



Rutland County Council

Catmose Oakham Rutland LE15 6HP.

Telephone 01572 722577 Facsimile 01572 75307 DX28340 Oakham

Minutes of the 239th **MEETING of the COUNCIL** held in the Council Chamber, Catmose, Oakham, Rutland, LE15 6HP on Monday, 9th May, 2022 at 7.00 pm

PRESENT:

Councillor J Dale (Chairman)	Councillor N Begy (Vice-Chairman)
Councillor P Ainsley	Councillor E Baines
Councillor D Blanksby	Councillor K Bool
Councillor A Brown	Councillor G Brown
Councillor P Browne	Councillor J Burrows
Councillor W Cross	Councillor J Fox
Councillor S Harvey	Councillor S Lambert
Councillor A MacCartney	Councillor M Oxley
Councillor K Payne	Councillor R Powell
Councillor L Stephenson	Councillor L Toseland
Councillor A Walters	Councillor G Waller
Councillor S Webb	Councillor D Wilby
Councillor R Wilson	

OFFICERS PRESENT:

Mark Andrews	Chief Executive
Marie Rosenthal	Monitoring Officer
Tom Delaney	Governance Manager
Jane Narey	Scrutiny Officer
Kate Haworth	Civic Officer

ABSENT: Councillor O Hemsley

1 **ELECTION OF CHAIRMAN OF THE COUNCIL**

---oOo---

Mark Andrews, Chief Executive, took the Chair for this item.

---oOo---

Nominations were invited for the position of Chairman of the Council for the 2022-23 municipal year.

It was proposed by Councillor E Baines that Councillor J Dale be elected as Chairman and this was seconded.

There were no other nominations and upon being put to the vote, with 21 votes in favour and 4 abstentions, the motion was carried.

RESOLVED

That Councillor J Dale be **APPOINTED** as Chairman of the Council for the 2022-23 municipal year.

Councillor Dale took the Chair and thanked Members for choosing to re-elect him for a further year, and set out his intention to continue carrying out his duties in as fair-handed a manner as possible.

2 ELECTION OF VICE-CHAIRMAN OF THE COUNCIL

Nominations were invited for the position of Vice-Chairman of the Council for the 2022-23 municipal year.

It was proposed by Councillor G Brown that Councillor N Begy be appointed as Vice-Chairman and this was seconded.

There were no further nominations and upon being put to the vote, with 19 votes in favour, 2 against and 4 abstentions, the motion was carried.

RESOLVED

That Councillor N Begy be **APPOINTED** as Vice-Chairman of the Council for the 2022-23 municipal year.

3 APOLOGIES

Apologies for absence were received from Councillor O Hemsley.

4 CHAIRMAN'S ANNOUNCEMENTS

The Chairman then read out a statement on behalf of Councillor O Hemsley, appended to the minutes, announcing his resignation as Leader of the Council. The Chairman thanked Councillor Hemsley for his dedication in his four years of service to the Council as Leader.

The Chairman then announced that since the last meeting of Council, he had attended Lord Lieutenant of Rutland's Parish Engagement Event and the Queen's Award for Enterprise Event both held at Oakham Council.

The Chairman also informed Members that it was intended to hold a Special Meeting of Council on 27 June in order to appoint an Honorary Freeman of the County, and further details would follow after the meeting.

The Chairman concluded by taking the opportunity to thank the outgoing High Sherriff of Rutland, David Wood, for his service to the county.

5 ANNOUNCEMENTS FROM THE HEAD OF PAID SERVICE

Mark Andrews, Chief Executive and Head of Paid Service, announced that Councillor I Razzell had resigned from the Council that afternoon and a Notice of Vacancy would be posted in due course.

The Chief Executive announced that he had received an urgent item of business from Councillor L Stephenson to ask Council to elect a new Leader of the Council

immediately and the Chief Executive and Monitoring Officer recommended that the Chairman take this item after Declarations of Interest.

The Chairman confirmed that he would take the urgent item of business after Declarations of Interest.

6 DECLARATIONS OF INTEREST

There were no declarations of interest.

7 ELECTION OF LEADER OF THE COUNCIL

An item of urgent business was introduced by Councillor L Stephenson, which called on Council to resolve that an election be held immediately to appoint a new Leader of the Council.

It was moved by Councillor M Oxley that an election to fill the vacancy in respect of the position of Leader of the Council be held immediately and this was seconded. Upon being put to the vote the motion was unanimously carried.

RESOLVED

That an election to fill the vacancy in office of Leader of the Council be held immediately.

---oOo---

The Chairman then invited nominations for the position of Leader of the Council. It was moved by Councillor M Oxley that Councillor L Stephenson be appointed as Leader of the Council and this was seconded.

It was set out that Councillor Stephenson would be forming an alliance Cabinet composed of Members from across the Council Chamber and a number of Members spoke in support of the proposal and of Councillor Stephenson personally.

Several Members set out their disappointment that discussions and decisions had taken place outside of the meeting and concern was also expressed that there was only one candidate for Council to consider and vote on.

Councillor A MacCartney proposed that Councillor Oxley be put forward as Leader of the Council, but this was withdrawn when Councillor Oxley set out why he did not consider himself the best person for the role and was in complete support of Councillor Stephenson.

Upon being put to the vote, with 18 votes in favour, 5 against and 2 abstentions, the motion to appoint Councillor Stephenson was carried.

RESOLVED

That Councillor L Stephenson be **APPOINTED** as Leader of the Council for the remainder of the 2019-2023 term of office.

8 NOTIFICATION BY THE LEADER OF APPOINTMENTS TO THE EXECUTIVE

Councillor L Stephenson, Leader of the Council, thanked Members for their support in electing her as Leader, and announced her intended Cabinet as follows:

Councillor M Oxley
Councillor K Payne
Councillor R Powell
Councillor G Waller
Councillor D Wilby

It was confirmed by the Leader that a full list of portfolios and services would be announced by the end of the week.

Councillor G Waller addressed Council and set out that she would not take up the offer of a Cabinet position as insufficient information had been provided on the intended portfolios to enable the Liberal Democrat group to endorse the decision for her to enter the Cabinet.

In response, Councillor Stephenson set out her disappointment in Councillor Waller's response but reaffirmed her commitment to working with Councillors from all groups collaboratively.

Councillors R Powell and M Oxley set out their hope that having been appointed to the Cabinet, that it would be a chance to work collaboratively and constructively with all Members. Councillor G Brown also affirmed his support for the alliance Cabinet and the individuals appointed to it going forward.

9 REVIEW OF THE CONSTITUTION

Report No. 89/2022 was presented by Councillor L Stephenson, Leader of the Council. The report set out a series of constitutional changes recommended to Council by the Constitution Review Working Group

The recommendations of Report No. 89/2022 were moved by Councillor L Stephenson and seconded, upon being put to the vote, with 25 votes in favour the motion was unanimously carried.

RESOLVED

That Council:

- 1) **NOTED** the work of the Constitution Review Working Group and thanked its members for reviewing the Constitution and proposing the revisions detailed in the Report to ensure legal compliance.
- 2) **AGREED** to adopt the revised Contents and Part 1 - Introduction to the Constitution at Annex 1.
- 3) **AGREED** to adopt the revised Part 2 - Articles at Annex 2.
- 4) **AGREED** to adopt the revised Part 3 – Responsibility for Functions at Annex 3 including the new terms of reference for the Constitution Commission and the

Strategic Overview and Scrutiny Committee agreed by Council on 11 April 2022.

- 5) **AGREED** to adopt the updated terms of reference for the Health and Wellbeing Board at Annex 5 to be substituted into Part 3 of the Constitution.
- 6) **AGREED** to adopt the revised Part 4 – Procedure Rules at Annex 4.
- 7) **AGREED** to adopt the revised Public Speaking Scheme for Planning and Licensing Committee at Annex 6 into Part 5 of the Constitution.

10 **POLITICAL BALANCE AND ALLOCATION OF SEATS TO POLITICAL GROUPS**

Report No. 90/2022 was introduced by Councillor L Stephenson, Leader of the Council. The report requested a number of decisions relating to the political appointments to Committees.

The Chairman first invited a proposal on the recommendation on whether to adopt a political balance equation to include non-aligned Members as set out in Appendix A to the report.

It was moved by Councillor L Stephenson that Council adopt the political balance equation at Table A, including non-aligned Members. This was seconded and upon being put to the vote, with 25 votes in favour the motion was unanimously carried.

RESOLVED

That Council **ADOPT** the political balance equation at Table A of Appendix A to include all Councillors.

---oOo---

The Chairman then invited a proposal on recommendations 2-5 of Report No. 90/2022. These were moved by Councillor Stephenson and seconded. Upon being put to the vote, with 25 votes in favour, the motion was unanimously carried.

RESOLVED

- 2) **APPROVED** the allocation of seats to Political Groups, as determined by the vote on political balance calculation, as set out in Appendix B.
- 3) **NOTED** the political group nominations for membership of the Council's Committees as set out in Appendix B
- 4) **APPROVED** the appointments of non-aligned Members to Committees as set out in Appendix B.
- 5) **AUTHORISED** the Strategic Overview and Scrutiny Committee to co-opt five Members on education matters only, in accordance with the Constitution and the Local Government Act 2000.

---oOo---

The Chairman then explained that he would invite nominations for the position of Chairs of Committees in turn. Nominations were first invited for the position of Chair of the Audit and Risk Committee.

Councillor A Walters was proposed by Councillor M Oxley and seconded and Councillor J Fox was proposed by Councillor G Brown and seconded. Councillors Walters and Fox were given the opportunity to address Council setting out their suitability for the post.

Upon being put to the vote, with 17 votes for Councillor Walters, 7 for Councillor Fox and one abstention, Councillor Walters was duly appointed.

RESOLVED

That Councillor A Walters be **APPOINTED** as Chair of the Audit and Risk Committee for the 2022-23 municipal year.

---oOo---

Nominations were then invited nominations for the Chair of the Conduct Committee.

Councillor A Brown was proposed by Councillor M Oxley and seconded. There being no further nominations Councillor A Brown was duly appointed.

RESOLVED

That Councillor A Brown by **APPOINTED** as Chair of the Conduct Committee for the 2022-23 municipal year.

---oOo---

Nominations were then invited for the position of Chair of the Constitution Commission.

Councillor L Stephenson was proposed by Councillor M Oxley and seconded. There being no further nominations Councillor Stephenson was duly appointed

RESOLVED

That Councillor L Stephenson be **APPOINTED** as Chair of the Constitution Commission for the 2022-23 municipal year.

---oOo---

Nominations were then invited for the position of Chair of the Employment and Appeals Committee.

Councillor G Waller was proposed by Councillor J Burrows and seconded. There being no further nominations Councillor Waller was duly appointed.

RESOLVED

That Councillor G Waller be appointed as Chair of the Employment and Appels Committee for the 2022-23 municipal year.

---oOo---

Nominations were then invited for the position of Chair of the Planning and Licensing Committee.

Councillor N Begy was proposed by Councillor M Oxley and seconded and Councillor E Baines was proposed by Councillor K Bool and seconded. The Chairman invited both candidates to set out their suitability for the post.

Upon being put to the vote, with 12 votes for Councillor Begy and 13 for Councillor Baines, Councillor Baines was duly appointed.

RESOLVED

That Councillor E Baines be **APPOINTED** as Chair of the Planning and Licensing Committee for the 2022-23 municipal year.

Nominations were then invited for the position of Chair of the Strategic Overview and Scrutiny Committee.

Councillor G Waller was proposed by Councillor J Burrows and seconded. There being no further nominations Councillor Waller was duly appointed.

RESOLVED

That Councillor G Waller be appointed as Chair of the Strategic Overview and scrutiny Committee for the 2022-23 municipal year.

11 PROGRAMME OF MEETINGS 2022/23

Report No. 91/2022 was presented by Councillor L Stephenson, Leader of the Council. The report set out the proposed programme of meetings for the 2022-23 municipal year, inclusive of May and June 2023.

It was moved by Councillor L Stephenson that the proposed programme be approved and this was seconded. Upon being put to the vote, with 25 votes in favour, the motion was unanimously carried.

RESOLVED

That the Programme of Meetings for 2022/23 attached at Appendix A to the report be **APPROVED**, including dates for May and June 2023 subject to revision by Annual Council in May 2023.

12 APPOINTMENTS TO OUTSIDE ORGANISATIONS, WORKING GROUP AND FORA

Report No. 92/2022 was introduced by Councillor L Stephenson, Leader of the Council. The report set out a number of bodies for which Councillors were to be appointed as the Council's representatives. It was noted that a list of nominations had

been circulated via the agenda supplement and only the Combined Fire Authority had more nominations than places available.

It was moved by Councillor Stephenson that the uncontested nominations set out in the agenda supplement be approved and this was seconded. Upon being put to the vote, with 25 votes in favour the motion was unanimously approved.

RESOLVED

- 1) That the uncontested nominations set out in the re-circulated Appendix A be **APPROVED**
- 2) That the Strategic Overview and Scrutiny Committee be **AUTHORISED** to appoint an additional Member and a substitute from among it's membership as representatives on the Leicester, Leicestershire and Rutland Joint Health Scrutiny Committee.

It was then moved by Councillor G Brown that Councillor P Ainsley be appointed to the Combined Fire Authority and this was seconded. Councillor L Stephenson then moved that Councillor K Bool be appointed and this was seconded.

Councillors Ainsley and Bool in turn set out the reasons why they believed they should be nominated to the Combined Fire Authority.

Upon being put to the vote, with 8 votes for Councillor Ainsley and 17 votes for Councillor Bool, a motion to appoint Councillor Bool was carried.

RESOLVED

That Councillor K Bool be **APPOINTED** as the Council's representative on the Combined Fire Authority.

13 ANY URGENT BUSINESS

There was no other urgent business for consideration however Councillor W Cross took the opportunity to thank Marie Rosenthal, for her dedication and service to the Council and her support for a number of projects during her tenure as interim Deputy Director of Corporate Governance and Monitoring Officer.

---oOo---

The Chairman declared the meeting closed at 8.22 pm.

---oOo---

Statement from Councillor Oliver Hemsley – 9 May 2022

I have remained true to my principals and my integrity with the decision I have recently taken to become a non-aligned independent. Over the weekend I have received overwhelming support from within the local and national community for taking this stand on the position that Rutland is continually left in regarding funding, and the expectation that leaders need to lead from the front by example.

It is with great sadness therefore that I believe I no longer have the continued support of most members. I sincerely hope that you find a solution to get Government to listen and furthermore I would strongly encourage many of you to listen more closely to our residents as they elected you to represent them.

We are here to serve Rutland not to fight over leadership at this critical time. On this basis I am stepping down as leader effective immediately. I will remain as a County Councillor while I consider my future.

This page is intentionally left blank