



Rutland County Council

Catmose Oakham Rutland LE15 6HP.
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Minutes of the **TWO HUNDRED AND FIFTY SEVENTH (SPECIAL) MEETING of the COUNCIL** held in the Council Chamber, Catmose, Oakham, Rutland, LE15 6HP on Thursday, 26th January, 2017 at 7.00 pm

PRESENT:

Mr K Bool	Mr E Baines
Mr O Bird	Miss R Burkitt
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 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

OFFICERS PRESENT:

Mrs Helen Briggs	Chief Executive
Mr D Brown	Director for Places (Environment, Planning and Transport)
Mrs D Mogg	Director for Resources (Monitoring Officer)
Dr T O'Neill	Director for People and Deputy Chief Executive
Mr P Phillipson	Director for Places - Development and Economy
Ms N Brown	Co-ordinator – Corporate Support team

521 APOLOGIES

Apologies were received from Mr N Begy.

522 CHAIRMAN'S ANNOUNCEMENTS

The Chairman confirmed that no announcements had been circulated as there had been none since the last Ordinary Meeting of the Council on 9th January 2017.

The Chairman noted that the purpose of the meeting in order to appoint a new Leader was under sad circumstances due to the resignation of Mr T King on the grounds of his continuing ill-health. The Chairman confirmed that announcements had been made to the press and he had also done a radio interview. He had spoken to Mr King and passed on the best wishes of Council.

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

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

524 DECLARATIONS OF INTEREST

No declarations of interest were received.

525 PETITIONS, DEPUTATIONS AND QUESTIONS FROM MEMBERS OF THE PUBLIC

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

526 QUESTIONS FROM MEMBERS OF THE COUNCIL

There were no questions received from members of the council.

527 ELECTION OF LEADER OF THE COUNCIL

Nominations were invited for the office of the Leader of the Council to remain in office until the next round of ordinary elections.

A nomination was received from Mr Baines who proposed the election of Mr Mathias as Leader. This was seconded by Mr Wilby.

No further nominations were received.

RESOLVED

That Mr Mathias be elected Leader of the Council.

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In accordance with the provisions of Procedure Rule 11, paragraph 2 – Recording of Votes – Mr Gale requested that his votes against the above resolution be recorded.

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Mr Mathias gave a short speech of acceptance, thanking members for electing him to the office of Leader of the Council.

528 NOTIFICATION BY THE LEADER OF THE APPOINTMENT TO THE CABINET

Council noted the Leader's appointment of Mr Walters to the Cabinet and confirmation that the remaining Cabinet Members would remain the same.

The Leader confirmed that Portfolios would be as follows:

- Tony Mathias – Portfolio Holder for Finance and Places (Highways, Transport and Market Towns)
- Oliver Hemsley – Portfolio Holder for Growth, Trading Services and Resources (except Finance)
- Alan Walters – Portfolio Holder for Community Safety, Culture, Sport & Recreation and Environment
- David Wilby – Portfolio Holder for Lifelong Learning
- Richard Clifton – Portfolio Holder for Adult Social Care and Health
- Richard Foster – Portfolio Holder for Children and Young People (Safeguarding)

529 APPOINTMENT OF DEPUTY LEADER

Council noted the Leader's appointment of the Deputy Leader as Mr Hemsley.

530 POLITICAL BALANCE

Report No. 35/2017 from the Director for Resources was received in order to review the political balance on Committees and Panels following notification to the Chief Executive of the resignation of Mr T King due to ill health.

Mrs Mogg, Director for Resources, gave a brief introduction explaining that recommendations 1) and 2) would be dealt with first and then Council would be asked to consider recommendation 3) of the report.

Mr Mathias proposed recommendations 1) and 2) of Report No. 35/2017. Mr Oxley seconded recommendation 1) and 2) of the report.

As a point of information Mr Gale requested confirmation as to whether the political balance as detailed in the report would remain the same until the next election in May 2019, or would it be amended following the outcome of any election in Exton Ward. The Chairman confirmed that the political balance would be reviewed again following any election in the Exton Ward.

RESOLVED

- 1) Council **APPROVED** the revised political balance calculation as per paragraph 2.3 of Report No. 35/2017.
- 2) Council **APPROVED** the allocation of seats to Political Groups contained within the Addendum to Report No. 35/2017.

The Director for Resources, Mrs Mogg, explained that following approval of recommendations 1) and 2) it would now be necessary for Council to consider recommendation 3) in order to deal with any consequential changes. Mr Walters had been appointed to Cabinet by the Leader which left a vacancy for the Chair of the Resources Scrutiny Panel.

As a point of order, Miss Waller requested clarification that Council could proceed with the election of a Chair for the Resources Scrutiny Panel as there had been no prior

notice that this vacancy may arise. Mrs Mogg, Director for Resources and Monitoring Officer, replied that recommendation 3) in the report allowed for Council to decide whether to deal with consequential changes.

Mr Mathias proposed recommendation 3) of Report No. 35/2017. Mr Conde seconded recommendation 3) of the report.

Miss Waller proposed an amendment to recommendation 3) of Report No. 35/2017 as follows:

“That Recommendation 3) of Report No. 35/2017 be deferred to the next Full Council meeting”

This amendment was proposed on the grounds that some Members could not have been aware that Councillor Walters would be moving to Cabinet and also that at the time of being elected by Council as the Chair for the Resources Scrutiny Panel he was a member of a different political group.

The amendment was seconded by Mr Parsons.

During debate of the amendment the following points were raised:

- i. The chair did not have to be elected from the current panel and could be a member of any political party or be non-aligned, but could not be a member of the Cabinet. As such the election of a new chair could necessitate a change to the political balance calculations.

Upon being put to the vote, the **AMENDMENT** was **DEFEATED**.

The **SUBSTANTIVE MOTION** was put to the vote and it was **RESOLVED**

- 3) To **APPROVE** any changes to the Committee and Panel membership as necessary dependent on Recommendation 2 in Report No. 35/2017.

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In accordance with the provisions of Procedure Rule 11, paragraph 2 – Recording of Votes – Mr Gale requested that his votes against the above Resolution be recorded.

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Nominations were invited for the Chair of Resources Scrutiny Panel.

A nomination was received from Mr Foster who proposed the appointment of Mrs Burkitt as Chair of Resources Scrutiny Panel. This was seconded by Mr Conde.

A further nomination was received from Mr Thomas who proposed the appointment of Miss Waller as Chair of Resources Scrutiny Panel. This was seconded by Mr Conde.

Mrs Burkitt and Miss Waller each gave a short speech regarding their suitability for the role of Chair of Resources Scrutiny Panel.

RESOLVED

That Mrs Burkitt be appointed Chair of Resources Scrutiny Panel.

531 ITEM OF BUSINESS SUBMITTED UNDER PROCEDURE RULE 2

The motion submitted under Procedure Rule 2 was received.

Mr Oxley proposed the motion and Miss Waller seconded the motion.

Mr Oxley gave a brief introduction reading the text of the motion as published in the agenda. Mr Oxley also highlighted that since 2013 Full Council meetings and Scrutiny Panel Meetings had reduced in number. There had been a significant amount of work done in previous years by Scrutiny which had led to further work and recommendations being put before Cabinet for approval. One of these Scrutiny work schemes was the Street Lighting Task and Finish Group which had resulted in savings for the authority and the recommendation that Parish Councils should contribute to the cost of street lighting in their Parish areas. It was important that Scrutiny were able to look at contentious issues in a positive way through effective and advance work programming which would be facilitated by the suggested amendments to the Forward Plan.

During debate the following points were raised:

- i. Some members who had supported the motion, did not always attend Scrutiny meetings of which they were a member;
- ii. The Forward Plan is currently published four months in advance, but members rarely attend Cabinet meetings, or put comments forward to Cabinet regarding items coming forward;
- iii. There was always the opportunity to have additional meetings of Scrutiny Panels throughout the year, but this was rarely requested;
- iv. In spite of the Barleythorpe report appearing on the Forward Plan, only one member put forward questions regarding it;
- v. The impact of increasing the number of meetings as requested would be significant including the necessity for another Support Officer at a cost of approx. £25,000, plus other costs associated with increased time commitment for both senior officers and members;
- vi. The statutory requirement for publication of Key Decisions on the Forward Plan is 28 days;
- vii. It is for Scrutiny Chairs (in consultation with their panels) to decide which items from the Forward Plan they want to bring to their respective panels;
- viii. A review had recently been launched by The Communities and Local Government (CLG) Committee into overview and scrutiny in local government. The Committee would consider whether overview and scrutiny arrangements in England were working effectively and whether local communities are able to

contribute to and monitor the work of their councils and it was suggested that the outcomes of this inquiry and resulting recommendations were considered before any changes were made to our Scrutiny processes.

Mr Clifton proposed the following amendment to the motion:

That council consider the outcome of the Communities and Local Government (CLG) select Committee and task the Scrutiny Commission to bring forward proposals for improvements to our committee structure and process that address the recommendation of the Commons Select Committee once they are published.

The amendment was seconded by Mr Foster.

During debate of the amendment the following points were raised:

- i. Miss Waller was not in support of the amendment as the Select Committee inquiry might not lead to recommendations to change legislation with regard to Overview and Scrutiny;
- ii. It would be contrary to good practice to change things on a local level when there could be national changes as a result of this inquiry;
- iii. Mr Oxley expressed the view that the only way to be effective as Councillors was to increase the number of Scrutiny Meetings now; and
- iv. Mr Gale stated that any additional cost to increasing meetings now was due to cost savings which had been introduced previously. Mr Gale also pointed out that in order to improve attendance at Cabinet it would be necessary to move the time of the meeting to a time which was more convenient.

The amendment was put to the vote and it was

RESOLVED

That council consider the outcome of the Communities and Local Government (CLG) select Committee and task the Scrutiny Commission to bring forward proposals for improvements to our committee structure and process that address the recommendation of the Commons Select Committee once they are published.

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The Chairman declared the meeting closed at 7.48 pm.

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