

Agenda Item 4

LINCOLNSHIRE COUNTY COUNCIL

22 FEBRUARY 2019

ORDER OF PROCEEDINGS

COUNCIL CHAMBER IT QUICK USE GUIDE

Today's proceedings will be audio recorded.

Councillors wishing to speak should raise their hand and when invited to speak by the Chairman push the large button on the microphone unit to make it live.

When councillors have finished speaking they should press the large button again to switch off the microphone.

Prayers will be led by Rev Canon John Patrick in the Council Chamber at 9.55 a.m., prior to the start of formal proceedings at 10.00 a.m.

The agenda previously circulated and published will be followed

Councillor C R Oxby in the Chair

(Please note: There is no fire drill or fire alarm test planned for today, in the event of the fire alarm sounding, please leave by the nearest fire exit and make your way to the car park at the front of County Offices)

ORDER OF PROCEEDINGS – 22 FEBRUARY 2019

1. APOLOGIES FOR ABSENCE

List of apologies to be read by Debbie Barnes OBE

2. DECLARATIONS OF COUNCILLORS' INTERESTS

Councillors to announce any interests

Note:-

Councillors are reminded that there is no need to declare an interest if it has already been recorded on the register of disclosable pecuniary interests (DPIs) or notified to the Monitoring Officer in accordance with the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012. Where councillors do declare an interest they must state what the interest is. Councillors must not speak or vote on the item if they have a DPI. Should you have any queries about declarations please seek advice from officers in advance of the meeting.

3. MINUTES OF THE MEETING OF THE COUNTY COUNCIL HELD ON 14 DECEMBER 2018

The Chairman to state:-

That the minutes of the meeting of the County Council held on 14 December 2018 be approved as a correct record and signed by the Chairman.

4. CHAIRMAN'S ANNOUNCEMENTS

The Chairman to state:-

Since the last meeting of the County Council I have continued to carry out my civic engagements with pride.

I thank the Vice-Chairman and Lady, Councillor Tony Bridges and Ms Trina Wright, for representing us at civic functions when we have not been able to attend.

In particular, I was delighted to welcome politics students from the University of Lincoln when they undertook a model UN debate here in the Council Chamber over two days last month. It was heartening to see the enthusiasm from the students and potential future politicians.

On a sadder note, I have to report the death of former County Councillor Mrs Moira Morgan. Mrs Morgan represented the Mablethorpe electoral division from May 1997 until May 2001.

Sadly, I also have to report the death of Malcolm Ashman, who was Director

of Social Services at the County Council from 1986 to 1998.

I also attended the funeral of serving Lincoln City Sheriff, Roy South, which was held yesterday at Lincoln Cathedral.

A complete itinerary of civic engagements since the last meeting of this Council are available from the Civic Officer on request.

5. QUESTIONS TO THE CHAIRMAN, THE LEADER, EXECUTIVE COUNCILLORS, CHAIRMEN OF COMMITTEES AND SUB-COMMITTEES

I am anxious to allow a good spread of questions across the Chamber within the time allocated. I intend to allow 45 minutes for questions. I am expecting Councillors to be disciplined because of the time available.

When invited to ask their question, councillors should press the large button on their microphones to make it live, and press it again to switch it off once they have finished speaking.

6. COUNCIL BUDGET 2019/20

A report by the Executive Director of Finance and Public Protection has been circulated together with a separate document entitled 'Council Budget 2019/20, which describes the Executive's Budget and council tax proposals.

The Chairman of the Council proposes to deal with this item in the following way:

Temporary Amendment to Council Procedure Rules

The Chairman to state:

There will be one debate.

The Chairman to move:

- (1) That Councillor M J Hill OBE Leader of the Council in introducing and moving the budget and in responding to issues raised during the debate be allowed to speak without limit of time (at A and F on the Order of Proceedings)**
- (2) That proposers of any amendments listed in this order of proceedings each be allowed to speak without limit of time (at C on the Order of Proceedings)**
- (3) That Councillors seconding the motions, each be allowed to speak for 6 minutes (at B and D on the Order of Proceedings)**
- (4) That other speakers each be allowed to speak for 3 minutes (at E on the Order of Proceedings)**

(5) That no further substantial amendments to be moved.

Councillor Mrs A M Newton to second

Vote on the Temporary Amendment to Council Procedure Rules

Rules of debate

The Chairman will state:

I wish to remind members about the Rules of Debate as set out in rules 13.5 and 13.9 of the Council Procedure Rules which have not been suspended. These are set out in paragraphs (i), (ii) and (iii) below:

Therefore, I have decided that the debate will take the form as set out in paragraphs (A) to (G) on page 5 to 8 of the Order of Proceedings.

(i) Rule 13.5 (When a Councillor may speak again)

A Councillor who has spoken on a motion may not speak again whilst it is the subject of debate, except:

- a) In exercise of a right of reply;
- b) On a point of order or information; and
- c) By way of personal explanation

(ii) Rule 13.9 (Right of reply)

- (a) The mover of a motion has a right to reply at the end of the debate on the motion, immediately before it is put to the vote.
 - (b) If an amendment is moved, the mover of the original motion has the right of reply at the close of the debate on the amendment, but may otherwise not speak on it; and
 - (c) The mover of the amendment has no right of reply to the debate on his or her amendment.
- (iii) (a) Except as set out in rules 13.5 and 13.9 above, councillors are only allowed to speak once during the debate. Therefore, the motion and any amendment(s) will proceed as one debate.
- (b) Councillors are reminded that the Chairman will require the mover of any amendment – if it is to increase expenditure, to indicate the source from which financial provision is to be made for the proposal and if it is to reduce expenditure, to indicate where the reduction is to be made.

Budget Debate

(A) Councillor M J Hill OBE Leader of the Council to introduce the report and move:-

That the Council:

- 1. Has due regard to the responses to the consultation on the Council's budget proposals as contained in the appended Budget Book (Appendix D – Budget Consultation Feedback);**
- 2. Has due regard to the Section 151 Officers Statement on the Robustness of the Budget and the Adequacy of Reserves as set out in the appended Budget Book (Section 11 – Section 151 Officer's Statement on the Robustness of the Budget and Adequacy of Reserves);**
- 3. Has due regard to the Impact Analysis relating to increasing the Council tax by 4.95% in 2019/20 set out in the appended 'Budget Book' (Appendix C – Impact Analysis relating to increasing the Council Tax by 4.95% in 2019/20);**
- 4. Approves:**
 - 4.1 The service revenue budgets for 2019/20 contained in the appended Budget Book (Table 3 – net Service Revenue Budget 2019/20);**
 - 4.2 The capital programme and its funding contained in the appended Budget Book (Section 8 – Capital programme) and (Appendix O – Capital programme);**
 - 4.3 The County Council element of the council tax for a Band D property at £1,292.40 for 2019/20 (Appendix B – County Precept for 2019/20)**

As being the Council's Budget.

- 5. Approves the Council's Financial Strategy contained in the appended Budget Book (Appendix E – Financial Strategy);**
- 6. Approves the Council's Capital Strategy 2019/20 contained in the appended Budget Book (Appendix N – Capital Strategy 2019/20);**
- 7. Approves the Council's Flexible Use of Capital Receipts Strategy contained in the appended Budget Book (Appendix G – Flexible Use of Capital Receipts);**
- 8. Approves the prudential targets for capital finance and notes the prudential indicators contained in the appended Budget Book (Appendix M – Prudential Indicators);**

9. Approves that the minimum revenue provision (MRP) be based on the asset life method, charged on an annuity basis, over the estimated life of the assets acquired through borrowing as set out in the appended Budget Book (Section 10 – Minimum revenue Provision).

10. Approves the establishment of a Business Rates Volatility earmarked reserves for the County Council's share of the 2019/20 collective surplus of the Business rates Collection Funds operated by the Districts Council's in Lincolnshire.

(B) Motion to be seconded by Councillor M A Whittington

(C) Amendment to be moved by Councillor R B Parker on behalf of the Labour Group

The Labour Group's alternative budget recognises that our residents look to the County Council to provide important services and opportunities to protect and promote their interests. This is particularly true at a time when the Council Tax is being increased by the maximum possible figure of 4.95% and the County Council projects that it will hold a reserve of £46.080m as at 31 March 2019 (Financial Volatility) and, under this budget, expects to expand reserves to £51.980m (Financial Volatility and Business Rates Volatility).

The Labour Group position is that there is no financial argument for the creation of a Business Rates Volatility Reserve of £5.900 million to be created for 2019/20 as the risk of there being a shortfall in 2019/20 is minimal. If a shortfall did occur it is argued that there are sufficient funds available in the Financial Volatility Reserve to meet any deficit. Accordingly £5.900m should be released of which £3.050m is to be used on service developments in 2019/20 and the remaining £2.850m should be added to the Financial Volatility Reserve.

It is proposed that the following amendments are made to the circulated 'Council Budget 2019/20' report:

Extra Capital Spending 2019/20

| | | |
|----|-----------------------------------------------------------------------------------------------------------------|-----------------|
| 1. | Park and Ride Scheme Lincoln (Appendix O, page 102 add extra line under "Environment & Economy") | £10.000m |
| 2. | Heritage Services: enhancement of assets (Appendix O, page 102 add extra line under "Environment & Economy") | £0.250m |
| | Total Extra Capital Spending | £10.250m |

Extra Revenue Spending 2019/20

| | | |
|-----|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------|
| 1. | Extended Children Centre Provision: Extend opening hours to increase numbers of families who are able to use the provision (Appendix Q, page 107 add line 3.1) | £0.207m |
| 2a. | Social Mobility Task Force: Two year project aimed at improving school and pupil performance (Appendix Q, page 108 add line 3.2) | £0.425m per annum for 2 years |
| 2b. | Small Schools Project: Two year project aimed at improving outcomes for all pupils, especially those who are disadvantaged and vulnerable, in the County's smallest schools. (Appendix Q, page 108 add line 3.3) | £0.700m per annum for 2 years |
| 3. | Citizens Advice Bureaux: Reinstate funding for welfare benefits advice (Appendix Q, page 123 add line 3.5) | £0.352m |
| 4. | Park and Ride Scheme: Revenue running costs £1,200k Capital financing charges £150k year 1, £600k year 2 (Appendix Q, page 125 add line 3.8) | £1.350m yr. 1 |
| 5. | Heritage Services: enhancement of assets: Capital financing charges (Appendix Q, page 125 add line 3.9) | £0.016m |
| | Total Extra Revenue Spending 2019/20 | £3.050m |

Funding of the Extra Spending 2019/20

The proposal is that the Business Rates Volatility Reserve is not established and instead the Business Rates Collection Fund surplus is added to the Financial Volatility reserve. The additional £3.050m to meet the extra revenue spending commitments outlined above to be taken from the Financial Volatility Reserve. Under these proposals, that reserve account will have an estimated balance of £48.930m at 31/03/2019 of which £3.087m is already spoken for in the Conservative led council budget leaving the reserve at £45.843m after allowing for the additional £3.050m revenue spending.

Revenue proposals numbered 2a and 2b are time-limited and will impact on the budget in 2019/20 and 2020/21 only. Revenue proposal numbered 4 will have a total cost in 2020/21 of £1.800m and this is on-going.

The additional capital spending of £10.250m will be funded by borrowing. The revenue cost of this borrowing has been included in the additional revenue spending.

The Executive Director Finance & Public Protection has confirmed that these proposals are compliant with the existing Financial Strategy of the Council and represent a balanced budget for 2019/20. Subject to the outcome of the Government's Fairer Funding Review of local government funding the Council is potentially facing an ongoing budget deficit over the medium term and substantial savings or other actions could be needed in the period beyond April 2020 to deliver a balanced budget. These proposals change the funding available to assist in balancing future budgets from the Financial Volatility Reserve to £45.843m.

(D) To be seconded by Councillor K J Clarke

Debate to take place

(E) Other Councillors

(F) Response by the Leader of the Council

(G) in accordance with the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014 the recorded votes to be taken in the following order:-

(i) Labour Group Amendment

(ii) Conservative Group Motion (Original or amended)

7. COUNCIL BUSINESS PLAN 2019 - 2020

A report by the Head of Paid Service has been circulated.

Councillor M J Hill OBE to move:

That Council:

- 1. Approves the Council Business Plan 2019 – 2020 in the form attached in Appendix A; and**
- 2. Delegates to the Head of Paid Service in consultation with the Leader of the Council and relevant Executive Councillors authority to:-**
 - a) Finalise or amend any measures in the light of 2018 – 2019 outturns; and**
 - b) Approve amendments to the Council Business Plan in year**

to reflect changes in circumstances including changes in the wider economy; the nature of demand; and the consequences of any service changes.

Councillor Mrs P A Bradwell to second.

8. PAY POLICY STATEMENT & GENDER PAY GAP ANALYSIS

A report by the Head of Paid Service has been circulated.

Councillor B Young to move:

That the Council approves the Pay Policy Statement at Appendix A to the report and notes the Gender Pay Gap Analysis attached at Appendix B to the report.

Councillor Mrs J Brockway to second.

9. MEMBERS' ALLOWANCES SCHEME 2019/20

A report by the Head of Paid Service has been circulated.

Councillor M J Hill OBE to move

- 1. That the recommendations from the Independent Remuneration Panel be noted.**
- 2. That the Scheme of Members' Allowances for 2019/20 be the same as the Scheme of Members' Allowances for 2018/19 subject only to indexation in accordance with the Scheme**

Councillor Mrs A M Newton to second

AT THE CONCLUSION OF THE MEETING

At the conclusion of the meeting will all Members please be upstanding in their places until the Chairman has left the Chamber.

Members are reminded to collect their post from their pigeon holes after the meeting.

FOR THE INFORMATION OF COUNCILLORS

COUNCIL MEETINGS – INTERVENTION IN DEBATE

1. (a) Points of Order are just that. They must relate to the Council Procedure Rules or conduct of the meeting and generally will be drawing attention to a perceived breach, e.g.
 - (i) absence of a quorum;
 - (ii) order of speeches;
 - (iii) irrelevance;
 - (iv) time limit for speech exceeded;
 - (v) misconduct;
 - (vi) motion not seconded.
- (b) Examples of common intervention which are **NOT** points of order:-
 - (i) Points of information or Personal Explanation (as to which see below);
 - (ii) Disagreement with a speaker;
 - (iii) Further thoughts or clarification of a previous speech prompted by the speaker (unless amounting to a Personal Explanation);
 - (iv) Correction of a speaker's opinion (rather than fact, which is a Point of Information);
 - (v) An attempt to "reply" to another Member's speech or a point made in it;
2. (a) Point of Information – when a Member is speaking and is obviously proceeding on the basis of information which is wrong or of which the member is ignorant, another member may properly seek to intervene to provide the correct or missing information, thereby saving the Council from being misled and saving its time.
- (b) ASKING FOR information is **NOT** a Point of Information; a member who has spoken may be able to request a colleague who has not yet spoken to ask;
3. (a) A Personal Explanation is a proper intervention only when an earlier speech by the Member is being misquoted or misrepresented;
- (b) It must not be used as a spurious pretext for reiteration of the Member's earlier speech or as a second speech.
4. Practice

Members rising to make one of the Points must specify which one is being used. The Member speaking should give way. The Point should be made briefly. The Chairman will then rule on it promptly, firmly and finally. There will be no debate nor will the ruling of the Chairman be open to discussion.

FOR THE INFORMATION OF COUNCILLORS

Recording Notice

Please note – this meeting will be recorded for subsequent audio broadcast via the Council's website. Data collected during the recording will be retained in accordance with the Council's policy.

Members of the public are also able to film, record, report and commentate on public meetings of local government bodies in England by various methods, including social media. Although there is a general presumption in favour of photography and audio/visual recording of meetings, proceedings must not be disrupted by the use of media tools.

People seated in the public gallery/seating area should not be photographed, filmed or recorded without the consent of the individuals concerned. This also applies to those individuals who may ask a public question, present a petition or make a representation at a Council meeting open to the public and who are not seated in a "public seating area".

If you have any queries regarding this please contact the Head of Democratic Services (01522) 552480.

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