

# Rutland County Council

Catmose Oakham Rutland LE15 6HP.

Telephone 01572 722577 Facsimile 01572 75307 DX28340 Oakham

Notes of the Meeting of the **PARISH COUNCIL FORUM** held on **Monday 02 October 2017 7.00pm** in the Council Chamber, Catmose, Oakham.

---oOo---

**Mr Edward Baines – Vice-Chairman of the Council  
(in the Chair)**

---oOo---

<b>SPEAKER:</b>	Mrs Natasha Taylor	Acting Corporate Support Team Manager, Rutland County Council
	Mrs Adele Wylie	Head of Legal & Corporate Governance, Rutland County Council
	Mr Simon Mutsaars	Chief Executive, Citizens Advice Bureau Rutland

<b>CLERK TO THE FORUM:</b>	Mr K Silcock	Corporate Support Officer
--------------------------------	--------------	---------------------------

**APOLOGIES  
FOR  
ABSENCE**

Mr V Pheasant	Empingham Parish Council
Dr J Higgins	Langham Parish Council
Mr C Renner	Normanton Parish Council
Miss G Waller	Normanton Parish Council
Mrs J Lucas	Oakham Town Council
Ms J Titterton-Fox	Whitwell Parish Council

**1 WELCOME AND INTRODUCTION BY THE CHAIRMAN OF THE COUNCIL**

The Chairman welcomed all parish representatives to the Parish Council Forum.

**2 APOLOGIES FOR ABSENCE**

Apologies received as listed above.

**3 NOTES OF THE LAST MEETING**

The Notes of the Parish Council Forum held on Monday 17 July 2017 were confirmed by parish representatives and signed by the Chairman.

**4 MATTERS ARISING FROM THE LAST MEETING**

There were no matters arising from the notes of the last meeting.

## 5 "TALKBACK"

No discussion took place under this item.

## 6 ELECTORAL REVIEW

Mrs Natasha Taylor – Acting Corporate Support Team Manager for Rutland County Council provided the Forum with a presentation on the Electoral Review.

Please find the full presentation attached.

The following points were noted:

- i. The full report on the RCC Proposal for Ward Patterns could be found on the Council website at:  
<http://rutlandcounty.moderngov.co.uk/ieListDocuments.aspx?CId=145&MId=1649>
- ii. An electoral review could happen at any time, as they are most commonly triggered by changes in population resulting in poor levels of electoral equality.
- iii. If there was a big increase in population after the St George's Barracks project took place then another electoral review could take place.
- iv. The current average elector per Councillor was 1,039 (26 Councillors). With 28 Councillors, the average per Councillor would be 1,129 electors by 2023.
- v. Proposals were looked at that kept 26 Councillors, but they resulted in significant changes in Warding Patterns, the favoured approach was the proposal that caused as little disruption to existing boundaries as possible and that meant proposing an increase in Council size.
- vi. RCC had put forward a proposal in response to the Local Government Boundary Commission for England's (LGBCE) initial consultation and Parish councils were encouraged to respond to consultations on the electoral Review with their views. The ultimate decision maker was the LGBCE.
- vii. Should Parishes require any further information on the review, they could contact the LGBCE directly, or alternatively contact Natasha Taylor, RCC Officer dealing with the review (ntaylor@rutland.gov.uk).

## 7 ETHICAL STANDARDS FOR PARISH COUNCILS

Mrs Adele Wylie – Head of Legal & Corporate Governance, Rutland County Council provided the Forum with a presentation regarding ethical standards for Parish Councils.

Please find the full presentation attached.

The following points were noted:

- i. The County Councillor code of conduct was updated in the last couple of years. Parish Councils could use this as a template if they wished.
- ii. The code of conduct would need to be in line with the Nolan Principles.
- iii. The code of conduct would not need to be approved by Rutland County Council, only by the Parish Council themselves.

## **8 DECISION MAKING WITHIN RUTLAND**

Mrs Adele Wylie – Head of Legal & Corporate Governance, Rutland County Council provided the Forum with a presentation decision making within Rutland.

Please find the full presentation attached.

The following points were noted:

- i. There were currently 7 members on each Scrutiny panel.
- ii. County Councillors could not be a member of a Scrutiny panel and be on Cabinet.
- iii. Only officers would have decisions delegated to them. Decisions would not be delegated to Members.
- iv. Scrutiny panels were there to help and support the Council as well as challenge.

## **9 COMMUNITY WELLBEING PARTNERSHIP**

Mr Simon Mutsaars – Chief Executive of the Citizens Advice Bureau in Rutland, provided a presentation to the Forum regarding the Rutland Community Wellbeing Service.

Please find the full presentation attached.

The following points were noted:

- i. The Bridge dealt with generic and complex support for housing, and had a background in supporting young people and those that had a substance abuse.
- ii. In the first 6 months there had been over 2000 referrals, which had a healthy split in gender and ages.
- iii. Mr Mutsaars had spoken to a number of Parishes about working out capacity and Parishes would be able to point individuals to the service.
- iv. Staff ranged from volunteers and individuals with the skills and up to date training to deal with referrals.
- v. The service would not be a replication of the Good Neighbour scheme; the service would try to work with them.

## **10 PARISH BRIEFING PAPER**

The Parish Briefing Paper for 02 October 2017 was circulated at the meeting.

## **11 ANY OTHER BUSINESS**

No items were raised.

## **12 DATES OF FUTURE MEETINGS**

Monday 29 January 2018  
Monday 16 April 2018

---oOo---

**The Chairman declared the meeting closed at 8.15 pm.**

---oOo---

**PARISH COUNCIL FORUM**  
**Monday 02 October 2017, 7.00PM**

**ATTENDANCE LIST**

<b>NAME</b>	<b>REPRESENTING</b>
Mr Edward Baines	Chairman
Mr Christopher Marsland	Barleythorpe Parish Council
Mr Richard Littlejohns	Barrowden Parish Council
Mrs Sheila Saunders	Barrowden Parish Council
Mr Jim Attack	Braunston Parish Council
Mr Cliff Bacon	Clipsham Parish Meeting
Mr Roger Hyde	Cottesmore Parish Council
Mr Chris Donovan	Cottesmore Parish Council
Mr Norman Milne	Edith Weston Parish Council
Mr Derek Palmer	Exton & Horn Parish Council
Dr David Hodson	Greetham Parish Council
Miss Brenda Palmer	Langham Parish Council
Mr Lawrence Webster	Market Overton Parish Council
Prof Stuart Sanderson	Market Overton Parish Council
Mr Paul Cummings	North Luffenham Parish Council
Mr Adam Lowe	Oakham Town Council
Mr Peter Ind	Oakham Town Council
Mrs Mary Gallacher	Pickworth Parish Meeting
Mr Nick Begy	Rutland County Council (Greetham Ward)
Mr Gordon Brown	Rutland County Council (Ketton Ward)
Mr Tony Mathias	Rutland County Council (Oakham South East Ward)
Mr Adrian Gombault	Ryhall & Belmesthorpe Parish Council
Mr Victor Bacon	South Luffenham Parish Council
Mrs Patricia Bellamy	South Luffenham Parish Council
Mr Ian Munro	Stoke Dry Parish Meeting
Mr Anthony Redmayne	Thorpe By Water Parish Council
Mr Michael Clatworthy	Tickencote Parish Meeting
Mr Dave Casewell	Uppingham Town Council

This page is intentionally left blank



Rutland  
County Council

7

# Local Government Boundary Commission for England: RCC Electoral Review

Minute Annex A





## Background

- The LGBCE identified Rutland as having poor level of electoral equality and announced review late 2016
- Rutland has 5 out of 16 Wards having greater variance than +/-10%
- **Preliminary Period January – July 2017**
  - Briefing to councillors, council staff and local groups on the review process
  - Commission gathered background information
  - RCC put forward its case for the total number of councillors that should be elected to the council in the future: the 'council size'
  - 18 July 2017 Commission made a minded-to decision to recommend a Council Size of 26



## Consultation on Warding Patterns

- Commission held public consultation on new ward boundaries 25 July 2017 – 2 October 2017
- The council, councillors and local groups/people invited to submit proposals on new ward boundaries supported by evidence
- Consultation publicised through media, website, posters and direct contact with stakeholders



# RCC Response to Warding Pattern Consultation

- RCC Full Council approved the RCC response to the warding pattern consultation at a meeting on 11 September 2017
- The RCC proposal was in adherence to the statutory considerations:
  - ✓ It provided **electoral equality** (where each County Councillor represents roughly the same number of electors across the County) with only one ward outside the tolerance
  - ✓ It reflected the **interests and identities of local communities** by preserving the current parish council areas where possible
  - ✓ It provided for Effective and Convenient Local Government



## Summary of RCC Warding Pattern Proposal

- Increase Council Size to **28 Members** in order to achieve greater consistency and minimise radical changes to current Warding Patterns
- ⇒• Creation of a **new Ward for Barleythorpe**, with 2 County Councillors. (Barleythorpe would no longer be part of the County Ward of Oakham North West)
- The Parish of **Teigh is added to Whissendine Ward** (removed from Cottesmore)
- The Parish of **Hambleton is added to Martinsthorpe Ward** (removed from Exton & Horn)
- **Minor boundary changes to the Oakham Parish Wards** of Oakham, Oakham North West and Oakham South West in order to achieve electoral equality



## RCC Proposal for Warding Patterns - Map





## Next Steps of the Review – Consultation on Draft Recommendation

- The commission will draw up recommendations for the council size and warding patterns using evidence and proposals put forward in previous consultation
- Consultation period is **5 December 2017 – 2 February 2018**
- Consultation will be publicised through media, website, posters and direct contact with stakeholders
- Submissions can be made through the Commissions consultation portal <https://consultation.lgbce.org.uk>, by email to [reviews@lgbce.org.uk](mailto:reviews@lgbce.org.uk) or by post to Review Officer (Rutland), Local Government Boundary Commission for England, 14<sup>th</sup> Floor Millbank Tower, Millbank, London, SW1P 4QP



## Final Recommendations

- Published 8 May 2018
- End of public stage of review
- <sup>14</sup>• Order to implement the recommendations comes into force at next local election –  
**May 2019**



# ETHICAL STANDARDS FOR PARISH COUNCILS

15





# INTRODUCTIONS

Adele Wylie- Head of Legal and Corporate  
Governance

[awylie@rutland.gov.uk](mailto:awylie@rutland.gov.uk)

Debbie Mogg, Director of Resources

[dmogg@rutland.gov.uk](mailto:dmogg@rutland.gov.uk)



## Areas for discussion tonight

- Framework for Councillor Conduct
  - Code of Conduct
  - Register of Interests
  - Dispensations
  - Managing Complaints



## Framework for Councillor Conduct

- Current framework introduced by the Localism Act 2011 and came into effect 1st July 2012
- Replaces the statutory framework in the Local Government Act 2000 which established Standards Board for England.
- A Parish Council's must have a code of conduct in place which:
  - is consistent with selflessness; integrity; objectivity; accountability; openness; honesty and leadership and
  - includes provisions which a Parish Council considers is appropriate for the registration and disclosure of pecuniary interests and non pecuniary interests.



## Code of Conduct

A Parish Council's Code of Conduct should ideally:

- be clear;
- easy to understand;
- 6 ➤ include councillors' obligations about conduct which is not related to interests:
  - confirm councillors' statutory obligations relating registration and disclosure of Disclosable Pecuniary Interests (DPI's);
  - set out councillors' obligations about registration and disclosure of interests which are **not** DPIs (local decision); and
  - include arrangements for dispensation applications (i.e. written, and submitted to the PC's proper officer) and
  - list the grounds for grant of dispensations.



## Register of Interests

- All members are required to complete a Register of Interests. You should complete it;

- Within 28 days of election;
- If there are any changes during your time in office.

- 20
- What should you disclose in the Register of Interests?

- Disclosable pecuniary interests "DPI's" and any other personal interests.

- What are the sanctions for not disclosing?

- Failing to adhere to the disclosure requirements as described are a criminal offence. The criminal penalties available to a court are to impose a fine and disqualification from being a councillor for up to five years.



## What is a Disclosable Pecuniary Interest?

- Covers the interests of yourself, your spouse, civil partner or person with whom you live as if you were spouses or civil partners in relation to;
- **Employment, office, trade, profession or vocation**  
Remuneration other than expenses
- **Sponsorship**  
Payment or provision of any financial benefit (other than from the relevant authority) made or provided in respect of any expenses incurred in carrying out duties as a member or towards election expenses. This includes any payment or financial benefit from a trade union.
- **Contracts**  
Any contract made between yourself or your spouse/partner or a body in which either of you have a beneficial interest and the Parish/Town Council (or an organisation contracted to carry out business on the Parish/Towns behalf):-
  - (a) under which goods or services are to be provided or works are to be executed;and
  - (b) which has not been fully discharged.



# What is a Disclosable Pecuniary Interest?

- **Land**

Any beneficial interest in land which is within the area of the relevant authority. If you live in the Parish/Town you should include your home whether as owner, lessee or tenant, mortgagee or trustee.

- **Licenses**

Land in the Parish/Town which you or your spouse/partner have a right to occupy, but neither own nor have tenancy of. Land includes buildings/part buildings.

- **Corporate Tenancies**

Any tenancy where (to your knowledge) –

(a) The landlord is the Parish/Town Council; and

(b) The tenant is a body in which the relevant person has a beneficial interest.

- **Securities**

Any companies, industrial and provident societies, co-operative societies, or other bodies corporate that (to your knowledge) has land/place of business in the Parish/Town and in which you or your spouse/partner have a substantial interest.

You have a substantial interest if you own shares or other securities in the company with a nominal value of more than £25,000 or more than 1/100th of the issued share or securities.



## Dispensations

- What is a dispensation?
- 23- A dispensation allows you to participate and vote on a matter in which you have a DPI.
- When can you request a dispensation?
  - That so many members of the decision making body have a DPI that it would impede the transaction of the business
  - Political Balance
  - In the interests of persons residing within the District
  - Otherwise appropriate



## Conduct Complaints

- Who will deal with a complaint against a Councillor?
  - The Monitoring Officer at the County Council

### What is the process for dealing with those complaints?

- The Monitoring Officer will make an initial assessment of the complaint (she will consult the Council's independent person if the complaint is not sifted out)
- The Monitoring Officer will decide either to;
  - Take no further action
  - Informal resolution
  - Further fact finding – the results of which may be presented to the Conduct Committee for them to determine next steps
- Parish councillor whose conduct is being investigated may consult the independent person.



## Conduct Complaints - Sanctions

If a Parish Councillor is found to have breached the code, the Monitoring Officer or Committee can make recommendations to the parish council about sanctions:

- 25 ● Issue a formal letter to the member found to have breached the code
- Impose formal censure;
- Make recommendations to the full Council to remove the member from committee(s) and other appointments;
- A press release and other appropriate publicity
- Recommend training.

There are no longer any powers that enable a councillor to be suspended or disqualified



## Association Membership & Support

- Leicestershire & Rutland Association of Local Councils (LRALC)

Jake Atkinson (Chief Officer)

Jubilee Hall, Staddon Road

Anstey

Leicester

LE7 7AY

0116 235 3800



## How Parish Clerks can assist with compliance

- Be knowledgeable about legislation and your statutory obligations: Be a good advisor. The clerk is the 'engine' of the Council and should protect the Council from challenge.
- 27 • Ensure your Council operates 'good governance' – does the Council have the legal power to act? Do you have good administrative processes in place? Complaints & Whistle Blowing processes?
- Be aware of the Nolan principles and the Code of Conduct – set the tone, including behaviour at meetings.
- Ensure transparency is the order of the day – maintain public trust.
- Encourage good team work and good communication, including engagement with local residents.
- Share good practice; research what works well. Professional support.



**Any questions?**





# DECISION MAKING AT RUTLAND COUNTY COUNCIL

29





## Areas for discussion tonight

- Models of Governance
- Who can make decisions?
  - Full Council
  - Cabinet
  - Scrutiny
  - Regulatory Committees
  - Council officers



## Models of Governance

Local Authorities are able to choose the following models of governance;

31

- Executive arrangements.
  - This can be either a leader and cabinet or a mayor and cabinet Committee system.
- A committee system
- Prescribed arrangements agreed by Secretary of State



## Executive Arrangements

- Since 2001 Rutland County Council has operated a Leader with Cabinet structure.
- There are six members of Cabinet and they are selected by the Leader.
- The leader together with the cabinet members, forms the Cabinet, otherwise known as the 'executive'. The Cabinet does not have to be politically representative – it can be made up entirely of councillors from the majority party or other parties.



## Council

- Rutland County Council is composed of 26 elected members.

### What decisions does the full Council of elected members make?

- Approves policy direction based on plans and strategies presented by Cabinet.
- Approves the Budget and Policy Framework which is then implemented by Cabinet, Portfolio Holders and/or Officers
- Approves the Councils constitution
- Appoints the Leader of the Council and the members of Council Committees and Scrutiny Panels
- Any other functions reserved to it within the constitution



## Executive

- Cabinet members have individual areas of responsibility (portfolios).

34

What decisions does Cabinet make?

- It makes most day-to-day decisions as it is responsible for implementing agreed policies (it must act within the Budget and Policy Framework as agreed by Council).
- Examples could be, awarding contracts or agreeing to dispose of Council land.



## Scrutiny

- The Council must have a Scrutiny Committee, which is responsible for overseeing and scrutinising the local authority's decisions. They support the work of the Cabinet and Council as a whole.
- At Rutland County Council there are three Committees which are called Panels;
  - Growth, Infrastructure & Resources Scrutiny Panel
  - Children & Young People Scrutiny Panel
  - Adults & Health Scrutiny Panel
- The Scrutiny Panels have to be made up of non-executive councillors. These are the councillors who are not cabinet members.



## Scrutiny

### What do Scrutiny Panels do?

- The Panels can hold public inquiries into matters of local concern. These lead to reports and recommendations which advise the Cabinet and Committees as a whole on its policies, budget and service delivery.
- The Panels can also 'call in' decisions which have been made by Cabinet but not yet implemented. This enables them to consider whether the decision is appropriate and they may recommend that Cabinet reconsiders its decision.
- Scrutiny Panels may also be consulted by the Cabinet or the Council in relation to policy development.



## Regulatory Committees

- There are a number of Committees which operate statutory functions. The Regulatory Committees make decisions within their own areas of responsibility as set out in the Council's Constitution .
- The majority of Regulatory Committees' decisions can be made without the need for Council to be involved. However, there are exceptions which require a matter to be referred to the Council for a final decision.
- All committees are made up of Councillors reflecting the political make-up of the Council.



## Regulatory Decisions

- Rutland County Council has the following regulatory committees;
  - Audit and Risk Committee
  - 38 ○ Planning and Licensing Committee
  - Employment and Appeals Committee
  - Conduct Committee
  - Health and Wellbeing Board



## The Councils Staff

- Officers of the Council give advice, implement decisions and manage the day to day delivery of its services.

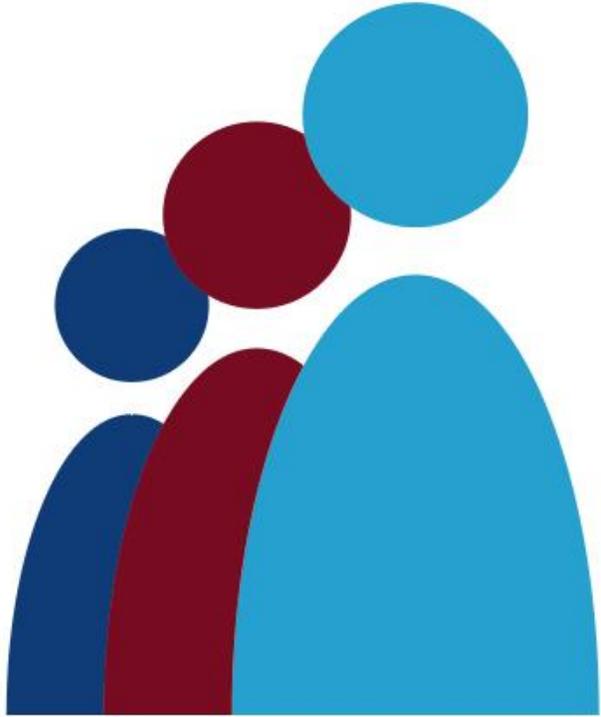
39

- Officers are sometimes given specific authority by Council/Cabinet to make decisions on behalf of the Council. This is called delegated authority.



**Any questions?**





# Rutland Community Wellbeing Service

Delivered by the Rutland Access Partnership

# The aim

“To help Rutland residents to improve their personal health and wellbeing and the overall welfare of the community”

# Who

- Citizens Advice Rutland
- Spire Homes – Community Agents
- The Bridge
  
- Age UK
- Vista

# Who

- 44 • Rutland County Council
- East Leicestershire and Rutland Clinical Commissioning Group

# What – Information, Advice and support

- Financial Wellbeing
- Emotional Wellbeing
- Housing and Homelessness
- Weight Management
- Quit Smoking
- Physical activity
- Dementia Service
- Healthy lifestyles for the over 65s
- Sensory impairment
- Substance misuse
- Sexual health
- ++++++

# Where

- Drop In – 56 High Street
- Website [www.rutlandrap.org.uk](http://www.rutlandrap.org.uk) - [www.rutlandwellbeing.org.uk](http://www.rutlandwellbeing.org.uk)
- Telephone – 01572 725805
- Other channels