



# Rutland County Council

Catmose Oakham Rutland LE15 6HP

Telephone 01572 722577 Email [governance@rutland.gov.uk](mailto:governance@rutland.gov.uk)

Minutes of the **MEETING of the COUNCIL** held in the Council Chamber, Catmose, Oakham, Rutland, LE15 6HP on Monday, 11th April, 2022 at 7.00 pm

**PRESENT:**

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

**APOLOGIES:** Councillor I Razzell Councillor D Blanksby

**OFFICERS PRESENT:**

Mark Andrews	Chief Executive
Marie Rosenthal	Monitoring Officer
Tom Delaney	Governance Manager
David Ebbage	Governance Officer

## 1 APOLOGIES

Apologies were received from Councillor D Blanksby and Councillor I Razzell.

## 2 CHAIRMAN'S ANNOUNCEMENTS

The Chairman advised that he had attended the induction of the new High Sherriff Geoff Thompson and on behalf of the Council he wished him his best with his term in office.

He also attended the 100 year anniversary of the war memorial and the dedication of the new British Legion Rutland Standard, the event was well attended.

On behalf of Rutland County Council, the Chairman congratulated Uppingham for winning the 'best place to live' within the Midlands.

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

Mark Andrews, Chief Executive and Head of Paid Service reminded Members of the upcoming by-election within the Uppingham ward on 5<sup>th</sup> May 2022. The persons nominated were David Ainsley (Independent), Phil Bourqui (Reform UK), Giles Clifton (Conservative Party) and Stephen Lambert (Liberal Democrat). He wished all candidates the best of luck.

He also updated Members on Ukraine, as of the day of Council, Rutland had 21 sponsors and a total of 42 Ukrainians who had arrived in Rutland. He told Members that all sponsors had been very generous with what had been offered to the Ukrainian families.

Councillor S Harvey advised Members that there continued to be high rates of Covid within the county and figures showed this was moving into our older population. Unfortunately, there was two further deaths last week. She asked that the community took advantage of the vaccinations where eligible, including the spring booster.

Councillor S Harvey also updated Members on the Integrated Care System and that 1<sup>st</sup> July was the start date of the Integrated Care Board. The Health and Wellbeing Board had recently approved the Joint Health and Wellbeing Strategy. Finally, she advised Members that the Council working with Anglian Water and Uppingham Town Council had secured £158k of grant funding from the government to develop two 'changing place' toilets. One at Sykes Lane and one in Uppingham which completed the existing facilities in Oakham.

### **4 DECLARATIONS OF INTEREST**

There were no pecuniary or non-pecuniary interests declared.

### **5 MINUTES OF PREVIOUS MEETING**

Consideration was given to the minutes of the meeting held on the 21<sup>st</sup> March 2022

#### **RESOLVED**

That the minutes of the Council meetings held on the 21<sup>st</sup> March 2022 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 O Hemsley to respond which was as follows:

"Procedure is vitally important in how we record votes in meetings. We must ensure that any Council vote is lawful and compliant with legislation and procedure. The alphabetic method of recording votes is used across all councils in England and Wales

in accordance with the Local Government Act 1972. Consistency is the key in how to record council meeting votes. Votes should be recorded in the same way for every meeting if required so that anyone reading the meeting minutes can quickly see how a councillor voted. There would have to be very good reason for the Council to depart from the alphabetic approach. Members need to have the courage of their convictions when voting and not be swayed by the votes of others. Whatever method is chosen will enable those whose names called later to be aware of earlier votes. If Cllr Brown is suggesting, we introduce secret ballots at council meetings, I would be against this. This would be extremely unusual as it is not conducive to the principles of openness and transparency which are so important within local authority decision-making. However, I have asked the Chief Executive to explore options to introduce electronic voting alongside the work going on to invest in systems to allow live streaming of council meetings”.

In response to Councillor Brown’s supplementary regarding the option for paper to be used and for the Monitoring Officer to read out individual votes. Councillor O Hemsley would consider that option.

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

The Chairman invited Councillor O Hemsley to respond which was as follows:

“As set out in the written responses to questions raised at Council, the matter of how any development proposed for the quarry farm site will be attributed to respective housing needs for either Rutland or South Kesteven is a complex matter on which we had sort legal advice. This is likely to take time and resolve but I am happy to update Members on this matter on a regular basis. Members will be aware the Local Plan Issues and Options Report was approved by Cabinet at its meeting on 5 April 2022 for public consultation. The report will seek the views of the public as to whether any development at Quarry Farm should count towards Rutland’s housing needs. Paragraph 3.4.8 of the Issues and Options Reports sets out that the Council has opened up discussions with South Kesteven on the basis that development on the Rutland element of any urban extension of Stamford should count towards Rutland’s housing numbers and so reduce the requirement of new housing elsewhere in Rutland. In preparation of the new Local Plan for Rutland provides the opportunity to resolve this situation through development plan system. Taking account of the Councils duty to co-operate with neighbouring local planning authorities on strategic matters, I would agree that it would be appropriate for the Chief Executive to write to the Chief Executive of South Kesteven District Council setting out what is proposed in the Local Plan Issues and Options Report inviting their response through the consultation. A report on this Council’s intention but it would count towards Rutland’s housing needs could then be presented to Council following the completion of the Issues and Options consultation. Members should be aware that there is a clear programme and process Council prepare the Local Plan, this was outlined in the report to Cabinet on 5<sup>th</sup> April and it was agreed at that meeting. There are 3 distinct stages on the preparation on the Local Plan, each of which include the public consultation and relevant approval prior to this. Issues and Options, Preferred Options Local Plan and a pre submission Local Plan. The final stage of this requires a decision from Full Council, the early stages of this require a decision from Cabinet”.

In response to Councillor Walter’s supplementary regarding the status of the deferred document has not been signed by anyone at Rutland County Council therefore has no legal weight and we have been in contact with South Kesteven to discuss the matter

of returning 650 and it is in hand but has a number of legal complications so it will take some time, but the journey has started.

Councillor L Toseland presented her question as set out in the agenda supplement.

The Chairman invited Councillor O Hemsley to respond which was as follows:

“I do share your concern, but I also believe change is one thing that is certain and we as residents, elected members and organisations need to accept change and ensure the future offer supports our communities even better. I know the buildings well having worked on them for Voluntary Action Rutland (VAR) and have served a purpose and evolved and I’m sure VAR have thought long and hard about the future and did not take the decision into look at the opportunity to relocate to a modern space that serves their purposes lightly. I understand that car services have been in the heart of the VAR will continue and we should help to align concerns as elected members on this matter and support VAR. I think a solid change is of course a concern in Rutland and the largest one being Rutland Water, closing of BC’s factory, meals on wheels, Closing of Barleythorpe’s old people’s home and in my village the closing of a brewery. They’ve all allowed our communities opportunities; we should not be frayed but welcome the opportunity and the possibility that it provides”.

In response to Councillor Toseland’s supplementary regarding the support for organisations and charities in finding new venues, Councillor Hemsley reassured that the Council would support as much as possible with their journey in finding suitable locations, but they would also have to work with the Council, so we understand what support they desire.

Councillor P Ainsley presented his question as set out in the agenda supplement.

The Chairman invited Councillor S Harvey to respond which was as follows:

“The report setting out the findings of the Primary Care Survey was welcomed by the Health and Wellbeing Board which noted the significant number of people who responded to the survey, the overview of feedback across the practices and the recommendations set out. The survey demonstrated inequality in access in primary care services. The difficult context of the pandemic in the period where the survey was conducted was acknowledged as were constraints such as available GP premises which limit service options. The potential for good practice to be shared between practices with different performance profiles was also discussed. Recent progress in addressing some of the issues highlighted was also noted. Primary care services are evolving including through the introduction of specialist roles, this work compliments pre-existing services including prescribers and care co-ordinators. The following was agreed:

- It was noted that after presenting the report to Council on 11<sup>th</sup> April, the Task and Finish Group would be disbanded, and it was agreed that the responsibility to follow up on the reports recommendations would transfer to the Health and Wellbeing Board.
- The recommendations being taken forward but will be integrated into the Joint Health and Wellbeing Strategies delivery plan, working with the Primary Care Network, Integrated Care Board and other partners to ensure follow up and to enable the Health and Wellbeing Board to track progress.

- A follow up survey driven by the Health and Wellbeing Board would be undertaken by January 2023, recognising the importance of these services to the public, and finally:
- The Health and Wellbeing Board would work with partners to present a short report at the Health and Wellbeing Board meeting in July 2022 to update residents on the outcomes of the recommendations from the Task and Finish Group”.

## **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 21 MARCH TO 11 APRIL 2022 (INCLUSIVE)**

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

## **10 REPORT FROM THE CABINET**

There were no reports from Cabinet.

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

Report No. 73/2022 was received from the Conduct Committee. Councillor O Hemsley, Chair of the Conduct Committee presented the report to seek approval from Council to approve the revised Code of Conduct at Appendix A and to approve the adoption of the revised arrangements for dealing with Conduct Allegations at Appendix B.

The recommendations of Report No. 73/2022 were moved by Councillor Hemsley. This was seconded and upon being put to vote, the motion was unanimously carried.

### **RESOLVED**

That Council:

- 1) **APPROVED** the adoption of the revised Code of Conduct at Appendix A.
- 2) **APPROVED** the adoption of the revised arrangements for dealing with Conduct Allegations at Appendix B.

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

Councillor P Ainsley presented the updated list of recommendations from the final report from the Primary Care Task and Finish Group as set out in the agenda supplement. The final report was presented to the Adults and Health Scrutiny on 31<sup>st</sup> March 2022. An additional recommendation was added to the final report recommending that the Rutland based Patient Participation Groups contacted Lakeside Healthcare Stamford PPG to share good practice.

He thanked the Members of the group and for the officer’s support in producing the final report.

Councillor G Waller moved the recommendations from the Adults and Health Scrutiny Committee relating to the report as set out in the agenda supplement and this was seconded. Upon being put to vote, the motion was unanimously carried.

## **RESOLVED**

The Council:

1. **APPROVES** the amended report and commend it to Leicester, Leicestershire and Rutland Clinical Commissioning Group, Lincolnshire Clinical Commissioning Group, the Council's Health and Wellbeing Board, each Rutland GP practice and their Patient Participation Groups with a request that the recommendations in section 8 be actioned by the appropriate body.

Councillor J Fox updated Members on the Growth, Infrastructure and Resources Scrutiny Committee which took place on 7<sup>th</sup> April 2022 with a summary report to be appended to these minutes. Councillor Fox updated Members on the following:

- The Committee received Report No. 72/2022 from Councillor L Stephenson regarding the Culture Review where they noted the draft Terms of Reference and noted the draft Culture review Stakeholder Board Remit.
- An update on the revised Parking Policy had been received from Portfolio Holder for Planning, Highways and Transport Councillor I Razzell.
- Report No. 71/2022 on Leisure Update was also taken to the Committee by Councillor L Stephenson around the demolition of Catmose pool at a reduced cost of £150k.

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

The Chairman advised members that a written report had been circulated from Councillors G Brown and Councillor K Payne regarding the Hanson Cement Ketton Liaison Committee, this is appended to the minutes and he took the report as read.

Councillor G Waller reported back to Members from the last meeting of the Leicester, Leicestershire & Rutland Joint Health Scrutiny Committee which took place on 28<sup>th</sup> March 2022. Councillor Waller updated Members on the following:

- The emerging Integrating Care system was discussed, Rutland was allowed to have a representative on the Boards after the recent change in Government Policy.
- An update on the Ambulance service, the non-emergency patient transport system.
- The Bradgate Unit following the poor CQC inspection.
- Update on the Transforming Care Programme and finally a progress update was given on the University Hospitals Leicester's configuration plans.

## **14 NOTICES OF MOTION**

No notices of motion were received.

## 15 REVIEW OF OVERVIEW AND SCRUTINY ARRANGEMENTS

Report No. 74/2022 was presented by Councillor O Hemsley, Leader of the Council and he proposed the updated recommendations which were circulated at the meeting.

Councillor P Ainsley proposed an amendment to the motion with recommendations 1 and 4 remaining the same. Recommendation 2 changing to a 2-committee system for Scrutiny as outlined in Appendix A to the report. Recommendation 3 would change to a review and report back to Council on the effectiveness of the new 2-committee and commission system in March 2023 after a full municipal year's operation and that was seconded.

Members in favour set out that Working Groups and Task and Finish Groups would still be put together with the proposed 2-committee system. There would not be a need to go into a 1-committee system to have effective Scrutiny.

It was also considered that Members agreed better training was needed for Members around the Scrutiny function within the Council and increased engagement was also required.

Members against the amendment felt one strategic scrutiny panel allowed far greater flexibility in terms of mechanisms that are available. The flexibility aspect also allowed Members to work according to the need of the task in hand rather than being tied up in process and constitution rules.

Members who had particular interests in certain areas would still be able to get involved with the original proposals. It was also suggested by other Members that targeted scrutiny would be an improvement to the current system we have in place. Several Members welcomed the potential reduced costs with the proposed improved function.

It was also felt that the recent success of the finished Task and Finish Group would in the future have the same results from the proposals set out in the recommendations of the report.

After the debate, this was put to the vote, with 3 votes in favour, 18 votes against and 3 abstentions, the motion was defeated.

The debate then returned to the substantive motion.

Several Members raised concerns about the arrangements were pushed through in time for Annual Council in May. They highlighted that there were no details on how the new process would operate and what impact it would have on the Council.

Other Members felt a change was required and that to trial the new 1-committee system for a year and have it reviewed in March 2023 and for Members to welcome the new way of working.

Councillor M Oxley moved an amendment that the arrangements be deferred until the Constitution Review Working Group had discussed the proposed 1-committee system and for a final report to come back to Council to make a decision, this amendment was seconded.

Councillor A Walters supported the proposed amendment and agreed that he needed more information to be able to make a decision on the proposal.

After the debate, this was put to the vote, with 11 votes in favour, 12 votes against and 1 abstention, the motion was defeated.

The Chairman then informed Members that he would take the recommendations individually from the original motion and the voting was as follows:

- With all Members voting in favour, the first recommendation was unanimously carried.
- With 13 votes in favour, 10 against and 1 abstention, the second recommendation was carried.
- With 20 votes in favour, 0 against and 4 abstentions, the third recommendation was carried.
- With 18 votes in favour, 4 against and 2 abstentions, the fourth recommendation was carried.

## **RESOLVED**

That Council **APPROVED** the recommendations of the Constitution Review Working Group that:

1. The Council relaunch the Scrutiny function, championed by the Scrutiny Commission, the Leader of the Council, and the Chief Executive, with a Rutland Scrutiny Improvement Plan setting out the ambition and expectations for the function based on a partnership of mutual respect, transparency, and constructive challenge.
2. The Council should move away from the existing 3-committee and commission system for overview and scrutiny to a single Strategic Overview and Scrutiny Committee as outlined in 4.2.3 and detailed in Appendix A.
3. There will be a review and report back to Council on the effectiveness of the Strategic Overview and Scrutiny Committee in March of 2023 after a full municipal year's operation.
4. The Monitoring Officer in consultation with the Constitution Review Working Group be authorised to make the necessary and consequential changes to the Constitution as part of the pending review of the Constitution subject to approval by full Council.

## **16 APPOINTMENT OF DIRECTOR OF LAW AND GOVERNANCE AND MONITORING OFFICER**

Report No. 75/2022 was introduced by Councillor O Hemsley, Leader of the Council. The purpose of the report was to seek approval to the appointment of Angela Wakefield to the post of Director (Legal and Governance) and Monitoring Officer and for a start date to be agreed for 23<sup>rd</sup> May 2022. This was seconded.

This was put to vote and with all Members voting in favour, the motion was unanimously carried.

**RESOLVED**

That Council:

**APPROVED** the appointment of Angela Wakefield to the post of Director for Legal and Governance and Monitoring Officer.

**17 ANY URGENT BUSINESS**

There were no items of urgent business.

---oOo---

**The Chairman declared the meeting closed at 9.24pm**

---oOo---