



Rutland County Council

Catmose, Oakham, Rutland, LE15 6HP

Telephone 01572 722577 Email governance@rutland.gov.uk

Members of Rutland County Council District Council are hereby summoned to attend the **TWO HUNDRED AND EIGHTY FIFTH MEETING OF THE COUNCIL** to be held in the Council Chamber at Catmose, Oakham on **14 October 2019 commencing at 7.00 pm**. The business to be transacted at the meeting is specified in the Agenda set out below.

Prior to the commencement of the meeting, the Chairman will offer the opportunity for those present to join him in prayers.

Recording of Council Meetings: Any member of the public may film, audio-record, take photographs and use social media to report the proceedings of any meeting that is open to the public. A protocol on this facility is available at www.rutland.gov.uk/haveyoursay

Please note hard copies of the agenda will not be available at the meeting. If you require a hard copy of the agenda please email your request to governance@rutland.gov.uk or telephone (01572) 720991.

Helen Briggs
Chief Executive

A G E N D A

1) APOLOGIES

To receive any apologies for absence from Members.

2) CHAIRMAN'S ANNOUNCEMENTS

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

4) DECLARATIONS OF INTEREST

In accordance with the Regulations, Members are invited to declare any disclosable interests under the Code of Conduct and the nature of those interests in respect of items on this Agenda and/or indicate if Section 106 of the Local Government Finance Act 1992 applies to them.

5) MINUTES OF PREVIOUS MEETING

To confirm the Minutes of the 284th meeting of the Rutland County Council District Council held on 9 September 2019.

6) PETITIONS, DEPUTATIONS AND QUESTIONS FROM MEMBERS OF THE PUBLIC

To receive any petitions, deputations or questions received from members of the public in accordance with the provisions of Procedure Rule 28. The total time allowed for this is 30 minutes. Petitions, deputations and questions will be dealt with in the order in which they are received and any which are not considered within the time limit shall receive a written response after the meeting.

7) QUESTIONS FROM MEMBERS OF THE COUNCIL

To receive any questions submitted from Members of the Council in accordance with the provisions of Procedure Rules 30 and 30A.

8) REFERRAL OF COMMITTEE DECISIONS TO THE COUNCIL

To determine matters where a decision taken by a Committee has been referred to the Council in accordance with the provisions of Procedure Rule 110.

9) CALL-IN OF DECISIONS FROM CABINET MEETINGS DURING THE PERIOD FROM 6 SEPTEMBER 2019 to 11 OCTOBER 2019 (INCLUSIVE)

To determine matters where a decision taken by the Cabinet has been referred to Council by the call-in procedure of Scrutiny Panels, as a result of the decision being deemed to be outside the Council's policy framework by the Monitoring Officer or not wholly in accordance with the budget by the Section 151 Officer, in accordance with the provisions of Procedure Rules 206 and 207.

10) REPORT FROM THE CABINET (Pages 5 - 8)

To receive Report No.155/2019 from the Cabinet on recommendations referred to the Council for determination and to note the Key Decisions taken at its meeting held on 17 September 2019.

11) REPORTS FROM COMMITTEES OF THE COUNCIL

- a. To receive reports from Committees on matters which require Council approval because the Committee does not have the delegated authority to act on the Council's behalf.
- b. To receive reports from Council Committees on any other matters and to receive questions and answers on any of those reports.

12) REPORTS FROM SCRUTINY COMMISSION / SCRUTINY COMMITTEES
(Pages 9 - 14)

To receive the reports from the Scrutiny Commission / Scrutiny Committees on any matters and to receive questions and answers on any of those reports.

1. Biodiversity Task and Finish Group Proposal – Report No.164/2019

13) JOINT ARRANGEMENTS AND EXTERNAL ORGANISATIONS

To receive reports about and receive questions and answers on the business of any joint arrangements or external organisations.

14) NOTICES OF MOTION (Pages 15 - 16)

To consider the Notice of Motion submitted by Councillor Gordon Brown and seconded by Councillor Oxley in accordance with Procedure Rule 34, the text of which can be found in the agenda pack.

15) REVIEW OF POLITICAL BALANCE (Pages 17 - 22)

To receive Report No.160/2019 from the Monitoring Officer.

16) APPOINTMENT TO THE OAKHAM TOWN PROJECT GROUP (Pages 23 - 26)

To receive Report No.157/2019 from the Strategic Director for Resources.

17) AWARD OF CONTRACT FOR THE PROVISION OF FULL FIBRE (GIGABIT CAPABLE) NETWORK UPGRADES TO PUBLIC SECTOR BUILDINGS IN RUTLAND (Pages 27 - 42)

To receive Report No.156/2019 from the Chief Executive.

18) ANY URGENT BUSINESS

To receive items of urgent business which have been previously notified to the person presiding.

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TO: MEMBERS OF THE COUNCIL

Mr K Bool – Chairman of the Council
Mr J Dale – Vice-Chairman of the Council

Mr O Hemsley	Mr G Brown
Mrs L Stephenson	Mr A Walters
Mr D Wilby	Mr P Ainsley
Mr E Baines	Mr N Begy
Mr D Blanksby	Mr A Brown
Ms J Burrows	Mr R Coleman
Mr W Cross	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
Mr N Woodley	

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THE COUNCIL'S STRATEGIC AIMS

Sustainable Growth
Safeguarding
Reaching our Full Potential
Sound Financial and Workforce Planning

COUNCIL

14 October 2019

CABINET RECOMMENDATIONS TO COUNCIL

Report of the Cabinet

Strategic Aim:	All	
Exempt Information	No	
Cabinet Member(s) Responsible:	N/A	
Contact Officer(s):	Kit Silcock, Governance Officer	01572 720976 ksilcock@rutland.gov.uk
Ward Councillors	N/A	

DECISION RECOMMENDATIONS

That Council:

1. Notes the Key Decisions made by Cabinet since the publication of the agenda for the previous meeting of the Council on 9 September 2019, as detailed in Appendix A of this report.

1 PURPOSE OF THE REPORT

- 1.1 To report to Council the Key Decisions made by Cabinet since the publication of the agenda for the previous ordinary meeting of the Council on 9 September 2019, as detailed in Appendix A of this report.

2 BACKGROUND AND MAIN CONSIDERATIONS

- 2.1 The Key Decisions Listed in Appendix A have already been taken and can be found in the Cabinet Record of Decisions for the meeting of 17 September 2019.

3 CONSULTATION

- 3.1 Consultation for key decisions is included in the reports for the meetings of Cabinet referred to in Appendix A.

4 ALTERNATIVE OPTIONS

- 4.1 The only other option would be to not receive the Cabinet's report to Council. However Procedure Rule 246.3 of the Constitution requires the submission of the report.

5 FINANCIAL IMPLICATIONS

- 5.1 Any financial implications are contained in the reports referred to in Appendix A.

6 LEGAL AND GOVERNANCE CONSIDERATIONS

- 6.1 The Key Decisions listed in Appendix A have already been taken and the record is for Council's information only.

7 DATA PROTECTION IMPLICATIONS

- 7.1 As contained in the reports referred to in Appendix A.

8 EQUALITY IMPACT ASSESSMENT

- 8.1 As contained in the reports referred to in Appendix A.

9 COMMUNITY SAFETY IMPLICATIONS

- 9.1 Any Community Safety implications are contained in the reports referred to in Appendix A.

10 HEALTH AND WELLBEING IMPLICATIONS

- 10.1 Any Health and Wellbeing implications are contained in the reports referred to in Appendix A.

11 CONCLUSION AND SUMMARY OF REASONS FOR THE RECOMMENDATIONS

- 11.1 That Council notes the report in order to ensure the procedure rules in the Constitution are followed.

12 BACKGROUND PAPERS

- 12.1 [Cabinet Record of Decisions: 17 September 2019](#)

13 APPENDICES

- 13.1 Appendix A - Key Decisions Made by Cabinet since the Previous Meeting of the Council.

A Large Print or Braille Version of this Report is available upon request – Contact 01572 722577.

Council
14 October 2019

Key decisions made by the Cabinet since the publication of the Agenda for the Meeting of the Council on 9 September 2019. These decisions have already been taken and this record is for Council's information only:

Date	Key Decision No.	Title	Decision
17 September 2019 7	233	Adult Learning and Skills Provision Sub-Contracting Arrangements	Cabinet: 1) AGREED to the procurement for a sub-contracted delivery partner through the award criteria in appendix B of Report No. 127/2019. 2) DELEGATED authority to authorise the Director for People, in consultation with the Cabinet Member with portfolio for Lifelong Learning, Early Years, Special educational needs & Disabilities, Inclusion, to award the contract resulting from this procurement in line with the award criteria.
17 September 2019	235	Proposed Extension to the Highways Term Maintenance Contract	Cabinet: 1) APPROVED the one year extension to the Highway Term Maintenance Contract for Contract Year 9 (November 2021 to December 2022) of the potential 10 year contract extension criteria as set out in the Highway Term Maintenance Contract.

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COUNCIL

14 October 2019

BIODIVERSITY TASK AND FINISH GROUP PROPOSAL

Report of the Growth, Infrastructure and Resources Scrutiny Committee

Strategic Aim:	Sustainable Growth	
Exempt Information	No	
Cabinet Member(s) Responsible:	Mr G Brown , Deputy Leader and Portfolio Holder for Environment, Planning, Property and Finance	
Contact Officer(s):	Mark Loran, Senior Environmental Services Manager	01572 758430 mloran@rutland.gov.uk
	Joanna Morley, Scrutiny Officer	01572 758271 jomorley@rutland.gov.uk
Ward Councillors	All	

DECISION RECOMMENDATIONS

That Council:

1. Agrees to the formation of a time limited, cross-party Task and Finish group to review and develop the Council's Biodiversity Strategy.
2. Approves the Terms of Reference as attached at appendix A

1 PURPOSE OF THE REPORT

- 1.1 To request that Council approves the formation and direction of the Task and Finish Group in accordance with Procedure Rule 15 of Part 4 of the Constitution.
- 1.2 For Council to endorse the Terms of Reference as attached at Appendix A.

2 BACKGROUND AND MAIN CONSIDERATIONS

- 2.1 At their meeting of the 12 September 2019, the Growth, Infrastructure and Resources Scrutiny Committee unanimously agreed to recommend to Council that a Task and Finish Group should be formed to review and develop the Council's Biodiversity Strategy
- 2.2 The Strategy will be one of a suite of strategies under the Council's Environmental Strategy as part of the Council's approach on Climate Change.

3 CONSULTATION

- 3.1 The report was written in consultation with Councillor Waller, Chair of the Growth, Infrastructure and Resources Scrutiny Committee.
- 3.2 The timing, and the proposed members and Chair of the Task and Finish Group were agreed by the Growth, Infrastructure and Resources Committee at their meeting on 12 September 2019.

4 ALTERNATIVE OPTIONS

- 4.1 Council could decide not to go ahead with the Task and Finish Group in its entirety or recommend that the remit of the Group and its Terms of Reference be amended and a further proposal be brought back to Council.

5 FINANCIAL IMPLICATIONS

- 5.1 There are no major financial implications in undertaking the review. There will be a cost implication for officer time spent supporting the Group.

6 LEGAL AND GOVERNANCE CONSIDERATIONS

- 6.1 Procedure Rule 15 of the RCC Constitution concerns itself with the appointment of special or advisory Committees *and* Task and Finish Groups and states within it the following:

- 1) *The Council may establish such groups/committees for the purposes of discharging Council functions and may also establish a Committee of a purely advisory nature.*
- 2) *A Committee may also establish such groups/committees provided that the Council agree.*
- 3) *On establishing a such groups/committees, the Council shall determine each of the following:*
 - a) *the Terms of Reference of each group/committee;*
 - b) *the number of places and voting places on each group/committee;*
 - c) *the appointment of the Chairman and Vice-Chairman of the Committee from amongst the voting Members of the group/Committee;*

- 6.2 The Growth, Infrastructure and Resources Scrutiny Committee are asking Council to agree that membership of the group, as identified in Appendix A, should include both Members of the Committee and the other Councillors who expressed their interest in joining the Task and Finish group. In this instance therefore, there would be no allocation of places by political balance.

7 DATA PROTECTION IMPLICATIONS

- 7.1 A Data Protection Impact Assessments (DPIA) has not been completed because there are no risks/issues to the rights and freedoms of natural persons.

8 EQUALITY IMPACT ASSESSMENT

- 8.1 An Equality Impact Assessment has not been completed at this stage because there are no service, policy or organisational changes being proposed in this report.

9 COMMUNITY SAFETY IMPLICATIONS

- 9.1 There are no community safety implications.

10 HEALTH AND WELLBEING IMPLICATIONS

- 10.1 There are no health and wellbeing implications.

11 CONCLUSION AND SUMMARY OF REASONS FOR THE RECOMMENDATIONS

- 11.1 This report is asking Council to approve the formation of a Task and Finish Group to review current policy and help develop a future biodiversity strategy that will address emerging issues in this area.
- 11.2 The proposed work of the Group aligns with the Council's strategic aim of Sustainable Growth and is particularly pertinent at this time not only because of the large scale developments being proposed for the County but also because of the national environmental agenda aimed at halting the loss of biodiversity.

12 BACKGROUND PAPERS

- 12.1 There are no background papers to the report.

13 APPENDICES

- 13.1 Appendix A – Biodiversity Task and Finish Group Terms of Reference

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Appendix A:

Biodiversity Task and Finish Group – Terms of Reference

1. Purpose

To enable Members to inform the review and development of a Biodiversity Strategy for Rutland County Council.

2. Background

The need for the review has been influenced by the national environment agenda. Rutland County Council is committed to protecting and enhancing biodiversity across the County and currently maintains about 65 km of protected verges, being either 'local wildlife sites' or Sites of Specific Scientific Interest. We are also aware that our approach to grounds maintenance on our other highway verges, as well as on sites like closed churchyards and public open spaces, are an opportunity to further enhance this biodiversity.

3. Proposed Task and Finish Group Members

At their meeting on 12 September 2019, the Growth, Infrastructure and Resources Committee proposed that the group be comprised of the following 9 councillors:

1.	Mr N Begy	Conservative	GIR Committee Member
2.	Mrs J Fox	Conservative	GIR Committee Member
3.	Miss M Jones	Independent	GIR Committee Member
4.	Ms K Payne	Conservative	GIR Committee Member
5.	Mr M Oxley	Independent	GIR Committee Member
6.	Mr N Woodley	Conservative	GIR Committee Member
7.	Mr D Blanksby	Conservative	Not on the Committee
8.	Mr A Brown	Independent	Not on the Committee
9.	Mrs J Burrows	Liberal Democrat	Not on the Committee

The Committee also agreed that the membership of the group need not be politically balanced, as it is not a Committee of the Council but a working group.

4. Chairman

At their Meeting of the 12 September 2019, the Growth Infrastructure and Resources Committee appointed Mrs J Fox as the Chair of the Task and Finish Group.

5. Length of Review

The review is expected to take no more than 4 months and the Group will be aiming to deliver their report to February's Council meeting.

6. Timetable

The timetable, and the frequency and timing of meetings will be determined by the Task and Finish Group at their first meeting.

7. Methodology/Approach

The following information gathering methods will be considered by the Group:

- Desk-based review of background reports and documents
- Workshops / Focus Groups
- Interviewing of officers/contractors/key stakeholders
- Invite interest groups/ experts to give evidence

8. Reporting

The group will present their report to the Growth, Infrastructure and Resources Scrutiny Committee for review before submission to the Cabinet for endorsement and approval of its recommendations.

9. Officer Support

The Group will be assisted by Mark Loran, Senior Environmental Manager and Joanna Morley, Governance Officer.

Agenda Item 14

Climate Change Action Motion

Rutland County Council notes:

- That the impacts of climate change are already causing serious damage around the world.
- That we need to develop measures and set targets to contribute to the challenge of keeping global temperature rises below 1.5°C; and
- That all governments (national, regional and local) have a duty to act, and local governments that recognise this should not wait for their national governments to change their policies.
- That effective policies to cut emissions also have associated health, wellbeing and economic benefits.
- That, recognising this, UK local authorities show their commitment in 'Climate Change' motions.

Rutland County Council therefore commits to:

- Take action to deal with 'Climate Change' to make sure that the Council's activities achieve net-zero carbon before 2050.
- Call on the UK Government to provide the powers, resources and help with funding to make this possible, and ask our local MP to do likewise.
- Ensure that all strategic decisions, budgets and approaches to planning decisions are in line with a shift to zero carbon by 2050.
- Appoint an existing member of Cabinet to take responsibility for the delivery of the Zero Carbon activity
- Ensure that Cabinet and an Officer of the Senior Management Team embed this work in all areas and take responsibility for reducing, as rapidly as possible, the carbon emissions resulting from the Council's activities, ensuring that any recommendations are fully costed and affordable
- Ensure that the Executive and Scrutiny functions review council activities taking account of production and consumption emissions and produce an action plan within 12 months, together with budget actions and a measured baseline
- Request that Growth Infrastructure and Resources Scrutiny Panels consider the impact of climate change and the environment when reviewing Council policies and strategies;
- Achieve 100% clean energy across the Council's full range of functions by 2050 or earlier.

Climate Change Action Motion

- Support, influence and inspire partners and relevant agencies across the region to help make the entire area zero carbon within this timescale through all relevant strategies, plans and shared resources by developing a series of meetings, events and partner workshops.
- Ensure that the Council and partners take steps to proactively include young people in the process, ensuring that they have a voice in shaping the future.
- Set up a Climate Change Partnership Group, involving Councillors, residents, young citizens, climate science and solutions experts, businesses, and other relevant parties. This Group will consider actions being developed by the Council and other partner organisations and develop a strategy in line with a target of net zero emissions by 2050. It will also recommend ways to maximise local benefits of these actions in other sectors such as employment, health, agriculture, transport and the economy.
- Report on the level of investment in the fossil fuel industry that our pensions plan and other investments have and review the Council's investment strategy to give due consideration to climate change impacts in the investment portfolio.
- Ensure that all reports to Cabinet and Council will take into account the actions the council will take to address Climate Change.
- Provide a Climate Change impact assessment on relevant decisions the council makes.
- Provide and publish as part of the Council's Annual Review measures taken by the Council and their impact on the County's carbon footprint.
- Consider other actions that could be implemented, including (but not restricted to): renewable energy generation and storage, providing electric vehicle infrastructure and encouraging alternatives to fossil fuelled private car use, increasing the efficiency of buildings, tree planting on Council land, address fuel poverty; proactively using local planning powers to accelerate the delivery of net carbon new developments and communities, coordinating a series of information and training events to raise awareness and share good practice.

COUNCIL

14 October 2019

REVIEW OF POLITICAL BALANCE

Report of the Monitoring Officer

Strategic Aim:	All	
Exempt Information	No	
Cabinet Member(s) Responsible:	Mr O Hemsley, Leader and Portfolio Holder for Rutland One Public Estate & Growth, Tourism & Economic Development, Resources (other than Finance and Communications)	
Contact Officer(s):	Phil Horsfield, Monitoring Officer	01572 758154 phorsfield@rutland.gov.uk
	Joanna Morley, Governance Officer	01572 758271 jmorley@rutland.gov.uk
Ward Councillors	Not Applicable	

DECISION RECOMMENDATIONS

That Council:

1. **APPROVES** the revised political balance calculation as per paragraph 2.6 of this report.
2. **NOTES** the current allocation of seats to Political Groups shown at paragraph 2.8 and the membership of each committee as set out in Appendix A.
3. **DECIDES** which committee seat should be reallocated in accordance with the revised political balance calculation.

1 PURPOSE OF THE REPORT

- 1.1 To review the political balance of Committees in accordance with Section 15 of the Local Government and Housing Act 1989 and Regulations made thereunder, following the recent by-election for the Ryhall and Casterton Ward and the notification to the Chief Executive of a change of political groups within Rutland County Council.
- 1.2 To request the Council to approve the allocation of seats in accordance with the statutory requirements concerning political balance.

2 BACKGROUND AND MAIN CONSIDERATIONS

- 2.1 On 9 July 2019 a Notice of Vacancy was published for the Ryhall and Casterton Ward of Rutland County Council. The vacancy arose as a result of Mr C Parsons failing to meet the statutory deadline to formally accept his position as a County Councillor.
- 2.2 A by-election was subsequently held on 12 September 2019 which resulted in the election of Councillor Richard Coleman for the Ryhall and Casterton Ward. Councillor Coleman stood as a Conservative Party candidate and will therefore be a Conservative Group member.
- 2.3 In addition, on Monday 1 October, Councillor D Blanksby notified the Chief Executive that he no longer wished to be a member of the Independent Group and would be joining the Conservative Group.
- 2.4 As the Conservative Group now have two additional members, it is therefore necessary to review the representation of Groups to ensure that there is political balance across the relevant Committees of the Council.
- 2.5 The Council's duty is to determine the allocation of seats to be filled by appointments by the Authority, except the Cabinet. The purpose is to ensure that there is proportionality across all formal activities of the Council, representing the overall political composition. It affects all formally constituted panels, committees and sub-committees which discharge functions on behalf of the Authority, and some external bodies if they are in the nature of joint committees and the Council appoints at least three members. The exception is the Health and Wellbeing Board which is not covered by the Act and so the political balance rules are not applied. Political balance is not compulsory for working parties, forums or joint partnerships.
- 2.6 The composition of the Council is shown in the following table. Using 53 as the total number of voting places across all Committees, the final column shows the total number of places each group is entitled to, using the calculated proportions.

Group	No. of Cllrs	As a % of 26*	Number of seats	Rounded number of seats
Conservatives	17	65.38	34.65	35
Independent Group	6	23.07	12.23	12
Liberal Democrat	3	11.54	6.12	6
	26	100%	53	53
Non-grouped	1	0	0	0
	27	100%	53	53

- 2.7 If a Councillor does not belong to a group they are not allocated any seats under the political balance system. However, at Annual Council on May 13, the Conservative Group gifted one seat to the Independent non-grouped member and this will continue.

2.8 The allocations set out in the table below show the current allocation of seats to political groups, as agreed between the political groups.

Committee	Conservative	Independent	Lib-Dems	Gifted
Audit and Risk (7)	4	2	1	-
Conduct (6)	3	2	1	-
Planning and Licensing (12)	8	3	1	-
Employment and Appeals (7)	4	2	1	-
Adults and Health Scrutiny Committee(7)	4	2	0	1
Children and Young People Scrutiny Committee(7)	4	2	1	-
Growth, Infrastructure and Resources Scrutiny Committee (7)	4	2	1	-
TOTAL	31	15	6	1

2.9 Based on the new composition of the Council, the table above shows that, to ensure the correct political balance the Conservative Group is now entitled to three additional seats,

$$35 \text{ (new entitlement)} - 31 \text{ (current allocation)} - 1 \text{ (gifted seat)} = 3$$

and the Independent Group would need to relinquish three of their committee seats,

$$15 \text{ (current allocation)} - 12 \text{ (new entitlement)} = 3$$

2.10 Councillor Blanksby presently has a seat on the Adults and Health Scrutiny Committee and the Planning and Licensing Committee. He now holds these seats as a Conservative Group member which accounts for 2 seats of the new entitlement. This then would leave 1 Conservative seat to be accounted for in the new allocation.

3 CONSULTATION

3.1 The information presented in the report has been compiled in consultation with the Leader of the Council.

4 ALTERNATIVE OPTIONS

4.1 In line with the relevant legislation, the Council must review the Political Balance and allocation of seats at soon as practicable after an event which alters the political balance. Therefore there is no alternative option.

5 FINANCIAL IMPLICATIONS

5.1 There are no financial implications arising from this report.

6 LEGAL AND GOVERNANCE CONSIDERATIONS

6.1 The allocation of seats shall conform to the following principles (Local Government and Housing Act 1989 Part 1 Section 15(5)(a) – (d)) in the order shown:

- Not all the seats on a body are allocated to the same political group;
- A majority of the seats on a body are allocated to a group if it comprises a majority of the total membership of the authority;
- The number of seats on ordinary committees allocated to each group bears the same proportion to the total of all seats on ordinary committees as is borne by the number of members of that group to the total membership of the authority; and
- The number of seats on a body allocated to each group bears the same proportion to the number of seats on that body as is borne by the number of members of that group to the total membership of the authority.

6.2 Constitutionally, the Council is required to review the representation of Groups at its Annual Meeting each year and as soon as practicable after an event, which alters the political balance between the Groups and to determine the allocation of seats to be filled by appointments by the Council. This is in accordance with Sections 15 to 17 of the Local Government and Housing Act 1989 and Section 8 of the Local Government (Committees and Political Groups) Regulations 1990 (Requirement to Constitute Political Groups).

7 EQUALITY IMPACT ASSESSMENT

7.1 An Equality Impact Assessment (EqIA) has not been completed because there are no service, policy or organisational changes being proposed.

8 COMMUNITY SAFETY IMPLICATIONS

8.1 There are no community safety implications arising from this report.

9 HEALTH AND WELLBEING IMPLICATIONS

9.1 There are no health and well-being implications arising from this report.

10 BACKGROUND PAPERS

10.1 None.

11 APPENDICES

11.1 Appendix A: Council Structure.

A Large Print or Braille Version of this Report is available upon request – Contact 01572 722577.

COMMITTEE ALLOCATIONS AGREED AT ANNUAL COUNCIL MAY 2019

SCRUTINY COMMISSION

	COUNCILLOR	ALLOCATION
1.	Chair Adults & Health	Jeff Dale
2.	Chair Children & Young People	Adam Lowe
3.	Chair Growth, Infrastructure & Resources	Gale Waller

GROWTH, INFRASTRUCTURE & RESOURCES SCRUTINY

	COUNCILLOR	ALLOCATION
1.	June Fox	Conservative
2.	Nick Begy	Conservative
3.	Karen Payne	Conservative
4.	Nick Woodley	Conservative
5.	Marc Oxley	Ind Group
6.	Miranda Jones	Ind Group
7.	Gale Waller	Lib Dem

ADULTS & HEALTH SCRUTINY COMMITTEE

	COUNCILLOR	ALLOCATION
1.	Samantha Harvey	Conservative
2.	William Cross	Conservative
3.	June Fox	Conservative
4.	Paul Ainsley	Conservative
5.	(Conservative seat allocated to) Jeff Dale	Non-aligned
6.	Rosemary Powell	Ind Group
7.	David Blanksby	Ind Group

CHILDREN & YOUNG PEOPLE SCRUTINY COMMITTEE

	COUNCILLOR	ALLOCATION
1.	Paul Ainsley	Conservative
2.	Samantha Harvey	Conservative
3.	Nick Begy	Conservative
4.	Ken Bool	Conservative
5.	Adam Lowe	Ind Group
6.	Sue Webb	Ind Group
7.	Joanna Burrows	Lib Dem

AUDIT & RISK COMMITTEE

	COUNCILLOR	ALLOCATION
1.	Karen Payne	Conservative
2.	Edward Baines	Conservative
3.	Nick Woodley	Conservative
4.	Ian Razzell	Conservative
5.	Andrew Brown	Ind Group
6.	Rosemary Powell	Ind Group
7.	Gale Waller	Lib Dem

PLANNING & LICENSING COMMITTEE

	COUNCILLOR	ALLOCATION
1.	Edward Baines	Conservative
2.	William Cross	Conservative
3.	Samantha Harvey	Conservative
4.	Nick Begy	Conservative
5.	Paul Ainsley	Conservative
6.	Nick Woodley	Conservative
7.	Ian Razzell	Conservative
8.	Karen Payne	Conservative
9.	Marc Oxley	Ind Group
10.	David Blanksby	Ind Group
11.	Miranda Jones	Ind Group
12.	Abigail MacCartney	Lib Dem

EMPLOYMENT & APPEALS COMMITTEE

	COUNCILLOR	ALLOCATION
1.	Ken Bool	Conservative
2.	Nick Woodley	Conservative
3.	Karen Payne	Conservative
4.	Samantha Harvey	Conservative
5.	Miranda Jones	Ind Group
6.	Andrew Brown	Ind Group
7.	Gale Waller	Lib Dem

CONDUCT COMMITTEE

	COUNCILLOR	ALLOCATION
1.	O Hemsley	Conservative
2.	N Woodley	Conservative
3.	Ian Razzell	Conservative
4.	Andrew Brown	Ind Group
5.	Sue Webb	Ind Group
6.	Gale Waller	Lib Dem

HEALTH & WELLBEING COMMITTEE

	COUNCILLOR	ALLOCATION
1.	Portfolio Holder	
2.	Samantha Harvey	Conservative

COUNCIL

14 October 2019

APPOINTMENT TO THE OAKHAM TOWN PROJECT GROUP

Report of the Strategic Director for Resources

Strategic Aim:	All	
Exempt Information	No	
Cabinet Member(s) Responsible:	Mr O Hemsley, Leader and Portfolio Holder for Rutland One Public Estate & Growth, Tourism & Economic Development, Communications, Resources (other than Finance)	
Contact Officer(s):	Phil Horsfield, Deputy Director Corporate Governance	01572 758154 phorsfield@rutland.gov.uk
	Kit Silcock, Governance Officer	01572 720976 ksilcock@rutland.gov.uk
Ward Councillors	N/A	

DECISION RECOMMENDATIONS

That Council:

1. **APPOINTS** two Members of Council to the Oakham Town Project Group.

1 PURPOSE OF THE REPORT

- 1.1 To appoint two members of Council to the Oakham Town Project Group.

2 BACKGROUND AND MAIN CONSIDERATIONS

- 2.1 On 17 December 2018, Rutland County Council Full Council resolved to establish a Partnership Board to take forward Town Centre work subject to consultation with local bodies, in response to the Final Report of the Oakham Town Task and Finish Group.
- 2.2 A link to the Report of the Oakham Town Task and Finish Group and discussion at the Council meeting can be found at:

<https://rutlandcounty.moderngov.co.uk/ieListDocuments.aspx?CId=145&MIId=1966>

- 2.3 At this meeting RCC Council resolved to provide initial funding of £2000; to contact local groups and organisations in order to determine which bodies wished to be involved in the Board. Once established, the Council would cede responsibility of the Group to the Partnership Board making it independent of the Council.
- 2.4 A Shadow Group was setup to establish the appointment of a Chairman, Secretary, Treasurer and members; and to establish Terms of Reference for the Oakham Town Project Group
- 2.5 The Terms of Reference were approved by the Shadow Group on Tuesday 17 September 2019. The Terms of Reference included two members of Rutland County Council within proposed membership of the Project Group. The two members would be appointed by the Council.

3 CONSULTATION

- 3.1 Consultation took place between the Strategic Director for Places, Deputy Director – Corporate Governance and the Shadow Group.

4 ALTERNATIVE OPTIONS

- 4.1 The Council could choose not to nominate anyone, but this would go against the Terms of Reference which were approved by the Shadow Group and would result in Ward Members not having a voice on the Project Group.

5 FINANCIAL IMPLICATIONS

- 5.1 There are no financial implications.

6 LEGAL AND GOVERNANCE CONSIDERATIONS

- 6.1 There are no legal and governance considerations.

7 DATA PROTECTION IMPLICATIONS

- 7.1 A Data Protection Impact Assessment (DPIA) has not been completed because there are no data protection implications.

8 EQUALITY IMPACT ASSESSMENT

- 8.1 An Equality Impact Assessment (EqIA) has not been completed because there are no service policy or organisational changes being proposed.

9 COMMUNITY SAFETY IMPLICATIONS

- 9.1 There are no community safety implications.

10 HEALTH AND WELLBEING IMPLICATIONS

10.1 There are no health and wellbeing implications as a result of this report.

11 CONCLUSION AND SUMMARY OF REASONS FOR THE RECOMMENDATIONS

11.1 To appoint two members of Council to the Oakham Town Project Group in line with the Terms of Reference set by the Shadow Group.

12 BACKGROUND PAPERS

12.1 There are no additional background papers to the report.

13 APPENDICES

13.1 There are no appendices to the report.

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COUNCIL

14 October 2019

**AWARD OF CONTRACT FOR THE PROVISION
OF FULL FIBRE NETWORK UPGRADES TO
PUBLIC SECTOR BUILDINGS**

Report of the Strategic Director for Places

Strategic Aim:	Sustainable Growth, Reaching Our Full Potential	
Exempt Information	Appendix A, Appendix B And Appendix C contains exempt information and is not for publication in accordance with Part 1 of Schedule 12A of the Local Government Act 1972.	
Cabinet Member(s) Responsible:	Mr O Hemsley, Leader and Portfolio Holder for Rutland One Public Estate & Growth, Tourism & Economic Development, Resources (other than Finance and Communications)	
Contact Officer(s):	Karl McGrory, Digital Rutland LFFN Project Manager	Tel: 01572 720 914 Email: kmcgrory@rutland.gov.uk

DECISION RECOMMENDATIONS

- That Council:
1. Approves the award of contract for the Digital Rutland Local Full Fibre Network (LFFN) project.
 2. Approves the creation of a capital budget for the Digital Rutland LFFN project as outlined in Exempt Appendix B. Including the match funding requirement from the Council of £446,000.
 3. Notes the Department of Culture, Media and Sport (DCMS) funding award of £1,783,000 and the potential further £500,000 funding available from DCMS.
 4. Delegates authority to the Chief Executive in consultation with the Portfolio Holder and the Section 151 Officer to accept any additional funds from the DCMS in respect of the Digital Rutland LFFN project
 5. Notes the specified outcomes and project timetable in paragraph 3 and 4. Further detailed in Exempt Appendix A.
 6. Authorises the Chief Executive, in consultation with the Cabinet Member with portfolio for Rutland One Public Estate & Growth, Tourism & Economic Development, and Resources to execute the contract award on receipt of DCMS Gate C assurance letter.

1 PURPOSE OF THE REPORT

- 1.1 The purpose of the report is to seek approval of the Council to award the contract supporting the delivery of the Digital Rutland Local Full Fibre Networks (DR LFFN) project. A project to procure and deploy full fibre network upgrades to key public sector buildings in Rutland.
- 1.2 To delegate to the Chief Executive Officer in consultation with the Portfolio Holder the authority to:
 - effect the award of contract with the chosen supplier following standstill and on receipt of DCMS Gate C assurance letter.
- 1.3 To approve the capital budget for the Digital Rutland as set out in Appendix B (Exempt Appendix).

2 BACKGROUND AND MAIN CONSIDERATIONS

- 2.1 Previous reports have been presented to Cabinet on this project and the Digital Rutland Strategy 2019-2022.
- 2.2 On the 20th November 2018 Cabinet considered a report (212/2018) on the opportunity to bid to the Department of Digital, Culture, Media and Sport (DCMS) Local Full Fibre Networks Challenge Fund for a DR LFFN Project to deliver gigabit capable network upgrades to eligible public sector buildings. The DCMS Challenge fund programme and the DR LFFN project also has the aim of stimulating further commercial full fibre coverage.
- 2.3 Cabinet noted and approved the following recommendations:-
 - a) Notes the opportunity to bid for Central Government (DCMS) Local Full Fibre Networks Funding.
 - b) Approves commitment of existing revenue budget to further support bid development as outlined.
 - c) Approves Council Capital match funding to the bid as outlined in Exempt Appendix A.
 - d) Delegates to the Chief Executive in consultation with the Portfolio Holder the authority to sign a Grant Agreement with DCMS subject to a successful bid outcome, project assurance and value for money assessments.
 - e) Notes that further reports will be brought to Cabinet for approval.
- 2.4 Following progression of the Council's bid through DCMS Checkpoint A the Council received a conditional offer letter in January 2019 for c. £1.78 m of Challenge Fund funding.
- 2.5 On 16 April 2019 Cabinet received report (60/2019), Cabinet noted and approved the following recommendations:-

- f) Notes the receipt of the conditional funding offer of c. £1.78m from the Department for Culture, Media and Sport (DCMS) Local Full Fibre Networks Challenge Fund.
- g) Approves the pre-procurement business case (Exempt Appendix A).
- h) Approves to proceed with the procurement for full fibre (gigabit capable) network upgrades to public sector buildings in Rutland and the award criteria set out in the report (Exempt Appendix B) on the basis that any contracts will only be awarded when terms and conditions have been agreed and Full Council has approved the inclusion of this project in the Capital programme.

2.6 The Council then proceeded through DCMS Checkpoint B (Readiness to Procure) having:-

- i) Completed the further information requirements conditioned in the DCMS offer letter referred to in paragraph 2.3 above and;
- ii) Received DCMS assurance of the tender documentation
- iii) Received an offer of a further £500k of DCMS funding that could be brought in under change control if bidders were unable to cover all List A and List B public upgrade sites within their tender response.

2.7 The Council then launched an (Official Journal of the European Union) OJEU open procedure procurement in April 2019 with a total contract value of £2.52m comprising the baseline budget of £2.02m and the additional funding of £500k referred to in paragraph 2.5.

2.8 The contract was advertised on the OJEU portal in-line with Contract Procedure Rules and, following publication on the UK E-tendering portal, all known operators in the UK telecommunications marketplace were notified of the tendering opportunity by email.

2.9 Following bidders' feedback and further consultation, amendments to the initial contract terms were made, assured by DCMS and the procurement re-started on 20 August 2019. The steps outlined in paragraph 2.1 were then repeated.

2.10 A total of 54 operators registered on the e-tendering portal to receive the documentation with 41 nil responses, 12 opting out and 1 Tender received by the Tender deadline.

2.11 The E-Tender submission was released by the Welland Procurement team on the return date of 19 September 2019.

3 TENDER EVALUATION AND OUTCOME

3.1 The tender has been evaluated by a panel including representatives of the Digital Rutland team, the Council's advisers (Procurement) and the Council's advisers (Technical) - Analysys Mason and Skeen Computing Services Ltd.

3.2 The tender has been evaluated against the award criteria approved by Cabinet in Report 60/2019 and the completion of the Council's standard questionnaire.

- 3.3 The conclusions from the evaluation panel have been presented to the Portfolio Holder (Leader), Chief Executive and Deputy Leader and thoroughly explored.
- 3.4 The conclusion from the evaluation panel is that the bid meets the Council's requirements as set out in the tender.
- 3.5 The unanimous recommendation from the evaluation panel and project board is, that the Council is recommended to approve the award of a Contract, subject to the project completing DCMS Gate C assurance stage (Readiness to Contract) and receipt of the formal DCMS grant agreement.
- 3.6 Approval is also required to formally award the contract in-line with the indicative timetable for the project (Table 1) to ensure that the implementation plan to award the contract and deliver the upgrades by March 2021 can be achieved.

Table 1

The following indicative timetable will be expedited by the Project Board subject to Legal and Procurement agreement.

	Council Decision	14 th October 2019
*	Ten day standstill period ends	25 th October 2019
	Final DCMS approval	25 th October 2019
	Award of Contract	22 nd November 2019*
	Contractor Mobilisation	November 2019
	Planning and Survey Commences	July 2020
	Start of Network Upgrades	August 2020
	Completion of Network Upgrades	March 2021
	Final Evaluation	June 2021

Bidder will not hold price and timescales if we do not execute the contract on or before the 22nd November

4 WHAT THE PROJECT WILL DELIVER?

- 4.1 The over-riding objective of the Digital Local Full Fibre Networks project is to deliver the full fibre upgrades to eligible key public sector buildings; including libraries, community, education, health.
- 4.2 Table 1 and Table 2 in Exempt Appendix A lists the key public sector buildings connections that will result from the Digital Rutland LFFN project.
- 4.3 To enable wider community benefit. When investing in Full Fibre Infrastructure Build to public sector building(s) it will become easier and cheaper for local communities to connect to full-fibre broadband as the fibre network is now much closer.

- 4.4 When completed the upgrades along with the further commercial stimulus, if realised, are expected to uplift the full fibre coverage from its current level of 19% to up to c.50%. This will put Rutland at the forefront of full-fibre acceleration in the UK.

5 CONSULTATION

- 5.1 Information about the Digital Rutland Local Full Fibre Network project has been distributed to relevant representatives of Town and Parish Councils, Village Halls, Schools and GP Surgeries. Presentations were also made at the Parish Council Forum meetings in November and June 2019.

6 ALTERNATIVE OPTIONS

- 6.1 Since the approval of Council is required there are no other options. However Council may wish to consider the alternative options which are not recommended for the following reasons:
- 6.2 Option A: To not award a contract and proceed with a further procurement. The market was widely notified of the tender opportunity on both the EU and UK portals. The single tender has been evaluated on a value for money basis. Another procurement would have to be justified and it is unlikely that other bidders will come forward given that this would lead to significant delay and impact on the ability of any supplier to effect delivery within the required DCMS timescales. This risks losing out on significant external investment from DCMS.
- 6.3 Option B: To not award a contract and not proceed with a further procurement. This would result in sunk costs estimated at c. £47,000 as set out in Table 1 of Appendix B to the Council and reputational damage with national and local key stakeholders.

7 FINANCIAL IMPLICATIONS

- 7.1 The contribution to the network upgrades from Council has been previously approved by Cabinet (Report No 212/2018) This together with the funding offer for the upgrades from DCMS Challenge Fund means there are no financial implications for the award of contract .
- 7.2 The resources to support the procurement and delivery phases can be met within the capitalised project management budget previously reported to Cabinet (Report 212/2018). Table 1 in Exempt Appendix B provides an update on this position.
- 7.3 The contract terms contain a condition precedent on the grant agreement being issued and executed between DCMS and Council.
- 7.4 Report 60/2019 advised that to demonstrate business need and to ensure the no state aid position the asset holders are required to take up a full fibre product (minimum of 100Mbps) within a reasonable period of completion of the upgraders either as a part of an upgrade pathway to their existing contract or on contract renewal.
- 7.5 A small budgetary impact for the Council was identified in Report 60/2019 for the Council assets to be upgrades. With competition in the retail services market the

incremental costs are expected to reduce. The future proofed benefits of full fibre in facilitating digital services more efficiently and in facilitating collaborations with key stakeholders(education, health and local community services) need to be considered.

8 KEY RISKS, IMPACTS AND MITIGATIONS

8.1 Please refer to Exempt Appendix C for key risks, impacts and mitigations relating to this contract.

9 LEGAL AND GOVERNANCE CONSIDERATIONS

9.1 Any decisions to let a contract can only be made where there is a budget to do so. Presently, The Council has no formal budget but an offer of funding (subject to terms and conditions) as indicated above.

9.2 Whilst Cabinet could initiate the procurement process in accordance with Contract Procedure Rules, it cannot complete the procurement process by agreeing for a contract until:

- The Chief Executive has agreed the terms and conditions (cabinet delegated authority in Report 212/2018 to facilitate this); and
- The Chief Executive had agreed the terms and conditions set out in the DCMS grant agreement and;
- Full Council include this project (as it is in excess of £1m in the Capital Programme).

9.3 The services have been procured in accordance with Contract Procedure Rules.

9.4 The Council also obtained external legal review (Weightman's) to:

- determine that the "No State Aid Position" required of the DCMS Challenge Fund programme assurance process and within the contract is upheld for each of the assets listed for upgrade.
- that the level of risk within the Contract Terms are acceptable for the Council.

9.5 The Contract has within it a formal change control process. Governance and oversight of the change control process will require changes to be agreed by the Project Board comprising the Chief Executive, Portfolio Holder and Deputy Leader.

10 DATA PROTECTION IMPLICATIONS

10.1 This report seeks approval for the award of a contract. There are no Data Protection Implications.

11 EQUALITY IMPACT ASSESSMENT

11.1 This report seeks approval for the award of a contract. There are no Equality Impact Implications.

12 COMMUNITY SAFETY IMPLICATIONS

12.1 This report seeks approval for the award of a contract. There are no Community Safety Implications.

13 HEALTH AND WELLBEING IMPLICATIONS

13.1 This report seeks approval for the award of a contract. There are no Health and Wellbeing implications.

14 ORGANISATIONAL IMPLICATIONS

14.1 This report seeks approval for the award of a contract. There are no organisational implications.

15 CONCLUSION AND SUMMARY OF REASONS FOR THE RECOMMENDATIONS

15.1 The proposals set out in this report will allow Rutland County Council to award the contract and undertake the full fibre (gigabit capable) network upgrades within the required timescales.

15.2 This approach will support the strategic and delivery objectives of the DCMS Local Full Fibre Networks Challenge Fund and the Council's strategic and digital objectives (Report 59/2019).

16 BACKGROUND PAPERS

16.1 Reports previously provided to Cabinet / Council relating to the Digital Rutland Project

- a) Report 43/2011
- b) Report 108/2011
- c) Report 192/2011
- d) Report 55/2012
- e) Report 145/2014
- f) Report 140/2017
- g) Report 212/2018
- h) Report 59/2019
- i) Report 60/2019

17 APPENDICES

- 17.1 Exempt Appendices – Appendices A, B and C are marked as “Not For Publication” because it contains exempt information as defined in paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972, namely a price and commercially sensitive information received for a contract that has not yet been awarded.

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