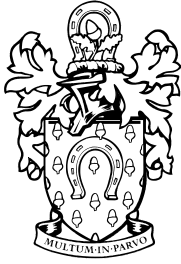


Public Document Pack



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 **TWO HUNDRED AND SIXTY THIRD MEETING OF THE COUNCIL** to be held in the Council Chamber at Catmose, Oakham on **10 July 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

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) MINUTES OF PREVIOUS MEETING

To confirm the Minutes of the 261st meeting of the Rutland County Council District Council held on 10 April 2017 and the 21st Annual and 262nd meeting of the Rutland County Council District Council held on 8 May 2017.

6) PETITIONS, DEPUTATIONS AND QUESTIONS FROM MEMBERS OF THE PUBLIC

To receive any petitions, deputations or questions received from members of the public in accordance with the provisions of Procedure Rule 28. The total time allowed for this is 30 minutes. Petitions, deputations and questions will be dealt with in the order in which they are received and any which are not considered within the time limit shall receive a written response after the meeting.

7) QUESTIONS FROM MEMBERS OF THE COUNCIL

To receive any questions submitted from Members of the Council in accordance with the provisions of Procedure Rules 30 and 30A.

8) REFERRAL OF COMMITTEE DECISIONS TO THE COUNCIL

To determine matters where a decision taken by a Committee has been referred to the Council in accordance with the provisions of Procedure Rule 110.

9) CALL-IN OF DECISIONS FROM CABINET MEETINGS DURING THE PERIOD FROM 8 April 2017 to 7 July 2017 (INCLUSIVE)

To determine matters where a decision taken by the Cabinet has been referred to Council by the call-in procedure of Scrutiny Panels, as a result of the decision being deemed to be outside the Council's policy framework by the Monitoring Officer or not wholly in accordance with the budget by the Section 151 Officer, in accordance with the provisions of Procedure Rules 206 and 207.

10) REPORT FROM THE CABINET (Pages 5 - 14)

To receive Report No. 136/2017 from the Cabinet on recommendations referred to the Council for determination and to note the Key Decisions taken at its meetings held on 18 April 2017, 16 May 2017 and 20 June 2017.

11) REPORTS FROM SCRUTINY COMMISSION / SCRUTINY PANELS

To receive the reports from the Scrutiny Commission / Scrutiny Panels on any matters and to receive questions and answers on any of those reports.

12) JOINT ARRANGEMENTS AND EXTERNAL ORGANISATIONS

To receive reports about and receive questions and answers on the business of any joint arrangements or external organisations.

13) NOTICES OF MOTION (Pages 15 - 18)

To consider the Notices of Motion submitted in accordance with Procedure Rule 34, in the order they were received as detailed below.

The text of the Motions can be found in the agenda pack.

- i) Deterioration in Economic Viability of Market Town High Streets -
Councillor Tony Mathias/Councillor Alan Walters.
- ii) NHS Proposal to close the congenital heart unit at UHL Trust (Leicester)
– Councillor Gale Waller/Councillor Marc Oxley

14) ELECTORAL REVIEW: SUBMISSION ON COUNCIL SIZE (Pages 19 - 36)

To receive Report No.135/2017 from the Director for Resources.

15) ANY URGENT BUSINESS

To receive items of urgent business which have been previously notified to the person presiding.

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TO: MEMBERS OF THE COUNCIL

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

Mr N Begy
Miss R Burkitt
Mr R Clifton
Mr W Cross
Mr R Foster
Mr R Gale
Mr J Lammie
Mr T Mathias
Mr C Parsons
Mr A Stewart
Mr A Walters

Mr O Bird
Mr B Callaghan
Mr G Conde
Mr J Dale
Mrs J Fox
Mr O Hemsley
Mr A Mann
Mr M Oxley
Mrs L Stephenson
Miss G Waller
Mr D Wilby

---oOo---

THE COUNCIL'S STRATEGIC AIMS

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

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COUNCIL

10 July 2017

CABINET RECOMMENDATIONS TO COUNCIL

Report of the Cabinet

Strategic Aim:	All	
Exempt Information	No	
Cabinet Member(s) Responsible:	N/A	
Contact Officer(s):	Natasha Brown, Acting manager - Corporate Support	01572 720991 nbrown@rutland.gov.uk
Ward Councillors	N/A	

DECISION RECOMMENDATIONS

1. That Council notes the Key Decisions made by Cabinet since the publication of the agenda for the previous ordinary meeting of the Council on 10 April 2017, as detailed in Appendix A to this report.

2. That Council approves the following Recommendations from Cabinet:
 - i) 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;
 - ii) To redesignate the Welland Audit Reserve as an Audit Reserve following cessation of the Welland Internal Audit service; and
 - iii) To redesignate the Winter Maintenance Reserve as an Extreme Weather Reserve with a ceiling of £100k.

20 June 2017

Decision No. 61

Report No. 111/2017

REVENUE AND CAPITAL OUTTURN 2016/17 AND BUDGET UPDATE 2017/18

1 PURPOSE OF THE REPORT

- 1.1 To consider the recommendations of Cabinet since the publication of the agenda for the previous ordinary meeting of the Council on 10 April 2017.

- 1.2 To report to Council the Key Decisions made by Cabinet since the publication of the agenda for the previous ordinary meeting of the Council on 10 April 2017, as detailed in Appendix A to this report.

2 BACKGROUND AND MAIN CONSIDERATIONS

- 2.1 As outlined in report number 111/2017
- 2.2 The Key Decisions Listed in Appendix A have already been taken and can be found in the Cabinet Record of Decisions for the meetings of 18 April 2017, 16 May 2017 and 20 June 2017.

3 CONSULTATION

- 3.1 As outlined in report number 111/2017.
- 3.2 Consultation for key decisions is included in the reports for the meetings of Cabinet referred to in Appendix A.

4 ALTERNATIVE OPTIONS

- 4.1 The only other option would be to not receive the Cabinet's report to Council. However Procedure Rule 246.3 of the Constitution requires the submission of the report.

5 FINANCIAL IMPLICATIONS

- 5.1 Any financial implications are outlined in report 111/2017, or contained in the reports referred to in Appendix A.

6 LEGAL AND GOVERNANCE CONSIDERATIONS

- 6.1 As outlined in report 111/2017.
- 6.2 The Key Decisions listed in Appendix A have already been taken and the record is for Council's information only.

7 EQUALITY IMPACT ASSESSMENT

- 7.1 As outlined in report 111/2017, or contained in the reports referred to in Appendix A.

8 COMMUNITY SAFETY IMPLICATIONS

- 8.1 Any Community Safety implications are outlined in report 111/2017, or contained in the reports referred to in Appendix A.

9 HEALTH AND WELLBEING IMPLICATIONS

- 9.1 Any Health and Wellbeing implications are outlined in report 111/2017, or contained in the reports referred to in Appendix A.

10 CONCLUSION AND SUMMARY OF REASONS FOR THE RECOMMENDATIONS

- 10.1 That Council notes the report and considers the recommendations from Cabinet in order to ensure the procedure rules in the Constitution are followed.

11 BACKGROUND PAPERS

11.1 Cabinet Record of Decisions: 18 April 2017, 16 May 2017 and 20 June 2017

12 APPENDICES

12.1 Appendix A - Key Decisions Made by Cabinet since the Previous Ordinary Meeting of the Council.

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Council
10 July 2017

Key decisions made by the Cabinet since the Agenda for the Ordinary Meeting of the Council on 10 April 2017. These decisions have already been taken and this record is for Council's information only:

Date	Key Decision No.	Title	Decision
18 April 2017	748	RUTLAND ONE PUBLIC ESTATE	<ol style="list-style-type: none"> 1) Cabinet AGREED to formally record its support for the Rutland – One Public Estate (ROPE) project and the opportunities that it presented. 2) Cabinet AUTHORISED the submission of a further bid of up to £500,000, should the opportunity arise, the final details and amount to be approved by the Chief Executive and Leader. 3) Cabinet DELEGATED the acceptance of terms and conditions of any funding awarded from the One Public Estate Team in respect of this project to the Chief Executive in consultation with the Leader. 4) Cabinet APPROVED the allocation of £50,000 from the Invest to Save Reserve and £50,000 from Section 106 monies for the ROPE project.
18 April 2017	749	UPDATE TO OAKHAM LIBRARY/CHILDREN'S CENTRE EXTENSION	<ol style="list-style-type: none"> 1) Cabinet APPROVED an increase in the budget of up to £309,000 for the Oakham Library refurbishment and the Children's Centre extension. 2) Cabinet NOTED progress made towards the delivery of the combined Oakham Library and Children's Centre. 3) Cabinet requested the Chair of the Audit and Risk Committee to add a review onto the Internal Audit Plan for 2017/18. 4) Cabinet DELEGATED AUTHORITY to the Chief Executive in consultation with the Leader and Assistant Director Finance to determine the source of funding for the additional budget.
18 April 2017	750	PRIVATE SECTOR HOUSING RENEWAL POLICY	<ol style="list-style-type: none"> 1) Cabinet AUTHORISED the publication and adoption of the Private Sector Housing Renewal Policy attached at Appendix A to Report No. 67/2017.

Date	Key Decision No.	Title	Decision
18 April 2017	751	HIGHWAYS CAPITAL PROGRAMME	<p>1) Cabinet APPROVED:</p> <ol style="list-style-type: none"> 1. The highway capital programme for 2017/2018 (attached as Appendix A to Report No. 6/2017). 2. The use of £378k National Productivity Investment (NPI) funding for design and consultation works to Oakham Town Centre. 3. The continued use of the Midlands Highway Alliance (MHA) Medium Schemes Framework for procuring schemes over the agreed term maintenance contract threshold as part of an alliance with other Midland authorities. 4. The continued delegation of the statutory function for the maintenance of all highway related structures to Leicestershire County Council, under Section 101 of the LGA. <p>2) Cabinet NOTED the indicative programmes for 2018/19 and 2019/20 (attached as Appendices B and C to Report No. 6/2017).</p> <p>3) Cabinet AUTHORISED the Director for Places (Environment, Planning and Transport), in consultation with the Portfolio Holder to approve the use of any savings generated from Capital schemes to bring forward schemes from the forward programme (Appendices B and C to Report No. 6/2017), or works as may be required to expedite the delivery of capital maintenance works.</p>
18 April 2017	752	INTEGRATED TRANSPORT CAPITAL PROGRAMME	<p>1) Cabinet APPROVED:</p> <ol style="list-style-type: none"> 1. The spend on schemes listed in Appendix A to Report No. 55/2017. Subject to consultation with Ward Members. 2. The recommendations for monitoring and rejection of the schemes listed in Appendix B to Report No. 55/2017. 3. The recommendations for feasibility, retention or removal of the schemes listed in Appendix C to Report No. 55/2017. 4. The procedural changes set out within this report, including delegated

Date	Key Decision No.	Title	Decision
			<p>authority to the Director for Places (Environment, Planning and Transport) in consultation with the Portfolio Holder for transport to approve or decline construction of schemes under £5000 and schemes recommended in the feasibility studies.</p> <p>2) Cabinet AGREED to delegate authority to the Director for Places (Environment, Planning and Transport) in consultation with the Portfolio Holder for transport to create or modify traffic regulation orders (TROs) where this is required as part of a scheme and the changes comply with DfT guidance.</p>
18 April 2017 11	753	PARKING REVIEW 2016-2017	<p>1) Cabinet APPROVED the recommended amendments and additions to parking restrictions listed in Appendix 1 of Report No. 18/2017.</p> <p>2) Cabinet AGREED to delegate the consideration of any objections to the statutory consultation for the Traffic Regulation Orders (TROs) to the Director for Places (Environment, Planning and Transport) in consultation with the Ward Members and Portfolio Holder for highways, along with the authority to modify the TROs.</p>
16 May 2017	23	SOCIAL VALUE POLICY	1) Cabinet APPROVED the Social Value Policy as attached to Report No. 104/2017.
16 May 2017	24	PROCURING A SUBSTANCE MISUSE & COMMUNITY TREATMENT SERVICE IN RUTLAND	<p>1) Cabinet APPROVED the procurement model and award criteria for a substance misuse and community treatment service for Rutland.</p> <p>2) Cabinet AUTHORISED the Director for People in consultation with the Director of Public Health and the Cabinet Member with portfolio for Adult Social Care and Health, to award the contract resulting from this procurement in line with the Award Criteria.</p>
16 May 2017	25	BANKING SERVICES PROCUREMENT	1) Cabinet APPROVED the delegation of the award criteria and the contract award for banking services to the Director for Resources in consultation

Date	Key Decision No.	Title	Decision
			with the Portfolio Holder for Growth, Trading Services and Resources (except Finance).
20 June 2017	61	REVENUE AND CAPITAL OUTTURN 2016/17 AND BUDGET UPDATE 2017/18	<p>1) Cabinet APPROVED:</p> <ul style="list-style-type: none"> i) The transfer of £786k from 16/17 underspends to earmarked reserves for future use of which £487k related to the ring fenced Better Care Fund and Public Health budget; ii) The revenue budget carry forwards of £948k as outlined in Appendix A to Report No. 111/2017, para 1.3.2, 1.3.3 and 1.4.3; and iii) The changes to the 17/18 revenue budget (as outlined in Appendix H to Report No. 111/2017) which had a net General Fund impact of £9k. <p>2) Cabinet NOTED:</p> <ul style="list-style-type: none"> i) The outturn on the revenue budget and capital programme; ii) The updated version of the capital programme as set out in Appendix A to Report No. 111/2017, para 4.1 including an extra £17k received for Disabled Facilities Grants; iii) The additional transfer to earmarked reserves made by the Assistant Director (Finance) in line with the approval given in report (44/2017); and iv) The indicative plans for the Better Care Fund (Appendix 1 to Report No. 111/2017). <p>3) Cabinet AUTHORISED the Director for Resources to allocate the IT capital allocation of £150k.</p> <p>4) Cabinet RECOMMENDED TO COUNCIL:</p> <ul style="list-style-type: none"> 1. 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; 2. To redesignate the Welland Audit Reserve as an Audit Reserve following cessation of the Welland Internal Audit service; and 3. To redesignate the Winter Maintenance Reserve as an Extreme Weather Reserve with a ceiling of £100k.

Date	Key Decision No.	Title	Decision
20 June 2017	62	EDUCATIONAL PSYCHOLOGY CONTRACT PROVISION	1) Cabinet APPROVED the direct award for the delivery of educational psychology services to Partners in Psychology until 31 st August 2018.
20 June 2017	65	MENTAL HEALTH RECOVERY AND RESILIENCE LOCAL SERVICE PROCUREMENT	1) Cabinet APPROVED the contract award to the provider as set out in Appendix A to Report No. 113/2017. 2) Cabinet APPROVED the Section 256 Agreement for Rutland County Council to receive funding from East Leicestershire and Rutland Clinical Commissioning Group for the service set out in Appendix B to Report No. 113/2017.

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MOTION TO COUNCIL – FULL COUNCIL 10 JULY 2017

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

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Motion for Council – 10 July 2017

NHS Proposal to close the congenital heart unit at UHL Trust (Leicester)

Motion:

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.

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COUNCIL

10 July 2017

ELECTORAL REVIEW: SUBMISSION ON COUNCIL SIZE

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, Acting Team Manager - Corporate Support	01572 720991 nbrown@rutland.gov.uk
Ward Councillors	All	

DECISION RECOMMENDATIONS

That Council:

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

1 PURPOSE OF THE REPORT

- 1.1 To approve a submission to the Local Government Boundary Commission for England (LGBCE) on council size based on:
 - The Council's Governance and Decision Making
 - Committees and Scrutiny
 - Councillor's representational role.

2 BACKGROUND AND MAIN CONSIDERATIONS

- 2.1 The last review of electoral arrangements took place in 2002. A link to the final report for this review can be found below:

<https://www.lgbce.org.uk/current-reviews/east-midlands/rutland/rutland>

- 2.2 The LGBCE notified the council in late 2016 that it had scheduled an electoral review to commence in under the Local Democracy, Economic Development and Construction Act 2009.
- 2.3 Rutland has been identified as having poor levels of electoral equality with 5 out of 16 wards having a variance of greater than +/-10% (See table below)

Electoral ratios as at 1 December 2016

Ward	Electorate	No. of cllrs	Ratio	Variance from average
Braunston & Belton	1,076	1	1,076	-5%
Cottesmore	2,248	2	1,124	0%
Exton	1,210	1	1,210	7%
Greetham	1,046	1	1,046	-7%
Ketton	2,255	2	1,128	0%
Langham	1,168	1	1,168	4%
Lyddington	1,159	1	1,159	3%
Martinsthorpe	960	1	960	-15%
Normanton	2,420	2	1,210	7%
Oakham North East	2,058	2	1,029	-9%
Oakham North West	3,432	2	1,716	52%
Oakham South East	2,030	2	1,015	-10%
Oakham South West	1,836	2	918	-19%
Ryhall and Casterton	2,306	2	1,153	2%
Uppingham	3,038	3	1,013	-10%
Whissendine	1,064	1	1,064	-6%
Average	29,306	26	1,127	

2.4 An electoral review determines the following 5 things:

- Total number of councillors
- Total number of wards
- Boundaries of each ward
- Number of councillors elected to each ward
- Names of each ward

2.5 Under the 2009 Act the LGBCE have a statutory obligation to have regard to:

- The need to secure equality of representation;
- The need to reflect the identities and interests of local communities; and
- The need to secure effective and convenient local government.

2.6 The first stage of the electoral review is for the LGBCE to make a proposal regarding the future size of the council (i.e. the number of councillors) the Council is invited to make a submission setting out our proposal before it publishes its own for consultation. Regardless of whether a change is proposed or not this submission must be justified and be supported by evidence.

2.7 The Second stage of the review concerns warding arrangements. The Council size will be used to determine the average (optimum) number of Electors per councillor to be achieved across all wards of the authority. This number is reached by dividing the electorate by the number of Councillors on the authority.

2.8 A timetable for this review is shown below:

PART ONE: COUNCIL SIZE	
Draft Report on Council Size to Constitution Review Working Group	20 April 2017
Council approval of Submission on Council Size	10 July 2017
Submission on Council Size to LGBCE	11 July 2017
PART TWO: WARDING ARRANGEMENTS	
LGBCE Consultation on Warding Patterns	25 July 2017 – 2 October 2017
RCC Response to the Consultation – Proposed Warding Patterns Submission	11 September 2017
LGBCE Draft Recommendations Presented to Council	December 2017
LGBCE Consultation on Draft Recommendations	5 December 2017 – 19 February 2018
RCC Response to Consultation	15 January 2018
LGBCE Final Recommendations Published	May 2018
Order comes into force	2019 Elections

2.9 The commission will form its view about the right council size for an authority by looking at:

- governance arrangements of the council and how it takes decisions across the broad range of its responsibilities.
- the council's scrutiny functions relating to its own decision making and the council's responsibilities to outside bodies.
- representational role of councillors in the local community and how they engage with people, conduct casework and represent the council on local partner organisations.

3 CONSULTATION

- 3.1 An initial background and fact finding paper was presented to the Constitution Review Working Group (CRWG) on 23 March 2017. Following a discussion of the paper the CRWG requested that a submission on council size be drafted on the basis that the number of Councillors remained the same. The CRWG received the Draft Submission on Council Size at their meeting on 20 April 2017. Members of CRWG requested a series of minor additions/alterations to the submission, which were incorporated into the draft.
- 3.2 The draft submission has also been sent to the LGBCE for comment and feedback. The LGBCE did not identify any requirement for additional information and were satisfied with the draft as submitted.

4 ALTERNATIVE OPTIONS

- 4.1 The alternative options would be to submit a recommendation that the Council size increase or decrease, but there is insufficient evidence to justify a change to the number of Councillors.

5 FINANCIAL IMPLICATIONS

- 5.1 There are no financial implications as no changes have been proposed.
- 5.2 RCC Officer support for this review will be contained within existing budgets.

6 LEGAL AND GOVERNANCE CONSIDERATIONS

- 6.1 Section 56 of the Local Democracy, Economic Development and Construction Act 2009 provides that the electoral arrangements of every principal local authority in England must be reviewed from time to time. The LGBCE has a rolling programme of electoral reviews and Rutland has been identified as having poor levels of electoral equality with 5 out of 16 wards having a variance of greater than +/-10%.

7 EQUALITY IMPACT ASSESSMENT

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

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 Taking into account the evidence within this paper there appears to be sufficient number of members of the council to ensure that the business of the council remains sustainable. It is recognised that there is inequality of representation in some areas, but it is proposed that this inequality can be acceptably dealt with by reviewing the ward boundaries based on the existing number of members (26).

11 BACKGROUND PAPERS

11.1 There are no background papers.

12 APPENDICES

12.1 Appendix A –RCC Submission to LGBCE on Council Size

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Rutland County Council

Electoral Review

Submission on Council Size

INTRODUCTION

1. The County Council has decided that a council size of 26 remains appropriate and therefore proposes that current arrangements are maintained for the following reasons:
 - i. There is no evidence that the workload of Councillors is currently such that would justify an increase or decrease in the total number of Councillors. Although the Rutland population has increased since the last review, the growth is not considered sufficient to justify increasing the number of Councillors, however redistribution of the electorate by changing warding arrangements would result in a more equal burden in terms of ward member responsibilities;
 - ii. Members have indicated that it is not necessarily the number of meetings they are required to attend that determines the workload of the Councillor but rather the role that each individual Member assumes and feels is appropriate with regard to their own capacity. The Council is looking to ensure that roles are allocated in accordance not just with Members skills and experience in mind but taking into account the personal commitments and capacity of each Councillor;
 - iii. The above factors will ensure that; the business of the council remains sustainable, convenient and effective local government is assured, the interests of local communities are prioritised and equality of representation is achieved.

BACKGROUND

2. The Local Government Boundary Commission for England technical guidance states that an electoral review will be required when there is a notable variance in representation across the authority. A review will be initiated when:
 - more than 30% of a council's wards/divisions having an electoral imbalance of more than 10% from the average ratio for that authority; and/or
 - one or more wards/divisions with an electoral imbalance of more than 30%; and
 - the imbalance is unlikely to be corrected by foreseeable changes to the electorate within a reasonable period.

Rutland has been identified as having poor levels of electoral equality with 5 out of 16 wards having a variance of greater than +/-10%.

FACTORS WHICH DETERMINE COUNCIL SIZE

3. The Council size is the starting point of an electoral review since it determines the average number of electors per councillor to be achieved across all wards of the authority. In order for the LGBCE to consider the patterns of wards/electoral divisions they need to know the optimum number of electors per councillor, this is derived from dividing the electorate by the number of councillors to be elected to the authority.
4. The LGBCE recognises the diverse nature of Local Authorities and the communities they serve and so they will aim to recommend electoral arrangements, including Council size, which is right for each particular local authority.
5. The LGBCE technical guidance states that it will consider the following main areas when looking at council size:
 - Governance arrangements of the council and how it takes decisions across the broad range of its responsibilities.
 - The council's scrutiny functions relating to its own decision making and the council's responsibilities to outside bodies.
 - The representational role of councillors in the local community and how they engage with people, conduct casework and represent the council on local partner organisations.

These areas are considered in detail below.

CURRENT COMPOSITION OF THE COUNCIL

6. The Council comprises of 26 members, representing 16 Wards. All wards are represented by either one, two or three councillors. Whole Council elections take place every 4 years.
7. An overview of the current composition of the council can be found below:

Ward Name	Number of Councillors	Parishes	Electorate at Dec 2016
Braunston and Belton	1	Ayston, Belton-in- Rutland, Braunston, Brooke, Leighfield, Preston, Ridlington, Wardley	1076
Cottesmore	2	Barrow, Cottesmore, Market Overton, Teigh	2248
Exton	1	Ashwell, Burley, Egleton, Exton & Horn, Hambleton, Whitwell	1210
Greetham	1	Clipsham, Greetham, Pickworth, Stretton, Thistleton	1046

Ward Name	Number of Councillors	Parishes	Electorate at Dec 2016
Ketton	2	Barrowden, Ketton, Tinwell, Tixover	2255
Langham	1	Langham	1168
Lyddington	1	Bisbrooke, Caldecott, Glaston, Lyddington, Seaton, Stoke Dry, Thorpe by Water	1159
Martinsthorpe	1	Gunthorpe, Lyndon, Manton, Martinsthorpe, Morcott, Pilton, Wing	960
Normanton	2	Edith Weston, Empingham, Normanton, North Luffenham, South Luffenham	2420
Oakham North East	2	Oakham North East Parish Ward	2058
Oakham North West	2	Oakham North West Parish Ward, Barleythorpe	3432
Oakham South East	2	Oakham South East Parish Ward	2030
Oakham South West	2	Oakham South West Parish Ward	1836
Ryhall and Casterton	2	Essendine, Great Casterton, Little Casterton, Ryhall, Tickencote	2306
Uppingham	3	Beaumont Chase and Uppingham	3038
Whissendine	1	Whissendine	1064
		TOTAL	29306

8. Changes since the Last Review:

- There have been changes in the governance arrangements for the Council, and the general way in which it operates since the last review was undertaken by the LGBCE.
- Executive Arrangements introduced by Local Government Act 2000 – streamlined decision making through the introduction of the Leader and Cabinet model.
- Advances in Technology – Electronic Communication allows residents direct access to Ward Councillors quickly and easily. It is now much easier for Officers to communicate with Councillors through email.
- There is a huge amount of information available to the public via the Council's website that can be accessed 24/7. This allows residents to access information directly rather than going through Ward Councillors. However access to information has also resulted in the community being more informed and having a greater understanding of valid considerations, in areas such as planning, people were more ready to challenge and this increased the workload of Councillors. This is

particularly true in an area such as Rutland where the demographic is weighted towards a higher number of retired residents than other areas, who may have the time, experience and education to raise issues with Councillors.

- At the time of the last review the average number of electors per councillor was 1303 and this was projected to increase to 1391 by 2006, this average would have been based on the number of councillors at that time, which was 20. The 2002 review recommended an increase to Council size to 26 Councillors which resulted in a councillor to elector ratio of 1:1070 based on electorate forecast by 2006. The current Councillor to elector ratio is 1:1127 (average), 29,306 electors for 26 councillors as at 1 December 2016.
- In 2002 the Rutland population was 34,600 and it is currently 37,400¹.

Rutland

9. Rutland County Council is a unitary Council and as such provides a wide range of services to the community.
10. Rutland is characterised by two distinct geographical elements:
 - Market Towns of Uppingham Oakham
 - Rural villages/Hamlets
11. Rutland Water lies at the centre of Rutland and provides tourism, sport and leisure in the area.
12. The whole area is parished and contains 54 parishes.
13. Below is a profile of Rutland taken from our Corporate Plan which was published in 2016²:

Population: 37,400, Males 18,900, Females 18,500 with a population density of 0.98 people per hectare

Age Range	% of Population
0-19	25.16
19-65	58.18
65 plus	16.66

Ethnicity: White British 94.3% Other 5.7%

Households: 16,765 as at January 2011

Average House Prices: £228,858 (National £186,325) as at November 2015

¹ 2011 Census Data

² Based on 2011 Census unless otherwise stated

Median gross weekly pay (Full Time & Residency based): £558.70 (East Midlands £492.00)

Indices of Deprivation: Ranked 149/152 Upper tier local authorities

Unemployment rate: 0.5% (112) (JSA claimants for January 2016)

Businesses³

Size of Business no. of Employees	Rutland (Numbers)
Less than 9	1,655
10-49	180
50-249	35
More than 250	5
Total	1,875

GOVERNANCE AND DECISION MAKING

Role and Function of Councillors

14. Article 2 of the Rutland County Council Constitution states that all councillors will:

- collectively be the ultimate policy-makers and carry out a number of strategic and corporate management functions;
- represent their communities and bring their views into the Council's decision-making process, i.e. become the advocate of and for their communities;
- contribute to the good governance of the area and actively encourage community participation and citizen involvement in decision making;
- deal with individual casework and act as an advocate for constituents in resolving particular concerns or grievances;
- balance different interests identified within the ward and represent the ward or electoral division as a whole;
- respond to constituents' enquiries and representations, fairly and impartially;
- participate in the governance and management of the Council;
- be involved in decision-making;
- be available to represent the Council on other bodies; and
- maintain the highest standards of personal conduct and ethics even if this impinges upon the ability to act as an advocate of constituents.

³ UK Business Count 2015

Leadership

15. Rutland operates a Leader and Cabinet model. The Cabinet is responsible for most day to day decisions along with other “Key Decisions” which are published in the Cabinet Forward Plan. The Constitution allows the Leader to appoint up to 9 Members of Cabinet.
16. The Cabinet currently comprises the Leader, who is elected by the Council and 5 other Councillors appointed by the Leader.
17. Each Cabinet Member has Portfolio responsibilities as follow:
 - Portfolio Holder for Finance and Places (Highways, Transport and Market Towns)
 - Portfolio Holder for Growth, Trading Services and Resources (except Finance)
 - Portfolio Holder for Adult Social Care and Health
 - Portfolio Holder for Safeguarding Children and Young People (Safeguarding)
 - Portfolio Holder for Community Safety, Culture, Sport & Recreation and Environment
 - Portfolio Holder for Lifelong Learning

Executive process

18. The council has attempted to streamline decision making through delegation to officers on an ad-hoc basis, these delegated decisions will usually be in consultation with relevant Portfolio Holders.
19. Full council takes decisions only on those matters that it is required to do by law or the RCC Constitution.
20. Cabinet currently has scheduled meetings once every month (This was reduced from two meetings per month in 2015/16) and over the last two years additional meetings were occasionally required.
21. During 2015/16 Cabinet met on 13 occasions to consider 63 reports –an average of 5 reports per meeting. Cabinet made 99 decisions, 41 recommendations for noting and 17 recommendations to Council. In 2016/17 Cabinet met on 14 occasions, made 87 decisions, 26 recommendations for noting and 14 recommendations to Council.
22. There is currently no delegation of decisions to individual Members of the Cabinet, all decisions are taken collectively at formal Cabinet meetings.

Quasi-judicial processes

23. Development Control and Licensing Committee, comprised of 12 councillors up to the end of 2016/17. With effect from Annual Council in May 2017, the Committee is now known as Planning and Licensing Committee and comprises 10 members. The committee meets every four weeks to consider the applications that the Head of Planning does not determine using delegated powers.

24. In 2015/16 449 planning decisions were made under delegated powers. The planning committee considered 31 planning applications, around 7 per cent of the total number determined. It met 11 times, so considered an average of 3 applications per meeting.
25. In 2016/17 there were 620 planning decisions made under delegated powers. The planning committee has considered 29 planning applications, around 5 per cent of the total number determined. It met 11 times, so on average considered less than 3 applications per meeting. We do not expect to see any significant change in its workload over the next few years.
26. The council's Licensing Act Committee met once in 2015/16 and not at all in 2016/17. With effect from 2017/18 Licensing Act functions will be dealt with by convening ad-hoc sub-committee meetings of the Planning and Licensing Committee.

Demands on Time

27. The Council has nominated Councillors to sit on a wide range of outside bodies, working group and fora. Some of these meetings require a significant amount of travelling due to the location of the meetings. A thorough review of these appointments took place towards the end of the 2016/17 Municipal Year which resulted in the number of appointments being reduced in order to take account of changing arrangements and requirements of external bodies.
28. RCC communicate with Councillors primarily through emails and All Member briefings though individual meetings are still necessary in some circumstances.
29. Members have communicated that their workload was not necessarily affected by the number of Committees/Panels that they sat on, but the number of evening meetings clearly impacted on their time. Historically a significant number of Councillors sat on 3 or more Committees/Scrutiny Panels in addition to attendance at monthly Full Council meetings, this has been addressed by the changes to the Council Structure approved at Annual Council in May 2017 as detailed in paragraph 49.
30. There is currently mandatory training on the Code of Conduct, planning, licensing and appeals. Other optional development opportunities are available through external training and briefings.
31. Retention of Members/Desirability of the role – During the 2011/2015 term two Councillors resigned due to changes in personal circumstances. Since 2011 there have been 3 Councillor deaths and 2 Councillors have retired due to ill-health. The age profile of Rutland Councillors is typically over 50. Out of the 26 Councillors in post in April 2015, 21 stood for election in the May 2015 Unitary Elections (80%). Since 2015 there have been 2 resignations due to increase in work commitments and 2 resignations for reason of ill-health.
32. In 2015/16 there were 6 Council meetings (not including Annual Council Meeting) to

consider a total of 16 reports, an average of less than 3 reports per meeting. There were no special meetings.

33. In 2016/17 there were 11 Council Meetings (Including 3 Special meetings) to consider a total of 23 reports, an average of less than 3 reports per meeting.

COMMITTEES AND SCRUTINY FUNCTIONS

34. The council had 4 scrutiny committees that considers policy development issues, monitor performance, scrutinise the budget setting process and review reports before decisions are made by Cabinet as well as holding the Executive to account. For the 2017/18 Municipal Year the number of Scrutiny Panels has been reduced to 3.
35. Each Scrutiny Panel meets 6 times per year. Each panel had a membership of 10, but this has been reduced to 7 members per panel with effect from the 2017/18 Municipal Year. During 2015/16 the panels met 24 times in total and considered 93 Reports – an average of 4 items per meeting. In 2016/17 the panels met 20 times and considered 77 Reports – an average of 4 items per meeting.
36. There is also a Scrutiny Commission which has the Scrutiny Chairs as Members. The purpose of the Scrutiny Commission is to coordinate the work of Scrutiny Panels.
37. Between 2011 and 2017 Scrutiny Task and Finish Groups include Safeguarding, School Place Planning, Street Lighting, Transport and Neighbourhood Planning.
38. In 2016 Scrutiny undertook to hold an in-depth review of Poverty in Rutland, this review is ongoing. This review was conducted in ordinary scheduled Scrutiny Panel meetings, but also involved 2 All Member Workshops and a considerable amount of work from Scrutiny Commission in planning each stage of the review and collating and creating documents.
39. The council also has an Audit and Risk committee. During 2015/16 the committee met 4 times in total and considered 27 reports – an average of 7 items per meeting. In 2016/17 the committee has met 4 times and considered 22 reports – an average of 5 items per meeting. The committee audits the council's financial processes.
40. The council also has an Employment and Appeals Committee, consisting of 7 Councillors. During 2015/16 the committee met 3 times in total and considered 4 reports – an average of 1 report per meeting. The Committee made 5 decisions and 1 recommendation to note. In 2016/17 the committee has met once and considered 1 report.
41. The council has a Conduct Committee, consisting of 6 Councillors. During 2015/16 the committee did not meet. In 2016/17 the Committee has met once.

Number of Committee Places

42. The table below sets out the number of permanent seats to be filled on Committees with effect from the 2017/18 Municipal Year:

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

43. Member meetings at Rutland are predominantly held in the evenings as daytime meetings limits availability to those councillors that have flexible working arrangements, or are retired/not employed. Evidence on member attendance shows that the current number of councillors enables sufficient attendance at Committee meetings, there have been no meetings in the last municipal year that have been inquorate.
44. In the last Municipal year (9 May 2016 to date) 20 Members achieved attendance of 80% or more, with only 2 Members' attendance falling below 70%.

REPRESENTATIONAL ROLE OF COUNCILLORS

45. Rutland County Council is made up of 26 Elected Members, or Councillors, representing 16 Wards.
46. Constituents more likely to access information through the website which was improved in 2017, however developments in technology and the use of electronic mediums for communication did mean that Councillors had seen an increase in email communication with constituents.
47. Councillors believe that many constituents still prefer to deal directly with their Ward Member as they were more familiar than an RCC Officer.
48. Some councillors representing wards with up to 8 Parishes, but most only represent 1 - 5 parishes. It is normal practice for Ward Councillors to attend Parish Meetings and some Parish meetings meet monthly. Attendance and actions taken from Parish Council/Meeting meetings can represent a significant impact on time.

THE FUTURE

49. The LGBCE requests some consideration of changes that might be made to the current arrangements, which might affect the number of councillors needed:
- i) **Integration of Health and Social Care and the Sustainability and Transformation Plan**
 - The Sustainability and Transformation Plan for Leicester, Leicestershire and Rutland (LLR STP) sets out how services can be changed for the better to

improve care and the patient experience, while addressing the problem of demand for services continually outpacing the resources available. In order to deliver the aspirations in the plan, the health and social care services we deliver, and where and how we offer them, will need to change. Members of the Executive and scrutiny councillors will therefore have an important role to play in order to fulfil their function in the development and implementation of these plans as they progress. Indeed all members will need to be able to respond to queries from and provide updates to their communities as the plans develop, especially in areas that require consultation to change.

- Maintaining an effective Scrutiny function within the Council will be imperative as the plans progress in order to feed into consultations on proposals and in time to look at strategies and submissions for implementation. There will also be a key role for members of the Executive in the authorisation of changes and recommendations arising out of the plans. Elected members role in the governance, oversight, scrutiny and approval processes for the LLR STP will be delivered by the Rutland Adults and Health Scrutiny Panel, the Rutland Health and Wellbeing Board and membership of the Leicester, Leicestershire and Rutland Joint Health Scrutiny. Involvement and attendance at meetings and briefings may increase for those members involved as the plans progress, but current member numbers are sufficient in order to deal with the additional burden created by emerging plans.

ii) **Rutland One Public Estate**

- In April 2017 Cabinet formally made a decision to support the Rutland – One Public Estate Project.
- Initially the project will focus on two projects:
 - a) the potential future for St George’s Barracks (due for closure in 2020/21) and this will build on the on-going dialog we have been having with the MOD since the closure was announced in December 2016
 - b) the concept of an Oakham Hub – which builds on the concept of the Health and Social Care Hub which has been the subject of discussions around the Better Care Project and the emerging Sustainability and Transformation Plan
- In order to support the initial stages of the project a Programme Board has been established. This is chaired by the Leader and includes the Deputy Leader and Portfolio Holder for Health and Social Care. There have been All Member Briefings regarding this project and given the scope and scale of the project it is anticipated that Member involvement in the form of decision making, consultation and eventually circulation of information to the wider community through the Ward Member role will increase.

iii) **Impact of Closure of St George’s Barracks**

- The impact of the closure on St George’s Barracks is not yet known. Any future redevelopment of the site may affect the number of councillors

required but this will not be for a number of years therefore falls outside the period of this review.

iv) **Neighbourhood Plans**

- There are a number of areas within Rutland that are currently looking at, or within the preliminary stages of producing a Neighbourhood Plan. Councillors will require an understanding of the key principles, scope and stages of a Neighbourhood Plan in order to support their communities effectively. In the early scoping stages, their role can involve enabling, mediating and managing community expectations. As groups move from visioning to a draft plan, Councillors can also play a key role in encouraging engagement locally and promoting the plan within the wider community.

v) **Financial Constraints and Cuts in Budgets**

- Financial constraints and cuts in budgets will continue to make the task of the councillor increasingly difficult not just in thinking through proposals, but also in justifying, explaining and defending decisions regarding the delivery of services.

vi) **Changes to Council Structure May 2017**

- In May 2017 the Council approved changes to the structure of Scrutiny Panels and Standing Committees at Rutland County Council which had the effect of reducing the number of Scrutiny Panels and Committees as well as reducing the number of seat on these panels and committees. These changes have reduced the number of voting seats from 82 to 51 and will have the effect of reducing workload for some Councillors, but also allowing those Councillors with special skills and experience to undertake roles which reflect their background, capacity and area of interest.

CONCLUSION

50. The County Council believes that a Council size of 26 is the appropriate size for Rutland County Council having regard to governance and decision making, committee and scrutiny functions and the representational role of councillors.
51. The Cabinet and Scrutiny model has been operating for some time in Rutland and there is nothing to suggest that any changes to the size of the council, whether an increase or decrease, would lead to an improvement in the effectiveness of the organisation or deliver significant benefit for local residents.
52. The pressure put on elected members are such that any reduction could overburden members and it is recognised that any increase in council size would also increase the cost of democracy at a time when there is significant financial pressures on delivering services for the people of Rutland.
53. Redistribution of the electorate by changing warding arrangements to create greater equality in the workload associated with the ward member role and allocating roles in

accordance with Members skills and experience (taking account of the personal commitments and capacity of each Councillor) will be effective in ensuring that the business of the council remains sustainable, convenient and effective local government is assured, the interests of local communities are prioritised and equality of representation is achieved. It is hoped that this, along with recent changes in the Council Structure discussed above, will address the challenges which emerging developments on a local and national level may present.