



Rutland County Council

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Minutes of the **TWO HUNDRED AND SIXTY THIRD MEETING** of the **COUNCIL** held in the Council Chamber, Catmose, Oakham, Rutland, LE15 6HP on Monday, 10th July, 2017 at 7.00 pm

PRESENT:

Mr N Begy	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	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

OFFICERS

PRESENT:

Mrs Helen Briggs	Chief Executive
Mr Dave Brown	Director for Places – Environment, Planning and Transport
Mr S Della Rocca	Assistant Director – Finance (for part of the meeting)
Mrs A Grinney	Revenues and Benefits Manager (for part of the meeting)
Mrs Debbie Mogg	Director for Resources (Monitoring Officer)
Ms Natasha Brown	Acting Manager - Corporate Support team

124 APOLOGIES

Apologies were received from Mr Hemsley and Mr Wilby.

125 CHAIRMAN'S ANNOUNCEMENTS

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

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

The Chief Executive, Mrs Briggs, announced that there had been a Special Educational Needs and Disabilities Peer Review which had taken place last week and this week Ofsted and CQC were undertaking an inspection of the same area. Members had requested a briefing on Mental Health services, which was ready, but would now be delayed in order to allow the teams to focus on the current inspection.

The Chief Executive also reminded members that they were currently in purdah due to the forthcoming By-election on 20 July 2017.

127 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 Conde declared a personal interest as his granddaughter had just started on SEN pathway.

Mrs Stephenson declared an interest in Item 13 of the agenda as her family ran businesses in Uppingham, but she had no financial involvement.

Mr Clifton declared an interest in Item 13 of the agenda as he was a Director of a charity that ran charity shops but they did not have shops within the County.

Mr Baines declared an interest in Item 13 as had businesses interests in Uppingham and they were included on his register of interests, but would take part in the debate as long as it did not relate specifically to High Street West, Uppingham.

128 MINUTES OF PREVIOUS MEETING

The minutes of the 261st meeting of the Rutland County Council District Council held on 10 April 2017 and the 21st Annual, 262nd meeting of the Rutland County Council District Council held on 8 May 2017 were confirmed by the Council and signed by the Chairman.

129 PETITIONS, DEPUTATIONS AND QUESTIONS FROM MEMBERS OF THE PUBLIC

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

130 QUESTIONS FROM MEMBERS OF THE COUNCIL

i) Miss G Waller

It has recently been announced by Centrebus that their service 19 (Nottingham to Peterborough via Oakham and Stamford) will be changed from 13 August this year. The RF1 Service will be extended to Melton and the Stamford to Peterborough part of the journey retained but the Oakham to Stamford part of the journey will be available Monday to Friday only.

<http://www.centrebus.info/Pages/EastLeicestershireRutlandServiceChanges.aspx>

The amendment of this service will be a particular blow to residents of villages on the North Shore of Rutland Water, Empingham and Great Casterton being the bus service

which enables residents to access employment (in Oakham or Stamford); medical practices and dentists, shops and post 16 education (whether at New College Stamford, Harington School or in Melton Mowbray; depending on which direction one is travelling). It should also be noted that our draft Local Plan still names Empingham as a Service Centre; it will seem odd to have a Service Centre with a limited bus provision.

I have been advised by officers that the route is not due to change till 20 September and that the route is remaining but with fewer buses per day; neither of these statements is in accord with Centrebus' web site.

Can the portfolio holder confirm:

1. That the bus route currently numbered 19 covering Oakham to Stamford will be retained for the foreseeable future?
2. That any changes to the timetable will be such that employees will be able to reach their places of employment in Stamford or Oakham before their work is due to begin and that there is a bus to take them home at the end of the day?
3. That students studying at Harington School and New College, Stamford, will be able to get to the School/College in time in the morning and that there will be a bus they can catch after the last lesson of the day?
4. That students studying in Melton will be able to get a connecting service in Oakham that will get them to College in time and there will be a return service available to them?
5. That RCC, in any consultation/negotiation with Centrebus or in any future tendering operation, takes account not only the current subsidy to Centrebus but also the additional costs which would be required to provide alternative transport to post 16 students living in Rutland should this bus be cancelled.

The Leader and Portfolio Holder for Finance and Growth, Infrastructure and Resources (Highways, Transport and Market Towns), Mr Mathias responded as follows:

The proposed revised Oakham – Stamford and Oakham – Melton services are commercial services operated by Centrebus which means that RCC do not have any influence or control over the provision, and are unable to commission a service that would be in direct competition with the commercial provider. The council is currently exploring the impact of the change. In addition please note that Call Connect is available for the villages along the route into Stamford Monday to Friday from 7am – 7pm and 8am – 6pm on Saturdays, and Oakham – Stamford is served by a direct train link.

Answers to each of the questions were provided as follows:

1. I can confirm Centrebus will continue to operate between Oakham and Stamford but with a revised timetable Monday to Friday only. The first departure from Oakham will be at 07:40 and the final departure at 16:05. The first departure from Stamford is at 08:23 and the final departure at 16:40. We are currently assessing the impact of these changes and are also going out to tender to identify the ongoing cost of any addition service. We hope to have the results of this in a week's time.

2. Access to education and employment are always high on the list of priorities for transport services. However, it is impossible to meet the needs for every working pattern.
3. Students who are eligible for transport to and from school or college will continue to be supported.
4. Students who are eligible for transport to and from school or college will continue to be supported.
5. The scholar requirements have already featured in discussions with Centrebus along with concessionary fares reimbursement. This has helped them to produce their commercial proposal of a reduced timetable, which they are willing to operate without any subsidy.

As a supplementary question, Miss Waller asked whether, as we were providing a subsidy for this service already and if we have to subsidise home to school transport as well, should we think more holistically, looking at how much we spend on transport overall and how that money could be spent more wisely?

Mr Mathias responded that we were not given any notice of this decision from Centrebus and so there was no time to speak to them. We didn't ask for a change, it just came as part of a reorganisation in the East midlands. If we don't continue the subsidy of £25,000, the money is not earmarked as a saving and so could be used elsewhere to subsidise other transport options.

Mr Mathias requested that if Members had any further questions regarding this issue, they should email himself, Dave Brown (Director for Places (Environment, Planning and Transport)), or Rebecca Johnson (Senior Transport Manager).

131 REFERRAL OF COMMITTEE DECISIONS TO THE COUNCIL

No decisions had been referred.

132 CALL-IN OF DECISIONS FROM CABINET MEETINGS DURING THE PERIOD FROM 8 APRIL 2017 TO 7 JULY 2017 (INCLUSIVE)

No call-ins were received.

133 REPORT FROM THE CABINET

Report No. 136/2017 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 April 2017.

- 1) Council **NOTED** the Key Decisions made since the publication of the agenda for the previous ordinary meeting of the Council on 10 April 2017, as detailed in Appendix A to Report No. 136/2017.
- 2) **20 June 2017**
Decision No. 61
Report No. 111/2017
REVENUE AND CAPITAL OUTTURN 2016/17 AND BUDGET UPDATE
2017/18

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

During his introduction Mr Mathias confirmed that the redesignation of the Winter Maintenance Reserve was to ensure funds could be used for all extreme weather circumstances and not just winter weather conditions.

During debate of the recommendations, points raised included:

- i. Mr Mathias confirmed the level of the ceiling for the Winter Maintenance Reserve had been lower at around £75,000, but that £100,000 was the ceiling for the Extreme Weather Reserve;
- ii. The Reserve would be used for circumstances where extreme weather conditions had caused obstruction or damage to roads, including, for example, very hot weather which could cause the road surface to melt; and
- iii. Where privately owned trees had caused an obstruction and been removed, attempts were made to recover the cost from the private individual.

RESOLVED

- a) To **APPROVE** the changes to the 17/18 budget arising from the receipt of new Government funding as listed in Appendix H to Report No. 111/2017;
- b) To **APPROVE** to redesignate the Welland Audit Reserve as an Audit Reserve following cessation of the Welland Internal Audit service; and
- c) To **APPROVE** to redesignate the Winter Maintenance Reserve as an Extreme Weather Reserve with a ceiling of £100k.

134 REPORTS FROM SCRUTINY COMMISSION / SCRUTINY PANELS

No reports were received.

135 JOINT ARRANGEMENTS AND EXTERNAL ORGANISATIONS

- i. Mr Baines – Environment Agency Flood Defence and Welland Catchment Area Committee
There would be a partnership approach to catchment management, the Environment Agency dealt with Water Framework Directive, flood defence and habitat and the cyber approach was altering. The Welland Partnership had been at forefront of work based on catchment and this authority had acquired an influential role to play as Mr Baines was the only elected member on that group. There was a complete hiatus over any policy at present, due to Brexit, so any future scheme was likely to be more in spirit of localism and get local communities more involved.
Mr Baines confirmed that advice would be obtained from Rural Associations and that the National Farmers Union and the Country Landowners Association who were represented on these bodies.
- ii. Mr Baines – Rural Community Council
Rutland Community Spirit had heritage lottery funding that ran out in April 2018. The report to the Heritage Lottery Fund indicates that it was on target in achieving schemes which enabled vulnerable people to gain a sense of belonging and reduce isolation through local links established within their own communities, measured through the establishment of “Good Neighbour

Schemes” and the number of volunteers. It was also noted that the number of communities concentrating on Neighbourhood Plans could be a threat to the number of volunteers coming forward for these community schemes as they had the effect of diverting people’s attention. The report also contained reference to the risk that the work of the newly formed Rutland Access Partnership may impact on the activities of the Community Council and joint working would be fundamental in ensuring that the work and relationships made through the Rutland Community Spirit were maintained.

Mr Clifton confirmed that the wellness service had been commissioned through the Rutland Access Partnership and also suggested that this may be an area that the Adults and Health Scrutiny Panel may wish to look at.

There was also now someone who had the responsibility for publicising the work through a variety of mediums.

iii. Mr Conde – Hanson Ketton Liaison Committee

Meeting on 5 July 2017 it had been highlighted that the Committee had been established for 23 years which reflected the importance of maintaining good relationships with large organisations within Wards. There had been a development in site allocations and subject to planning approval there was a proposal to put 35 properties on the The Crescent in Ketton. The Environment Agency were also very happy with compliance from Hanson and reported as being one of the most complaint in the Country. The Stopping Up Order on Empingham Road was now to go through Judicial Review at the end of July rather than the appeal process.

iv. Miss G Waller – LLR Joint Health Scrutiny Committee

Meeting on 27 June 2017, the subject of which would be dealt with at the motion under Item 13 of the agenda.

v. Miss G Waller – SACRE

Meeting held at RCC Office on 4 July 2017 where it had been agreed that the priority was to approve a new syllabus – it was agreed to work in partnership with Northamptonshire, Cambridgeshire and Peterborough to develop a joint syllabus.

136 NOTICES OF MOTION

- i) The Notice of Motion submitted by Mr T Mathias in accordance with Procedure Rule 34 was received.

Mr Mathias introduced the motion and moved the recommendation below. Mr Walters seconded the recommendation.

This Council is requested to support the submission of a letter to the Secretary of State for Communities and Local Government expressing our concern about the deterioration in the economic viability of our Market Town, High Streets. This could include the following issues:

- The lack of influence we as a Council are able to bring to bear
- The impact of the current discretionary rate relief arrangements
- The increasing number of Charity Shops

During his introduction, Mr Mathias highlighted that during the consultation period he had stood with the bus in Oakham Market Place and the reoccurring theme raised by residents and users of the town was that there was too many charity shops in

Oakham. There was a misconception that RCC were able to control the number of charity shops setting up business in the town. The motion could be worded so as to request that charity shops be required to apply for change of use when taking over premises and for RCC to formulate a policy which would restrict the number of charity shops in the Town Centre.

During debate points raised included:

- Mr Conde pointed out that charity shops were a good way of recycling used goods and this should be supported. Also it would be useful to be able to also restrict the number of Betting Shops and Estate Agents;
- Mr Callaghan was concerned that changes in policy could result in Landlords having empty shops which did not seem fair. Some people liked charity shops and used them regularly and care should be exercised when restrictions might affect the free market environment;
- Miss Waller commented that many people relied on charity shops as they were not able to afford buying from new and charity shops also raised money for their respective causes. It was clear, however, that a large amount of charity shops did not make for a very attractive Town Centre;
- Mr Oxley supported the idea, but felt it was better to have shops occupied rather than empty;
- Mr Clifton highlighted that charity shops did a lot of good, they employed at least two people to run the shop and also provided volunteering opportunities for the local community which enabled people to contribute to the community, in turn having a positive impact on Health and Wellbeing. A broader motion focusing on place shaping may be an improvement;
- Mr Cross was in support of ideas that would help improve Town Centres and supported increasing powers regarding discretionary rate relief arrangements;
- Mr Mathias gave the following figures for businesses in Oakham – Out of 220 businesses; 119 paid no rates, 76 paid full rates and the rest paid partial rates;
- Mr Baines made a distinction between Oakham and Uppingham town Centres. The problems experienced in Oakham were not the same for Uppingham which did not have any problems with vacant premises;
- Mr Lammie believed that a reduction in charity shops may lead to an increase in vacant premises and in turn that could lead to a reduction in the footfall in the town with shoppers choosing to shop at bigger stores on the outskirts of the town;
- Mr Bird agreed that members of the community were complaining about the number of charity shops and that charity shops were able to obtain voluntary staff and with reduced rates this did not create equality for other businesses, especially as charity shops were also able to sell new goods;
- Mr Begy felt that the High Street would be improved if bigger retailers could be encouraged to have shops on Oakham High Street, or by improving the Market Place;
- Mr Walters confirmed that there was currently 9 Charity Shops in Oakham and they were in primary locations. In order to ensure that Oakham town centre remains viable charity shops should be given their own planning category and changes made to the right to discretionary relief; and
- It was agreed that contact would be made with other Local Authorities in order to obtain support from neighbours which may strengthen the request to change national policy.

Mr Mathias Proposed an amendment to the wording of the motion in order to request that Charity Shops be subject to change of use for planning purposes when taking over premises. This was seconded by Mr Walters.

RESOLVED

Council **AGREED** to support the amended motion that a letter be submitted to the Secretary of State for Communities and Local Government requesting:

- That Charity Shops should be subject to change of use for planning purposes.

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

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Mr S Della Rocca left the meeting and did not return

Mrs A Grinney left the meeting and did not return

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- ii) The Notice of Motion submitted by Miss G Waller in accordance with Procedure Rule 34 was received.

Miss Waller introduced the motion and moved the recommendation below. Mr Oxley seconded the recommendation.

1. That this Council resolves to respond to NHS England's consultation on the closure of the congenital heart unit at Leicester opposing the closure for the following reasons:
 - i. The 120 "standards" identified by NHS England as the key to their rationale are not standards but measures and the singling out of number of operations per surgeon as the single most important "standard" is arbitrary.
 - ii. NHS England propose keeping open Newcastle yet Newcastle has fewer operations per surgeon than Leicester and a less robust plan for achieving the target.
 - iii. NHS England argue Newcastle is a special case because of the heart transplant work undertaken there but refuse to accept Leicester is equally a special case because of its position as national specialist in offering Extracorporeal Membrane Oxygenation (ECMO) on a mobile basis.
 - iv. There is no guarantee that Leicester will be able to offer Level 2 services (the Trust feels they will not, without the Level 1 provision) and as NHS England are also proposing closing services in Nottingham the entire East Midlands will be left without specialist CHD services as services will only be offered in Newcastle and London.
 - v. The modelling undertaken by NHS England on travelling times is seriously flawed being based on present patients and not geography (i.e. where future patients might live).
 - vi. Additional travelling time, and few overnight accommodation options near Birmingham Children's Hospital in particular, will put enormous pressure on families, especially siblings, and will disrupt schooling of these children even further.

- vii. NHS England have produced no plan to show how the additional capacity will be created at centres which remain open if the proposals to close centres, especially Leicester, are taken forward.
 - viii. NHS England have taken no account of quality. Leicester's CHD Unit has been rated outstanding by CQC (the only one in the Country) and has the best survival rates of anywhere in the Country.
2. That this Council respond by letter before 17 July which is the closing date for the consultation.

During her introduction Miss Waller highlighted the following:

- Both Leicestershire and Leicester City and the LLR Joint Health Scrutiny had responded separately;
- The proposals would affect Rutland residents;
- No hospital currently satisfies all 120 "standards", Newcastle fell well short, but had been given further time;
- ECMO was a specialist area in the same way that Transplant was for Newcastle, Glenfield was a world leader in ECMO;
- Specialist nursing was in short supply; and
- If Nottingham closed the whole of East Midlands would have no cover – some patients had to attend hospital monthly and for babies who suffer from heart disease it could mean regular visits their whole life, which can present very real difficulties for parents especially where they have other children that also have (special) needs.

During debate points raised included:

- Mr Clifton confirmed that he had written to NHS England as Chair of Rutland Health and Wellbeing Board and they had come to one of the meetings, but he was not convinced that comments were taken on board, particularly regarding calculations around travel times and the availability of public transport;
- Mrs Stephenson highlighted that it could take 20 years to build the level of expertise in ECMO that had been achieved at Glenfield at Birmingham; and
- Mr Cross thanked Miss Waller for bringing such an important subject before members.

RESOLVED

Council **AGREED** to respond to NHS England's consultation on the closure of the congenital heart unit at Leicester by letter before the deadline of 17 July 2017, opposing the closure for the reasons set out above.

137 ELECTORAL REVIEW: SUBMISSION ON COUNCIL SIZE

Report No. 135/2017 was received from the Director for Resources the purpose of which was to obtain Council approval for the submission to the Local Government Boundary Commission for England (LGBCE) on council size as part of the Electoral Review.

RESOLVED

To **APPROVE** the submission to the Local Government Boundary Commission for England (LGBCE) on council size recommending that the number of Councillors remains unchanged.

138 ANY URGENT BUSINESS

No matters of urgent business were received.

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The Chairman declared the meeting closed at 8.32 pm.

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