



# **Rutland County Council**

Catmose Oakham Rutland LE15 6HP.

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Minutes of the **TWO HUNDRED AND SIXTY FIFTH MEETING of the COUNCIL** held in the Council Chamber, Catmose, Oakham, Rutland, LE15 6HP on Monday, 11th September, 2017 at 7.00 pm

## **PRESENT:**

Mr I Arnold	Mr E Baines
Mr N Begy	Mr O Bird
Mr K Bool	Mr G Brown
Miss R Burkitt	Mr B Callaghan
Mr G Conde	Mr J Dale
Mr R Foster	Mrs J Fox
Mr R Gale	Mr J Lammie
Mr A Mann	Mr T Mathias
Mr M Oxley	Mr C Parsons
Mrs L Stephenson	Mr A Stewart
Miss G Waller	Mr A Walters
Mr D Wilby	

## **OFFICERS PRESENT:**

Mrs Helen Briggs	Chief Executive
Mr Dave Brown	Director for Places – Environment, Planning and Transport
Mrs Jennifer Harris	Senior Lawyer PCC (for part of the meeting)
Mrs Debbie Mogg	Director for Resources (Monitoring Officer)
Mr Stephen Morgan	Barrister – Landmark Chambers (for part of the meeting)
Miss Sue Bingham	Acting Coordinator – Corporate Support Team
Ms Natasha Brown	Acting Manager - Corporate Support team

## **236 APOLOGIES**

Apologies were received from Mr Clifton, Mr Cross and Mr Hemsley.

## **237 CHAIRMAN'S ANNOUNCEMENTS**

The Chairman announced that the list of engagements had been circulated.

The Chairman congratulated Councillors Arnold and Brown on their recent election to the Wards of Whissendine and Ketton respectively and welcomed them to the Council and their first Full Council Meeting.

The Chairman confirmed that Mr Clifton had sent his apologies as he was attending his father's funeral which had taken place earlier that day. Mr Bool had attended the funeral to pay his personal respects, but also to represent the Council.

**238 ANNOUNCEMENTS FROM THE LEADER, MEMBERS OF THE CABINET OR THE HEAD OF PAID SERVICE**

There were no announcements by the Leader, Members of the Cabinet or the Head of Paid Service.

The Leader, Mr Mathias, proposed an amendment to the order of business under Procedure Rule 23 2) b). This was seconded by Mr Wilby.

**RESOLVED**

Council **AGREED** to change the order of business so that Item 18 (Any Urgent Business) would be taken following Item 8 Call-in of Decisions From Cabinet) of the agenda.

**239 DECLARATIONS OF INTEREST**

Members were invited to declare any disclosable interests under the Code of Conduct and the nature of those interests and/or indicate if Section 106 of the Local Government Finance Act 1992 applied to them.

Mr Oxley declared a personal interest in item 9 of the agenda as his wife was a user of green bins.

**240 MINUTES OF PREVIOUS MEETING**

The minutes of the 263rd meeting of the Rutland County Council District Council held on 10 July 2017 were confirmed by the Council and signed by the Chairman.

**241 PETITIONS, DEPUTATIONS AND QUESTIONS FROM MEMBERS OF THE PUBLIC**

There were no petitions, deputations or questions from members of the public.

**242 QUESTIONS FROM MEMBERS OF THE COUNCIL**

There were no questions from members of the Council.

**243 CALL-IN OF DECISIONS FROM CABINET MEETINGS DURING THE PERIOD FROM 8 JULY 2017 TO 8 SEPTEMBER 2017 (INCLUSIVE)**

No call-ins were received.

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The order of the agenda was altered in accordance with the resolution at minute number 238 so that agenda item 18 (Any Urgent Business) would be taken following agenda item 8 Call-in of Decisions From Cabinet).

Following consideration of agenda item 18 the order of business was transacted in accordance with that specified on the agenda.

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## **244 REPORT FROM THE CABINET**

Report No. 166/2017 from the Cabinet was received, the purpose of which was to consider the recommendations of Cabinet referred to Council for determination and report the Key Decisions made by Cabinet since the publication of the agenda for the previous ordinary meeting of the Council on 10 July 2017.

- 1) Council **NOTED** the Key Decisions made since the publication of the agenda for the previous ordinary meeting of the Council on 10 July 2017, as detailed in Appendix A to Report No. 166/2017.

- 2) **15 August 2017**  
**Decision No. 185**  
**Report No. 150/2017**  
**REVIEW OF GREEN WASTE SERVICES**

Mr Walters introduced and moved the recommendations in the report. Mr Stewart seconded the recommendations.

During his introduction Mr Walters confirmed that the new income generated by the green bin charge is expected to deliver a net Medium Term Financial Plan contribution of £220k per annum.

During debate of the recommendations, points raised included:

- i. Mr Gale felt that the predicted take up of 50% was optimistic and asked Mr Walters where this figure was taken from. Mr Walters confirmed that this was in line with experience in other authorities introducing such a scheme.
- ii. Mr Conde asked whether the charge for composting bins could be further reduced to encourage use, or even offered free of charge. Mr Walters replied that it may be considered in the future but was not part of this decision.
- iii. Including the cost in the Council Tax payment so it could be spread over the year would make it easier to pay, but this was not possible in practice as Council Tax had already been increased by the maximum. However, the charge may be made in January or February when most people who opt to pay Council Tax over 10 months would not be making a Council Tax payment.
- iv. Miss Waller highlighted that Scrutiny had spent time looking at Poverty in Rutland and that this charge disadvantaged older people on low incomes, who may live in houses with large gardens, but may not be physically able to compost or use alternative methods of getting rid of green waste.
- v. Mr Baines congratulated Cabinet for identifying where income could be generated from charging for a non-statutory service in order to recover the costs of providing the service.
- vi. Mr Walters had prepared a response regarding discrimination and would send it out to members if they required this information.

## **RESOLVED**

Council **APPROVED** the following Recommendations from Cabinet:

- a) The implementation of a charge for the kerbside collections of Green Waste, starting on 1st April 2018.
- b) An annual charge per bin, starting at £35 for the financial year 2018/19.

## **245 REPORTS FROM COMMITTEES OF THE COUNCIL**

### **246 TO RECEIVE REPORTS FROM COMMITTEES ON MATTERS WHICH REQUIRE COUNCIL APPROVAL BECAUSE THE COMMITTEE DOES NOT HAVE THE DELEGATED AUTHORITY TO ACT ON THE COUNCIL'S BEHALF.**

### **247 TO RECEIVE REPORTS FROM COUNCIL COMMITTEES ON ANY OTHER MATTERS AND TO RECEIVE QUESTIONS AND ANSWERS ON ANY OF THOSE REPORTS.**

Report No. 167/2017 was received from the Chair of Audit and Risk Committee.

## **RESOLVED**

Council **NOTED** the annual report of the Audit and Risk Committee

Report No. 168/2017 was received from the Chair of Employment and Appeals Committee.

## **RESOLVED**

Council **NOTED** the annual report of the Employment and Appeals Committee

## **248 REPORTS FROM SCRUTINY COMMISSION / SCRUTINY PANELS**

No reports were received.

## **249 JOINT ARRANGEMENTS AND EXTERNAL ORGANISATIONS**

### **i) Mr Bool – Combined Fire Authority**

Mr Bool confirmed that a meeting was scheduled for next week and that he would report back to the next Council meeting.

### **ii) Mr R Foster – Armed Forces Champion**

Mr Foster confirmed that he had been approached by the Merchant Maritime Association to arrange the hoisting of the Red Ensign flag at Rutland County Council on 3 September in recognition of the nation's merchant seafarers.

### **iii) Mr Walters – Police and Crime Panel**

Mr Walters had attended a recent meeting where concern over the recent inspection was raised. The inspection had criticised the effectiveness of crime investigation, an action plan had been put in place and Mr Walters was reassured that would result in improvement. Mr Walters had a discussion with the Rutland inspector, who confirmed that lack of funding prevented visible

policing. He urged Councillors to raise this where they could in order to highlight the issue.

iv) Mr Walters - Community Safety Meetings

Mr Walters confirmed that consideration was being given to the possibilities for joint working in order to increase resilience. A recent review had identified that crime figures were being under reported, this matter would be debated at the 3 October 2017 meeting of the Police and Crime Panel.

## **250 REVIEW OF POLITICAL BALANCE**

Report No. 173/2017 was received from the Director for Resources, the purpose of which was 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 and request the Council to approve the allocation of seats in accordance with the statutory requirements concerning political balance.

Mr Mathias moved the recommendations in the report and Mr Oxley seconded the recommendations.

### **RESOLVED**

- 1) Council **APPROVED** the revised political balance calculation as per paragraph 2.6 of Report No.173/2017.
- 2) Council **APPROVED** the allocation of seats to Political Groups shown at paragraph 2.7 and notes the membership of each committee as set out in Appendix A of Report No. 173/2017.
- 3) Council **APPROVED** the appointment of non-aligned members to the remaining seats on Committees and Scrutiny Panels as set out in Appendix A of Report No.173/2017.

## **251 APPOINTMENT TO OUTSIDE ORGANISATIONS**

Council **NOTED** the appointment of Mr G Brown to the Ketton Liaison Committee as relevant Ward Member for this role.

## **252 NOTICES OF MOTION**

No notices of motion had been submitted.

## **253 ELECTORAL REVIEW: RCC RESPONSE TO WARDING PATTERNS CONSULTATION**

Report No. 169/2017 was received from the Director for Resources the purpose of which was to submit a proposal on warding patterns which achieves electoral equality across wards in Rutland and also accords to statutory criteria, for Council approval before submission to the LGBCE for them to consider as part of the consultation on warding patterns.

Mr Mathias moved the recommendations in the report, Miss Waller seconded the recommendations.

During debate the following points were raised:

- Mr Callaghan felt it was regrettable that the proposal resulted in an increase in spending.
- Miss Waller had initially felt that a reduction in Council Size would be appropriate but reluctantly came to the conclusion that increasing to 28 Councillors was the only logical answer to ensuring community cohesion, after having considered other options which all resulted in more radical changes than that proposed. Development on the St George's Barracks site may also result in a further review in the future.
- Mrs Mogg, Director for Resources, confirmed that this proposal would be the RCC response to the consultation, but Parish Councils and other Community Groups may also respond. The Boundary Commission would then decide on the draft recommendations, which would be the subject of further consultation and would be brought back to Council in due course.

## **RESOLVED**

Council **APPROVED** the submission to be provided to the Local Government Boundary Commission for England (LGBCE) on warding arrangements for Rutland County Council from May 2019 (Appendix A Report No. 169/2017) and **AGREED** that the LGBCE be asked to approve a Council size of 28 councillors (an increase in two from that originally proposed).

## **254 PROPER OFFICER**

### **RESOLVED**

Council **APPROVED** that the Proper Officer role of Data Protection/Senior Information Risk Owner should be designated to the Head of Legal and Governance with effect from 25 September 2017 and the constitution should be updated accordingly.

## **255 EXCLUSION OF THE PUBLIC AND PRESS**

Council was recommended to determine whether the public and press be excluded from the meeting in accordance with Section 100(A)(4) of the Local Government Act 1972, as amended, and in accordance with the Access to Information provisions of Procedure Rule 239, as the following item of business was likely to involve the disclosure of exempt information as defined in Paragraph 5 of Part 1 of Schedule 12A of the Act.

### **RESOLVED**

That the public and press be excluded from the meeting in accordance with paragraph 5 of Part 1 of Schedule 12A to the Local Government Act 1972 (Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings).

## **256 ANY URGENT BUSINESS**

The following item of urgent business had been notified to the person presiding.

## LYNDON TOP

Report No. 182/2017 from the Chief Executive was received.

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After debate and voting on this item the Council **APPROVED** that the meeting  
returned to public session

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**The Chairman declared the meeting closed at 9.15 pm.**

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