



Rutland County Council

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

Minutes of the **TWO HUNDRED AND FIFTY THIRD MEETING** of the **COUNCIL** held in the Council Chamber, Catmose, Oakham, Rutland, LE15 6HP on Monday, 11th July, 2016 at 7.00 pm

PRESENT:	Mr N Begy	Mr K Bool
	Mr E Baines	Mr O Bird
	Mr B Callaghan	Mr R Clifton
	Mr G Conde	Mr W Cross
	Mr J Dale	Mr R Foster
	Mr R Gale	Mr O Hemsley
	Mr T King	Mr J Lammie
	Mr A Mann	Mr T Mathias
	Mr M Oxley	Mrs L Stephenson
	Mr A Stewart	Mr K Thomas
	Miss G Waller	Mr A Walters
	Mr D Wilby	

OFFICERS

PRESENT:	Mrs Helen Briggs	Chief Executive
	Mr D Brown	Director for Places – Environment Planning and Transport Monitoring Officer
	Mrs Debbie Mogg	Director for Places - Development and Economy
	Mr Paul Phillipson	Co-ordinator – Corporate Support team
	Ms N Brown	

126 APOLOGIES

Apologies were received from Mrs R Burkitt, Mrs D MacDuff and Mr C Parsons.

127 CHAIRMAN'S ANNOUNCEMENTS

The Chair advised that the list of engagements had been circulated. There were two important events (Choral Evensong for Her Majesty's Birthday, attended by the Chairman and the Centenary of the Battle of the Somme, attended by the Vice Chairman) which would be reported in the next announcements.

The Chairman announced that for the remainder of the 2016/17 Council he would be removing the requirement under Procedure Rule 41 for Mr King to stand when

speaking. Mr King could remain seated should he wish to do so without requesting permission from the Chairman at each Council meeting.

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

There were no announcements from the Leader or Members of the Cabinet.

The Chief Executive advised Members of the opportunity to view a video produced by Leicestershire Police to highlight issues associated with Child Sexual Exploitation, after the Council Meeting. An email had been sent earlier that day and a hard copy of the email had been provided for Members information.

129 DECLARATIONS OF INTEREST

Mr T King declared that in the interests of probity he would take no part in the item on Cottesmore Neighbourhood Plan (Item 10 of the Agenda) and would leave the meeting during discussion and decision of this item.

130 MINUTES OF PREVIOUS MEETING

The minutes of the 250th, 251st and 252nd meetings of the Rutland County Council District Council held on 14 March 2016 and 9 May 2016 were confirmed by the Council and signed by the Chairman.

131 PETITIONS, DEPUTATIONS AND QUESTIONS FROM MEMBERS OF THE PUBLIC

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

Notice of a deputation had been given, however this was withdrawn as the speaker was not present at the meeting.

132 QUESTIONS FROM MEMBERS OF THE COUNCIL

i. Miss Waller

In "First", the LGA Magazine of June 2016 (issue 600) there was an interesting letter from the Cabinet Member for Health in Derbyshire about children going hungry during the school holidays because they do not have access to free school meals. How many children in Rutland are eligible for Free School Meals and do we have any evidence that these children do not eat sufficiently well during the holidays to maintain good health and a healthy body weight?

The Portfolio Holder for Lifelong Learning responded as follows:

Free school meals

We need to recognise that there may be some difference between the number of children entitled to free school meals and those who actually claim them.

- The number of children known to be eligible and claiming free school meals is 272 - 141 primary; 131 secondary (from census Jan 2016).

- Data published in October 2015 indicated the number of children eligible was 300 (from School Health Profiles 2015).
- DfE research conducted across England in 2012 and 2013 showed the difference between those children entitled to and those claiming free school meals in Rutland was 0% (both figures were rounded up to 300).

Underweight children

Children's weight information is gathered as part of the National Child Measurement Programme, undertaken by Health partners annually.

Latest published figures show that at Reception 0.31% of children in Rutland were classed as underweight (compared to a national average of 0.95%). This equates to one child (from a total year group of 408).

At Year 6 the percentage of children classified as underweight is 0.69% (compared to a national average of 1.36%). This equates to 2 children (from a total year group of 376).

At present we have no means to establish whether children do or do not have a diet that maintains good health and a healthy body weight during school holidays. However, the figures on children's weight indicate that Rutland does not have a problem of underweight.

ii. Mr Walters

I note the detail of report 66/2016 and specifically its comments on further discussions surrounding the provision of home to school transport for post 16 students.

Could the portfolio holder offer reassurance to current students of Rutland County College that on transfer to new premises based at Casterton College Rutland - a move they could not have predicted and have no discretion over - that they will not suffer financially or practically in terms of accessing their education. Specifically will this council look to provide transport for them, and if so will it be contributory or supplied free of charge, and in consideration of this will this Council seek to minimise the number of students who stop attending their course as a result of the relocation?

The Portfolio Holder for Places (Highways, Environment, Transport and Community Safety) responded as follows:

We have discussed the move with the College and they intend to fund the additional cost of transport for affected students. These will be the students joining the college this September. Although students will not suffer financially there will obviously be a practical impact on students that live close to Oakham.

As a supplementary question Mr Walters asked whether the College had agreed to this, or whether it was all that was on offer?

The Portfolio Holder for Places (Highways, Environment, Transport and Community Safety) responded that the College had agreed.

iii. Mr Bird

Regarding RCC's decision to accept the Oakham Neighbourhood Plan Boundary including the parish of Barleythorpe, rather than have two individual Neighbourhood Plans for the parishes.

Will the relevant portfolio holder explain the impact of the proposed boundary changes to the Parish of Barleythorpe and consequently the possible formation of Barleythorpe Parish Council on the writing of the Oakham Neighbourhood Plan.

The Portfolio Holder for Finance and Development responded as follows:

The Community Governance Review and the designation of an Oakham Neighbourhood Plan Area are subject to entirely different legislation and decision-making processes. The decision on one does not necessarily affect the other.

The changes to the boundaries between Oakham and Barleythorpe Parishes recommended to the Council in the report are unlikely to affect the writing of the Oakham Neighbourhood Plan, as the designated neighbourhood plan area covers the whole of the two parishes. Oakham Town Council is the "relevant body" for preparing the neighbourhood plan for the whole area and they will be required to involve residents and businesses in Barleythorpe in the plan preparation process.

Planning legislation requires that, in multi-parished neighbourhood areas, when the parish or town council begins to develop a neighbourhood plan (as a qualifying body) it needs to secure the consents of the other parish councils to undertake neighbourhood planning activities. In this instance, the Town Council was not required to get the approval of Barleythorpe Parish Meeting for its neighbourhood area application, as the Parish Meeting does not have the formal status of a Parish Council. However, it is understood that the Town Council did take steps to consult with and involve representatives of Barleythorpe Parish as part of its application.

If a Barleythorpe Parish Council were to be established, it would be incumbent on Oakham Town Council to seek the new Parish Council's consent in preparing the neighbourhood plan. However, given the proposed timescale for the creation of a Parish Council (election of Parish Councillors in May 2018) the preparation of an Oakham Neighbourhood Plan by Oakham Town Council could be well advanced by that stage and its creation may have little impact on the process.

iv. Mr Walters

Given the changes to compulsory school leaving age, what reassurance can be given to students who have not been offered places at Harrington, and who are forced to attend colleges further afield such as the relocated provision at Casterton College Rutland? What impact does the change in compulsory school leaving age have on our home to school policy?

The Portfolio Holder for Places (Highways, Environment, Transport and Community Safety) responded as follows:

The raising of the participation age has not affected the law governing home to school transport and has not affected our policy. The law may change in due course, however at present post 16 education transport remains a discretionary service. Our policy is to provide transport for students providing that the courses are not available at a nearer college and the college is not more than 8 miles outside the County boundary. Normally this is in the form of a bus pass. Students are required to make a

contribution of £346 per year but college bursaries are available where there is hardship.

133 REFERRAL OF COMMITTEE DECISIONS TO THE COUNCIL

No decisions had been referred.

134 CALL-IN OF DECISIONS FROM CABINET MEETINGS DURING THE PERIOD FROM 12 MARCH 2016 TO 8 JULY 2016 (INCLUSIVE)

No call-ins were received.

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Mr T King left the meeting.
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135 REPORT FROM THE CABINET

Report No. 140/2016 from the Cabinet was received which noted the Key Decisions made since the publication of the agenda for the previous meeting of Council on 9 May 2016.

RESOLVED

1. To note the Key Decisions made by Cabinet since the publication of the agenda for the previous ordinary meeting of the Council on 9 May 2016, as detailed in Appendix A to this report.
2. To approve the following Recommendation from Cabinet:
 - i) The making of the Cottesmore Neighbourhood Plan in Appendix A to report 102/2016.

17 May 2016
Decision No. 38
Report No. 102/2016
Cottesmore Neighbourhood Plan

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Mr T King re-joined the meeting.
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3. To approve the following Adult Social Care Charging Consultation Proposals recommended by Cabinet:
 - i) Proposal 1: Paying the full hourly cost of care, up to any applicable ceilings;
 - ii) Proposal 2: Charging for care service from their start date
 - iii) Proposal 3: Charging an administration fee for helping individuals with over £23,250 to set up their care package.
 - iv) Proposal 4: Applying a cost recovery fee for setting up and managing a Deferred Payment Agreement.
 - v) Proposal 5: Charging interest on Deferred Payments at the rate set by the Government.

- vi) Keeping any changes to the charging policy under review as part of the annual fees and charging review.
- vii) That authority be delegated to the Director of People and the relevant Portfolio Holder to update the charging policy accordingly.

21 June 2016

Decision No. 64

Report No. 117/2016

Adult Social Care Charging Consultation – Proposals

4. To approve the following Recommendations from Cabinet:

- i) The ceiling for the Insurance and Legal reserve be increased to £250k (Appendix A to Report No. 109/2016, para 1.6.11).
- ii) A new capital scheme for £106k for the permanent repair of potholes following receipt of additional Government grant (Appendix A to Report No. 109/2016, para 4.2.3).
- iii) That £200k of available capital receipts rather than earmarked social care reserve was used to fund the implementation of the Adult Social Care system in 16/17 (Appendix A to Report No. 109/2016, para 1.6.9).

21 June 2016

Decision No. 66

Report No. 109/2016

Revenue and Capital Outturn 2015-2016

136 REPORTS FROM COMMITTEES OF THE COUNCIL

No reports were received.

137 REPORTS FROM SCRUTINY COMMISSION / SCRUTINY PANELS

No reports were received.

138 JOINT ARRANGEMENTS AND EXTERNAL ORGANISATIONS

- i. Mr Bool – Combined Fire Authority
Confirmation was given that the new Chief Fire Officer was Mr Steve Lunn (who had previously been the Deputy Fire Officer) who would take the service forward for the next 18 months. There would be no change to the plans for the Rutland Fire Service.
- ii. Miss G Waller – Rutland Access Group
Mr Clifton had attended the last meeting and this was greatly appreciated. There had been some issues with Rutland County Council Officers being unable to attend the meeting. It had been identified that the reason for this was that the Rutland Access Group meetings were held on the same day as a regularly occurring meeting at the Council. The Group were now looking to change the schedule for their meetings to assist with RCC Officer attendance.
- iii. Mr King – Local Government Association (LGA)
Mr King had attended the LGA Conference and had circulated updates to Members. The Conference had highlighted that things would be different going forward with consultation around what Local Authorities need, localising

business rates, redistribution of European money and eventually decisions on what would replace European money. Rutland would respond to any proposals appropriately and members would be kept up to date.

139 NOTICES OF MOTION

No motions were received.

140 COMMUNITY GOVERNANCE REVIEW OF BARLEYTHORPE AND OAKHAM NORTH WEST - DRAFT RECOMMENDATIONS

Report No. 114/2016 from the Director for Resources was received to approve the Draft Recommendations and scope of the second phase of consultation on the Community Governance Review of Barleythorpe and Oakham North West.

Mr King, Portfolio Holder for Finance and Development introduced the report and asked Members to note that the recommendations were in line with the wishes of those members of the community that had responded to the initial consultation. The consequential boundary changes would make the boundary more easily identifiable.

Mr King moved the recommendations. This was seconded by Mr Gale.

Issues raised during debate included:

- The residents in Barleythorpe had empowered themselves and shown they had a strong sense of community;
- Guidance regarding the size of a new Parish Council was given at paragraph 5.9 of the report. Reference would also be made to the size of similar Parish Councils in Rutland;
- Should the proposals for a Parish Council go through to the final recommendations, there would be an interim arrangement in place until the election of the Parish Council in line with the timetable contained within the report. This would take the place of the Parish Meeting; and
- There would be no changes to the number of Ward Members for the area under review; this was a matter for the Local Government Boundary Commission for England (LGBCE). The LGBCE had confirmed that they had no plans to conduct a review at present.

RESOLVED

1. To note the results of the initial consultation;
2. To approve the following Draft Recommendations for the community governance review of Barleythorpe and Oakham North West which would be subject to further consultation prior to being finalised:
 - i) That the existing Barleythorpe and Oakham North West parish areas are amended as reflected in Maps A-E;
 - ii) That a new Parish Council is created in the Parish of Barleythorpe;
 - iii) That the name of this Parish Council should be "Barleythorpe Parish Council"; and

- iv) That the Electoral arrangements for the Barleythorpe Parish Council should follow the timetable provided at paragraph 7.2 below.
3. To approve the scope of the consultation on the Draft Recommendations set out in Section 8 of this report.

141 WELLAND INDEPENDENT REMUNERATION PANEL

Report No. 115/2016 from the Director for Resources was received to consider the constitution and membership of the Welland Independent Remuneration Panel.

The Portfolio Holder for Finance and Development, Mr King, introduced and moved the recommendations in report. This was seconded by Mr Mathias.

Issues raised during debate included:

- The Council is required to review Members Allowances every four years, but Council then has the choice whether to approve any recommendations that come forward; and
- Payment of allowances are intended to attract a diverse range of Councillors and it would be important to understand should the levels of remuneration be found to be barring members of the community from coming forward to take on the role as an elected member.

RESOLVED

1. To note that Harborough District Council, Melton Borough Council, Rutland County Council and South Kesteven District Council constitute the current participating authorities of the Welland Independent Remuneration Panel.
2. To approve that the Panel be made up of four Members and be quorate with three.
3. To approve the re-appointment of the three existing Panel Members as set out at paragraph 2.4 of Report No. 115/2016 and the term of office for the appointments be four years.
4. To approve the appointment of a new Panel Member being Ian Davis and the term of office for the appointment be four years.
5. To approve the appointment of Chair of the Panel being John Cade and the term of office for the appointment be four years.
6. To approve the payment arrangements to the Chair of the Panel and Panel Members as set out at paragraphs 2.6 and 2.7 of Report No. 115/2016.

142 CHANGES TO THE RUTLAND COUNTY COUNCIL CONSTITUTION

Report No. 141/2016 from the Monitoring Officer was received to invite the Council to consider a number of amendments to the Constitution recommended by the Constitution Review Working Group (CRWG) and the Monitoring Officer in respect of the Financial Procedure Rules (FPRs), Contract Procedure Rules, Council Procedures and the scheme of delegation.

The Portfolio Holder for Finance and Development, Mr King, introduced and moved the recommendations in report. This was seconded by Mr Stewart.

Issues raised during debate included:

- Increasing the advertising threshold to £50,000 would reduce the administrative burden; and
- A report would be brought back to Council in one year in order to assess the impact of the changes.

RESOLVED

1. To approve amendments to Finance Procedure Rules set out in section 2 of the report and that these changes are effective immediately.
2. That the advertising thresholds within the Contract Procedure Rules are amended as set out in section 3 of Report No. 141/2016.
3. To approve the amendment to Procedure Rule 49 as per section 4 of Report 141/2016.
4. To remove the delegation in place in respect of expenditure of Section 106 agreements as described at section 5 Report No. 141/2016.

143 APPOINTMENT OF VICE CHAIRMAN OF DEVELOPMENT CONTROL AND LICENSING COMMITTEE

Nominations were invited to the post of Vice-Chairman of the Development Control and Licensing Committee for the remainder of the 2016/17 Municipal year from the current membership of the committee following the resignation of Mr J Lammie from this post.

A nomination was received from Mr King who proposed the appointment of Mr Dale. This was seconded by Mr Mathias.

A nomination was received from Mr Walters who proposed the appointment of Mr Oxley. This was seconded by Mr Thomas.

Mr Dale and Mr Oxley gave short speeches before the vote.

RESOLVED

That Mr Dale be appointed as Vice-Chairman of the Development Control and Licensing Committee for the remainder of the 2016/17 Municipal year.

144 ANY URGENT BUSINESS

No matters of urgent business were received.

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The Chairman declared the meeting closed at 19.55pm.

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