



# Rutland County Council

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Minutes of the **TWO HUNDRED AND THIRTY THIRD MEETING** of the **COUNCIL**  
held in the Rutland County Council, Catmos Street, Oakham on Monday, 11th  
October, 2021 at 7.00 pm

<b>PRESENT:</b>	Councillor J Dale (Chairman) Councillor P Ainsley Councillor D Blanksby Councillor A Brown Councillor J Burrows Councillor W Cross Councillor L Stephenson Councillor J Fox Councillor M Jones Councillor M Oxley Councillor R Powell Councillor G Waller	Councillor N Begy (Vice-Chairman) Councillor E Baines Councillor K Bool Councillor P Browne Councillor R Coleman Councillor O Hemsley Councillor D Wilby Councillor S Harvey Councillor A MacCartney Councillor K Payne Councillor I Razzell
<b>APOLOGIES:</b>	Councillor G Brown Councillor S Webb	Councillor A Walters
<b>OFFICERS PRESENT:</b>	Mark Andrews Marie Rosenthal Sue Bingham Tom Delaney	Chief Executive Monitoring Officer Interim Corporate Governance Manager Governance Manager

## **1. APOLOGIES**

Apologies for absence were received from Councillors G Brown, A Walters, and S Webb.

## **2. CHAIRMAN'S ANNOUNCEMENTS**

The Chairman referred Members to his previously circulated announcements.

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

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

## **4. DECLARATIONS OF INTEREST**

There were no declarations of interest.

## **5. MINUTES OF PREVIOUS MEETINGS**

Consideration was given the minutes of the meetings held on 1 September and 13 September 2021.

### **RESOLVED**

That the minutes of the meetings held on 1 September and 13 September 2021 be **APPROVED**.

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

Richard Camp delivered his question to Council as set out in the agenda supplement, and the Chairman invited Councillor I Razzell to respond as the Portfolio Holder for Planning.

Councillor Razzell explained that no response had been received from the Ministry of Defence (MoD) following Council's decision to withdraw the Local Plan on 1 September and that it was understood the MoD was appraising its options for St George's Barracks.

It was also explained that any new views regarding St George's Barracks would be considered within the context of preparing a new Local Plan, and that the MoD had some additional permitted development rights due to St George's barracks being Crown Land under Part 19 of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015, and that like any potential development it was possible for MoD submit a planning application prior to the production of a new Local Plan.

Councillor Razzell concluded by setting out that despite Mr Camp's reference to paragraph 8 of the National Planning Policy Framework (NPPF), the Council was required to make sufficient provision for all development types including housing and affordable housing, and to determine a minimum number of homes using a housing needs assessment conducted using the national standard method.

Mr Camp thanked Councillor Razzell for his response and had no supplementary question.

## **7. QUESTIONS FROM MEMBERS OF THE COUNCIL**

No questions had been received from Members of the Council.

## **8. REFERRAL OF COMMITTEE DECISIONS TO THE COUNCIL**

There had been no referral of committee decisions to the Council.

## **9. CALL-IN OF DECISIONS FROM CABINET MEETINGS DURING THE PERIOD FROM 13 SEPTEMBER 2021 TO 11 OCTOBER 2021 (INCLUSIVE)**

There had been no call-in of decisions from Cabinet meetings.

## **10. REPORT FROM THE CABINET**

Report No. 114/2021 was received from the Cabinet. Councillor L Stephenson introduced the report which sought Council approval for the extension of the current Highways Term Maintenance Contract by an additional six months from 1st December 2023 until 31st May 2024. It was highlighted that this would prevent a new contract beginning in the middle of the winter period, which could have made the next contract less attractive for bidders and affected service delivery if the provider had changed during winter.

Members expressed support for the proposal and acknowledge the positive impact of moving the timing of the contract renewal going forward, although concerns were expressed over how situation of a contract renewal in the winter had originally risen, and whether there would be any negative cost implications for the Council during the extension period. In response, Councillor Stephenson explained that the timing of the contract dated back some time and Council now had the opportunity to move forward and correct this, and that any cost implications were regulated by the signed contract and would only apply where the underlying costs of specific goods and services had risen.

The recommendation of the Cabinet was moved by Councillor Stephenson and seconded, and upon being put to the vote with 23 votes in favour, the motion was unanimously carried.

### **RESOLVED**

That Council **APPROVES** the extension of the current Highways Term Maintenance Contract Upon reliance of Regulation 72 (1)(b) of the Public Contract Regulations 2015, by an additional six months from 1st December 2023 until 31<sup>st</sup> May 2024, to ensure service continuity during the commissioning period of the new RCC Highways Term Maintenance Contract.

## **11. REPORTS FROM COMMITTEES OF THE COUNCIL**

There were no reports from Committees of the Council.

## **12. REPORTS FROM SCRUTINY COMMISSION / SCRUTINY COMMITTEES**

There were no reports from the Scrutiny Commission or Scrutiny Committees.

## **13. JOINT ARRANGEMENTS AND EXTERNAL ORGANISATIONS**

Councillor G Waller reported on her recent attendance at the Carlton Hayes Mental Health Charity which provided grants to charities and non-profits across Leicester, Leicestershire and Rutland, and asked Members to encourage any local groups to apply for funding if they required it.

Councillor K Bool referred Members to his previously circulated report on the Combined Fire Authority and highlighted to Members that a free service was available for the installation of smoke alarms in homes and encouraged Members to share this offer with constituents and contact him with any queries.

Councillor L Stephenson provided an update on the work of the Rutland Climate Action group and in particular the recent Great Big Green Week with events across the County. Thanks were also expressed to Councillors Burrows and Jones for their support, such as work on the establishment of a Rutland Climate Action Website.

#### **14. NOTICES OF MOTION**

Councillor P Ainsley presented the previously circulated motion and revised accompanying documents to Council. Councillor Ainsley moved the recommendations in the revised report subject to the words 'and proportionality will not apply' from Section 4 of the proposed Terms of Reference.

Councillor R Powell moved an amendment to the motion for it to read:

"That Council

Agrees that the proposal to form a Task and Finish Group to review Primary Care in Rutland and the associated Terms of Reference of such a Group, be referred to Adults and Health Scrutiny Committee to review and discuss with a view to re-submitting a proposal to Council at the earliest opportunity."

The amendment was seconded.

Members in support of the amendment set out concerns regarding the original and revised documentation's quality and consistency and the potential impact this would have on the quality of the Task and Finish Group's work. It was suggested that referring the matter to the Adults and Health Scrutiny Committee would allow these to be corrected so that the Task and Finish Group began with a clear and correct remit. This approach was also put forward as best practice and the correct process for the establishment of a Task and Finish Group, rather than via a motion to Council from individual Members.

Members opposing the amendment acknowledged the issues with the documentation set out by other Members but set out the potential delays such an amendment would cause to the establishment of the Task and Finish Group and it was particularly highlighted that it was intended for an interim report to support and supplement the Rutland Place-led Plan in January the following year. Furthermore, Members put forward that any delay would be difficult to justify to constituents given the urgent need for improvements. It was also suggested that any concerns over the Terms of Reference could be ironed out by the Task and Finish Group at its first meeting rather than beforehand.

Upon being put to the vote, with 4 votes in favour, 14 against and 5 abstentions, the amendment was defeated.

A vote was then taken on the original motion moved by Councillor Ainsley and with 15 votes in favour, 3 against and 5 abstentions, the motion was carried.

#### **RESOLVED**

That Council:

- 1) **AGREES** to the formation of a time limited, cross-party Scrutiny Task and Finish group to review Primary Care in Rutland.
- 2) **APPROVES** the Terms of Reference as attached at appendix A subject to the removal of 'and proportionality will not apply'.

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The Chairman briefly adjourned the meeting to allow members a comfort break.

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## **15. APPOINTMENT OF MONITORING OFFICER**

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Marie Rosenthal left the meeting for consideration of the item.

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Report No. 134/2021 was received from the Chief Executive, Councillor O Hemsley introduced the report which sought Council approval for Marie Rosenthal's appointment as the council's interim Monitoring Officer, and moved the recommendations set out in the report.

This was seconded and upon being put to the vote, with 23 votes in favour the motion was unanimously carried.

## **RESOLVED**

That Council:

- 1) **APPOINTS** Marie Rosenthal as the Council's Interim Monitoring Officer from 12<sup>th</sup> October until such time as a permanent appointment has been made.
- 2) **NOTES** the financial pressure of c£35k which the Resources Directorate will aim to manage within its current budget.

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Marie Rosenthal re-joined the meeting at this point.

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## **16. RUTLAND LOCAL PLAN**

Report No. 135/2021 was received from the Strategic Director of Places. Councillor O Hemsley introduced the report which set out proposed project management arrangements for the establishment of a cross-party group to provide oversight of the process of making a new Local Plan for consideration by Council. Councillor Hemsley moved the recommendations as set out in the report and this was seconded.

Several Members set out concerns over the length of time required for the establishment of a new Local Plan and suggested this should be streamlined as much as possible.

In response, Members of the proposed Local Plan Working Group committed to ensuring a new Local Plan was delivered as soon as practicable but highlighted that the process was subject to a variety of statutory consultations, preparation period and

independent examination. The timeline in the documentation was put forward as the professional opinion of officers on what would be achievable.

It was also agreed that the proposed Terms of Reference for the Local Plan Working Group should be amended to remove any reference to individuals and instead be the titles of those concerned, in order to allow for changes in the holders of these positions.

Subject to this amendment, Councillor Hemsley's motion was put to the vote, with 22 votes in favour and 1 against, the motion was carried.

## **RESOLVED**

That Council **APPROVES** the project management arrangements as set out in this report and the accompanying appendices for the establishment of a cross-party group to provide oversight of the process of making a new Local Plan, in line with the Corporate Project Management governance framework. Subject to the Terms of Reference for the Local Plan Working Group being amended to remove any reference to individuals and instead be the titles of those concerned.

## **17. ANNUAL HEALTH AND SAFETY REPORT**

Report No. 136/2021 was received from the Strategic Director of Places. Councillor L Stephenson introduced the report alongside Councillor M Oxley as the Chair of the Joint Safety Committee which had agreed for the report to be taken to Council. It was highlighted that following staff turnover and Peterborough City Council providing the service, there was now a dedicated member of staff providing a high quality service and reviewing all of the Council's Health & Safety processes.

It was moved by Councillor L Stephenson that Council endorse the contents of the report and the positive improvements being made within the Health and Safety function. This was seconded and upon being put to the vote, with 23 votes in favour the motion was unanimously carried.

## **RESOLVED**

That Council **ENDORSES** the contents of the report and the positive improvements being made within the Health and Safety function.

## **18. ANY URGENT BUSINESS**

There was no urgent business for consideration.

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**The Chairman declared the meeting closed at 8.31 pm.**

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