



Rutland County Council

Catmose Oakham Rutland LE15 6HP.

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Minutes of the Two Hundred and Twenty First **MEETING of the COUNCIL** held via Zoom <https://zoom.us/j/99278261178> on Monday, 14th September, 2020 at 7.00 pm

PRESENT:

Mr E Baines	Mr N Begy
Mr O Hemsley	Mr G Brown
Mr R Coleman	Mrs L Stephenson
Mr A Walters	Mr D Wilby
Mr P Ainsley	Mr D Blanksby
Mr K Bool	Mr A Brown
Ms J Burrows	Mr J Dale
Mrs J Fox	Mrs S Harvey
Miss M Jones	Mr A Lowe
Ms A MacCartney	Mr M Oxley
Mrs K Payne	Mrs R Powell
Mr I Razzell	Miss G Waller
Mrs S Webb	

OFFICERS PRESENT:

Mr M Andrews	Interim Chief Executive
Mr S Della Rocca	Strategic Director of Resources
Mrs P Sharp	Interim Strategic Director for Places
Mr P Horsfield	Monitoring Officer
Mr A Nix	Head of IT
Mrs J Morley	Governance Officer

1 APOLOGIES

Apologies were received from Councillors Cross and Woodley. Councillor Dale had given notice that he would be arriving late and joined the meeting at 7.26pm during item 10 on the agenda.

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The Chairman, Councillor Baines, was unable to join the meeting at its start. Councillor Begy, Vice-Chairman of the Council, therefore took the Chair.

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2 CHAIRMAN'S ANNOUNCEMENTS

The Vice-Chairman confirmed that the Chairman's engagements had been circulated in advance of the meeting. In addition, the Vice-Chairman, on behalf of the Chairman and other Members, welcomed Mr Andrews to his first meeting as Interim Chief Executive and congratulated him on his appointment.

The last announcement concerned the recent fire at Uppingham Community College. On behalf of the Council, the Vice Chairman expressed support for Mr Solly, the Head Teacher, and his staff and wished the whole school community; staff, pupils and parents, the very best with their endeavours to return to normal school life.

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

Councillor Hemsley, Leader of the Council made a statement concerning Rutland Radio which had now become Greatest Hits radio station and had therefore lost a large amount of local content. Councillor Hemsley reported that following appeals to the MP and the Council, the CEO at the time had initiated a project to explore retaining a community radio station in order that local residents could continue to be kept informed of local events.

Councillor Hemsley also reported a change to portfolios with environment and property moving from Councillor Brown to Councillor Stephenson and Councillor Hemsley respectively. This change was to take place with immediate effect.

Mr Andrews, thanked Members for the trust they had shown in him in appointing him as the interim Chief Executive. It was a challenging time in which to take over the helm with the number of Covid cases increasing nationally. Rutland figures remained comparatively low and the Council continued to support residents to live their lives as normally as possible; however, preparations were on-going to meet any increased threat to residents.

Mr Andrews also informed Members of the sad news that former Chairman and Deputy Lord Lieutenant Colonel James Weir had passed away.

4 DECLARATIONS OF INTEREST

There were none.

5 MINUTES OF PREVIOUS MEETING

The Vice Chairman asked that the minutes of the meeting held on 20 May 2020 and the minutes of the Twenty Fourth Annual meeting of Council, held on 29 June 2020, be confirmed. Councillor Hemsley proposed both sets of minutes and they were seconded by Councillor Coleman. The vote was unanimous.

RESOLVED:

That the minutes of the meeting held on 20 May 2020 and the minutes of the Annual Council meeting held on the 29 June 2020, be confirmed.

6 PETITIONS, DEPUTATIONS AND QUESTIONS FROM MEMBERS OF THE PUBLIC

There were none.

7 QUESTIONS FROM MEMBERS OF THE COUNCIL

Councillor A Brown submitted the following question:

“The meetings of the County Council should be conducted in a manner equally welcoming to all attendees, regardless of their individual religious beliefs or lack of belief. Prayers should therefore form no part of council meetings and councillors should consider alternative arrangements such as a moment of reflection or some secular words which are acceptable to all regardless of belief. The Advisory Committee on Religious Education does not have prayers before its meetings and neither should Full Council.

Will the practice of prayers be continuing before each full meeting of RCC?”

Councillor Begy, on behalf of the Chairman, responded as follows:

“The practice of prayers at Council meeting will continue as set out in the Constitution.

My understanding is that if we wish to remove this then that would require an amendment to the Constitution and there are specific provisions in law that enable prayers to be a part of the meeting. While this is a question rather than a motion I have not been made aware of any other objections to prayers and am not aware that there is a majority in favour of removing prayers in this Chamber.

What I would say is that I would welcome any ideas that you may have on how we make these meetings more welcoming to everyone in our communities and I am always happy to discuss any suggestions.”

Councillor Begy further advised Councillor A Brown to discuss the matter directly with the Chairman and potentially the Constitutional Review Working Group.

In response to the answer given to his question, Councillor A Brown felt that it was discriminatory to prioritise one belief over others and said that he would bring a motion to Full Council to debate.

8 REFERRAL OF COMMITTEE DECISIONS TO THE COUNCIL

There were none.

9 CALL-IN OF DECISIONS FROM CABINET MEETINGS DURING THE PERIOD FROM 16TH JUNE TO 18TH AUGUST 2020

There were none.

10 REPORT FROM THE CABINET

Council received Report No.91/2020 from the Cabinet on recommendations referred to the Council for determination.

11 CABINET RECOMMENDATIONS TO COUNCIL - HIGHWAYS CAPITAL PROGRAMME

Councillor Stephenson introduced Report No.91/20202 which asked Council to approve the recommendation from Cabinet that the additional Pothole and Challenge Funding received of £1,295,000 be used for carriageway works and added to the Highways Capital Maintenance Programme originally approved in April 2020. Council was also asked to note that the total value of the revised Highways Capital Maintenance Programme was now £3,252,000.

In response to a question from Councillor Oxley on whether the funding would address the number of drainage issues on the road and concerns that running water onto roads could cause freezing and subsequent accidents, Councillor Stephenson confirmed that it would. Specific drainage schemes such as those at Langham and Manton had been identified and there was a further £170k remaining in the revenue budget to address ongoing maintenance. Any additional concerns should be reported and logged on to Fixmystreet.

Councillor Powell queried whether the quality of the repairs being done on potholes represented value for money. Councillor Stephenson responded that the department was keen to pick up repairs that were needed before potholes formed. Where they had done so, patching was used as an interim measure rather than the final solution. If Councillors had concerns that road surfaces were deteriorating, Councillor Stephenson urged them to again notify the Council of these using Fixmystreet.

A recorded vote was held, proposed by Councillor Stephenson and seconded by Councillor Hemsley:

There voted in favour:

Councillors Ainsley, Begy, Blanksby, Bool, A Brown, G Brown, Burrows, Coleman, Fox, Harvey, Hemsley, Jones, Lowe, MacCartney, Oxley, Payne, Powell, Razzell, Stephenson, Waller, Walters, Webb and Wilby. (23)

The vote being unanimous, the motion was carried.

RESOLVED:

That Council approve the recommendation from Cabinet that the additional Pothole and Challenge Funding received of £1,295,000 be used for carriageway works and added to the Highways Capital Maintenance Programme originally approved in April 2020.

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The Chairman, Councillor Baines, along with Councillor Dale joined the meeting at 7.26pm. The Chairman thanked Councillor Begy for deputising for him and took over the Chair for the remainder of the meeting.

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12 REPORTS FROM COMMITTEES OF THE COUNCIL

There were none.

13 PROPORTIONALITY REPORT

Report No.111/2020 was received from the Monitoring Officer. Councillor Hemsley introduced the report and reminded Members that at Annual Council Members had unanimously voted to agree to count to 26, as one Councillor had not joined a party and remained non-aligned, which was in accordance with the principles of proportionality as set out in sections 15 and 16 of the Local Government and Housing Act 1989. Cllr Hemsley proposed that the Council continue to count to 26 and this was seconded by Councillor Razzell.

Councillor Oxley felt that it was disappointing that the Council wanted to base proportionality on a figure of 26 as previously it had been at the Council's discretion whether non-aligned members would be allocated committee seats.

Councillor Waller cited section 17 of the LGA Act which allowed Councils to include non-aligned members in their calculations and argued that Members should have been given the opportunity to vote on this proposal at Annual Council. Councillor Waller felt that as a matter of principle, all 27 members should have an equal opportunity to play their full part. Councillor A Brown supported Councillor Waller's views and felt that voting only to 26 disenfranchised voters.

Councillor Hemsley moved that the Council should continue to vote to 26 and a recorded vote was held.

There voted in favour:

Councillors Baines, Bool, G Brown, Harvey, Hemsley, Lowe, Payne, Razzell, Stephenson, Walters, Wilby (11)

There voted against:

Councillor Ainsley, Begy, Blanksby, A Brown, Burrows, Coleman, Dale, Jones, MacCartney, Oxley, Powell, Waller, Webb (13)

Abstained:

Councillor Fox (1)

The motion therefore fell.

A motion to vote to 27 was then proposed by Councillor Waller and seconded by Councillor Oxley

The Monitoring Officer reminded Members that should there be one vote against a further motion to count to 27 then it would fall as Section 17 of the Local Government and Housing Act 1989 stated that any alternative arrangements to those outlined in sections 15 and 16 could only be passed by a resolution *with no member voting against it*. The Chairman reiterated this position.

Councillor Lowe commented that he had originally been part of the Independent Group but had resigned because he felt that the group was more of a joint Independent/Liberal Democrat group and he had been subjected to political whipping that would not have allowed him to represent his residents as he wished to do so.

Councillor Lowe did not support voting to 27 even though he was the one who would be disadvantaged; he felt that the motion was politically motivated.

Councillor Oxley, as Leader of the Independent Group refuted what had been said by Councillor Lowe and stated that there was no whip on the Group. The Independent Group had nothing to gain from voting to 27 and it was a purely a matter of principle.

As a relatively new Councillor, Council Harvey commented that whilst she appreciated the passion from fellow Councillors, there was no difference from last year when she had first been elected and there had been a non-aligned member, and queried why this matter was an issue currently.

Councillor Waller stated that she found the remarks from Councillor Lowe offensive as the comments that she had put forward were not done so on any political basis. Councillor Waller had thought long and hard about the issue and had changed her mind as she felt to be fair to the electorate, Members should be enabling every Member to play a full part.

A recorded vote was held.

There voted in favour:

Councillor Ainsley, Begy, Blanksby, A Brown, Burrows, Coleman, Dale, Jones, MacCartney, Oxley, Powell, Waller, and Webb (13)

There voted against:

Councillor Baines, G Brown, Harvey, Hemsley, Lowe, Payne, Razzell, Stephenson, Walters and Wilby (10)

Abstained

Councillors Bool and Fox (2)

Owing to the operation of Section 17 of the Local Government and Housing Act 1989 the vote was lost.

RESOLVED:

That the Council continue to calculate the relevant proportionality using 26 Councillors rather than 27.

Due to the resignation of Councillor Lowe from the Independent Group, Councillor Oxley as Leader of the Group, announced that Councillor Dale would be taking over Councillor Lowe's seat on the Employment and Appeals Committee.

14 REVISION OF THE VIRTUAL MEETING PROTOCOL

Report No.112/2020 was received from the Monitoring Officer. Councillor Hemsley, Leader of the Council introduced the report which asked Council to approve the amendments to Part 3 and 4 of the Virtual Meeting Protocol which dealt with public participation and the submission of questions, deputations and petitions. Councillor

Hemsley welcomed the increased participation by members of the public that these amendments would allow.

The motion was proposed by Councillor Hemsley and seconded by Councillor Wilby.

A recorded vote was taken:

There voted in favour:

Councillors Ainsley, Baines, Begy, Blanksby, Bool, A Brown, G Brown, Burrows, Coleman, Dale, Fox, Harvey, Hemsley, Jones, Lowe, MacCartney, Oxley, Payne, Powell, Razzell, Stephenson, Waller, Walters, Webb and Wilby. (25)

The vote being unanimous, the motion was carried.

RESOLVED:

That the amendments to Part 3 and 4 of the Virtual Meeting Protocol which dealt with public participation and the submission of questions, deputations and petitions be approved.

15 RUTLAND COUNTRYSIDE ACCESS FORUM

Report No.113/2020 was received from the Director for Places. Before handing over to Councillor Stephenson to introduce the report, the Chairman reminded Members of a correction to the report and the need for Council to appoint two members to the Rutland Countryside Access Forum, rather than one.

Councillor Waller nominated Councillor Jones and Councillor A Brown and this was seconded by Councillor Oxley. There being no further nominations a recorded vote was taken.

There voted in favour:

Councillors Ainsley, Baines, Begy, Blanksby, Bool, A Brown, G Brown, Burrows, Coleman, Dale, Fox, Harvey, Hemsley, Jones, Lowe, MacCartney, Oxley, Payne, Powell, Razzell, Stephenson, Waller, Walters, Webb and Wilby. (25)

The vote was unanimous.

RESOLVED:

That Councillors Jones and A Brown be appointed as Rutland County Council representatives to the Rutland Countryside Access Forum.

16 REPORTS FROM SCRUTINY COMMISSION / SCRUTINY PANELS

There were none.

17 JOINT ARRANGEMENTS AND EXTERNAL ORGANISATIONS

Councillor Oxley updated Council on the work of the Fairtrade Forum. The restrictions on public gatherings had meant that the winter Fairtrade market had been cancelled. The Forum was looking to raise their profile through their website and engagement with the Rutland Youth Council. In addition, members of the Forum would be giving talks to schools on the importance of Fairtrade and helping those in the developing world.

18 NOTICES OF MOTION

There were none.

19 ANY URGENT BUSINESS

There was none.

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The Chairman declared the meeting closed at 8.02pm.

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