



Rutland County Council

Catmose Oakham Rutland LE15 6HP.

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Minutes of the TWO HUNDRED AND THIRTY SIXTH **MEETING** of the **COUNCIL** held in the Council Chamber, Catmose, Oakham, Rutland, LE15 6HP on Monday, 24 January, 2021 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 J Burrows	Councillor J Fox
Councillor O Hemsley	Councillor M Jones
Councillor A MacCartney	Councillor M Oxley
Councillor K Payne	Councillor R Powell
Councillor I Razzell	Councillor L Stephenson
Councillor L Toseland	Councillor G Waller
Councillor S Webb	Councillor D Wilby

OFFICERS PRESENT:

Mark Andrews	Chief Executive
Marie Rosenthal	Monitoring Officer
Sue Bingham	Interim Corporate Governance Manager
Tom Delaney	Governance Manager

1 APOLOGIES

Apologies for absence were received from Councillors P Browne, W Cross, S Harvey and A Walters.

2 CHAIRMAN'S ANNOUNCEMENTS

The Chairman advised that he has attended the Nine Lessons & Carol Service, All Saints' Church Oakham since the last the meeting of the Council, the Chairman advised that the Mayor of Hinckley & Bosworth's reception and Panto had been cancelled.

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

4 DECLARATIONS OF INTEREST

Councillor A MacCartney declared a pecuniary interest in item 14 – Notices of Motion, as a member of the Game and Wildlife Conservation Trust which undertook paid work with the Welland River Trust. Councillor MacCartney confirmed she would leave the room during the debate.

Councillor A Brown declared a non-pecuniary interest in item 14 – Notices of Motion as a tenant of land running up to the River Welland.

5 MINUTES OF PREVIOUS MEETING

Consideration was given the minutes of the meetings held on 13 December 2021.

RESOLVED

That the minutes of the meetings held on 13 December 2021 be **APPROVED**.

6 PETITIONS, DEPUTATIONS AND QUESTIONS FROM MEMBERS OF THE PUBLIC

There were no petitions, deputations or questions from members of the public.

7 QUESTIONS FROM MEMBERS OF THE COUNCIL

Councillor A Brown presented his question as set out in the agenda supplement.

The Chairman invited Councillor L Stephenson to respond which was as follows:

“We will be commencing work on our electric charging policy this year, and this will set out our approach for delivery of electric charging points within the county. As part of this process, we will be considering the need for residential charging for households without off street parking. We will undertake a public consultation on this document when we have completed.

The installation of charging points for households without off street parking will be covered in the electric charging policy. The lack of regulations/by-laws may restrict how far the Council can go in the requirements that it can make, however there are general health and safety considerations. If cables crossed a highway/footpath it could create a hazard and/or cause an obstruction. If anyone were to route cables across public footpaths to charge their vehicle, there would be a risk of a claim of liability if an accident occurred. It is likely that this will be an emerging area for policy development nationally and we will monitor the position carefully.

The Electric Vehicle Homecharge Scheme (EVHS) is a grant that provides a 75% contribution to the cost of a charge point and its installation. The EVHS will not be available to homeowners who live in single unit properties after 31st March 2022 and the installation must be complete by 31 March 2022 and a claim submitted to DVLA by 30 April 2022”.

Further information can be found here, [Electric Vehicle Homecharge Scheme: guidance for customers - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/electric-vehicle-homecharge-scheme)

The following supplementary question was asked by Councillor A Brown:

“Councillor Stephenson are you aware of the Government guidance for the On-Street Residential ChargePoint Scheme for Local Authorities and what is your view on cable protectors”.

In response to Councillor Brown's supplementary regarding government guidance for the On-Street Residential ChargePoint Scheme for Local Authorities and views on cable protectors;

Councillor Stephenson reminded Council that Officers could provide advice on the legalities but her personal view would be that it was important to meet the demand for electric charging vehicles, but Highway's safety was paramount.

Councillor R Powell presented her question as set out in the agenda supplement.

The Chairman invited the Leader of the Council to respond which was as follows:

"As Members are aware Council approved the establishment of a Cross Party group with representation from the Group Leaders to provide oversight to the preparation of the Local Plan and engage with elected Members throughout the plan making process.

The first stage would be to look at the issues and options and the Group Leaders and Deputy Members had all received training on the process. These options would be looked at by the Group Leaders and would then be open for discussion. As outlined in the Constitution a full report would be taken at the 5 April Cabinet meeting seeking approval. Prior to this there was scope for Scrutiny consideration and Member Briefings prior to this.

Regulation 18 Local Plan sets out the Councils preferred Local Plan and Spatial Strategy, and this was currently scheduled for 2023. This is expected to involve Scrutiny and Members engagement prior to Cabinet consideration. The Local Plan including a Spatial Strategy will be finalised in a pre-submission Local Plan which will require the resolution of Full Council, and this is scheduled for 2024 and full Member engagement prior to this".

The following supplementary question was asked by Councillor Powell:

Councillor Hemsley responded to Councillor Powell's supplementary by agreeing that all Members needed to have an open debate at an early stage with all of the evidence and options presented before them.

Councillor A MacCartney presented her question as set out in the agenda supplement.

The Chairman invited Councillor D Wilby to respond, which was as follows:

"Rutland has an Inclusion Team that works with schools, education providers, early help partners, the Admissions Service and families to support children to receive their full education entitlement. This is underpinned by the (attached) Children Missing Education guidance and separately, Children Missing from Education guidance to support schools and other education provider to understand the risks for children and to fulfil their responsibilities to protect children as well as setting out the Local Authorities' responsibilities and the support that can be put in place to support children and their families and schools.

The Local Authority has in place the following to support the identification and support for children, and to address concerns about children not being in school.

1. Termly school meetings held with each secondary school in Rutland and attended by senior leadership team members, to discuss children with school attendance concerns and plan appropriate interventions of support. This will consider the range of support available through our own early help offer and our wider early help community support.
2. Attendance Surgeries are offered to all schools in Rutland to provide advice and guidance on whole school attendance strategies and to discuss cases of concern.
3. Education Inclusion Partnership Support; provides a range of interventions to support children who are at risk of disengaging/exclusion from school, which might be related to their emotional needs, issues at home, ranging from whole school training, CPD, Educational Psychology intervention, Specialist teachers in Social, Emotional & Mental Health (SEMH), ADHD solutions support etc.
4. Exclusion Support from Inclusion Support Officer following permanent exclusion to avoid delay in returning to school. This will include providing short term education such as alternative provision or tuition, whilst securing a permanent plan of education. This will often take a whole family approach, considering the support required for parents and siblings also for example through early help.
5. Medical Needs Support; children who are too unwell to attend school are provided with appropriate education such as 1-1 tuition and are supported with a multiagency plan to access education. This will include input from health, education, early help etc.
6. Children Missing Education (CME) tracking; Inclusion support officer tracks children who are missing from their education to ensure the time out of school is kept to a minimum. This will include for example supporting parents to apply to schools. This may also require liaising with other local authorities to ensure children's safe arrival into education when moving between authorities.
7. Inclusion Tracking; Rutland's Inclusion Team tracks those children who are identified as at risk of missing education or missing education. This data is analysed to understand need and to ensure we are responding appropriately. This data is reported to the performance board on a monthly basis.
8. Monthly meeting with the Admissions Service; This ensures any child without a school place, or at risk of becoming a child without a school place, is identified. Established processes within the Authority and with neighbouring Admission Authorities aim to minimise time a child is not in school for their education.
9. Strategic Links and sharing information about children at risk; Rutland's Inclusion Team are members of the Association of Education Welfare Management. This group has members from across the country who meet to discuss key themes. The Department for Education supports the group and consults key development areas. Leicester, Leicestershire and Rutland also have an Attendance and Inclusion group, that has been set up to bring the neighbouring authorities together to identify the services available and understand the gaps that need addressing.
10. Families with family support needs that may be impacting on children ability to get to school or to attend, will be offered Early Help support from a case officer, who will work closely with families, with health staff, the police or community safety to protect children at home and in the community.
11. During Covid Lockdown, the Early Help and Children Social Care teams maintained regular contact with vulnerable families known to the service, either face to face or virtually to ensure they were supported and attending school when it was safe to do so, working closely with school teachers. Risk assessments were conducted to identify any risks to families and prioritise

those most vulnerable. Schools were encouraged to report regularly in to the LA on the number of children attending school.

Elective Home Education; Inclusion Officer supports families when the decision has been made to provide education for their children themselves. The responsibility is to understand the education in place for the child(ren) and to satisfy ourselves that the education plan is sufficient. Families will be offered an assessment to understand if there are other needs and the appropriate support will be sought for them.

Legal Interventions

In all cases we will aim to engage the family and support the child to access their full-time education. However, in some cases the local authority may need to refer to their legal powers to bring about change.

1. School Attendance Orders; this may be issued to parents when we are not satisfied that a child is in receipt of a sufficient education. This can include those parents who have elected to home educate and where the parents have failed to satisfy the local authority that that provision is suitable.
2. Prosecution; a parent may be prosecuted if a child has not been attending school regularly (and that absence has been unauthorised), and other attempts to support the family to make improvements have been unsuccessful.
3. Fine; we may alternatively issue a fine in the case of above. This may also be used when a child has been taken out of school for a leave of absence in term time and the absence has been unauthorised.

Below is the number of children which the Local Authority is aware of, and is supporting, who are not in school or in school part time

- Medical Needs (children not attending full time) – 14
- **Permanent Exclusions** (Academic Yr 2021-2022 YTD) – 4
- **Children without School Place** (Children not on roll at school who are being supported to seek a school place/appropriate education provision) – 3
- **Electively Home Educated Children** (rolling register total) - 27

8 REFERRAL OF COMMITTEE DECISIONS TO THE COUNCIL

There had been no referral of committee decisions to Council.

9 CALL-IN OF DECISIONS FROM CABINET MEETINGS DURING THE PERIOD FROM 13 DECEMBER TO 24 JANUARY (INCLUSIVE)

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

10 REPORT FROM THE CABINET

Report No. 178/2021 was received from the Cabinet. Councillor D Wilby introduced the report which requested that Council approved the recommendation from Cabinet on the 21 December 2021 to approve the Children and Young People's Plan 2022-25, and Children and the Young People's Strategy 2022-25.

Following a question from a Member, Councillor Wilby confirmed that the report was aimed at all children and that the Strategy and Plan were Rutland County Council's and best practice was taken from partnership bodies. The Monitoring Officer

confirmed that a query regarding the legal status of Designated Special Provision as a mainstream setting would be answered outside of the meeting,

It was moved by Councillor Wilby that Council approved the contents of the report. This was seconded and upon being put to the vote, the motion was unanimously carried.

RESOLVED

That Council:

APPROVED the Children and Young People's Plan 2022-25, and Children and the Young People's Strategy 2022-25.

11 REPORTS FROM COMMITTEES OF THE COUNCIL

There were no reports from Committees of the Council.

12 REPORTS FROM SCRUTINY COMMISSION / SCRUTINY COMMITTEES

A report from Councillor G Waller as Chair of the Adults and Health Scrutiny Committee was received and noted.

Councillor Waller highlighted concerns from residents and Scrutiny at the meeting on 9 December in relation to Lakeside Healthcare in Stamford and its poor performance in its last two CQC inspections. At the next meeting of the Adults and Health Scrutiny a representative from the GP Practice and from the Patient Participation Group would be in attendance to discuss the improvement plan and the views of the patients.

13 JOINT ARRANGEMENTS AND EXTERNAL ORGANISATIONS

Councillor E Baines updated the Council on the upcoming meeting of the Anglian (Northern) Regional Flood and Coastal Committee

- The meeting was due to take place on Friday 28 January 2022, voting rights were shared between Rutland County Council and Leicestershire County Council and for the forthcoming year it would be Rutland's opportunity to vote.
- The Precept for 2022/23 would be decided at the meeting. Councillor Baines confirmed that Leicestershire had approved a 2% increase and Northamptonshire authorities and Lincolnshire had approved a 0% increase. It was Councillor Baines's intention to support a 0% increase and he requested that Members share any concerns with him after the Council meeting. Councillor G Waller supported Councillor Baines intention to support a 0% increase.

Councillor L Stephenson as the Council's representative on the Police and Crime Panel, advised that papers would soon be published regarding the Leicestershire Police Precept for 2022/23.

14 NOTICES OF MOTION

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Councillor A MacCartney departed the meeting at 19:32pm having declared an interest in the following item.

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Council were asked to consider the Notice of Motion from Councillor E Baines which was seconded by Councillor A Brown in accordance with Procedure Rule 34. Councillor Baines presented the previously circulated motion, with the removal of the words 'during this financial year'. Councillor A Brown confirmed his approval of the amendment as seconder.

Councillor Baines highlighted to Council some of the benefits to Rutland from the work of the Welland River Trust:

- Improved habitat and bio diversity.
- Flood defence.
- There was an increased awareness that people were healthier and happier if they had access to a tranquil environment.
- Rutland had already benefited from a £300,000 scheme for the Gwash from Anglian Water.
- Access to the current academic research. A PhD student from Leicester university was undertaking works around how to measure green capital and zero carbon emissions was part of the research.

Members fully supported the first part of the motion regarding the work of the Welland Trust but given the current budget constraints that the Council was facing, Members raised concerns regarding the grant funding. Several Members also highlighted the lack of a business case being submitted as a concern.

Several Members raised general concerns regarding the Council's lack of a grant making policy and it was suggested that agreement of the motion would set a precedent as a method for organisations to secure funding in the future. It was suggested that if Rutland was going to grant financial aid to organisations that a policy should be created that defined how this would be undertaken and agreed at a more operational level rather than coming before Council, it was highlighted that parish councils often undertook this method. Clarification was also sought over the responsibility the Council had for the management of the waterways, and it was agreed this would be provided outside of the meeting.

A Member suggested that reference to Cabinet in the motion be amended to the Growth, Infrastructure and Resources Scrutiny Committee (GIR) and for the Committee in consultation with the Portfolio Holder could discuss the relevant environmental policies and whether there should be a scheme agreed for the payment of grants. The Chair of the GIR Scrutiny Committee outlined that she could not support such an amendment due to the already full agenda for the Committee over the upcoming months.

A written response would be provided to Councillor D Blanksby in relation to whether Rutland County Council or the Environment Agency were responsible for the waterways.

In response to Members concerns Councillor Baines proposed to remove recommendation two from the motion. This was agreed by Councillor A Brown as seconder. A vote was then taken on the revised motion and with 20 votes in favour, and 1 abstention, the motion was carried.

RESOLVED

That Council:

- 1) Recognised the valuable contributions that the Welland River Trust makes to the County's objectives in relation to the environment and to wellbeing.

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Councillor A MacCartney returned to the meeting at this point.

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15 UPDATES TO THE CONSTITUTION

Report No. 21/2022 was received from the Monitoring Officer and introduced by Councillor O Hemsley as the Chair of the Constitution Review Working Group. The purpose of the report was to set out several proposed amendments recommended by the Working Group to the Terms of Reference for the Employment and Appeals Committee and Part 10 of the Rutland County Council Constitution: Contract Procedure Rules. It was also recommended that the role of the Deputy Electoral Registration Officer be re-designated to the Electoral Services Manager.

Councillor A Brown requested clarification regarding the Contract Procedure Rules and the need for only one quotation for values between £5,000 and £25,000. It was agreed that this would be taken back to the Constitution Review Working Group for consideration and advice sought from Internal Audit.

It was moved by Councillor Hemsley that Council approved the proposed amendments. This was seconded and upon being put to the vote, the motion was unanimously carried.

RESOLVED

That Council **APPROVED** the proposed amendments:

- 1) The updated Terms of Reference for the Employment and Appeals Committee.
- 2) The updated Contract Procedure Rules at Part 10 of the Constitution.

That the Electoral Services Manager be designated as the Deputy Electoral Registration Officer.

16 APPOINTMENT OF NON-ALIGNED MEMBER TO THE ADULTS AND HEALTH SCRUTINY COMMITTEE

The Chairman reminded Members that following the last meeting of the Council there was a vacant seat allocated for a non-aligned Member on the Adults and Health Scrutiny Committee.

Councillor Hemsley proposed that Councillor P Ainsley be allocated as a non-aligned Member to the Adults and Health Scrutiny Committee. This was seconded and upon being put to a vote was unanimously carried.

RESOLVED

- 1) That Councillor Paul Ainsley be appointed as a non-aligned Member to the Adults and Health Scrutiny Committee.

17 ANY URGENT BUSINESS

The Chairman thanked Sue Bingham, outgoing Corporate Governance Manager for all of her hard work over her 12 years working for the Council and wished her the best for the future.

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The Chairman declared the meeting closed at 8.33 pm.

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