



# Rutland County Council

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Minutes of the **TWO HUNDRED AND EIGHTY FIRST MEETING** of the **COUNCIL**  
held in the Council Chamber, Catmose, Oakham, Rutland, LE15 6HP on Monday,  
11th March, 2019 at 7.00 pm

<b>PRESENT:</b>	Mr I Arnold Mr N Begy Mr E Baines Ms R Burkitt Mr J Dale Mrs J Fox Mr O Hemsley Mr A Lowe Mr C Parsons Miss G Waller Mr D Wilby	Mr G Brown Mr K Bool Mr O Bird Mr W Cross Mr R Foster Mr R Gale Mr J Lammie Mr M Oxley Mrs L Stephenson Mr A Walters
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<b>APOLOGIES:</b>	Mr B Callaghan Mr A Mann	Mr G Conde
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<b>OFFICERS PRESENT:</b>	Mrs H Briggs Mrs H Bremner Mr P Horsfield  Mrs C Snell  Mrs N Taylor	Chief Executive Head of Communications Deputy Director for Resources – Corporate Governance (Monitoring Officer) Head of Human Resources  Governance Manager
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## **663 APOLOGIES**

Apologies were received from Mr Conde, Mr Callaghan and Mr Mann.

## **664 CHAIRMAN'S ANNOUNCEMENTS**

The Chairman announced that the list of engagements and those of the Vice Chairman had already been circulated.

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

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

## **666 DECLARATIONS OF INTEREST**

Mr Parsons declared an interest in Item 10 of the agenda as he was a member of the Rutland Agricultural Society and would not take part in the vote on this item.

Mrs Fox declared an interest in Item 10 of the agenda as she was a member of the Rutland Agricultural Society and would not take part in the vote on this item.

Mr Cross declared an interest in Item 10 of the agenda as he was a member of the Rutland Agricultural Society and would not take part in the vote on this item.

Mr Baines declared an interest in Item 10 of the agenda as he was a member of the Rutland Agricultural Society and would not take part in the vote on this item.

Mr Brown declared an interest in Item 10 of the agenda as he was a member of the Rutland Agricultural Society and would not take part in the vote on this item.

Mr Begy declared an interest in Item 10 of the agendas he was a member of the Oakham Rugby Club who used the showground and would not take part in the vote on this item.

Mr Lowe declared an interest in Item 10 of the agenda and would not take part in the vote on this item.

Mr Oxley declared an interest in Item 16 of the agenda as Chairman of the Joint Safety Committee.

## **667 MINUTES OF PREVIOUS MEETING**

The minutes the Minutes of the 279th meeting of the Rutland County Council District Council held on 21 January 2019 were confirmed by the Council and signed by the Chairman.

The minutes the Minutes of the 280th meeting of the Rutland County Council District Council held on 25 February 2019 were confirmed by the Council and signed by the Chairman.

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

- i. The following deputation was presented by Mrs S Seed - South Luffenham Parish Council:

*I wish to address the issue of how the quarry impacts on the financial viability and therefore scale of St Georges barracks project.*

*My lack of confidence in the MOD and RCC outline financial viability model which has driven the commitment to build this huge development. Such a development and indeed its sheer size is not simply not needed in this county.*

*It is assumed the MOD owns the mineral rights though we are aware that some people strongly contend that.*

*Let's assume they do, there is an estimated 20 million tons of minerals lying beneath the mineral extraction site. The value of these minerals that could be extracted has not yet been identified or published.*

*At the 27th February advisory board meeting the viability model was discussed. It is this viability model which has driven the MOD to identify that they need to build 2,215 houses within the wire at St George's barracks to ensure the financial viability of the site.*

*At the same time we were advised that the MOD considered the mineral extraction site a separate project. Therefore the significant value of the minerals underneath the 200 hectare's outside the wire have been excluded from the viability equation.*

*This has resulted in the MOD's view that to break even, they need to build a new town the size of Uppingham on the site.*

*Any viability assessment should be supported by appropriate available evidence. This should follow the government's national planning guide and be proportionate, simple, transparent and publicly available. This will help with future assessment and provide more accountability.*

*What is the mod's plan of restitution? This must be in place. We have seen no evidence that the MOD or RCC will be adopting best practice in the requisite environmental principles established by the government's 25 year plan.*

*The indicative time frame for the massive adjacent quarry which will blight the site for many years has yet to be identified.*

*Who will want to buy, bring up children and raise a family or go to school near such a quarry site?*

*We believe that RCC need to broaden their vision for St Georges barracks. The starting point should be to identify appropriate employment which will attract high quality jobs to the site. Our leaders and planners need to look at large corporations like pharmaceutical co / tech co or universities. Quality jobs well paid jobs that could encourage younger families to live in a small quality development.*

*Both MOD and RCC need to be honest and include properly all the financial income that can be expected from this St Georges barracks site. We can then move forward together knowing we are working for a better county future.*

Questions from Members:

- Mr Brown requested clarification on the claim that the mineral rights did not belong to the MOD.  
Mrs Seed confirmed that the statement referred to the fact that this was unknown, she did not know the answer.
- Mr Cross thanked Mrs Seed for the information provided in the deputation.

ii. The following deputation was provided by Mr N Newton - Empingham Parish Council:

*On behalf of Empingham Parish Council I present the following deputation.*

*At the Council meeting on January 21st last, a grant submission bid was used by the residents of Rutland as a proxy to vent their anger and opposition to the scale of the mooted development at St Georges barracks. Telling that a seemingly innocuous grant bid was the first time that residents, or indeed most Councillors, had the opportunity to make their views known. I exclude the tick box Scrutiny Panel which had no outcome, no report, no request for clarification or further information, which simply disappeared into the ether without any opportunity for Councillors to debate its findings.*

*With well over 300 residents from across the County expressing their opposition, and councillors voting 12 to 11 with two absentees and the Chairman voting against, Empingham Parish Council, and no doubt others, had hoped that the scale of the opposition would cause the leadership to pause, re engage with the MOD and the residents, to try and find a solution to the closure of the site that would be more in keeping with the characteristics of Rutland. More in keeping with the existing Local Plan widely re endorsed in the review in 2017.*

*We were sadly disappointed. The morning after, the Leader issued a press release, which from its content was clearly written before the meeting took place.*

*I quote “this was a hugely important decision for Rutland” ...agreed... I quote again “and I think we had a result that clearly indicates the feeling within the County” unquote. Again we can only agree, there is massive opposition to the scale of this development.*

*Our exasperation as a Parish Council was exacerbated by two further comments in the press release quote “we are determined that a development which has been heavily influenced by local people” and “we need to work very hard with the residents through the Advisory Group to ensure we get what is right for Rutland” unquote.*

*As a member of the Advisory Group, usually chaired by the Leader, we both know that the overwhelming view of the Parish Councils on the Advisory Group has been that the scale of the development is bonkers in a Rutland context. As to the development being heavily influenced by residents I can only surmise he means the removal of some very obvious mistakes pointed out in the Advisory Group to the first iteration of the Masterplan.*

*Nevertheless we are grateful to the Leader for one thing, using the banner Right for Rutland. Residents do have the imminent election to really express their feelings.*

Questions from Members:

- Mr Walters requested further information on how the representations provided to the January Full Council meeting represented the feeling of Rutland residents and to what extent the turnout at the meeting was orchestrated? Mr Newton confirmed that the Parish Councils of Edith Weston and North Luffenham amongst other Parish Councils across the County encouraged attendance at the meeting. Mr Newton stated that the votes against the resolution for submission of the business case under the Housing Infrastructure Programme at the January Council meeting represented the views of residents

- across the County. Mr Newton highlighted that there were a significant number of votes against the resolution.
- Mr Cross and Mr Gale highlighted that the forthcoming local elections would be an opportunity for members to make theirs views clear in respect of local issues.
- Mr Newton expressed that he hoped that candidates would be standing on a banner of what is right for Rutland.
- Mr Bird noted Mr Newton's comments regarding the vote at the meeting in January and clarified that although he had been unable to be present at the Council Meeting in January, he had read all the papers and listened to the debate in relation to St Georges and he would have voted in favour.

iii. The following deputation was provided by Mr Johnson - Morcott Parish Council:

*Good Evening - My name is Andrew Johnson. I am Chairman of Morcott Parish Council and a member of the St Georges Advisory Group. I have over 30 years' experience as a Chief Executive and Executive Chairman of private sector businesses up to £250 Million turnover and am currently a Non-Executive Director of one of the largest NHS Trusts in the Country.*

*I would like to talk to you about Leadership and Governance and ask you to reflect on the way you understand and operate governance as an effective council. An effective council is one that represents the best interests of its electors whilst encouraging challenge and seeking assurance. Implicit within this is that you as councillors exhibit the behaviours and governance of a well led public sector organisation where effective governance is achieved through holding those in a leadership position to account.*

*Strong leadership is commonly thought of as a good thing, it provides direction and the drive to get things done. But strong leadership without effective governance can slide into an authoritarian style of leadership. Well led organisations practice good governance, poorly led authoritative organisations do not.*

*What are the characteristics of an organisation that does not practice effective governance? I would like to give you a few examples that may resonate with you:*

- *Power is concentrated in a few individuals who wield it to further their own, heartfelt, philosophies and beliefs;*
- *Decisions are made by a few, trusted, senior members of the leadership team;*
- *Irrevocable commitments are made by individuals within the leadership team without thorough engagement, consultation, and challenge by those who should be able to hold the leadership to account;*
- *Unaccountable bodies "in authority" outside the organisation are able to coerce it into taking actions which benefit them directly whilst putting the organisation at risk;*
- *The ability of others outside the "trusted" central leadership team to challenge decisions is compromised by a lack of tolerance and coercion to "toe the line";*
- *Processes to enable challenge and holding to account of the leadership team are weakened and made to be ineffective;*
- *Views and opinions that are outside the "party line" are not engaged with and are not tolerated, challenge is not welcomed;*
- *Agendas for, and communications from, meetings are controlled and distorted to ensure a veneer of agreement with the "party line";*

- Transparency of information is sacrificed with the justification that information cannot be made available because of "commercial considerations" or other flimsy excuses;
- Those attempting to engage and hold to account are discouraged and end up withdrawing from engagement;
- Assurance of compliance with legal and good practice requirements is provided by officers who, as they report to the leadership team, are not independent and are compromised as a result.

*Do you recognise these characteristics within Rutland County Council?*

*There are those that do recognise these characteristics within this council and can point to examples of each and every point. They believe that the St Georges Barracks proposals in the "emerging masterplan", and the way that they are being pushed through reflects poor and ineffective governance within RCC.*

*The St Georges proposals result in an increase in the population of Rutland of 15% in a very short period. These proposals will change Rutland for ever. They are not "Right for Rutland", they are "Right for the MoD". The leadership of RCC are not really in control of this process, the MoD are in control. You need to recognise this before it is too late and make sure that you "Stand up for Rutland".*

*You are the people that the electorate of Rutland rely on to challenge the leadership and hold it to account on their behalf. They will not forgive you in the forthcoming elections if you have not exercised this prerogative effectively.*

*Thank you*

Questions and comments from Members:

- Mr Walters confirmed that he did not recognise the organisational characteristics that Mr Johnson had spoken about and requested clarification on how the voting on the resolution which, as highlighted by Mr Johnson, was only carried by a narrow margin, reflects control in the way described?  
Mr Johnson responded that information released following the vote indicated a greater level of acceptance for the proposals than actually existed.
- Mr Baines asked Mr Johnson how the new council, post-May, might behave differently?  
Mr Johnson stated that he would like to see behaviours change to more effective challenge and improved engagement. To see how challenge can result in better solutions.
- Mr Wilby thanked Mr Johnson and assured him that the Council was run as a team, but the council as a whole would challenge when required and as a Cabinet they also challenged. Members believed in democracy and what was good for Rutland and the people of Rutland. Decisions might not always be popular, but the basis of those decisions was a belief that it would be right for the County.
- Mr Lammie highlighted that there had been a considerable amount of debate at the Council meeting in January, members were given the opportunity to challenge and put their point of view across. Mr Lammie asked for acknowledgement that the decision was in fact a Full Council decision, as a body they had voted in favour of the resolution.  
Mr Johnson clarified that he thought that decisions were made of their own free will according to what members perceived as good governance based on the

information which they had been provided with, however he believed there was opportunity to challenge more effectively.

## 669 QUESTIONS FROM MEMBERS OF THE COUNCIL

### i. Miss Waller

*Many people in the rural parts of Rutland rely on the internet to secure essential purchases. However, finance companies are in the process of changing their security and to use credit or debit cards in future to make these purchases people will need to enter a code the card company will text to them. This will be impossible to receive for many of us who have no mobile signal where we live and will make on line purchasing extremely difficult. What is RCC doing to improve the mobile network in the County, especially as in some cases the Council gave planning permission for new mobile masts which have either not been erected or have been erected but not activated?*

Response provided by Mr Hemsley (Leader of the Council):

*Access to high quality fixed and mobile broadband is seen by Rutland County Council as strategically important for the County. The Council recognises the importance for residents and businesses to be able to access both, whether they are at home or on the move, to help them run their businesses, keep in touch with friends and family, shop and pay bills online etc.*

*The Council has held meetings with three of the leading mobile operators to understand their current and future roll out plans for Rutland and received positive feedback from the operators on their intentions to improve coverage across the County. The operators were questioned on the issues of disparity between indoor and outdoor signals, particularly impacted in stone built properties. OfCom has recently held auctions of bandwidth at frequencies which will provide both better coverage in rural areas and better indoor quality going forward. Mobile operators are also developing new equipment (including external antennae on homes to boost the signal) and new technology (such as WiFi calling, which will allow mobile phone calls and texts to be made and received over WiFi).*

*The Council is also bidding for funding to central government to roll out full fibre to strategic public assets across the County, bringing greater access to full fibre (1Gigabit capability) fixed broadband. In doing so, this will also provide the ability to accelerate the roll out of 4G and ultimately 5G mobile broadband services to more rural parts of the County.*

*Unfortunately, despite the Council granting planning approval for a number of new mobile masts, it has no legal power to insist that these are erected by the mobile operators. Whether they choose to proceed with such masts will depend upon their own business plans, which change as new technologies develop. It is likely that Rutland will never get 100% full mobile coverage of 2G, 3G or 4G because of the rurality and topography of some areas in the County, but the Council will continue pushing to get coverage to as high a level as possible, and press mobile operators to roll out other technologies, such as those previously described, to maximise access to the network.*

Miss Waller asked the following supplementary question:

*Can I ask that this council lobby Central Government to find alternatives for those who don't have adequate mobile phone coverage, to ensure they are not put at a disadvantage?*

Mr Hemsley responded that they would lobby Central Government and would also look at this issue as part of the Rural Strategy.

ii. Mr Bird

Can the Leader please confirm the amount of allowances paid to Councillors during the financial year 2018/19 to date?

Response provided by Mr Hemsley (Leader of the Council):

*We have paid £152k in allowances thus far in 2018/19.*

Mr Bird asked the following supplementary question:

*Would the Leader like to comment on the appropriateness of former Councillor Alderman accepting his allowance based on my understanding that he has failed to attend a single meeting of Council business whilst elected to serve his community. Also to the best of my knowledge as his fellow Ward Councillor, he has not been involved in any Ward work or issues.*

Mr Hemsley responded as follows:

Mr Alderman has been paid £2313.21 in allowances, this includes an overpayment of £78.54 which the council we will seek to recover. My personal opinion, in view of the fact that Mr Alderman did not take part in council business and did not attend a single Council meeting, is that Mr Alderman should repay the amount in full to RCC, alternatively he may consider a donation to a charitable cause. I might suggest For Rutland so that the tax payers that elected him were able to get some compensation for his lack of attendance.

## **670 REFERRAL OF COMMITTEE DECISIONS TO THE COUNCIL**

No Committee decisions had been referred.

## **671 CALL-IN OF DECISIONS FROM CABINET MEETINGS DURING THE PERIOD FROM 19 JANUARY 2019 TO 8 MARCH 2019 (INCLUSIVE)**

No call-ins were received.

## **672 REPORT FROM THE CABINET**

Report No. 65/2019 from the Cabinet was received, the purpose of which was to consider the recommendations referred to the Council for determination at its meeting held on 15 January 2019.

Mrs Stephenson introduced and moved the recommendations in the report. Mr Wilby seconded the recommendations.

Mrs Stephenson highlighted the important role that Rutland Agricultural Society played in the Rutland community and that plans to expand would benefit Rutland. Rutland Agricultural Society had previously had a loan which had been repaid on time.

In response to a point of order from Mr Oxley, Mr Horsfield, Monitoring Officer, confirmed that members of the Planning Committee would not be precluded from taking part in the debate and decision of this item.

During debate the following points were noted:

- i. This loan was considered to be low risk in light of the previous good record the organisation had in relation to the repayment of a previous loan;
- ii. Mr Gale and Mr Lammie requested information with regard to other sources of funding that the organisation might have looked into, including requesting support from existing members. Mrs Briggs, Chief Executive, confirmed that before the previous loan was agreed checks had been made as to other sources of funding and it would be unusual for these checks to have not been carried out in this instance. Written confirmation of the alternative sources looked into could be provided.

## **RESOLVED**

To **APPROVE** the proposed loan and associated conditions to the charitable organisation the Rutland Agricultural Society.

## **673 REPORTS FROM COMMITTEES OF THE COUNCIL**

There were no reports from Committees of the Council.

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

There were no reports from Scrutiny Commission or Scrutiny Panels.

## **675 JOINT ARRANGEMENTS AND EXTERNAL ORGANISATIONS**

- i. Miss Waller - information circulated in writing to members
- ii. Mr Baines - Northern Region Environment Agency Flood Defence Committee  
18 January 2019 meeting. Reported there would be no increase in that precept and the Chairman did stress that he felt that external agencies should not require additional funds from Local Authorities.
- iii. Mr Baines - Rutland Water Partnership Meeting  
22 February 2019 meeting. Parking and traffic issues were a perennial problem. The Portfolio Holder and Officer had attended the last meeting and confirmed a survey would be carried out this summer as part of overall county wide parking scheme. Secondly, there would be an application coming forward from Anglian Water for Solar Farm at the eastern end of the reservoir\*.
- iv. Mr Baines - Welland Partnership  
8 March 2019 meeting. Leaflet had been produced for Neighbourhood Plans in areas which had river frontage. Ketton Primary School will be taking advantage of field work being organised by the partnership. Promotion of River Warden Scheme underway, Tesco in Oakham had given £1000 but conditional on being in the Oakham Tesco area, Braunston and the Gwash might be interested in

that scheme. Also young man doing PhD at Leicester University on natural capital which was interesting.

v. Annual Meeting of the Court of Leicester University

15 February 2019 meeting. Sir Lawrence Howard Scholarship launched in autumn, strengthened the link that Rutland has traditionally had with Leicester University and in process of formalising the process for this scholarship scheme.

\*This was later clarified by Mr Brown, who confirmed that issues around environmental impact assessment were currently being considered in relation to the proposed Solar Farm and discussions were ongoing with Anglian Water.

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Mr Cross left the meeting and did not return.

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## **676 NOTICES OF MOTION**

There were no notices of motion.

## **677 PAY POLICY 2019**

Report No. 36/2019 was received from the Chief Executive, the purpose of which was the annual review of the Council's Pay Policy as required by the Localism Act 2011.

Mr Hemsley moved the recommendations in the report. Mr Brown seconded the recommendations in the report.

During debate the following points were noted:

- i. Officers were congratulated for implementing the new pay scales in good time;
- ii. It was confirmed that figures given in relation to Male/Female hourly rates in relation to gender pay gap reporting were mean averages.

## **RESOLVED**

- 1) To **APPROVE** the updated Pay Policy for 2019-20.
- 2) To **NOTE** the introduction of the new NJC Pay Scale for April 2019.
- 3) To **NOTE** the value of an effective pay policy on recruitment and retention.
- 4) To **NOTE** the Council's Gender Pay Gap data for 31 March 2018.

## **678 RCC HEALTH AND SAFETY POLICY**

Report No. 50/2019 was received from the Deputy Director for Places, the purpose of which was to approve the RCC Health and Safety Policy.

Mr Oxley moved the recommendations in the report.

Mr Oxley requested that in relation to Part C of the Policy, which was still under review, any amendments were provided to members. Also that proposed changes to procedures were delegated to Officers, but proposed changes to policies were delegated to the Joint Safety Committee and then the final report should be brought

back to Council in order to finalise and approve proposed changes to Part C of the Policy.

Mr Brown seconded the recommendations and the amendment as put forward by Mr Oxley.

During debate the following points were noted:

- i. Under Section 17 of the report reference should be made to vaping as well as smoking;
- ii. An Annual Report from the Joint Safety Committee would be welcomed.

## **RESOLVED**

- 1) To **NOTE** the approval of the Policy by Cabinet;
- 2) To **APPROVE** the new proposed RCC Health and Safety Policy (v1.0) (attached at appendix 1 of Report No. 50/2019) subject to the requirements for further approval of Part C as detailed above.

## **679 CONSTITUTION**

Report No. 43/2019 was received from the Strategic Director for Resources, the purpose of which was to present an updated Constitution for approval.

Mr Hemsley moved the recommendations on the report. Mr Gale seconded the recommendations.

Mr Horsfield, Monitoring Officer, provided a brief introduction highlighting some of the main changes in the report and acknowledging the work that had been put into reviewing all the revised sections by the Constitution Review Working Group.

During debate the following points were noted:

- i. Members requested that a note be put in the glossary to confirm that where the text referred to "he" this also referred to "she" and vice-versa;
- ii. It was confirmed that the proposal was that Vice Chairs be appointed by the respective Committees. Chairmen would continue to be appointed by Council;
- iii. New members should be fully briefed on the contents of the Constitution and be provided with a link to access the electronic version;
- iv. The revised version was in an easier format and had been scaled down considerably.

## **RESOLVED**

- 1) To **APPROVE** the Constitution in so far as these fall within the powers of Council as detailed in the table at 2.3.3 of Report No. 43/2019.
- 2) To **NOTE** the approval of the Leader for those powers that fall within the remit of the Executive as detailed in the table at 2.3.3 of Report No. 43/2019.

## **680 BREXIT FUNDING**

Report No. 57/2019 was received from the Strategic Director for Resources, the purpose of which was to seek approval to include a government grant for Brexit in the Council's 18/19 and 19/20 budget.

Mr Hemsley moved the recommendation in the report. Mr Foster seconded the recommendation.

During debate the following points were noted:

- i. The first tranche of funding had been received, it was not ring-fenced but conditional that it would be used to mitigate the impact of Brexit. Work was currently being done with other neighbouring Local Authorities to risk assess the possible impacts of Brexit.

## **RESOLVED**

- 1) To **APPROVE** the inclusion of a Government grant of £105k into the Council's budget for 18/19 and a further £105k for 19/20 for Brexit.
- 2) To **NOTE** that the Chief Executive will manage and allocate this budget accordingly.

## **681 ANY URGENT BUSINESS**

There was no other urgent business.

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The Chairman noted that there was a possibility that the April Council meeting may be cancelled due to lack of business. As such, he wished to thank the Chief Executive, Officers and Members for all the work that had been done over the last four years.

The Chairman also wished express thanks to all those members who would not be returning, who were owed a debt of gratitude and proposed a warm vote of thanks to those members who had served for many years on the Council.

Mr Hemsley, Leader of the Council, also added his thanks to the members and officers for their support in his year of leadership. He also hoped that those members that wished to return were successful and looked forward to working together in the future.

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**The Chairman declared the meeting closed at 8.48 pm.**

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