutiny | 10 |
| Total | 82 |

- 2.2 In addition, there is a Health and Wellbeing Board, a Chief Officer Appointments Panel, Constitution Review Working Group plus appointments to Outside Bodies and other Fora.

3 PROPOSED CHANGES - SCRUTINY

- 3.1 It is proposed that the Places and Resources panels be merged. Along with the People (Children) and People (Adults and Health) Panel this would result in 3 separate Scrutiny Panels to be named as follows:

- Growth, Infrastructure and Resources
- Children and Young People
- Adults and Health

Each panel will have a membership of 7 members (plus co-opted members for Children and Young People), and will meet 6 times per year, including the budget meeting. The revised terms of reference for the Scrutiny Panels can be found at **Appendix A**.

4 PROPOSED CHANGES - COMMITTEES

Development Control & Licensing Committee and Licensing Act Committee

- 4.1 It is proposed that the responsibilities within the two committees are brought together under the umbrella of a (renamed) Planning and Licensing Committee, a committee with 10 places.
- 4.2 A sub-committee (panel) will be required to deal with applications in respect of the Licensing Act 2003, consisting of three members that have had appropriate training. (in the same way that the Alcohol and Entertainment Panel operates now).

- 4.3 Terms of reference have been developed for the new committee which has provided the opportunity to review delegations in respect of planning. It is proposed that all functions, applications and powers in respect of enforcement be delegated to officers in consultation with the Chairman, or Vice- Chairman of the Committee (Appendix B, Section 7.4.1 b)) The revised terms of reference can be found at section 7 of **Appendix B**.
- 4.4 It is proposed that the start time for the Planning and Licensing Committee be revised to 7pm to bring it into line with other committees and scrutiny panels and Procedure Rule 119 be amended accordingly.

Employment and Appeals Committee

- 4.5 It is proposed that the terms of reference be amended to incorporate the responsibility for establishing panels for chief officer appointments, from the committee membership plus relevant portfolio holder. A separate Chief Officer Appointment Panel would no longer be required.
- 4.6 The revised terms of reference can be found at section 8 of **Appendix B**.

Audit and Risk Committee

- 4.7 The terms of reference for this committee have been updated based on the guidance within the 'Toolkit for Local Authority Audit Committees' published by the Chartered Institute of Public Finance and Accountancy (CIPFA). They were reviewed and endorsed by the Committee on 25 April 2017.
- 4.8 The revised terms of reference can be found at section 6 of Appendix B.

5 REVISED COUNCIL STRUCTURE

- 5.1 The changes set out in paragraphs 3 and 4 above result in a total number of seats on the Council of 51, as set out in the table below:

| Committee | No. of places |
|---|----------------------|
| Audit and Risk Committee | 7 |
| Conduct Committee | 6 |
| Planning and Licensing Committee | 10 |
| Employment and Appeals Committee | 7 |
| Adults and Health Scrutiny | 7 |
| Children's Scrutiny | 7 |
| Sustainable Growth and Resources Scrutiny | 7 |
| Total | 51 |

6 PROPOSED CHANGES – OTHER AREAS

- 6.1 It is proposed that Procedure Rule 58 Close of Meetings, be amended to reflect a maximum 2.5 hour time limit for scrutiny panels and committee meetings, plus two 15 minute extensions as follows:
- i) No meeting of the Council shall continue after 9.30pm unless a Motion to extend the time is approved.

- ii) A Member may move that the time for the meeting be extended by 15 minutes in order to deal with any specific or any outstanding matter on the agenda.
- iii) No more than two extensions of 15 minutes shall be allowed.

- 6.2 A new public speaking scheme for Planning and Licensing Committee is proposed and can be found at Appendix C to the report. It is proposed that this scheme is applicable to Planning and Licensing Committee and to meetings of Full Council when a planning application is considered.
- 6.3 This public speaking scheme is intended to provide more clarity for members of the public and other parties wishing to speak to the Council's elected Councillors when they are deciding a planning application. Part 4, Section 2 (Committee Procedure Rules) of the Councils Constitution will be amended to incorporate the changes under the public speaking scheme.
- 6.4 It is proposed that where planning applications are considered by Full Council, the Rules of Debate for Committees and Sub Committees (Procedure Rule 104) should apply. Part 4, Section 1 (Council Procedure Rules) of the Councils Constitution will be amended accordingly.

7 SCHEME OF DELEGATION

- 7.1 The Scheme of Officer Delegation within Appendix B has been reviewed and minor changes made to ensure it is up to date.

8 CONSULTATION

- 8.1 The proposed changes detailed in the report have been formulated following consultation with Group Leaders. The Constitution Review Working Group (CRWG) received a summary of the proposed changes at their meeting held on 20 April 2017. The CRWG were supportive of the proposed changes.

9 ALTERNATIVE OPTIONS

- 9.1 The alternative option is for the current structure to remain unchanged or an alternative structure developed in accordance with legislative and constitutional requirements.

10 FINANCIAL IMPLICATIONS

- 10.1 A small saving will be made as a result of there being less Scrutiny Panels and Committees.

11 LEGAL AND GOVERNANCE CONSIDERATIONS

- 11.1 The proposed structure is in accordance with Procedure 13 of the Council Constitution – Appointment of Standing Committees and Procedure Rule 22 – Agenda for Annual Meeting which states that Annual Council must appoint at least one overview and scrutiny committee and such other committees as it considers appropriate to deal with the matters which are neither reserved to the Full Council nor are executive (Leader and Cabinet) functions and determine the

terms of reference and number of voting places on those committees and scrutiny panels.

12 EQUALITY IMPACT ASSESSMENT

- 12.1 An Equality Impact Assessment Screening Form (EqIA) has been completed. No adverse or other significant issues were found

13 COMMUNITY SAFETY IMPLICATIONS

- 13.1 There are no community safety implications.

14 HEALTH AND WELLBEING IMPLICATIONS

- 14.1 There are no health and wellbeing implications.

15 BACKGROUND PAPERS

- 15.1 There are no additional background papers to the report.

16 APPENDICES

- 16.1 Appendix A – Revised Terms of Reference Scrutiny Panels (Procedure Rule 212)
- 16.2 Appendix B – Revised Part 8 RCC Constitution (Terms of Reference and Scheme of Delegation to Officers)
- 16.3 Appendix C -Revised public speaking scheme for the Planning and Licensing Committee.

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

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PROCEDURE RULE 212
TERMS OF REFERENCE OF SCRUTINY PANELS

The Council has established the following Scrutiny Panels under Article 6. They shall have responsibility for overview and scrutiny in relation to the matters set out below:

| | |
|---|---|
| 1. Adults and Health Scrutiny Panel | |
| Number of Elected Members appointed by Council: Seven, none of whom may be a Cabinet Member | Chair Appointed by Council |
| Quorum Four | Co-opted Members to be appointed by the Panel/Council: None |
| Functions determined by Council <ol style="list-style-type: none"> 1. Adult Social Care 2. Safeguarding 3. Public Health 4. All Health related matters including Children's Health 5. Scrutiny of NHS and NHS providers | |
| Functions Determined by Statute <ol style="list-style-type: none"> 1. To review and scrutinise local authority services under Section 9F to 9FI Local Government Act 2000, Local government and Public Involvement in Health Act 2007, and any subsequent regulations 2. To review and scrutinise matters relating to the Health Service and to make reports and recommendations to local NHS bodies in accordance with section 244 of the National Health Service Act 2006. This may include establishing joint health committees in relation to health issues that cross local authority boundaries and appointing members from within the membership of the panel to any joint health overview and scrutiny committees with other local authorities. | |

| | |
|---|--|
| 2. Children & Young People Scrutiny Panel | |
| Number of Elected Members appointed by Council: Seven, none of whom may be a Cabinet Member | Chair Appointed by Council |
| Quorum Four | Co-opted Members to be appointed by the Panel/Council: Five representatives as follows with full voting and call-in rights on education matters only: <ol style="list-style-type: none"> (a) 1 Church of England diocese representative; (b) 1 Roman Catholic diocese representative; (c) 2 parent governor representatives (the law allows between 2 and 5) |

| | |
|--|--|
| Functions determined by Council | |
| <ol style="list-style-type: none"> 1. Education <ol style="list-style-type: none"> a. All matters pertaining to schools for which the Local Authority has responsibility b. Further and Higher Education c. Careers d. Special Needs and Inclusion 2. Children's Services <ol style="list-style-type: none"> a. Children's Social Care b. Youth Service c. Safeguarding 3. Adult Learning and Skills | |
| Functions Determined by Statute | |
| N/A | |

| | |
|--|--|
| 3. Growth, Infrastructure and Resources Scrutiny Panel | |
| Number of Elected Members appointed by Council: Seven, none of whom may be a Cabinet Member | Chair Appointed by Council |
| Quorum Four | Co-opted Members to be appointed by the Panel/Council: None |
| Functions determined by Council | |
| <ol style="list-style-type: none"> 1. Planning 2. Environment 3. Highways & Transport 4. Libraries & Museums 5. Culture, Recreation & Sport 6. Tourism & Economic Development 7. Flood Risk Management 8. Community Safety | <ol style="list-style-type: none"> 9. Housing 10. Community Safety 11. Asset Management 12. Strategic Financial Planning 13. Communication/Digital Services/ICT 14. Customer Service 15. Support Services (Legal, HR etc) |
| Functions Determined by Statute | |
| <ol style="list-style-type: none"> 1. To review and scrutinise flood risk management in accordance with Section 21F of the Local Government Act 2000 (as amended by the Flood and Water Management Act 2010 and under the Flood Management Overview and Scrutiny (England) Regulations 2011 No.697) 2. To review and scrutinise crime and disorder matters, including acting as the Council's crime and disorder committee in accordance with Section 19 of the Police and Justice Act 2006. | |



Rutland County Council

PART 8 – OF THE CONSTITUTION

TERMS OF REFERENCE AND SCHEME OF DELEGATION TO OFFICERS

APPROVED BY COUNCIL
at each Annual Meeting but subject to
amendment at any Council Meeting

Version May - 2017

RUTLAND COUNTY COUNCIL DISTRICT COUNCIL CONSTITUTION

PART 8 – SCHEME OF DELEGATION

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RUTLAND COUNTY COUNCIL DISTRICT COUNCIL CONSTITUTION

PART 8 – SCHEME OF DELEGATION

1. GENERAL PRINCIPLES

- 1.1 The Scheme is subject to other provisions of the Council's Constitution and in particular Part 3 relating to the responsibility for functions, the provisions contained in the Council's Procedure Rules and also to the roles of the officers appointed as the Council's Head of Paid Service, Monitoring Officer and Section 151 Officer.
- 1.2 Any arrangements made by the Council or Cabinet for the discharge of functions by a Committee, Sub-Committee or Officer shall not prevent the Council or Cabinet by whom such arrangements were made from exercising those functions, subject to Procedure Rule 110 (Referral of Decisions) or the provisions for the call-in of decisions in the Constitution and the Council's Procedure Rules.
- 1.3 Delegated powers may only be exercised within the Terms of Reference of the Committee or Sub-Committee exercising the power and within the framework of the Council's policy.
- 1.4 Delegated powers to purchase property, goods or services may only be exercised if provision is made in the Annual Budget or if a Supplementary Estimate has been approved.
- 1.5 All references to Acts, Orders, Regulations etc., in this Scheme shall be deemed to include references to amending or extending legislation in force from time to time.
- 1.6 No Working Party or Working Group shall have any executive powers. Their functions will be of investigation, consultation, research and reporting any recommendations to their appointing body for approval. No Working Party, or Working Group has any authority to commit the Authority to any expenditure.
- 1.7 Where a function is not reserved specifically for a Committee or Sub-Committee, it shall be deemed to be delegated to the Chief Officer responsible for the function.

2. MATTERS RESERVED TO COUNCIL

- 2.1 The functions reserved for Council are contained in Part 3 of the Council's Constitution.

3. GENERAL DELEGATED POWERS

- 3.1 The General Scheme of Delegation to all Committees is contained in Part 3 of the Council's Constitution.

4. MATTERS DELEGATED TO OFFICERS OF THE AUTHORITY

- 4.1 The matters delegated to the Chief Executive and other Chief Officers are contained in Part 3 of the Council's Constitution.

RUTLAND COUNTY COUNCIL DISTRICT COUNCIL CONSTITUTION

PART 8 – SCHEME OF DELEGATION

5. “PROPER OFFICER” DESIGNATIONS FOR STATUTORY PURPOSES

5.1 The following officers are authorised to undertake the duties of the proper officer as determined by the relevant requirements of the appropriate legislation.

| No | Act Section of Schedule | FUNCTION | PROPER OFFICER |
|-----|--|--|---|
| 1. | LOCAL GOVERNMENT ACT 1972 S.13(3) AND S.97 | Parish Trustee | Chief Executive |
| 2. | LOCAL GOVERNMENT ACT 1972 S.83(1) | Receipt of declaration of acceptance of office | Chief Executive and Monitoring Officer |
| 3. | LOCAL GOVERNMENT ACT 1972 S.84 | Receipt of notice of resignation | Chief Executive |
| 4. | LOCAL GOVERNMENT ACT 1972 S.88(2) | Convening a Council meeting to fill casual vacancy in office of Chair | Chief Executive |
| 5. | LOCAL GOVERNMENT ACT 1972 S.89(1)(b) | Receipt of notice of casual vacancy in office of Councillor from two local government electors | Chief Executive |
| 6. | LOCALISM ACT 2011 S.29(1) and LOCAL GOVERNMENT ACT 1972 S. 117 | Receipt of notice and record of pecuniary interests under S.29 in respect of members and S.117 in respect of officers | Monitoring Officer |
| 7. | LOCAL GOVERNMENT ACT 1972 S.111 | Registrar of Bonds | Section 151 Officer |
| 8. | LOCAL GOVERNMENT ACT 1972 S.101 | Statutory determinations regarding borrowing limits | Section 151 Officer |
| 9. | LOCAL GOVERNMENT ACT 1972 S.115 | Receipt of monies due from officers required to account | Section 151 Officer |
| 10. | LOCAL GOVERNMENT ACT 1972 S.146(1)(a)(b) | Declarations and certificates relating to securities in case of transfer | Section 151 Officer |
| 11. | LOCAL GOVERNMENT ACT 1972 S.151 | The officer responsible for financial administration (Section 151 Officer) | Assistant Director - Finance |
| 12. | LOCAL GOVERNMENT ACT 1972 S.191(2) | Matters relative to Ordnance Survey | Chief Executive |
| 13. | LOCAL GOVERNMENT ACT 1972 S.210(6) & (7) | Charity functions transferred to the District Council | Chief Executive |
| 14. | LOCAL LAND CHARGES ACT 1975 (c.76, SIF 98:2), S.19(1), Sch. 2 | Local Land Charges Registrar under the Land Charges Act 1925 | Chief Executive |
| 15. | THE REGULATORY REFORM (GAME) ORDER 2007 (S.I. 2007/2007), art.6. Sch.para.1(m) | The Collection of Licence Duties | Director for Places (Environment, Planning and Transport) |
| 16. | LOCAL GOVERNMENT ACT 1972 S.223(1) | The conduct of Legal proceedings before Magistrates' Court for recovery of Council Tax and non-domestic rate arrears | Section 151 Officer or Director of Resources or Chief Executive |
| 17. | LOCAL GOVERNMENT ACT 1972 S.225(1) | Deposit of documents | Chief Executive |
| 18. | LOCAL GOVERNMENT ACT 1972 S.228(3) & (4) | The Proper Officer whose accounts are open to inspection by members and whose audited accounts are open to public inspection | Section 151 Officer |
| 19. | LOCAL GOVERNMENT ACT 1972 S.229(5) | Certificate of photographic copies of documents | Any Director |
| 20. | LOCAL GOVERNMENT ACT 1972 S.234(1) & (2) | Authentication of Documents | Any Director |

RUTLAND COUNTY COUNCIL DISTRICT COUNCIL CONSTITUTION

PART 8 – SCHEME OF DELEGATION

| No | Act Section of Schedule | FUNCTION | PROPER OFFICER |
|-----|--|---|---|
| 21. | LOCAL GOVERNMENT ACT 1972 S.236(9) | Service and receipt of copies of bylaws made by the County or District Council | Chief Executive |
| 22. | LOCAL GOVERNMENT ACT 1972 S.238 | Certification of bylaws | Chief Executive |
| 23. | LOCAL GOVERNMENT ACT 1972 Sch 12 para 4(2)(b) & (3) | Signatures of Summons to Council meetings, receipt of Notices of addresses to which summons should be sent | Chief Executive |
| 24. | LOCAL GOVERNMENT ACT 1972 s.12(a) | Certification of resolutions under the paragraph | Chief Executive |
| 25. | PLANNING (CONSEQUENTIAL PROVISIONS) ACT 1990 (c. 11, SIF 123:1, 2), s. 3, Sch. 1 Pt. I, Sch. 3 paras. 1, 2, 4, 6 | Receipt of deposit of lists of protected buildings S54(4) of Town & Country Planning Act 1971 | Director for Places (Development and Economy) |
| 26. | LOCAL GOVERNMENT ACT 1972 Sch 29 para 4(1)(a) and (c) | General provisions of existing legislation, not expressly covered by preceding provisions where reference is made to specific officers; for references to Surveyor, Public Health Inspector and Medical Officer of Health except in respect of matters which can only be dealt with by registered Medical practitioners | Director for Places (Environment, Planning and Transport) |
| 27. | LOCAL GOVERNMENT ACT 1972 | For references to Town Clerk or Clerk of the Council | Chief Executive |
| 28. | LOCAL GOVERNMENT ACT 1972 S.100B(2) | Circulation of reports and agenda | Chief Executive |
| 29. | LOCAL GOVERNMENT ACT 1972 S.100B(7)(c) | Supply of papers to the press | Chief Executive |
| 30. | LOCAL GOVERNMENT ACT 1972 S.100C(2) | Summaries of minutes | Chief Executive |
| 31. | LOCAL GOVERNANCE ACT 1972 SCHEDULE 12A | Access to information | Chief Executive |
| 32. | LOCAL GOVERNMENT ACT 1972 S.100D(1)(a) | Compilation of lists of background papers and S.100D(5)(a) Identification of background papers | Directors having responsibility for subject matter of report with the first named officer being designated in case of a joint report. |
| 33. | LOCAL GOVERNMENT ACT 1974 S.30(5) | Public notice of publication of a Local Commissioner's report | Chief Executive |
| 34. | REGISTRATION SERVICE ACT 1953 | Registration of Births Deaths and Marriages | Senior Culture and Leisure Services Manager |
| 35. | REPRESENTATION OF THE PEOPLE ACT 1983 S.8 | Electoral Registration Officer | Chief Executive |
| 36. | REPRESENTATION OF THE PEOPLE ACT 1983 S.52(2) | Deputy Electoral Registration Officer | Director of Resources |
| 37. | REPRESENTATION OF THE PEOPLE ACT 1983 S.35 | Returning Officer for Parish and District Council elections | Chief Executive |
| 38. | REPRESENTATION OF THE PEOPLE ACT 1983 S.24 | Returning Officer Parliamentary Elections | Mayor of Melton Borough Council |

RUTLAND COUNTY COUNCIL DISTRICT COUNCIL CONSTITUTION

PART 8 – SCHEME OF DELEGATION

| No | Act Section of Schedule | FUNCTION | PROPER OFFICER |
|-----|--|---|--|
| 39. | REPRESENTATION OF THE PEOPLE ACT 1983 S.28 | Acting Returning Officer for Parliamentary Elections | Chief Executive Melton Borough Council |
| 40. | LOCAL GOVERNMENT AND HOUSING ACT 1989 P1.S4.1(a) | Head of the Paid Service | Chief Executive |
| 41. | LOCAL GOVERNMENT AND HOUSING ACT 1989 | Acting Head of the Paid Service in the Head of Paid Service's absence | Director for People |
| 42. | LOCAL GOVERNMENT AND HOUSING ACT 1989 S.5 | Monitoring Officer | Director of Resources |
| 43. | LOCAL GOVERNMENT (COMMITTEES AND POLITICAL GROUPS) REGULATIONS 1990 P3, S.8 | Receipt of notice of formation and membership of a political group | Chief Executive |
| 44. | LOCAL GOVERNMENT AND HOUSING ACT 1989 S.16 | Receipt of notice of wishes of political groups as to appointments to committees and sub-committees and termination of appointments | Chief Executive |
| 45. | LOCAL GOVERNMENT AND HOUSING ACT 1989 S.18 and Reg 14 of Local Authorities (Members' Allowances) | Receipt of notice in writing that a Councillor wishes to forgo any part of his entitlement to an allowance | Director of Resources |
| 46. | The Local Authorities (Referendums)(Petitions) (England) Regulations 2011 P2 S.4(1) | Publication of 5% of local government electors for validating petitions | Electoral Registration Officer |
| 47. | PUBLIC HEALTH (CONTROL OF DISEASE) ACT 1984 | The Proper Officer for the purposes of the Public Health (Infectious Diseases) Regulations | Director of Public Health |
| 48. | NATIONAL ASSISTANCE ACT 1948 | The Proper Officer for the Purposes of Section 47 | Director of Public Health |
| 49. | LOCAL GOVERNMENT ACT 2000 S.52 | Undertakings by Members and Co-opted Members to observe the Council's Code of Conduct | Chief Executive and Monitoring Officer |
| 50. | FREEDOM OF INFORMATION ACT 2000 S 36(2) and (5) | The qualified person for the purposes of deciding whether information is exempt from disclosure to the public relating to the prejudice to the conduct of public affairs | Director of Resources |
| 51. | FREEDOM OF INFORMATION ACT 2000 S 36 | Determination of all exemptions apart from those relating to the prejudice to the conduct of public affairs | Head of Corporate Governance or Director or representative appointed by a Director |
| 52. | REGULATION OF INVESTIGATORY POWERS ACT 2000 | Authorising Officer and Designated Person for the use of surveillance and the acquisition and disclosure of communications data | Chief Executive or Any Director or Head of Corporate Governance |
| 53. | THE LOCAL DEMOCRACY, ECONOMIC DEVELOPMENT AND CONSTRUCTION ACT 2009 S 31 | The Statutory Scrutiny Officer responsible for the promotion of the authority's scrutiny function and the provision of support and guidance to Members and Officers of the authority. | Corporate Support Coordinator |
| 54. | DATA PROTECTION ACT 1998 | Data Protection Officer/Senior Information Risk Owner | Director of Resources |
| 55. | CALDICOTT REVIEW 1997 | Caldicott Guardian | Deputy Director for People |

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| No | Act Section of Schedule | FUNCTION | PROPER OFFICER |
|-----|---------------------------|--|--|
| 56. | CHILDREN ACT 2004 S 11 | Local Authority Designated Officer (LADO) | Head of Safeguarding Children's Social Care |

TERMS OF REFERENCE FOR REGULATORY COMMITTEES

6. Audit and Risk Committee

6.1 The purpose of the Committee is to undertake the County Council's responsibilities under the Accounts and Audit Regulations:

- a) to consider and approve the annual statement of accounts
- b) to ensure that the financial management of the Council is adequate and effective
- c) to ensure that the Council has a sound system of internal control which facilitates the effective exercise of the Council's functions and which includes arrangements for the management of risk
- d) to review annually the Council's system of internal control and to agree an Annual Governance Statement for inclusion in the statement of accounts
- e) to ensure that the Council has an adequate and effective internal audit function

6.2 Audit Activity

- a) To consider the Head of Internal Audit's annual report and opinion, and a summary of Internal Audit activity (actual and proposed) and the level of assurance it can give over the Council's corporate governance arrangements.
- b) To approve the risk-based internal audit plan and resource requirements
- c) To consider summaries of specific Internal Audit reports as requested.
- d) To consider reports dealing with the management and performance of the providers of Internal Audit Services.
- e) To consider a report from Internal Audit on agreed recommendations not implemented within a reasonable timescale.
- f) To approve the Internal Audit Charter
- g) To consider the External Auditor's Annual Letter, relevant reports, and the report to those charged with governance
- h) To consider specific reports as agreed with the External Auditor
- i) To comment on the scope and depth of external audit work and to ensure it gives value for money.
- j) To liaise with the Public Sector Audit Appointments Ltd (PSAA) over the appointment of the Council's External auditor.
- k) To commission work from Internal and External Audit.

6.3 Regulatory Framework

- a) To maintain an overview of the Council's Constitution with the exception of those matters under the remit of the Executive or a regulatory committee.
- b) To review any issue referred to it by the Chief Executive or a Director, or any Council body.

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- c) To monitor the effective development and operation of risk management and corporate governance in the Council.
- d) To advise and monitor council policies on ‘Whistle Blowing’ and the ‘Anti-fraud and corruption strategy’ and the Council’s complaints process.
- e) To oversee the production of the authority’s Annual Governance Statement and to recommend its adoption.
- f) To consider the Council’s arrangements for corporate governance and agreeing necessary actions to ensure compliance with best practice.
- g) To consider The Council’s compliance with its own and other published standards and controls.

6.4 Accounts

- a) To approve the annual statement of accounts. Specifically to consider whether appropriate accounting policies have been followed and whether there are concerns arising from the financial statements or from the audit that need to be brought to the attention of the Council
- b) To consider the External Auditor’s report to those charged with governance on issues arising from the audit of the accounts.

6.5 Accountability Arrangements

- a) To report to those charged with governance on the committee’s findings conclusions and recommendations concerning the adequacy and effectiveness of their governance, risk management and internal control frameworks; financial reporting arrangements, and internal and external audit functions.
- b) To report to Full Council on a regular basis on the committee’s performance in relation to the terms of reference and the effectiveness of the committee in meeting its purpose.

Delegations to Officers

- The Assistant Director (Finance), in consultation with the Chair of the Committee, is authorised to make changes to the Internal Audit plan. Such changes must be reported to the Committee at the earliest opportunity.

7. Planning and Licensing Committee

7.1 Planning

- a) The determination of all and any planning, listed building, advertisement or other allied applications and functions not specifically delegated to officers;
- b) Any agreement regulating development or use of land under Sections 106 and/or 106A of the Town and Country Planning Act (TCPA)1990;
- c) Any enforcement powers under any legislation relating to town and country planning or associated matters;

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- d) Any formal comment or view on applications or proposals to be determined by any Statutory Body and government departments relating to matters within the remit of the Committee;
- e) Making any Direction, Order or issuing or serving any Notice under any legislation relating to town and country planning; and
- f) Any function under the Planning (Hazardous Substances) Act 1990 or the Planning (Listed Buildings and Conservation Areas) Act (LBA) 1990.

7.2 Licensing

- a) Except in relation to the statement of Licensing Policy, to discharge all functions conferred upon the Council as licensing authority under Licensing Act 2003.
- b) Except in relation to the statement of Licensing Policy, to discharge all functions conferred upon the Council as licensing authority under Gambling Act 2005.
- c) To exercise all other functions relating to licensing and registration.
- d) To hear and determine licensing applications and appeals where objections and/or representations have been received in relation to any of the above functions.
- e) Any other matters relating to licensing which may be referred to the Committee for consideration.

7.3 Licensing Sub-Committees

- a) To establish Panels (sub-committees) to determine matters that do not sit within the scope of delegation to officers, usually where representations have been received against a grant of a licence, or from the applicant against intended refusal or revocation of a licence/registration.

7.4 Delegations to Officers

7.4.1 The Director for Places (Environment, Planning and Transport), Planning Services Manager or Nominated Deputy is authorised to deal with the following matters:

- a) Any application under the TCPA 1990, LBA 1990, the Planning (Hazardous Substances) Act 1990, the Control of Advertisements Regulations 2007 and the determination and expression of the Council's views where the Council, as local planning authority, is a statutory or other consultee and the making of observations on proposals made by or being determined by any other body subject to the following exceptions:
 - i. The applicant is the Council or someone acting as applicant on its behalf, with the exception of minor proposals.
 - ii. There is an Officer recommendation of approval and the application is submitted by or on behalf of a Rutland County Councillor, or an Officer of the Council directly or indirectly involved in planning work, a member of the Council's Strategic Management Team or any other officer where the Director for Places considers that the application should be determined by the Committee in the interests of openness and transparency

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- iii. An application which has been requested by a Member to be determined by the Committee (which must include the reason for the request, and the Planning Services Manager considers that the reasons given are sufficient) shall be subject to specific additional assessment by the Operational Director for Places or the Development Control Manager, in consultation with the Chairman or Vice-Chairman of the Planning and Licensing Committee, who will decide whether the application should go to that Committee.
 - iv. An application which officers consider would normally be approved under delegated powers, but which has been submitted by a Member or Officer of the Council acting as an agent, shall be subject to specific additional assessment in consultation with the Chairman or Vice-Chairman of the Planning & Licensing Committee.
 - v. There is an Officer recommendation of approval which is materially contrary to the National Planning Policy Framework and/or the Development Plan.
 - vi. There is an Officer recommendation of approval contrary to a previous refusal by the Planning and Licensing Committee and the policy framework has remained substantially unchanged since the refusal.
 - vii. Material planning objections have been received from a town/parish council or local resident, unless it is considered upon assessment that the development will result in no significant adverse impact. Such assessment to be carried out in consultation with the Chairman or Vice-Chairman of the Planning and Licensing Committee.
- b) All functions, applications and powers in respect of enforcement. Any decision to issue an enforcement notice, serve an injunction, issue a stop notice, issue a planning enforcement order, or serve a discontinuance notice shall be carried out in consultation with the Chair or Vice-Chair of the Planning & Licensing Committee.
 - c) All functions, applications and powers under The Hedgerow Regulations 1997, Tree Preservation Orders and Trees in Conservation Areas under the TCPA 1990 and Part 8 (High Hedges) of the Anti-Social Behaviour Act 2003
 - d) To consult and respond to consultations from neighbouring authorities, government departments and other bodies on all day to day matters
 - e) To determine applications to discharge conditions on any planning or related applications
 - f) To exercise powers under the General Permitted Development Order, the Development Management Procedure Order, any other such Regulations present and future and all directions and prior notifications in these Orders.
 - g) To formulate conditions and reasons for refusal the substance of which has been determined by Committee
 - h) Any certificate of existing or proposed lawful use or development under the TCPA 1990
 - i) To negotiate, agree and where appropriate amend terms of legal agreements and secure their fulfilment

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- j) To defend appeals against the Council's decisions and to represent the council at Hearings, Inquiries and the Courts
 - k) To decline to determine any application pursuant to Section 70(A) of the TCPA 1990
 - l) Determination of any matter under the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 and any similar or successor regulations
 - m) Any application for a certificate of appropriate alternative development under Section 17 of the Land Compensation Act 1961 (as amended)
 - n) Determinations on overhead lines matters under Section 37 of the Electricity Act 1989 and subordinate Regulations.
 - o) All Officers in Development Control team are authorised to enter onto land for any purpose permitted by any provision under TCPA 1990, LBA 1990 or any other legislation relating to town and country planning
- 7.4.2 The Director for Places (Environment, Planning and Transport), is authorised to deal with the following matters:
- a) The agreement and operation of protocols, management agreements and/or Service Level Agreements
 - b) The determination of applications for licences where no objections are received. This includes all applications made under the Licensing Act 2003 and Gambling Act 2005.

8. Employment and Appeals Committee

8.1 Employment

- a) To establish panels to appoint Chief Officers, Officers that are part of the Strategic Management Team, or Officers that report directly to the Director for People. Such Panels to consist of three members of the committee plus the relevant Cabinet Member. Political balance applies to the panel.
- b) To consider employee procedures, including dismissal procedures.
- c) To hear, consider and determine appeals against dismissal by employees.
- d) The constitution of any special human resources panels or working parties as may be required from time to time.
- e) The discharge of such human resources functions that cannot be delegated under statute to the Cabinet or have not been delegated to officers, as may be delegated by the Council from time to time.
- f) To consider and approve HR policies (this requires two thirds voting members present to approve a policy subject to its financial impact not exceeding the virement threshold of the Director for Resources . If this cannot be achieved the policy in question will be referred to Full Council for further consideration and determination).

8.2 Appeals Panels

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- a) To hear, consider and determine any other appeals made under a statutory appeals process and/or where no other appeals body has been established for the specific purpose. This will include:
- i. Access to Personal Files
 - ii. Approved Marriage Premises
 - iii. Curriculum Complaints
 - iv. Home to School Transport
 - v. Housing Improvement Renovation or Repair Grants
 - vi. Discretionary Rate Relief (NNDR)
 - vii. Children’s Social Services Complaints

The panel will consist of three members drawn from the Committee. For this purpose, officers may draw upon members with training relevant to the subject matter of the appeal in order to ensure sufficient members are available to conduct the hearing, and to avoid involving any member who was involved in the original decision which is the subject of the appeal. Panel members should not be a representative of the Ward of the appellant. Panels should consist of three members of the Committee, with the exception of (vii) which should comprise two members of the committee and an independent chair. Political balance applies to the panel.

8.3 Delegation to Officers

The Director for Resources is authorised to deal with day to day administration of Human Resources matters.

9. Conduct Committee

9.1 The Committee is authorised to:

- a) To promote and maintain high standards of conduct by Members of the authority.
- b) To assist Members of the authority to observe the authority’s code of conduct.
- c) To advise the authority on the adoption or revision of a Code of Conduct.
- d) To monitor the operation of the authority’s Code of Conduct for Members.
- e) To assess, consider and determine complaints of breaches of the authority’s Code of Conduct, in accordance with the Council’s approved procedures.
- f) To consider granting dispensations to Members from requirements relating to interests set out in the authority’s Code of Conduct.
- g) To advise the Council on maintaining high standards of ethics and probity and to review all codes of conduct relating to ethic and probity affecting officers and Members.
- h) To consider reports which may come from Government, the Ombudsman or other external sources relating to standards of conduct and to make recommendations to the Council.

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- i) To consider any Monitoring Officer reports relating to Members' conduct and probity.
- j) To carry out all of the functions contained within paragraphs 1 to 9 above inclusive in relation to parish councils within the county and their Members.

10. Health and Wellbeing Board

10.1 The Health and Wellbeing Board has been appointed by Rutland County Council as a statutory committee of the Local Authority. It will discharge directly the functions conferred on Rutland County Council by Section 196 of the Health and Social Care Act 2012 and any other such legislation as may be in force for the time being.

10.2 Aim

- a) To achieve better health, wellbeing and social care outcomes for Rutland's whole population and a better quality of care for patients and other people using services through the provision of:
 - i. collaborative leadership that influences, shapes and drives a wide range of services and interventions that span health care, social care and public health.
 - ii. strategic oversight of, and challenge to, the planning, strategy, commissioning and delivery of services across Health, Social Care, Public Health, Children's Services and other services that the Board agrees impact on the wider determinants of health.

10.3 Statutory Functions

10.3.1 Under the Health and Social Care Act 2012, the Health & Wellbeing Board has the following duties and functions:

- a) To encourage integrated working between health and social care commissioners, including arrangements under Section 75 of the National Health Service Act 2006 in connection with the provision of health and social care services.
- b) To prepare and publish a Joint Strategic Needs Assessment (JSNA) and Joint Health and Wellbeing Strategy (JHWS) that is evidence based and supported by all stakeholders to set out Rutland's objectives, trajectory for achievement and how members of the Board will be jointly held accountable for delivery.
- c) To encourage close working between commissioners of health-related services and the Board itself.
- d) To encourage close working between commissioners of health-related services (such as housing and many other local government services) and commissioners of health and social care services.

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e) Any other functions that may be delegated by the council under section 196(2) of the Health and Social Care Act 2012.

10.4 Additional Responsibilities

10.4.1 The Board has also agreed a number of additional responsibilities which complement its statutory functions:

- a) To challenge and hold to account partners to ensure that their strategies, plans and services are aligned to Rutland's JHWS priorities, and to consider what is best for Rutland within all they plan and do.
- b) To have oversight of the use of relevant public sector resources across a wide range of services and interventions, with greater focus and integration across outcomes spanning health care, social care and public health.
- c) To task sub-groups (whether standing or time-limited) to develop solutions to challenges outlined in the JSNA and JHWS.
- d) To facilitate partnership working across health and social care to ensure that services are joined up around the needs of service users.
- e) To join up partnership working across Rutland, particularly linking to the Safer Rutland Partnership and ensure there are appropriate links with the Local Safeguarding Children's Board and the Leicestershire and Rutland Safeguarding Adults Board (The Joint Protocol for the HWB and LRSCB/LRSAB is in Appendix A).
- f) To focus resources on the agreed set of priorities for health, wellbeing and social care (as outlined in the JSNA and JHWS).
- g) To ensure that the work of the Board is aligned with policy developments both locally and nationally.

10.5 Principles

10.5.1 The Board agree to work to the following principles:

- a) Shared ownership of the Board by all its members (with commitment from their nominating organisations) and accountability to the communities it serves for delivering our priorities;
- b) Commit to driving real action and change to integrate services and to improve services and outcomes;

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- c) Target resources in support of strategic objectives;
- d) Aim to reduce disparities in health and wellbeing in Rutland by prioritising those in greatest need;
- e) Support people to maintain their independence and make informed healthy choices;
- f) Share success and learning to make improvements cross-organisationally for the wider benefit of Rutland;
- g) Be open and transparent in the way that the Board carries out its work - listening to service users/patients and the public, and acting on what they tell us
- h) Take advantage of Rutland's small size to utilise our resources and assets;
- i) Represent Rutland at LLR, regional and national platforms to ensure Rutland's voice is heard.

10.6 Sub-groups

10.6.1 There will be two permanent sub-groups of the Board:

- a) **Children's Trust Board:** Responsible for the development and improvement of services for children and young people 0 – 19 years, (and to the age of 25 years for some vulnerable young people), overseeing the delivery of the agreed vision and priorities of the Children, Young People and Families Plan.
- b) **Integration Executive Board:** Responsible for overseeing the integration of health and social care operational services, driving improvements in service delivery, and monitoring and approving the delivery of the Better Care Fund programme and Better Care Together in Rutland.

10.6.2 The Terms of Reference for each of these sub-groups is attached in Appendix B, also addressing reporting requirements and timescales. Additional sub-groups may be formed on a time limited basis at the request of the Board to address specific issues or undertake specific pieces of work. Where additional sub-groups are formed, the Chair of the Board will appoint a Chair for the sub-groups and agree reporting requirements and timescales.

10.7 Safeguarding

10.7.1 The Board work in line with the agreed protocol in place with the Leicestershire & Rutland Children's Safeguarding Board (LRCSB) and the Leicestershire & Rutland Safeguarding Adults Board (LRSAB). The protocol outlines the relationship between the Boards, how safeguarding shall be taken into account within the business of the HWB, and how health & wellbeing shall be taken into account within the business of the LRSCB and the LRSAB.

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10.7.2 The protocol shall be approved by both the Board and by the LRSCB and the LRSAB, and reviewed at least three yearly.

10.8 Membership

10.8.1 The minimum membership of the Board shall consist of:

- a) Two representatives from the East Leicestershire and Rutland Clinical Commissioning Group (2).
- b) Two local elected representatives (2) at least one to be the Portfolio Holder for Health.
- c) The Director of People for Rutland County Council (1).
- d) The Director of Public Health for Rutland County Council (1).
- e) One representative of Rutland Healthwatch (1).
- f) One representative from the Voluntary and Community Sector (1) (Non statutory member).
- g) One representative from NHS England (1).
- h) One representative from a Registered Social Landlord (1) (Non statutory member).
- i) One representative from Leicestershire Constabulary (1) (Non statutory member).

10.8.2 and such other persons as the local authority and/or the Board thinks appropriate in order to bring particular skills, knowledge and/or perspectives, including, but not limited to: additional voluntary sector representatives; clinicians; provider representatives.

10.8.3 Members can appoint a maximum of one deputy to attend meetings in their absence. Members (and their nominated deputy) will act with the necessary delegated responsibility from their organisation and take decisions on behalf of that organisation in relation to the work of the Board.

10.9 Voting

10.9.1 All members of the Health and Wellbeing Board are allowed to vote (unless the County Council directs otherwise).

10.9.2 Rutland County Council's Meeting Procedure Rules in relation to voting apply; however it is hoped that decisions of the Board can be reached by consensus without the need for formal voting.

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10.9.3 Decisions can be taken by the Chair where necessary for reasons of urgency outside of formal meetings. Any decisions taken outside of formal meetings shall be recorded at the following meeting along with the reasons for the urgency and the basis for the decision.

10.10 Standing Orders and Meetings

10.10.1 The Access to Information Procedure Rules and Meeting Procedure Rules (Standing Orders) laid down by Rutland County Council will apply with any necessary modifications including the following:-

- a) The Chairperson will be Rutland County Council's Leader or Portfolio Holder for Health; the vice-chair will be elected from one of the other statutory members of the Board.
- b) The quorum for a meeting shall be a quarter of the membership including at least one elected member from the County Council and one representative of the East Leicestershire and Rutland Clinical Commissioning Group.

10.10.2 Administration support will be provided by Rutland County Council.

10.10.3 There will be standing items on each agenda to include:

- a) Declarations of Interest
- b) Minutes of the Previous Meeting
- c) Matters Arising
- d) Updates from each of the subgroups of the Health & Wellbeing Board

10.10.4 Meetings will be held in public at least quarterly (4 times a year).

10.10.5 The Board may also meet for workshops or seminar sessions and for Board learning and development. These meetings will be informal and not held in public.

10.11 Review

10.11.1 These Terms of Reference will be reviewed at least annually, and more frequently where circumstances dictate appropriate.

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11. DELEGATION TO OFFICERS - GENERAL

11.1 The following powers and duties are delegated to the named officer(s):

| | DELEGATED FUNCTION | OFFICER |
|-----|--|---|
| | <u>Adult Social Care, Health and Housing Functions</u> | |
| 1. | To arrange appropriate care for persons in need, including young persons in transition | Director for People |
| 2. | To prepare reports to Courts relating to individuals as requested by the Court | Director for People in conjunction with Chief Executive |
| 3. | To receive persons into the Guardianship of the Authority under the Mental Health Act | Director for People |
| 4. | To apply to the Courts for the displacement of the nearest relative or to the Court of Protection under the Mental Health Act | Director for People in conjunction with Chief Executive |
| 5. | Payment of grants and negotiation of Service Level Agreements with Voluntary Organisations | Director for People |
| 6. | To report to the Cabinet on new legislation, regulations or guidance and their implications for the Council | Director for People and Chief Executive |
| 7. | To report to the Portfolio Holder and the Care Quality Commission, as appropriate, significant events relating to persons receiving services provided or arranged by the Department excluding the expected death or natural illness of elderly persons | Director for People |
| | <u>People - Children And Young People's Services Functions</u> | |
| 8. | To arrange care for Children and Young Persons in need and in response to the directions of the Court, including those young persons in transition. | Director for People |
| 9. | To prepare reports to the Court relating to care proceedings | Director for People |
| 10. | To report to the Portfolio Holder for Children and Young People's Services and OFSTED, as appropriate, the death of a child in care | Director for People |
| 11. | Power to give approval to County pupils and students attending schools and colleges outside the County and authorisation of recoupment charges | Director for People |
| 12. | Power to establish teams of peripatetic staff as necessary within schemes approved by the Cabinet | Director for People |

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| | DELEGATED FUNCTION | OFFICER |
|-----|--|--|
| 13. | To agree allocation, transport and attendance of pupils and welfare of schools, colleges and other establishments where those powers are not delegated to Governing and Managing Bodies, Heads and Principals. | Director for People |
| 14. | To allocate responsibility allowances within the approved scheme where those powers are not delegated to Governing Bodies | Director for People |
| 15. | To exercise the powers and duties through authorisation of the Education Welfare Officer under Sections 443 and 444 of the Education Act 1996 | Director for People in consultation with the Chief Executive |
| 16. | Power to apply approved arrangements for centrally appointed teachers | Director for People |
| 17. | Power, in consultation with the Portfolio Holder for Children and Young People’s Services to approve claims for compensation up to a maximum of £1,000 in those cases which are not covered by the County Council’s insurance | Director for People |
| 18. | Power to approve applications from teachers for premature retirement | Director for People |
| 19. | Power to implement payments and make all necessary arrangements depending on local circumstances, for the supply of meals to pupils eligible for free school meals | Director for People |
| 20. | Power to publish annually information required by the Education Act 1996 | Director for People |
| 21. | Power to authorise appropriate transport arrangements where necessary in cases where there has been a difficulty or embarrassing pupil history at a school | Director for People |
| 22. | Power to authorise amendments to Instruments of Government for schools under the responsibility of the Local Authority | Director for People |
| 23. | To respond to National Curriculum Consultation Documents where the timescale for consultation does not allow consideration of responses by the appropriate body. | Director for People |
| 24. | Power to give grants to youth organisations to cover equipment, maintenance and rent of premises, not exceeding £1,000 to any one organisation per year and the authorisation of grants for Youth Leaders and members of organisations attending approved courses, not exceeding £200 in any one case. | Director for People |
| | Property | |

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| | DELEGATED FUNCTION | OFFICER |
|-----|--|--|
| 25. | To deal with day to day management of property under the control of the Services for People department including location of mobile classrooms and property consideration of requests by Governors for disposal of small pieces of land | Director for People in consultation with the Director for Places (Development and Economy) |
| | <u>Local Management of Schools Scheme</u> | |
| 26. | Following consultation with the Portfolio Holder for Children and Young People’s Services to agree minor amendments to the Local Management of Schools Scheme | Director for People |
| | <u>Education otherwise than at School</u> | |
| 27. | Power to make arrangements to comply with the Local Authority duty under Section 19 of the Education Act 1996 to make exceptional provision of education otherwise than at school, through service provision based on a minimum of 25 hours per week education | Director for People |
| 28. | To deal with all matters under Part IV of the Education Act 1996 relating to special educational needs provision for children in the County | Director for People |
| | <u>Grants and Awards</u> | |
| 29. | To approve and authorise payment of mandatory and discretionary awards, grants, including the approval and payment of fees, loans and travelling expenses in cases of students who are not eligible for awards. Payments to be made in accordance with Approved Schemes including Boarding Grants, assistance to pupils for out of school courses and individual grants to talented students in schools and colleges (to a maximum of £1,000). | Director for People |

| | DELEGATED FUNCTION | OFFICER |
|--|---|---|
| | <u>Housing Functions</u> | |
| | To issue all notices, certificates and consents required under the Housing Acts | Chief Executive |
| | To carry out a periodic review of housing needs under S.8 of the Housing Act 1985 | Director for Places (Development & Economy) |
| | To authorise officers to enter premises in order to carry out duties | Director for People or Director for Places (Development & Economy) or Director for Places (Environment, |

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| DELEGATED FUNCTION | OFFICER |
|--|---|
| | Planning & Transport) |
| To administer the day to day arrangement of the following functions under Housing legislation: a) Homelessness b) the Council’s Housing waiting list c) Shared Ownership d) Housing Benefit/Council Tax Benefit | a) and b) Director for Places (Development & Economy) Chief Executive Director for Resources |
| To consider representations from housing applicants requesting special consideration for housing provision | Director for Places (Development & Economy) after consultation with the ward member and Portfolio Holder |
| To prepare all legal documents associated with the provision of housing and the administration of social service functions | Chief Executive after consultation with the Director for People or Director for Places (Development & Economy) or Director for Places (Environment, Planning & Transport) |
| To administer Pt.XIV of the Housing Act 1985 – Housing Advances | Director for Resources |
| To administer the day to day arrangement of the following functions under Housing legislation a) Heating Grants, Improvement Grants b) Improvement Notices c) Slum Clearance d) Overcrowding e) Houses in multiple occupation and common lodging houses f) Unfit Housing | Director for Places (Environment, Planning & Transport) |
| To receive and advise on a day to day basis issues in respect of property | Director for Places (Development & Economy) and Chief Executive |
| <u>Community Services Functions</u> | |
| To take all necessary action to implement programmes in accordance with the Council’s approved Economic | Director for Places (Development & |

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| DELEGATED FUNCTION | OFFICER |
|--|--|
| Development Plan and Tourism Strategy | Economy) |
| To take all necessary action to implement programmes in accordance with the Council's approved Sports Strategy | Director for Places (Development & Economy) |
| To arrange the day to day management of Waste Collection and Street Cleansing including provisions under the: (a) Public Health Act 1961 – Accumulation of Rubbish, Filth and Vermin (b) Environmental Protection Act 1990 – Household Waste, Control of Waste, Unauthorised Waste and Privies (c) Refuse Disposal Amenity Act 1978 and Road Traffic Regulation Act 1984 – Unauthorised Dumping of Rubbish and Waste. | Director for Places (Environment, Planning & Transport) |
| To implement the provisions of the Health Act 2006 in respect of smoke-free environments in premises to which the public has access | Director for Places (Environment, Planning & Transport) |
| To implement the provisions of the Animal Welfare Act 2006 | Director for Places (Environment, Planning & Transport) |
| To implement the provisions of the Clean Neighbourhoods and Environment Act 2005 | Director for Places (Environment, Planning & Transport) |
| To implement the provisions of the Sunbeds (Regulation) Act 2010 including the authorising of officers for the purposes of powers of entry and enforcement | Director for Places (Environment, Planning & Transport) |
| To authorise Inspectors, officers and persons required to perform statutory duties, including the issuing of fixed penalty notices, the inspection of premises and the issuing of notices | Director for Places (Environment, Planning & Transport) |
| To arrange for the day to day management of Consumer Protection, Control of Environmental Health, Pest Control, Health and Safety, Food Safety, Drainage, Cemeteries and Burial Grounds under the control of the Council, Sunday Trading, Animals, Pollution, Emergency Planning, Gypsies and Travellers. | Director for Places (Environment, Planning & Transport) |
| To undertake the functions of the Council as Weights and Measures authority by virtue of | Strategic Regulatory Services Manager, Peterborough City |

RUTLAND COUNTY COUNCIL DISTRICT COUNCIL CONSTITUTION

PART 8 – SCHEME OF DELEGATION

| DELEGATED FUNCTION | OFFICER |
|--|---|
| <p>(a) Section 8(2) Customs and Excise Management Act 1979 (as amended)</p> <p>(b) Section 169 Licensing Act 1964 (as amended)</p> <p>(c) Part 8 Enterprise Act 2002</p> <p>(d) Tobacco Advertising and Promotion Act 2002</p> | Council |
| To approve drainage of buildings in combination | Director for Places (Environment, Planning & Transport) |
| To take all appropriate action under statute to abate Environmental Nuisance including requiring culverting of watercourses, dealing with watercourses, ponds and sanitary appliances | Director for Places (Environment, Planning & Transport) |
| To carry out, in accordance with Statutory Powers available to this Authority, the maintenance of all registers, issuing and making representations with regard to all Licences or Consents and exercising associated control and day to day administration, inspection of premises including powers of entry (including obtaining warrants), service of notices and execution of works in default, compliance on behalf of owners or occupiers. | Director for Places (Environment, Planning & Transport) in consultation with the Director of Public Health as appropriate. |
| Provided always that any such matters which relate to infectious diseases and of food poisoning should be carried out in consultation with a medically qualified proper officer or which relate to meat hygiene for which the Council has appointed an official veterinary surgeon. | |
| To carry out all powers and duties of the Council contained in Statutes relating to matters delegated to the Director for Places (Environment, Planning and Transport) above. | Director for Places (Environment, Planning & Transport) |
| Day to day grounds management and maintenance | Director for Places (Environment, Planning & Transport) |
| To make observations and responses in relation to planning policy consultation documents and to make planning policy related submissions in circumstances where it is not practicable or appropriate to obtain formal Committee approval in advance. | Director for Places (Development and Economy) |
| To make minor wording and other amendments to planning policy documents in the course of their preparation to correct errors, to update their content and | Director for Places (Development and Economy) |

RUTLAND COUNTY COUNCIL DISTRICT COUNCIL CONSTITUTION

PART 8 – SCHEME OF DELEGATION

| DELEGATED FUNCTION | OFFICER |
|--|---|
| to ensure consistency. | |
| To administer the Building Act 1984 and Building regulations, make decisions on applications and exercise the Council's powers, duties and responsibilities thereunder, including the issuing of notices, execution of work and recovery of expenses and authorisation of approved inspections and to implement and administer the duties of the council in respect of the receipt of Approved Inspectors and public bodies notices and certificates. | Director for Places (Development & Economy) |
| Developer Contributions | |
| To agree variations from the total amount of developer contributions required by agreements made under section 106 TCPA 1990 or in accordance with Supplementary Planning Documents (SPD) up to and including £50,000, provided that any variation does not exceed 20% of the sum required or indicated (Note: with effect from the approval of this delegation by Council on 23 April 2013, the element of the 20% calculation that does not relate to affordable housing shall be measured on the basis of the Community Infrastructure Levy (CIL) proposal agreed by Cabinet on 19 March 2013 where that proposal would require a lower contribution than that required by the relevant SPD for a section 106 obligation) | Director for Places (Development & Economy) |
| To agree variations of payment of developer contributions of any amount where:- a. affordable housing payments from developments of one or two dwellings are deferred until completion or occupation (in accordance with Cabinet Decision No 831 of 2012/13), provided that the full affordable housing contribution still has to be paid by that time; or b. where development of a single new dwelling or annexe is within the curtilage of the existing family home and is to be occupied for up to seven years by a direct family member or carer with no transfer of ownership, with both properties remaining in direct family ownership (in accordance with Cabinet Decision No 831 of 2012/13); or c. the payment is capped to anticipated CIL levels pending the introduction of CIL (in accordance with Cabinet Decision No 830 of 2012/13) | Director for Places (Development & Economy) |

RUTLAND COUNTY COUNCIL DISTRICT COUNCIL CONSTITUTION

PART 8 – SCHEME OF DELEGATION

| DELEGATED FUNCTION | OFFICER |
|---|--|
| Highway Functions | |
| To administer, make decisions and exercise powers, duties and responsibilities, including the issue of notices, permits and licences, under the provisions of the Highways Act 1980 | Director for Places (Environment, Planning and Transport) |
| To execute works by contract, recover expenses where appropriate, and respond to winter maintenance requirements and other adverse weather conditions | Director for Places (Environment, Planning and Transport) |
| To arrange for the renewal of traffic signs, lining and road studs | Director for Places (Environment, Planning and Transport) |
| To undertake local traffic management | Director for Places (Environment, Planning and Transport) |
| To administer the provisions of the New Road and Streetworks Act 1991 | Director for Places (Environment, Planning and Transport) |
| To arrange safety audits of major new works and developers proposals | Director for Places (Environment, Planning and Transport) |
| To certify interim and final adoption certificates for highways built to standards specified by the Council and put forward for adoption | Director for Places (Environment, Planning and Transport) |
| To arrange testing of materials in highway works and check on compliance with specification | Director for Places (Environment, Planning and Transport) |
| To arrange condition surveys of the highway in order to assess maintenance needs | Director for Places (Environment, Planning and Transport) |
| To investigate claims made against the Council for alleged defects in the highway | Director for Places (Environment, Planning and Transport) |
| To consider and, if appropriate, agree licences to cultivate the highway verge | Director for Places (Environment, Planning and Transport) |
| To consider and decide applications for brown tourist and yellow advisory signs | Director for Places (Environment, Planning and Transport) |
| To implement the requirements of the Traffic Sign Regulations and General Directions Order 2002 | Director for Places (Environment, Planning and Transport) |
| To fulfil the Council's obligations under the various Road Traffic Acts | Director for Places (Environment, Planning and Transport) |

RUTLAND COUNTY COUNCIL DISTRICT COUNCIL CONSTITUTION

PART 8 – SCHEME OF DELEGATION

| DELEGATED FUNCTION | OFFICER |
|--|--|
| | and Transport) |
| To advise on the highway implications of proposals submitted as planning applications | Director for Places (Environment, Planning and Transport) |
| To advise on the highway implications of development and forward planning on a local regional and national basis | Director for Places (Environment, Planning and Transport) |
| To liaise with Network Rail and the train operating companies over the provision and improvement of rail services in Rutland | Director for Places (Environment, Planning and Transport) |
| To administer the sponsorship of planting within the highway | Director for Places (Environment, Planning and Transport) |
| To administer, make decisions and exercise powers, duties and responsibilities, and implement the provisions of the various Acts of Parliament relating to public rights of way issues, including legal enforcement, in consultation with the Head of Legal and Democratic Services; this to include the issuing of, and authorisation of, requisite notices and certificates as may be required by statute and associated regulations | Director for Places (Environment, Planning and Transport) |
| To make minor changes to Traffic Regulation Orders in consultation with the ward Member(s) | Director for Places (Environment, Planning and Transport) |
| To make amendments to approved highway schemes subject to consultation with the Portfolio Holder | Director for Places (Environment, Planning and Transport) |
| To substitute highway schemes in place of the approved programme where it is not possible to progress an approved scheme within the year, subject to there being no change in the approved budget and subject to consultation with the Portfolio Holder | Director for Places (Environment, Planning and Transport) |
| To undertake the duties of Traffic Manager in accordance with the Traffic Management Act 2004 | Director for Places (Environment, Planning and Transport) |

RUTLAND COUNTY COUNCIL DISTRICT COUNCIL CONSTITUTION

PART 8 – SCHEME OF DELEGATION

RESOURCES

| DELEGATED FUNCTION | OFFICER |
|--|--|
| To manage day to day internal audit services for the Council | LGSS, subject to any action required to be taken by the Section 151 Officer and Monitoring Officer, arising from their statutory responsibilities. |
| To manage, co-ordinate and review the Council's complaints procedure and handling of individual complaints under that procedure | Director for Resources or Director for People in respect of Adult Social care complaints |
| To receive, evaluate and process grant applications | Director for Resources and appropriate Chief Officer |
| To effect debt management | Director for Resources |
| To write off debits up to the level fixed by Financial Regulations | Assistant Director - Finance |
| To invest surplus funds | Director for Resources |
| To arrange the Council's borrowing | Director for Resources |
| To effect Loan Debt Management, including taking up and repayment of loans and approval of terms | Director for Resources |
| To implement rent reviews in accordance with Valuer's instructions | Director for Resources |
| To administer all matters relating to Council Tax and Rating administration including billing collection recovery administration of benefits representation at Court and Tribunals (in consultation with the Chief Executive where appropriate) determination of exemptions maintenance of the valuation list refunds and relief | Director for Resources |
| To undertake the necessary work to approve the National Non Domestic Rates (NNDR) 1 form as required by The Local Government Finance Act 2012. | Assistant Director – Finance in consultation with the Portfolio Holder for Finance |
| To agree the disposal of surplus assets at open market value in accordance with agreed procedures, where that value is not greater than £50,000 | Director for Places (Development and Economy) in conjunction with Director for Resources |
| To add small schemes (less than £50k) to the capital programme on the condition that all decisions are reported in the Quarterly Finance Report | Chief Executive in conjunction with relevant Portfolio Holder |

RUTLAND COUNTY COUNCIL DISTRICT COUNCIL CONSTITUTION

PART 8 – SCHEME OF DELEGATION

| DELEGATED FUNCTION | OFFICER |
|--|--|
| To deal with all matters connected with the leasing and management of the Council's industrial and office units and investment properties | Director for Places (Development & Economy) and Head of Legal Services |
| To collect revenues and disbursements from the collection fund and general fund. | Director for Resources |
| Day to day administration of IT Section and IT matters. | Director for Resources |
| To review staff resources and consequential action to be taken within budget to alter the organisation structure | Chief Executive with the Strategic Management Team and that reports of these decisions be periodically reported to the Cabinet |
| In order to create fairness and parity across the Authority, the awarding of re-gradings, the provision of additional or accelerated increments and honoraria for all staff (excluding staff employed in schools). | Chief Executive with the Strategic Management Team |
| The functions of the Council in relation to the naming of streets and numbering of houses | Director for Resources |

**RUTLAND COUNTY COUNCIL
PLANNING COMMITTEE MEETINGS
PUBLIC SPEAKING SCHEME**

The scheme gives the opportunity for a member of the public and other parties identified below to speak to the Council's elected Councillors when they are deciding a planning application.

TO WHICH MEETINGS DOES THIS SCHEME APPLY?

This scheme applies to all meetings of the Planning Committee and to meetings of Full Council when a planning application is considered. Planning Committee meetings are normally held every 4 weeks in the Council Chamber at the Council Offices, Catmose, Oakham, beginning at 7.00 pm.

WHO CAN SPEAK?

1. One member of the public who wishes to comment on or to speak for the recommendation;
2. One member of the public who wishes to comment on or to speak against the recommendation;
3. One Parish (or Town) Council or Parish Meeting representative;
4. All RCC Councillors for the ward where the development is situated ("ward member"). A ward member with a prejudicial interest in the matter may only attend for the purpose of public speaking and must leave the meeting as soon as they have spoken;
5. The applicant, his agent or representative.

No speaker (with the exception of ward members) may speak for more than 3 minutes and related applications are treated as one for these purposes. Speakers may be questioned at the meeting by Members of the Committee, but any public speaker may not question other speakers, Councillors or Officers. Speakers are not permitted to introduce any photograph, drawing or written material as part of their public speaking.

Public speaking on any matter is only allowed at one Planning Committee meeting. There will be no further public speaking at any second or subsequent meeting unless officers advise that there has been a significant change in planning circumstances since the first meeting.

Please note that there is a 30 minute time limit on public speaking at Planning Committee (including questions to speakers from Members of the Committee).

HOW CAN I FIND OUT WHEN A MATTER WILL BE CONSIDERED?

In addition to the publication of Agendas with written reports, the dates and times of the Planning Committee meetings are shown on the Council's [website](#). It should be noted that some applications may be withdrawn by the applicant at short notice and others may be deferred because of new information or for procedural reasons. This means that deferral takes place during the Planning Committee meeting and you will not be able to speak at that meeting, but will be able to do so at the meeting when the application is reconsidered by the Planning Committee.

DO I HAVE TO ATTEND THE PLANNING COMMITTEE MEETING TO MAKE THE COMMITTEE AWARE OF MY VIEWS?

No. If you have made written representations, their substance will be taken into account and the Committee report, which is available to all Councillors, will contain a summary of the representations received.

HOW DO I ARRANGE TO SPEAK AT THE MEETING?

You can:-

Telephone the Corporate Support (01572 01572 720991) during normal working hours on any weekday after the reports and agenda have been published,

OR

Send an email to Corporatesupport@rutland.gov.uk

OR

On the day of the Planning Committee meeting, you can arrive in the Council Chamber at least 15 minutes before the beginning of the meeting (meetings normally begin at 7.00pm) and speak to the Committee Clerk, who will ask those present if they wish to participate in public speaking.

If more than one person wants to speak who is eligible under a particular category (e.g. a member of the public within the description set out in numbered paragraph 1 and 2 above), the right to speak will be on a "first come, first served" basis.

WHAT WILL HAPPEN WHEN THE MATTER CONCERNED IS CONSIDERED?

- Planning Officer introduces the report;
- Public speaking takes place in the order set out above under the heading "Who Can Speak?"
- Members of the Committee can ask questions of any public speaker;
- Planning Officer will present the full report;
- Committee Members will debate the merits of the application and once a motion has been moved and seconded proceed to a vote.

Normally, the Committee then determines the matter, but sometimes the Councillors decide to defer determination, for instance to seek further information about a particular planning issue.

WHAT SHOULD I SAY AT THE MEETING?

Please be straightforward and concise and try to keep your comments to planning matters which are directly relevant to the application or matter concerned. Planning matters may include things such as planning policy, previous decisions of the Council on the same site or in similar circumstances, design, appearance, layout, effects on amenity, overlooking, loss of light, overshadowing, loss of privacy, noise or smell nuisance, impact on trees, listed buildings or highway safety.

The following are not relevant planning matters, namely the effect of the development on property values, loss of view, personality or motive of the applicant, covenants, private rights or easements and boundary or access disputes.

Please be courteous and do not make personal remarks. You may wish to come to the meeting with a written statement of exactly what you want to say or read out, having checked beforehand that it will not overrun the 3 minutes allowed.

WHO DO I CONTACT FOR MORE INFORMATION?

The Council's website will help you and you can also contact the relevant planning officer for the matter. The name of the Officer is on the acknowledgement of the application or in the correspondence we have sent you.

Rutland County Council,
Council Offices, Catmose, Oakham, Rutland LE15 6HP
Tel: 01572 758400
Email: planning@rutland.gov.uk Web: www.rutland.gov.uk

It always helps to save time if you can quote the planning application reference number.

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ANNUAL COUNCIL

8 May 2017

POLITICAL BALANCE AND ALLOCATION OF SEATS TO POLITICAL GROUPS

Report of the Director for Resources

| | | |
|--------------------------------|--|---------------------------------------|
| Strategic Aim: | All | |
| Exempt Information | No | |
| Cabinet Member(s) Responsible: | N/A | |
| Contact Officer(s): | Debbie Mogg, Director for Resources | 01572 758358 dmogg@rutland.gov.uk |
| | Natasha Brown, Acting Corporate Support Team Manager | 01572 720991 nbrown@rutland.gov.uk |
| Ward Councillors | Not Applicable | |

DECISION RECOMMENDATIONS

1. That Council approves the revised political balance calculation as per paragraph 2.3 of this report.
2. That Council approves the allocation of seats to Political Groups shown at paragraph 2.4 and notes the membership of each committee as set out in Appendix 1.
3. That Council appoints non-aligned members to the remaining seats on Committees and Scrutiny Panels as set out at paragraph 2.4

1 PURPOSE OF THE REPORT

- 1.1 To review the political balance of Committees and Panels in accordance with Section 15 of the Local Government and Housing Act 1989 and Regulations made thereunder, following the notification to the Chief Executive of a change of political groups within Rutland County Council.
- 1.2 To request the Council to:
 - a) Confirm the number of seats on scrutiny panels and committees; and
 - b) Approve the allocation of seats in accordance with the statutory requirements concerning political balance; and

2 POLITICAL BALANCE AND NUMBER OF SEATS ON SCRUTINY PANELS AND COMMITTEES

- 2.1 Section 15 of the Local Government and Housing Act 1989 (the Act) imposes a duty on the Council at its Annual meeting to review the allocation of seats on its committees between political groups.
- 2.2 The Councils' duty is to determine the allocation of seats to be filled by appointments by the authority, except the Cabinet. The purpose is to ensure that there is proportionality across all formal activities of the Council, representing the overall political composition. It affects all formally constituted panels, committees and sub-committees which discharge functions on behalf of the authority, and some external bodies if they are in the nature of joint committees and the Council appoints at least three members. The exception is the Health and Wellbeing Board which is not covered by the Act and so the political balance rules are not applied. Political balance is not compulsory for working parties, forums or joint partnerships.
- 2.3 The composition of the Council is shown in the following table. Using 51 as the total number of voting places across all Committees and Panels, the final column shows the total number of places each group is entitled to, using the calculated proportions.

| Group | No. of cllrs | | Number of seats | Rounded number of seats |
|-------------------|--------------|--------|-----------------|-------------------------|
| Conservatives | 18 | 69.23% | 35.31 | 35 |
| Independent Group | 4 | 15.39% | 7.85 | 8 |
| Liberal Democrats | 2 | 7.69% | 3.92 | 4 |
| Non-aligned | 2 | 7.69% | 3.92 | 4 |
| | 26 | 100% | 51 | 51 |

- 2.4 The allocations set out in the table below show the allocation of seats to political groups, as agreed between the political groups. This provides for the remaining seats to be allocated to the non-aligned Members.

| Committee or Panel | Conservative | Independent | Liberal Democrat | Non-aligned |
|--|--------------|-------------|------------------|-------------|
| Audit and Risk (7) | 5 | 1 | 1 | 0 |
| Conduct (6) | 4 | 1 | 0 | 1 |
| Planning and Licensing (10) | 7 | 2 | 0 | 1 |
| Employment and Appeals (7) | 5 | 1 | 0 | 1 |
| Adults and Health Scrutiny Panel (7) | 5 | 1 | 1 | 0 |
| Children and Young People Scrutiny Panel (7) | 4 | 1 | 1 | 1 |

| Committee or Panel | Conservative | Independent | Liberal Democrat | Non-aligned |
|---|---------------------|--------------------|-------------------------|--------------------|
| Infrastructure, Growth and Resources Scrutiny Panel (7) | 5 | 1 | 1 | 0 |
| TOTAL | 35 | 8 | 4 | 4 |

2.5 **Appendix A** shows the membership of each panel and committee, as informed by Group Leaders where the membership is known at the time of publication.

3 CONSULTATION

3.1 The information presented in the report has been compiled in consultation with the Group Leaders.

4 ALTERNATIVE OPTIONS

4.1 In line with the relevant legislation, the Council must review the Political Balance and allocation of seats at its Annual Council. Therefore there is no alternative option.

5 FINANCIAL IMPLICATIONS

5.1 There are no financial implications arising from this report.

6 LEGAL AND GOVERNANCE CONSIDERATIONS

6.1 The allocation of seats shall conform to the following principles (Local Government and Housing Act 1989 Part 1 Section 15(5)(a) – (d)) in the order shown:

- Not all the seats on a body are allocated to the same political group;
- A majority of the seats on a body are allocated to a group if it comprises a majority of the total membership of the authority;
- The number of seats on ordinary committees allocated to each group bears the same proportion to the total of all seats on ordinary committees as is borne by the number of members of that group to the total membership of the authority; and
- The number of seats on a body allocated to each group bears the same proportion to the number of seats on that body as is borne by the number of members of that group to the total membership of the authority.

6.2 Constitutionally, the Council is required to review the representation of Groups at its Annual Meeting each year and as soon as practicable after an event, which alters the political balance between the Groups and to determine the allocation of seats to be filled by appointments by the Council. This is in accordance with Sections 15 to 17 of the Local Government and Housing Act 1989 and Section 8 of the Local Government (Committees and Political Groups) Regulations 1990 (Requirement to Constitute Political Groups).

7 EQUALITY IMPACT ASSESSMENT

7.1 An Equality Impact Assessment (EqIA) has not been completed because there are no service, policy or organisational changes being proposed.

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 well-being implications arising from this report.

10 BACKGROUND PAPERS

10.1 None

11 APPENDICES

11.1 Appendix A: Council Structure.

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



Rutland County Council

Structure - May 2017/18

CHAIRMAN OF THE COUNCIL: To be appointed
VICE CHAIRMAN OF THE COUNCIL: To be appointed

LEADER OF THE COUNCIL: Mr T Mathias
DEPUTY LEADER OF THE COUNCIL: Mr O Hemsley

COUNCIL (All 26 Members)

CABINET

Mr T Mathias* (C)
 Mr O Hemsley** (C)
 Mr R Clifton (C)
 Mr R Foster (C)
 Mr A Walters (C)
 Mr D Wilby (C)

SCRUTINY COMMISSION

Chair of Adult & Health Scrutiny
 Chair of Children & Young People Scrutiny
 Chair of Infrastructure, Growth & Resources Scrutiny

INFRASTRUCTURE, GROWTH & RESOURCES SCRUTINY PANEL

Conservative
 Conservative
 Conservative
 Conservative
 Conservative
 Mr O Bird (I)
 Mr K Thomas (LD)

CHILDREN & YOUNG PEOPLE SCRUTINY PANEL

Conservative
 Conservative
 Conservative
 Conservative
 Mr B Callaghan (I)
 Mr K Thomas (LD)
 Other

ADULTS & HEALTH SCRUTINY

Conservative
 Conservative
 Conservative
 Conservative
 Conservative
 Mr C A Parsons (I)
 Miss G Waller (LD)

49

AUDIT & RISK COMMITTEE

Conservative
 Conservative
 Conservative
 Conservative
 Conservative
 Mr M Oxley (I)
 Miss G Waller (LD)

PLANNING & LICENSING COMMITTEE

Conservative
 Conservative
 Conservative
 Conservative
 Conservative
 Conservative
 Conservative
 Mr O Bird (I)
 Mr M Oxley (I)
 Other

EMPLOYMENT AND APPEALS COMMITTEE

Conservative
 Conservative
 Conservative
 Conservative
 Conservative
 Mr M Oxley (I)
 Other

CONDUCT COMMITTEE

Conservative
 Conservative
 Conservative
 Conservative
 Mr M Oxley (I)
 Other

HEALTH & WELLBEING COMMITTEE

Mr R Clifton (C)*
 Portfolio Holder
 To be appointed

* Chairman
 ** Vice Chairman

(C) - Conservative
 (I) – The Independent Group
 (LD) – Liberal Democrat
 (O) – Other , non-aligned
 (V) – Vacant Councillor

Independent Members (Co-Opted, non-voting)

Mr G Grimes
 Mr I Shatford
Parish/Town Council Members
 Mr S Aley
 Mr A Lowe

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ANNUAL COUNCIL

8 May 2017

PROGRAMME OF MEETINGS 2017/18

Report of the Director for Resources

| | | |
|--------------------------------|--|---------------------------------------|
| Strategic Aim: | All | |
| Exempt Information | No | |
| Cabinet Member(s) Responsible: | Mr T Mathias, Leader, Portfolio Holder for Finance and Places (Highways, Transport and Market Towns) | |
| Contact Officer(s): | Debbie Mogg, Director for Resources | 01572 758358 dmogg@rutland.gov.uk |
| | Natasha Brown, Corporate Support Coordinator | 01572 720991 nbrown@rutland.gov.uk |
| Ward Councillors | N/A | |

DECISION RECOMMENDATIONS

1. That Council approves the programme of meetings for 2017/18 attached at Appendix A.

1 PURPOSE OF THE REPORT

1.1 The Council at its Annual Council Meeting agrees the date and time of ordinary meetings of Council (and its Committees) for the coming Municipal Year. This report presents the programme of meetings and the principles that have been applied in compiling it.

2 BACKGROUND AND MAIN CONSIDERATIONS

2.1 The Schedule of meeting dates is underpinned by a series of principles which are applied to ensure adherence to the Constitution and other Financial and Legislative requirements as well as affording some consistency from year to year. These principles are attached at Appendix B.

2.1.1 These principles have been developed over a number of years, but the main changes for 2017/18 are:

- Cabinet will now receive three financial monitoring reports during the year. Full reports will be produced for Quarter 2 in November and Quarter 4 in June (this report will look back at Quarter 4, but will also provide a summary of emerging issues looking towards Quarter 1). As extensive work will just have been undertaken to develop and set the budget, a lighter touch, summary report will be presented to Cabinet for Quarter 3 in February. The

impact on the programme of meetings is that 3 of the 6 annual meetings have been scheduled to allow each panel to consider these reports as soon after the quarter end as possible. The Infrastructure, Growth and Resources Panel will consider the reports in advance of the Cabinet meeting.

- Proposed changes to the Council Structure as detailed in Council Report No. 203/2017 have been reflected in the programme.

3 CONSULTATION

- 3.1 Group Leaders and Scrutiny Commission have been consulted on the principles for the programme of meetings and were supportive of the proposals.

4 ALTERNATIVE OPTIONS

- 4.1 It is a legislative requirement to publish a notice of ordinary meetings of the Council and its Committees.

5 FINANCIAL IMPLICATIONS

- 5.1 There are no financial implications.

6 LEGAL AND GOVERNANCE CONSIDERATIONS

- 6.1 As required by Schedule 12 of the Local Government Act 1972, a notice is published on the notice board at the Council Offices informing the public of the meetings of the Council and its Committees. If changes are made to the public notice by the Proper Officer, the notice will be updated and information fully publicised on the Council's website.

7 EQUALITY IMPACT ASSESSMENT

- 7.1 An Equality Impact Assessment (EqIA) has not been completed because there are no service, policy or organisational changes being proposed.

8 COMMUNITY SAFETY IMPLICATIONS

- 8.1 There are no community safety implications.

9 HEALTH AND WELLBEING IMPLICATIONS

- 9.1 There are no health and wellbeing implications.

10 CONCLUSION AND SUMMARY OF REASONS FOR THE RECOMMENDATIONS

- 10.1 To ensure that a schedule of the ordinary meetings of the Council and its Committees can be published in line with legislative requirements.

11 BACKGROUND PAPERS

- 11.1 There are no additional background papers.

12 APPENDICES

12.1 Appendix A – Programme of Meetings 2017/18

12.2 Appendix B – Principles for the Programme of Meetings 2017/18

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

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PROGRAMME OF MEETINGS – 2017/18 (NMB – V.7)

For Meeting Start Times, please see overleaf.....

| MAY | JUNE | JULY | AUGUST | SEPTEMBER | OCTOBER | NOVEMBER | DECEMBER | JANUARY | FEBRUARY | MARCH | APRIL | MAY |
|--|---|--|--|---|-------------------------------------|--|---|---|--|--------------------------------------|--|------------------------------------|
| | | 1 | | | | | | | | | | |
| | | 2 | | | | | | | | | | |
| 1 BANK HOLIDAY | | 3 | | | 1 Parish Council Forum | | | 1 BANK HOLIDAY | | | 2 EASTER MONDAY | |
| 2 | | 4 Planning and Licensing Committee | 1 Planning and Licensing Committee | | 3 SACRE | | | 2 | | | 3 SACRE | 1 |
| 3 | | 5 | 2 | | 4 | 1 | | 3 Terms Starts | | | 4 | 2 |
| 4 People (Children) Scrutiny Panel | 1 | 6 | 3 | | 5l | 2 | | 4 | 1 | 1 Adults and Health Scrutiny Panel | 5 | 3 |
| 5 | 2 | 7 | 4 | 1 | 6 | 3 | 1 | 5 | 2 | 2 | 6 | 4 |
| 6 | 3 | 8 | 5 | 2 | 7 | 4 | 2 | 6 | 3 | 3 | 7 | 5 |
| 7 | 4 | 9 | 6 | 3 | 8 | 5 | 3 | 7 | 4 | 4 | 8 | 6 |
| 8 ANNUAL COUNCIL | 5 Term Starts | 10 COUNCIL | 7 | 4 | 9 COUNCIL | 6 | 4 | 8 | 5 | 5 | 9 COUNCIL | 7 BANK HOLIDAY |
| 9 | 6 Corporate Parenting Board Planning and Licensing Committee | 11 | 8 | 5 Corporate Parenting Board Conduct Committee | 10 | 7 | 5 Rutland Health and Wellbeing Board | 9 SACRE | 6 Employment and Appeals Committee | 6 Rutland Health and Wellbeing Board | 10 Corporate Parenting Board Planning and Licensing Committee | 8 Planning and Licensing Committee |
| 10 55 | 7 | 12 | 9 | 6 | 11 | 8 | 6 | 10 | 7 | 7 | 11 | 9 |
| 11 | 8 | 13 Adults and Health Scrutiny Panel | 10 | 7 Children and Young People Scrutiny Panel | 12 | 9 | 7 | 11 | 8 | 8 | 12 Growth, Infrastructure and Resources Scrutiny Panel | 10 |
| 12 | 9 | 14 | 11 | 8 | 13 Term Ends | 10 | 8 | 12 | 9 Term Ends | 9 | 13 | 11 |
| 13 | 10 | 15 | 12 | 9 | 14 | 11 | 9 | 13 | 10 | 10 | 14 | 12 |
| 14 | 11 | 16 | 13 | 10 | 15 | 12 | 10 | 14 | 11 | 11 | 15 | 13 |
| 15 | 12 COUNCIL | 17 Parish Council Forum | 14 | 11 COUNCIL | 16 | 13 COUNCIL | 11 | 15 COUNCIL | 12 | 12 COUNCIL | 16 Term Starts Parish Council Forum | 14 ANNUAL COUNCIL |
| 16 CABINET Planning and Licensing Committee | 13 Rutland Health and Wellbeing Board | 18 CABINET Employment and Appeals Committee | 15 CABINET | 12 | 17 CABINET | 14 | 12 | 16 CABINET (Draft Budget) Planning and Licensing Committee | 13 Planning and Licensing Committee | 13 Planning and Licensing Committee | 17 CABINET | 15 |
| 17 | 14 | 19 | 16 Parish Council Working Group | 13 | 18 | 15 | 13 Parish Council Working Group | 17 | 14 | 14 | 18 | 16 |
| 18 | 15 Growth, Infrastructure and Resources Scrutiny Panel | 20 | 17 | 14 Adults and Health Scrutiny Panel | 19 | 16 Growth, Infrastructure and Resources Scrutiny Panel | 14 | 18 | 15 Growth, Infrastructure and Resources Scrutiny Panel | 15 | 19 Children and Young People Scrutiny Panel | 17 |
| 19 | 16 | 21 Term Ends | 18 | 15 | 20 | 17 | 15 | 19 | 16 | 16 | 20 | 18 |
| 20 | 17 | 22 | 19 | 16 | 21 | 18 | 16 | 20 | 17 | 17 | 21 | 19 |
| 21 | 18 | 23 | 20 | 17 | 22 | 19 | 17 | 21 | 18 | 18 | 22 | 20 |
| 22 | 19 | 24 | 21 | 18 | 23 | 20 | 18 | 22 | 19 Term Starts | 19 | 23 | 21 |
| 23 | 20 CABINET (Q4) | 25 | 22 | 19 CABINET Audit and Risk Committee (Statement of Accounts) | 24 Planning and Licensing Committee | 21 CABINET (Q2) Planning and Licensing Committee | 19 Term Ends CABINET Planning and Licensing Committee | 23 Corporate Parenting Board | 20 CABINET (BUDGET & Q3) | 20 CABINET | 24 Audit and Risk Committee | 22 CABINET |
| 24 | 21 | 26 | 23 | 20 | 25 | 22 | 20 | 24 Scrutiny Panel Budget Meeting | 21 | 21 | 25 | 23 |
| 25 | 22 Children and Young People Scrutiny Panel | 27 | 24 | 21 | 26 | 23 Children and Young People Scrutiny Panel | 21 | 25 Scrutiny Panel Budget Meeting | 22 Children and Young People Scrutiny Panel | 22 | 26 Adults and Health Scrutiny Panel | 24 |
| 26 Term Ends | 23 | 28 | 25 | 22 | 27 | 24 | 22 | 26 | 23 | 23 | 27 | 25 Term Ends |
| 27 | 24 | 29 | 26 | 23 | 28 | 25 | 23 | 27 | 24 | 24 | 28 | 26 |
| 28 | 25 | 30 | 27 | 24 | 29 | 26 | 24 | 28 | 25 | 25 | 29 | 27 |
| 29 BANK HOLIDAY | 26 | 31 | 28 BANK HOLIDAY | 25 | 30 Terms Starts | 27 | 25 BANK HOLIDAY | 29 Parish Council Forum | 26 SPECIAL COUNCIL (COUNCIL TAX) | 26 | 30 | 28 BANK HOLIDAY |
| 30 | 27 SACRE Audit and Risk Committee | | 29 Planning and Licensing Committee | 26 Rutland Health and Wellbeing Board Planning and Licensing Committee | 31 | 28 | 26 BANK HOLIDAY | 30 Audit and Risk Committee | 27 | 27 Conduct Committee | | 29 |
| 31 Parish Council Working Group | 28 | | 30 | 27 | | 29 | 27 | 31 | 28 Parish Council Working Group | 28 | | 30 |
| | 29 | | 31 Terms Starts Growth, Infrastructure and Resources Scrutiny Panel | 28 | | 30 Adults and Health Scrutiny Panel | 28 | | | 29 Term Ends | | 31 |
| | 30 | | | 29 | | | 29 | | | 30 GOOD FRIDAY | | |
| | | | | 30 | | | 30 | | | | | |
| | | | | | | | 31 | | | | | |

MEETING START TIMES:

(Open to the public)

| | |
|------------------------------------|--------|
| COUNCIL | 7.00pm |
| CABINET | 9.30am |
| SCRUTINY PANELS | 7.00pm |
| AUDIT AND RISK COMMITTEE | 7.00pm |
| CONDUCT COMMITTEE | 7.00pm |
| PLANNING AND LICENSING COMMITTEE | 7.00pm |
| EMPLOYMENT AND APPEALS COMMITTEE | 7.00pm |
| LICENSING ACT COMMITTEE | 7.00pm |
| PARISH COUNCIL FORUM | 7.00pm |
| RUTLAND HEALTH AND WELLBEING BOARD | 2.00pm |
| SACRE | 4.30pm |

MEETING START TIMES:

(Not open to the public)

| | |
|---|--------|
| Corporate Parenting Board | 2.00pm |
| Parish Council Working Group | 5.30pm |
| Parish Council Forum (parish representatives only) | 7.00pm |

Principles for Programme of Meetings 2017/18

Council

- 2nd Monday of month
- June/July/Sept/Oct/Nov/Jan/March/April/May(Annual Council)
- Special Council Tax Meeting – Monday 26th Feb 2018 (**week later than normal to fit with budget setting timetable**)
- **January Council Monday 15th January to avoid Christmas publication dates**

Cabinet

- Monthly – 3rd Tuesday of Month
- **Q2 – November (full report as per this year), Q3 – February (summary report), Q4 – June (full report looking backwards at previous year and an update re budget and emerging issues for current year)**
- Draft Budget Tuesday 16th Jan to facilitate
- Final budget to February Cabinet (20th)

Scrutiny Panels

- 5 rounds of ordinary meetings – each Panel taking place over a consecutive 3 week period
- Thursday Evening
- Budget Meetings (Ordinary Meetings) – January (propose w/c 22 Jan)
- Growth, Infrastructure and Resources Scrutiny Panel to take Q2, Q3 & Q4/Q1 before Cabinet.

Audit and Risk

- Quarterly
- April/June /September(Statement of Accounts)/January

Planning and Licensing Committee

- Every Four Weeks (Tuesdays)
- **May Meeting pushed forward one week to allow time after Annual Council**

Corporate Parenting Board

- Quarterly
- June/September/January/April

Employment and Appeals

- 6 Monthly

Conduct

- 6 Monthly

Health and Well-Being Board

- Quarterly

SACRE

- Quarterly (Tuesdays - 4 per year)
- **Avoid 4th Tuesday of the month**

Other Meetings to be considered

- Parish Council Working Group (Minimum 6 weeks before the Forum – 4 per year, Wednesdays)
- Parish Council Forum (Mondays - 4 per year)

Other Factors

- Every attempt will be made to avoid Rutland School Holidays

ANNUAL COUNCIL

8 May 2017

APPOINTMENTS TO OUTSIDE ORGANISATIONS, WORKING GROUP AND FORA

Report of the Director for Resources

| | | |
|--------------------------------|--|---------------------------------------|
| Strategic Aim: | All | |
| Exempt Information | No | |
| Cabinet Member(s) Responsible: | N/A | |
| Contact Officer(s): | Debbie Mogg, Monitoring Officer | 01572 758358 dmogg@rutland.gov.uk |
| | Natasha Brown, Corporate Support Coordinator | 01572 720991 nbrown@rutland.gov.uk |
| Ward Councillors | N/A | |

DECISION RECOMMENDATIONS

That Council:

1. Approves the appointments to Outside Bodies, Working Groups and Fora detailed in Appendix A.
2. Notes the appointments to Outside Organisation, Working Groups and Fora automatically designated by role/ward member in Appendix B.
3. Notes the appointments that are no longer required, as set out in Appendix B.
4. Approves the Terms of Reference for the Constitution Review Working Group set out at Appendix C.

1 PURPOSE OF THE REPORT

- 1.1 The Council is represented on a number of outside bodies as set out in Appendices A and B. Some of these appointments must be appointed to by Full Council (Appendix A) whilst others are allocated according to a Member's role or Ward (Appendix B).

2 BACKGROUND AND MAIN CONSIDERATIONS

- 2.1 The appointments listed in Appendix A are for Council approval.

- 2.2 The appointments listed in Appendix B are for information only as they are automatically designated according to role, relevant portfolio, or Ward.
- 2.3 A review of the appointments to Outside Organisations, Working Group and Fora commenced in 2017. As a result of this review several Outside Organisations have been identified as no longer requiring appointment of an RCC Elected Member. These will now be deleted, the reasons for deletion have been provided in Appendix B.
- 2.4 Terms of Reference have been developed for the Constitution Review Working Group (**Appendix C**). The membership of this working group will be increased from 6 to 7 and appointments made to reflect cross party representation. This was considered by the current members of the working group in April and they were in support of the changes.
- 2.5 The Leicestershire, Leicester and Rutland Joint Health Scrutiny Panel has now been added to the list of Outside Organisations to be appointed by Council.
- 2.6 The Equality and Diversity Group has now been added to the list of Working groups and Fora to be appointed by Council.

3 CONSULTATION

- 3.1 Group Leaders have been consulted.

4 FINANCIAL IMPLICATIONS

- 4.1 There are no financial implications.

5 LEGAL AND GOVERNANCE CONSIDERATIONS

- 5.1 There are no legal and governance considerations.

6 EQUALITY IMPACT ASSESSMENT

- 6.1 An Equality Impact Assessment (EqIA) has not been completed because there are no service, policy or organisational changes being proposed.

7 COMMUNITY SAFETY IMPLICATIONS

- 7.1 There are no community safety implications.

8 HEALTH AND WELLBEING IMPLICATIONS

- 8.1 There are no health and wellbeing implications.

9 CONCLUSION AND SUMMARY OF REASONS FOR THE RECOMMENDATIONS

- 9.1 To allocate members to Outside Organisations, Working Group and Fora for the Municipal Year 2017/18.

10 BACKGROUND PAPERS

- 10.1 There are no additional background papers.

11 APPENDICES

- 11.1 Appendix A – List of Outside Organisations, Working Group and Fora.
- 11.2 Appendix B - List of Outside Organisations, Working Group and Fora designated by role/Ward for noting.
- 11.3 Appendix C – Revised Terms of Reference for the Constitution Review Working Group.

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

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MEMBER APPOINTMENTS TO OUTSIDE ORGANISATIONS AND WORKING GROUPS AND FOR A

APPOINTMENTS TO OUTSIDE BODIES MADE BY COUNCIL

| OUTSIDE ORGANISATION | Frequency of Meetings | ALTERNATE MEMBER(S) ALLOWED | Proposed Member(s) for 2017/18 |
|---|--|--|------------------------------------|
| ACTIVE RUTLAND (was Local Sports Alliance) | Bi-monthly 5pm – 6pm | Yes | |
| ANGLIAN (NORTHERN) REGIONAL FLOOD AND COASTAL COMMITTEE 63 | Quarterly (Jan, 28 April, 14 July, 20 Oct) with sub-cttee when needed Daytime at Peterborough | Yes Must be of a similar level i.e. Councillor or Officer | |
| CHARITY OF CARLTON HAYES HOSPITAL | Quarterly during working hours | No. If the appointed member cannot attend it would require a re-appointment of a new member rather than a substitute. | Mr R Foster (Appointed until 2019) |
| COMBINED FIRE AUTHORITY | Annual General Meeting in June. Quarterly at Leicester during working hours | Council can replace the appointed member at their discretion. | |
| EAST MIDLANDS RESERVE FORCES AND CADETS ASSOCIATION (Leics and Rutland Committee) | Bi-annually 6pm - 9pm at Leicester and Loughborough | Yes | |

**REPORT NO. 107/2017
APPENDIX A**

| OUTSIDE ORGANISATION | Frequency of Meetings | ALTERNATE MEMBER(S) ALLOWED | Proposed Member(s) for 2017/18 |
|---|---|-----------------------------|--|
| EMMA MOLESWORTH CHARITY ADVISORY COMMITTEE | Bi-annually April and September during working hours at Catmose | | |
| FAIRTRADE STEERING GROUP | Annual General Meeting 26 April 2017. Evenings Every 6-8 weeks at Oakham Methodist Church | Yes | |
| JOINT HEALTH SCRUTINY PANEL | Ad hoc Daytime | N/a | Chair of Adult Scrutiny One other member |
| LEICESTERSHIRE AND RUTLAND PLAYING FIELD ASSOCIATION EXECUTIVE COMMITTEE (Part of the Rural Community Council Leics and Rutland) | Up to 4 meetings per year Daytime in Leicester | Yes | |
| LOCAL ENTERPRISE PARTNERSHIP | Unknown | Unknown | Leader / Deputy Leader |
| RURAL COMMUNITY COUNCIL (LEICESTERSHIRE AND RUTLAND) | Up to 6 meetings per year Daytime Leicester | No | |
| RUTLAND ACCESS GROUP | Wednesday mornings | N/a | Two appointments required |
| RUTLAND CITIZENS ADVICE | 3 times per year Late afternoon (4.30pm) | Yes | 1 Appointment (Observer only – no voting rightd) |
| RUTLAND WATER PARTNERSHIP | Quarterly Daytime | N/a | 3 Appointments |

| OUTSIDE ORGANISATION | Frequency of Meetings | ALTERNATE MEMBER(S) ALLOWED | Proposed Member(s) for 2017/18 |
|--|---|-----------------------------|--|
| SOUTH Lincs AND RUTLAND LOCAL ACCESS FORUM | Quarterly 2 meetings each pm and evening Various locations throughout southern Lincolnshire | No | 1 Appointment |
| STANDING ADVISORY COMMITTEE ON RELIGIOUS EDUCATION (SACRE) | Quarterly 4.30pm – 6.30pm | Yes | 2 Appointments |
| TRUSTEES OF CORY ENVIRONMENTAL TRUST | Now ad hoc (Will cease by the end of 17/18) | N/a | 1 Appointment |
| TRUSTEES OF VICTORIA HALL | Quarterly 5.30pm – 7.00pm | Yes | 2 Appointments |
| UPPINGHAM TOWN PARTNERSHIP | Quarterly Evenings | Unknown | 2 Appointments (Leader on request only) |

APPOINTMENTS TO WORKING GROUPS AND FOR A TO BE MADE BY COUNCIL

| WORKING GROUP / FORA | FREQUENCY OF MEETINGS | DESIGNATED MEMBERS 2016/17 | ALTERNATE MEMBERS if applicable | Proposed Members 2017/18 |
|-----------------------------------|-----------------------|--|---------------------------------|--|
| CONSTITUTION REVIEW WORKING GROUP | Quarterly Daytime | 6 (politically balance) 4 (Cons) 2 (elsewhere) | N/a | Cross Party 4 (Cons) 1 (Lib Dem) 1 (Ind) 1 (Other) |
| EQUALITY AND DIVERSITY GROUP | Quarterly Daytime | N/a | N/a | 1 Appointment |

| | | | | |
|------------------------------|-------------------|------------------------------|-----|----------------|
| JOINT SAFETY COMMITTEE | Quarterly | Mr M A Oxley Mr A Stewart | N/a | 2 Appointments |
| PARISH COUNCIL WORKING GROUP | Quarterly Evening | 2 | N/a | 2 Appointments |

APPOINTMENTS TO OUTSIDE ORGANISATIONS DESIGNATED BY ROLE/WARDMEMBER

| OUTSIDE ORGANISATION | Frequency of Meetings (To be added) | ALTERNATE MEMBER(S) ALLOWED | Proposed Members 2017/18 |
|--|---|-----------------------------|--|
| COURT OF LEICESTER UNIVERSITY | Annual sitting of court February (11am 2.30pm) | No | Chairman (Or Nominated Representative) |
| EAST MIDLANDS COUNCILS | Bi-annual Daytime at Nottinghamshire County Council | Yes | Leader |
| 67 FRIENDS OF RUTLAND COUNTY MUSEUM | Quarterly 5.3pm to 7.00pm Catmose or Museum | Yes – Cabinet Member | Relevant Portfolio Holder – Mr A Walters |
| KETTON LIAISON COMMITTEE | Quarterly | Unknown | Mrs D MacDuff Mr G Conde (Ward Members) |
| LEICESTERSHIRE AND RUTLAND HERITAGE FORUM | Unknown | Unknown | Relevant Portfolio Holder – Mr A Walters |
| LEICESTERSHIRE AND RUTLAND SAFEGUARDING CHILDREN BOARD | Quarterly Daytime County Hall Glenfield | Yes | Relevant Portfolio Holder – Mr R Foster Alternate - Mr R Clifton |
| LEICESTERSHIRE AND RUTLAND SAFEGUARDING ADULTS BOARD | Quarterly Daytime County Hall Glenfield | Yes | Relevant Portfolio Holder – Mr R Clifton Alternate – Mr R Foster |

**REPORT NO. 107/2017
APPENDIX B**

| OUTSIDE ORGANISATION | Frequency of Meetings (To be added) | ALTERNATE MEMBER(S) ALLOWED | Proposed Members 2017/18 |
|---|---|--|---|
| LOCAL ENTERPRISE PARTNERSHIP – TRANSPORT BOARD | Quarterly Daytime Alconbury, Cambs | Yes | Relevant Portfolio Member – Mr T Mathias |
| LOCAL GOVERNMENT ASSOCIATION (MOST SPARSLEY POPULATED COUNCILS GROUP) | 3-4 per year Daytime London | Yes | Leader – Mr T Mathias (Alternate – Mr M E Baines) |
| LOCAL GOVERNMENT ASSOCIATION – NATIONAL (and General Assembly) | Annual | No | Leader – Mr T Mathias Deputy Leader – Mr O Hemsley |
| PATROL (NATIONAL PARKING ADJUDICATION SERVICE JOINT COMMITTEE) | Unknown | Unknown | Relevant Portfolio Holder |
| PUBLIC PROTECTION SHARED SERVICE GOVERNANCE BOARD | Every 6 months Catmose or Peterborough alternately | Substitute not allowed at short notice, prior notification required for a change of representative | Relevant Portfolio Holder |
| RUTLAND ADOPTION PANEL | Monthly Daytime | Unknown | Relevant Portfolio Holder – Mr R Foster |
| RUTLAND TOURISM | Quarterly Daytime | Not necessary | Relevant Portfolio Holder – Mr A Walters |

| OUTSIDE ORGANISATION | Frequency of Meetings (To be added) | ALTERNATE MEMBER(S) ALLOWED | Proposed Members 2017/18 |
|------------------------|--|-----------------------------|--|
| POLICE AND CRIME PANEL | 6 per year Daytime Either Glenfield or Leicester on rota basis | Yes | Relevant Portfolio Holder – Mr A Walters Alternate: Leader – Mr T Mathias |

APPOINTMENTS TO WORKING GROUPS AND FORA DESIGNATED BY ROLE/WARD MEMBER

| WORKING GROUP / FORA | FREQUENCY OF MEETINGS | DESIGNATED MEMBERS 2016/17 | ALTERNATE MEMBERS if applicable | Proposed Members 2017/18 |
|-------------------------------------|--|---|---------------------------------|--|
| CATMOSE CAMPUS BOARD | Half yearly Daytime | Relevant Portfolio Holder | N/a | Relevant Portfolio Holder – Mr O Hemsley |
| CATMOSE CAMPUS SPORTS PROJECT BOARD | Half yearly Daytime | Relevant Portfolio Holder | N/a | Relevant Portfolio Holder – Mr O Hemsley |
| CORPORATE PARENTING BOARD | Quarterly in practice 2 required by Terms of Reference Daytime | Portfolio Holder for Children Champion for Looked After Children | N/a | Portfolio Holder for Children – Mr R Foster Champion for Looked After Children – Mr D Wilby |
| PARISH COUNCIL FORUM | Quarterly Evening | All Members | N/a | All Members |

| WORKING GROUP / FORA | FREQUENCY OF MEETINGS | DESIGNATED MEMBERS 2016/17 | ALTERNATE MEMBERS if applicable | Proposed Members 2017/18 |
|----------------------|------------------------------------|----------------------------|-------------------------------------|---|
| SCHOOLS FORUM | No less than 4 per year Daytime | Relevant Portfolio Holder | Chairman of Relevant Scrutiny Panel | Relevant Portfolio Holder – Mr D Wilby Chairman of Relevant Scrutiny Panel |

APPOINTMENTS TO LOCAL STRATEGIC GROUPS FOR INFORMATION (Designated by Relevant Portfolio)

| GROUP | FREQUENCY OF MEETINGS | MEMBER(S) APPOINTED 2017/18 |
|--|-----------------------|-------------------------------|
| Local Strategic Partnership | 3 per year | Cllr Tony Mathias |
| Children's Trust Board | Quarterly | Cllr Richard Foster |
| LSP Culture & Leisure | Quarterly | Cllr Alan Walters |
| LSP Sustainable Growth (Environment) Theme Group | Quarterly | Cllr Alan Walters |
| Infrastructure Group | Quarterly | Cllr Oliver Hemsley |
| Safer Rutland Partnership | Quarterly | Cllr A Walters/Cllr T Mathias |

DELETED APPOINTMENTS FOLLOWING MAY 2017 REVIEW FOR ANNUAL COUNCIL

| OUTSIDE ORGANISATION (Deleted) | Frequency of Meetings | MEMBER(S) APPOINTED 2016/17 | REASON APPOINTMENT NO LONGER REQUIRED |
|-----------------------------------|-----------------------|---|---|
| EAST MIDLANDS RURAL NETWORK | N/A | Mr J M Lammie | East Midlands Councils have confirmed that the network no longer functions so no requirement for appointed members. |
| MELTON AND RUTLAND HOME START | N/a | Mr A Walters | Spoke to Elaine who administers, confirmed that when RCC provided funding a representative was required. As no longer funding this she agreed the appointment was no longer necessary. They will contact us should this change. |
| NORTH LUFFENHAM COMMUNITY CENTRE | N/a | Mr K A Bool | Cllr Bool and Cllr Waller advise that no longer meets. |
| OAKHAM TOWN PARTNERSHIP | | Relevant Portfolio Holder Mr T Mathias Mr O Bird Mr A Mann | Constitution amended to remove this requirement for 2017/18. |

| | | | |
|--|--|---|--|
| EAST MIDLANDS MUSEUM SERVICE | Quarterly Daytime Around East Midlands with Nottingham bias | Relevant Portfolio Holder – Mr O Hemsley | Recent policy change, Local Authorities no longer required to attend |
| ROCKINGHAM SPEEDWAY FORUM | None | Mr J M Lammie | There will be no further formal meetings of this group, any issues would now be dealt with via email unless an extraordinary meeting required. |
| 7 S106 CAPITAL ALLOCATIONS FOR SPORT, RECREATION, COMMUNITY AND LEISURE – GRANT PANEL | Ad hoc Evenings | 5 (politically balanced) 3 (Cons) 2 (Elsewhere) | No longer required. |
| STAMFORD HOSPITAL DEVELOPMENT ADVISORY COUNCIL | Unknown | Unknown | No recent meetings held and no contact found. |
| UPPINGHAM FIRST | Unknown | Unknown | |

| | | | |
|--------------------------------|--|---|--|
| VOLUNTARY ACTION RUTLAND (VAR) | | Relevant Portfolio Holder – Mr R Clifton | Current VAR management structure does not, currently, require representatives from external agencies to attend board meetings. |
| 73 WELLAND JOINT COMMITTEE | | Leader – Mr T Mathias Deputy Leader – Mr O Hemsley | Not required from 1 April 2017 |
| WELLAND PARTNERSHIP BOARD | | Leader – Mr T Mathias Deputy Leader – Mr O Hemsley | Not required from 1 April 2017 |

| WORKING GROUP / FORA (Deleted) | FREQUENCY OF MEETINGS | MEMBER(S) APPOINTED 2016/17 | REASON APPOINTMENT NO LONGER REQUIRED |
|---|-----------------------------------|---|--|
| LOCAL PLAN WORKING GROUP | Ad hoc | Relevant Portfolio Holder – Mr T Mathias Interested Members – Mr O Bird Mr R J Gale Mr O Hemsley Mrs D Macduff Mr A Stewart | Engagement has taken place with all members therefore no need for sub / working group |
| OAKHAM CEMETERY JOINT MANAGEMENT COMMITTEE | Annual / Ad hoc | Mr J Dale Mr A Walters | Mark Loran and Dave Brown preparing report on future of this |
| TEACHERS SUB GROUP | Not Less than 4 times per year | Relevant Portfolio Holder – Mr D Wilby | Sub-Group of Local Joint Council (LJC) – Confirmed by C Snell that no members attend the LJC |

CONSTITUTION REVIEW WORKING GROUP (CRWG)

Draft Terms of Reference

1) Purpose

The Constitution Review Working Group has been established to provide a mechanism by which Council can carry out focused cross-party reviews of the Constitution, of both a general and specific nature to ensure the constitution remains fit for purpose.

It will undertake this role by:

- a) Undertaking health checks of the Constitution to ensure that the detail of the text remains fit for purpose and put forward appropriate changes;
- b) Reviewing areas in the Constitution to ensure that it is kept in line with current legislation and local decisions made by the Council;
- c) Reviewing proposals regarding changes to the constitution proposed by the Monitoring Officer;
- d) Receiving requests to review certain areas of the Constitution;
- e) Considering changes proposed by Council, Committees and Officers;
- f) Reviewing arrangements, reports and recommendations arising from Boundary and Community Governance reviews; and

Any proposed changes to the constitution arising from the above will be recommended to Council for approval.

Note however that any recommendations which impact upon the Council's executive arrangements need the approval of the Leader of the Council and the Leader is able to amend executive arrangements without the need for prior consultation with CRWG or Full Council.

2) Powers Delegated to the Monitoring Officer

The Monitoring Officer is authorised to make consequential changes and minor amendments to the Constitution under Article 16 of the RCC Constitution.

3) Membership

The Constitution Review Working Group shall comprise of seven Members with cross party representation as follows; 4 x Conservative Members, 1 x Independent Party Member, 1 x Liberal Democrat Member, 1 x Non-aligned Member.

4) Appointment to the Constitution Review Working Group

Members will be appointed to the Constitution Review Working Group at the Annual Council Meeting.

5) Chairman

The Chairman of the Constitution Review Working Group will be appointed at the first meeting of the Municipal Year.

6) Frequency of Meetings

The Constitution Review Working Group will meet as and when required.

All meetings will be held in private and dates and times of meetings will be agreed by the Working Group.

7) Minutes of Constitution Review Working Group Meetings

The Working Group shall agree the minutes at the next suitable meeting.