



# Rutland County Council

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Minutes of the **TWO HUNDRED AND SIXTY SEVENTH MEETING of the COUNCIL** held in the Council Chamber, Catmose, Oakham, Rutland, LE15 6HP on Monday, 13th November, 2017 at 7.00 pm

**PRESENT:**

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

**APOLOGIES:** Mr J Dale

## **OFFICERS**

**PRESENT:**

Mrs Helen Briggs	Chief Executive
Mrs Debbie Mogg	Director for Resources (Monitoring Officer)
Dr T O'Neill	Director for People and Deputy Chief Executive
Mrs C Snell	Head of Human Resources
Mrs A Wylie	Head of Legal and Corporate Governance
Mrs Natasha Taylor	Acting Manager - Corporate Support team

## **360 APOLOGIES**

Apologies were received from Mr Dale.

## **361 CHAIRMAN'S ANNOUNCEMENTS**

The Chairman announced that the list of engagements had been circulated. The Chair requested that Members join him in one minute's silence in memory of the late Sir Michael Latham (former Rutland and Melton Member of Parliament). A funeral service would be held on Monday 20 November in Gretton.

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

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

### **363 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.

No declarations of interest were received.

### **364 MINUTES OF PREVIOUS MEETING**

The minutes of the 266<sup>th</sup> meeting of the Rutland County Council District Council held on 9<sup>th</sup> October 2017 were confirmed by the Council and signed by the Chairman.

### **365 PETITIONS, DEPUTATIONS AND QUESTIONS FROM MEMBERS OF THE PUBLIC**

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

### **366 QUESTIONS FROM MEMBERS OF THE COUNCIL**

There were no questions from members of the Council.

### **367 CALL-IN OF DECISIONS FROM CABINET MEETINGS DURING THE PERIOD FROM 7 OCTOBER 2017 TO 10 NOVEMBER 2017 (INCLUSIVE)**

No call-ins were received.

### **368 REPORT FROM THE CABINET**

Report No. 198/2017 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 9 October 2017.

- 1) Council **NOTED** the Key Decisions made since the publication of the agenda for the previous ordinary meeting of the Council on 9 October 2017, as detailed in Appendix A to Report No.198/2017.

- 2) **17 October 2017**  
**Decision No. 350**  
**Report No. 165/2017**  
**TECHNICAL REFORM OF COUNCIL TAX REVIEW**

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

During his introduction Mr Hemsley confirmed that the main objective was to identify areas where it was possible to maximise income in order to avoid the need to reduce services. The changes proposed were aimed at reducing empty homes and the negative impact of empty properties and ensuring that Council Tax liability was applied in an equitable way. The changes proposed could yield nearly £250,000 for the authority.

During debate of the recommendations the following points were raised:

- i. Miss Waller requested confirmation that although she owned rental properties, these were not currently empty, would this constitute a financial interest and prevent her from voting on this item. The Monitoring Officer confirmed that Miss Waller could vote on this item;
- ii. Mr Mathias confirmed that this item had been discussed at the Growth, Infrastructure and Resources Scrutiny Panel following a query from Mr Cross regarding the opportunity to scrutinise the recommendations;
- iii. Mr Callaghan raised the issue that the effect of the changes would result in people paying the full amount for services for which they were not receiving the benefit of (For example bins do not need to be emptied if the property is empty); and
- iv. Mr Conde highlighted that the changes were very much in line with other authorities and that it may encourage the release of property to increase housing stock.

## **RESOLVED**

1. To **APPROVE** the following Recommendations from Cabinet:

- i) that the discount for uninhabitable homes be removed and full Council Tax charged from 1<sup>st</sup> April 2018.
- ii) that the discounts for empty homes be removed and full Council Tax charged from 1<sup>st</sup> April 2018.
- iii) that the premium for long term empty homes be set at 50% from 1<sup>st</sup> April 2018.

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

No reports were received.

## **370 JOINT ARRANGEMENTS AND EXTERNAL ORGANISATIONS**

- i. Mr Baines – Rural Community Council  
Attended the Awards and an ordinary meeting. Mr Baines expressed that it would be nice to see more nominees from Rutland for the awards. Highlighted that Heritage Funding would cease in April 2018 and that it would be disappointing to see the expertise that had built up disappear in Rutland.

- ii. Mr Baines – Welland Partnership  
Meeting attended, there was still a need to get riparian landowners/occupants involved and Mr Baines had been speaking to the Environment Agency and NFU and was hoping to be able to report some movement in next 3-6 months.
- iii. Mr Conde – Rutland Fair Trade Steering Group  
The next few months would see more widespread fundraising activities and Mr Conde hoped that Members would support these. Mr Conde hoped that the provision of fair trade products in the Council would return and would appreciate a discussion with the RCC officer responsible for this area. Mr Conde would also be speaking to Sir Alan Duncan regarding the promotion of Rutland as a Fairtrade County using the signage at County borders.  
The Chief Executive, Mrs Briggs, confirmed that Fairtrade coffee was available at the Council for an honesty contribution. Mr Andrew Edwards was the responsible officer and Mrs Briggs would raise this with him.
- iv. Miss G Waller – Rutland Access Group  
Meeting attended on 11 October which was well supported by RCC Officers from the People and Places Directorates. Members of the group were reassured by information given regarding the support provided in order to assist the elderly to remain in their own homes. Members of the group had also expressed that further consideration be given to the needs of disabled residents when the Green Waste policy was next reviewed. Also, as the Rutland One Public Estate project and St Georges Barracks development progressed that the opportunity would be taken to seek the views of disabled members of the community, particularly with regard to access to any new leisure facilities.
- v. Miss G Waller – South Lincolnshire and Rutland Local Access Forum  
Latest meeting included discussion on the restrictions on walking around Eyebrook Reservoir, due to insurance issues this would only be open to organised groups from Mid-November. Choice Unlimited was an event which showcased information and services and products for disabled people, to facilitate independent living. It was successfully held in October this year and next years' event was currently being planned, Miss Waller would inform members once a date had been set. Rutland Members of the Access Forum has met as a subgroup to focus on Rutland specific areas. Confirmation was given regarding the membership of the Forum which included elected members, landowners and users of rights of ways amongst others and the forum operated under statutory requirements.
- vi. Mr R Foster – Charity of Carlton Hayes hospital  
Mr Foster reminded members that there was approximately £200,000 allocated by the charity each year to organisations across Leicester, Leicestershire and Rutland which were involved in mental health support and services. In the last 2 years only one application had been received from Rutland. If members were aware of organisations which they thought may be eligible for funding, then he was very happy to provide guidance on making applications and further information could also be found on the website.

### **371 APPOINTMENT OF INDEPENDENT PERSONS**

Report No. 196/2017 was received from the Monitoring Officer, the purpose of which was to obtain approval for extending the end date of the appointment of Mr Gordon Grimes and Mr Ian Shatford as Independent Persons to 1 May 2019.

Mrs Mogg, Director for Resources and Monitoring Officer, gave a brief introduction to the report highlighting that the appointment of at least one independent person was a

statutory requirement under the Localism Act 2011 and that it had been practice to appoint two independent persons at Rutland in order to maintain resilience in this area.

Mr Stewart moved the recommendations and Mr Mathias seconded the recommendations.

During debate of the recommendations, points raised included:

- i. Mr Gale requested clarification as to whether there had been a recent recruitment exercise. Mrs Mogg confirmed that historically it had been difficult to recruit to these appointments and that the current arrangements were working well. It seemed appropriate to extend the existing appointments until the end of the current council and the Conduct Committee may want to consider the future recruitment of Independent Persons nearer to that time.

## **RESOLVED**

To **APPROVE** the extension of Mr Gordon Grimes' and Mr Ian Shatford's appointments as Independent Persons to 1 May 2018.

### **372 MEMBERS ALLOWANCE SCHEME**

Report No. 206/2017 was received from the Director for Resources, the purpose of which was to consider the timing and scope of a review of Members' Allowances.

Mrs Mogg, Director for Resources and Monitoring Officer, gave a brief introduction to the report highlighting that the last time Council had considered Members Allowances, no decision had been taken as to when the next review should take place. Should Council decide to approve the recommendations in the report, they were simply committing to undertake a review, the decision on whether to accept the recommendations of the independent remuneration panel would be the subject of a further report which would be brought before Council for decision. The level of allowances may be a factor in attracting new Councillors to the role and so it was considered appropriate to undertake the review in advance of the Council elections in 2019.

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

During debate of the recommendations points raised included:

- i. Mr Clifton expressed that it was only worthwhile paying for the review if the recommendations of the panel were to be given serious consideration. Something should be done to encourage younger Councillors to the role;
- ii. Miss Waller confirmed that there had been several changes to members since the last review and that a review now may be considered differently by members;
- iii. Mr Conde requested clarification on paragraph 2.8 of the report that there would definitely be a workshop for all members to hear about the panel's role and how the review would take place. Mrs Mogg confirmed that this was standard practice and would be arranged; and

- iv. Mr Bool highlighted that any increase in allowances may encourage people to stand at the next election and reminded members that they could take the decision not to receive their allowance should they so wish.

## **RESOLVED**

- 1) To **APPROVE** that the Welland Remuneration Panel is commissioned to undertake an independent review of Members' Allowances as per the terms of reference at Appendix A of Report No. 206/2017; and
- 2) To **APPROVE** a budget of £2,000 in 2018/19, to be funded from the general fund, for the cost of the review.

## **373 CHANGES TO THE CONSTITUTION**

Report No. 200/2017 was received from the Monitoring Officer, the purpose of which was to approve the amendment of the constitution in order to clarify rules regarding speaking at Full Council in relation to referrals under Procedure Rule 110 and approve updates to the Public Speaking Scheme.

Mrs Mogg, Director for Resources and Monitoring Officer, gave a brief introduction highlighting the need to clarify the rules so there was a clear distinction between rules on public speaking where a planning application had been referred to Council and rules on public speaking where the planning application had not previously been heard by the Planning and Licensing Committee. A small amendment was also required in order to clarify the rules regarding inappropriate language and/or behaviour and the right of the Chair to order a member of the public be excluded from the meeting.

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

During debate of the recommendations points raised included:

- i. Mr Conde asked for clarification regarding the powers of the Chair in removing a person from the meeting for unacceptable behaviour. Mrs Mogg confirmed that procedure rules in the RCC Constitution do allow for a member of the public to be requested to leave a meeting for unacceptable language and/or behaviour and highlighted the importance of the Chair working together with the Clerk to deal with these sorts of situations in the most appropriate way;
- ii. Mr Bool added that the Chairman of a meeting may also adjourn the meeting in order to allow the situation to calm down, but that it was difficult to write rules which would cover every eventuality; and
- iii. Mr Baines confirmed that this type of occurrence was actually quite rare and that the Chairman would always need to use his/her judgment to react in the most appropriate way having regard to the powers at his disposal under the rules.

## **RESOLVED**

- 1) To **APPROVE** the amendment of Procedure Rule 28 (4)(a) of the RCC Constitution as detailed in Appendix A of Report No. 200/2017; and
- 2) To **APPROVE** the amendment of the RCC Public Speaking Scheme as detailed at para. 2.4 of Report No. 200/2017.

### 374 EXCLUSION OF THE PUBLIC AND PRESS

Council was recommended to determine whether the public and press be excluded from the meeting in accordance with Section 100(A)(4) of the Local Government Act 1972, as amended, and in accordance with the Access to Information provisions of Procedure Rule 239, as the following item of business was likely to involve the disclosure of exempt information as defined in Paragraph 3 and 4 of Part 1 of Schedule 12A of the Act.

#### RESOLVED

That the public and press be excluded from the meeting in accordance with paragraph 3 and 4 of Part 1 of Schedule 12A to the Local Government Act 1972.

(Paragraph 3 - Information relating to the financial or business affairs of any particular person (including the authority holding that information).

Paragraph 4 - Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority.)

### 375 PLACES DIRECTORATE

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

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### 376 ANY URGENT BUSINESS

No matters of urgent business were received.

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**The Chairman declared the meeting closed at 9.22 pm.**

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