



**COUNCIL
20 MAY 2016**

PRESENT: COUNCILLOR W S WEBB (CHAIRMAN)

Councillors T M Trollope-Bellew (Vice-Chairman), B Adams, M G Allan, W J Aron, A M Austin, Mrs V C Ayling, J W Beaver, Mrs P A Bradwell, D Brailsford, C J T H Brewis, Mrs J Brockway, M Brookes, K J Clarke, C J Davie, R G Davies, P M Dilks, S R Dodds, G J Ellis, R G Fairman, I G Fleetwood, R L Foulkes, A G Hagues, M J Hill OBE, J D Hough, D C Hoyes MBE, D M Hunter-Clarke, R J Hunter-Clarke, N I Jackson, A J Jesson, M S Jones, B W Keimach, Ms T Keywood-Wainwright, S F Kinch, R C Kirk, C E D Mair, C E H Marfleet, J R Marriott, R A H McAuley, D McNally, D C Morgan, N M Murray, Mrs A M Newton, Mrs M J Overton MBE, C Pain, S L W Palmer, R B Parker, N H Pepper, R J Phillips, Mrs H N J Powell, Mrs S Rawlins, Mrs J M Renshaw, R A Renshaw, Mrs A E Reynolds, P A Robinson, Mrs L A Rollings, R A Shore, Mrs N J Smith, Mrs E J Sneath, C L Strange, A H Turner MBE JP, S M Tweedale, M A Whittington, P Wood, Mrs S Woolley, L Wooten, R Wooten, C N Worth, Mrs S M Wray and B Young

1 TO ELECT THE CHAIRMAN OF THE COUNTY COUNCIL FOR THE ENSUING YEAR

On the nomination of Councillor M J Hill OBE, seconded by Councillor D McNally, and being no other nominations, it was

RESOLVED

That Councillor T M Trollope-Bellew be elected as Chairman of the County Council for the year 2016/17.

Councillor Trollope-Bellew signed the declaration of acceptance of office, was invested with the Chain of Office by the immediate past Chairman, took the Chair and thanked the Council for electing him.

COUNCILLOR T M TROLLOPE-BELLEW IN THE CHAIR

CHAIRMAN'S LADY

Councillor Rosemary Woolley was invested with the Chairman's Lady's Chain of Office.

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IMMEDIATE PAST CHAIRMAN

The Chairman presented a past Chairman's Badge to Councillor W S Webb. Members of the County Council paid tribute to Councillor Webb's service to the County Council.

2 TO ELECT THE VICE-CHAIRMAN OF THE COUNTY COUNCIL FOR THE ENSUING YEAR

On the nomination of Councillor Mrs P A Bradwell, seconded by Councillor M Brookes, and there being no other nominations, it was

RESOLVED

That Councillor A G Hagues be elected Vice-Chairman of the County Council for the year 2016/17.

Councillor A G Hagues signed the declaration of acceptance of office, was invested with the Vice-Chairman's Chain of Office and thanked the Council for electing him.

3 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors A Bridges, P J O'Connor, C R Oxby, Miss E L Ransome, Miss F E E Ransome, Mrs S Ransome and Mrs C A Talbot.

4 DECLARATIONS OF COUNCILLORS' INTERESTS

Councillor W S Webb declared an interest in relation to agenda item 19, as the proposed Mayor would be able to have an influence in planning matters. Councillor Webb advised that he would leave the Chamber for consideration of this agenda item.

It was clarified by the Chief Executive that those County Councillors who were also members of District Councils did not have a conflict of interest in relation to agenda item 19, as the report would be considered by all 10 of the councils involved, and it would be for each authority to make a decision.

In relation to agenda item 19, it was queried whether any councillors seeking nomination for Mayor should declare an interest in this item. Councillors were advised that as there was no formal procedure at this time as nominations had not opened, and therefore there was nothing to declare at this time.

5 MINUTES OF THE MEETING OF THE COUNCIL HELD ON 19 FEBRUARY 2016

RESOLVED

That the minutes of the meeting held on 19 February 2016 be signed by the Chairman as a correct record.

6 SUBMISSION OF PETITIONS

(a) Petition to Save Lincoln South Fire Station

In accordance with the Council's petition Scheme, Mr Dan Taylor spoke for not more than five minutes in explanation of the petition to Save Lincoln South Fire Station.

It was reported that the Chief Executive had determined that the petition be referred to the Executive Councillor for Fire & Rescue, Emergency Planning, Trading Standards, Equality and Diversity.

(b) Petition to Reinstate Whisby Waste Facility

In accordance with the Council's Petition Scheme, Councillor Roseanne Kirk spoke for not more than five minutes in explanation of the petition to Reinstate Whisby Waste Facility.

It was reported that the Chief Executive has determined that the petition be referred to the Executive Councillor for Waste and Recycling.

7 CHAIRMAN TO SIGNIFY THE APPOINTMENT OF CHAIRMAN'S CHAPLAIN

The Chairman informed the Council that the Reverend Martin Brebner OBE had kindly agreed to act as Chaplain during his term of office.

8 CHAIRMAN'S ANNOUNCEMENTS

The Chairman advised member that this year's Lincolnshire Show would be held at the Lincolnshire Showground on Wednesday 22 and Thursday 23 June 2016. It was hoped that as many members of the Council as possible would be able to attend what was always an enjoyable event. All members should have received an e-mail from the Civic Officer inviting them to take part in "Meet Your Councillor" which gave members of the public an opportunity to meet and talk with their local councillor. The Marquee for this would be located at the front of the County Council stand. Members were reminded that entrance tickets to the Lincolnshire Show would only be issued to those members taking part.

The County Service of Dedication would this year be held at St Michael and All Angels Church, Uffington, Stamford, on Sunday, 11 September 2016. Members of

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the Council would be invited to attend the Service. The previous provisional date of Sunday 10 July 2016 could now be removed from diaries.

A list of civic engagements relating to the immediate past Chairman and Vice-Chairman were available from the Civic Officer.

9 THE LEADER TO REPORT ON EXECUTIVE PORTFOLIOS AND APPOINTMENTS TO THE EXECUTIVE AND APPOINTMENTS OF EXECUTIVE SUPPORT COUNCILLORS

In accordance with Article 5.02, the Leader notified the Council of the appointment to the Executive and for the purposes of part 3 (Responsibilities for Functions) the responsibilities of each Portfolio Holder. The Leader also notified the Council of the Executive Support Councillors he had appointed in accordance with Article 5.07.

The Leader advised that Councillor M S Jones and P A Robinson would be stepping down from their positions on the Executive, and their positions would not be replaced. Their portfolio responsibilities would be divided between Councillors M J Hill OBE, C N Worth and B Young. A complete list has been attached as Appendix A to these minutes.

10 STATEMENTS/ANNOUNCEMENTS BY THE LEADER (CIRCULATED AS A SEPARATE DOCUMENT) AND MEMBERS OF THE EXECUTIVE

Statements by Members of the Executive had been circulated with the agenda.

A copy of the Leader's Annual Statement was circulated separately, prior to the meeting.

11 QUESTIONS TO THE CHAIRMAN, THE LEADER, EXECUTIVE COUNCILLORS, CHAIRMAN OF COMMITTEES AND SUB-COMMITTEES

Questions pursuant to Council Procedure Rule 10.3 were asked and answered as follows:

<u>Question by</u>	<u>Answered by</u>	<u>Subject</u>
(a) R A Renshaw	R G Davies	Street Lighting Transformation Project
(b) Mrs V C Ayling	C J Davie	Picnic areas
(c) A M Austin	R G Davies	Additional funding for potholes
(d) C Pain	M J Hill OB E	Serco
(e) P M Dilks	R G Davies	Street Lighting

(f) C J T H Brewis	C N Worth	GLL programme update
(g) Mrs N J Smith	R G Davies	Street Lighting
(h) Mrs J Renshaw	R G Davies	Street Lighting
(i) D Brailsford	Mrs P A Bradwell	Confirmation of Children's Commissioner role in Rotherham
(j) Mrs H N J Powell	Mrs P A Bradwell	Mental health funding
(k) G J Ellis	M J Hill OBE	PCC Role
(l) R L Foulkes	R G Davies	Broadband in rural areas
(m) Mrs M J Overton MBE	M J Hill OBE	Funding for 2016/17
(n) R Wootten	Mrs P A Bradwell	Current position on academisation plans
(o) R B Parker	R G Davies	Street lighting
(p) K J Clarke	C N Worth	Fire and Rescue
(q) C L Strange	C N Worth	Flying flags at half mast to commemorate 1 July 1916
(r) C E D Mair	M J Hill OBE	Devolution
(s) S R Dodds	M J Hill OBE	Syrian refugees
(t) D C Morgan	C N Worth	Fire and Rescue
(u) S L W Palmer	R G Davies	Road improvements
(v) R C Kirk	R A Shore	Whisby waste site closure
(w) J D Hough	M J Hill OBE	Lincoln South Fire Station
(x) N I Jackson	R G Davies	Rail services in Lincolnshire

12 APPOINTMENT OF PARENT GOVERNOR REPRESENTATIVES

A report by the Director responsible for Democratic Services had been circulated.

It was moved, seconded and

RESOLVED

That the appointment of Mrs Patricia Barnett and Dr Emile van der Zee as Parent Governor Representatives be noted.

13 POLITICAL BALANCE ON COMMITTEE'S AND SUB-COMMITTEES AND ALLOCATION OF PLACES TO POLITICAL GROUPS

A report by the Director responsible for Democratic Services has been circulated.

It was moved, seconded and

RESOLVED

1. That the change in the number of councillors on the Council since the last review be noted;
2. That Appendix A of the report be adopted as the amended political balance of committees, sub-committees and outside bodies;

14 APPOINTMENT OF CHAIRMEN AND VICE-CHAIRMEN OF COMMITTEES AND SUB-COMMITTEES (EXCEPT THE LINCOLNSHIRE HEALTH AND WELLBEING BOARD, THE HEALTH SCRUTINY COMMITTEE FOR LINCOLNSHIRE AND THE BOURNE TOWN HALL TRUST MANAGEMENT COMMITTEE)

A report by the Director responsible for Democratic Services has been circulated.

It was moved, seconded and

RESOLVED

That the appointment of Chairmen and Vice-Chairmen of Committee and Sub-Committees be considered and approved.

15 CALENDAR OF MEETINGS 2016/17

A report by the Director responsible for Democratic Services has been circulated.

It was moved, seconded and

RESOLVED

That the calendar of meeting dates 2016/17, as shown in Appendix A of the report be approved, subject to the addition of a Community and Public Safety Scrutiny Committee on 14 December 2016 at 10.00am.

16 APPOINTMENT TO OUTSIDE BODIES

A report by the Director responsible for Democratic Services had been circulated.

It was moved, seconded and

RESOLVED

1. That the appointments to outside bodies, as circulated as Schedule 3 with the Order of Proceedings, be approved.
2. That the appointment of Councillor R A H McAuley as a substitute member on the South East Lincolnshire Joint Strategic planning Committee be agreed.

(It was also noted that Councillor Mrs L A Rollings had been appointed as a member of the Health Scrutiny Committee for Lincolnshire for West Lindsey District Council in place of Councillor D B Bond)

17 EXECUTIVE DECISION - RULE 17 (SPECIAL URGENCY)

A report by the Leader of the Council had been circulated.

It was moved, seconded and

RESOLVED

That Council note the report.

18 OVERVIEW AND SCRUTINY ANNUAL REPORT 2015-2016

A report by the Director responsible for Democratic Services had been circulated.

It was moved, seconded and

RESOLVED

That the Overview and Scrutiny Annual report for 2015-16 be approved.

19 MONITORING OFFICER'S ANNUAL REPORT 2015-16

A report by the Monitoring Officer had been circulated.

It was moved, seconded and

RESOLVED

That the report be received.

20 LINCOLNSHIRE MINERALS AND WASTE LOCAL PLAN: CORE
STRATEGY AND DEVELOPMENT MANAGEMENT POLICIES

A report by the Executive Director Environment and Economy had been circulated.

It was moved, seconded and

RESOLVED

That the Lincolnshire Minerals and Waste Local Plan: Core Strategy and Development Management Policies document incorporating the Main Modifications recommended by the Inspector and the Additional Modifications proposed by officers (as set out in Appendix B to the report) be adopted on 1 June 2016 under Section 23 of the Planning and Compulsory Purchase Act 2004.

21 FUTURE USE OF BOURNE TOWN HALL

A report by the Chief Property Officer had been circulated.

It was moved and seconded

That the Council, in its role as trustee of Bourne Town Hall, approves that:

1. A preferred option be pursued of transferring ownership of Bourne Town Hall to a new or existing charity to be held on charitable trust consistent with the spirit of the original gift, in order for the Town Hall to be used for the benefit of the people of Bourne as intended by the original donor.
2. Should the preferred option not prove to be viable then Bourne Town Hall should be disposed of with sale proceeds used for the benefit of the residents of Bourne.
3. The Terms of Reference of the Bourne Town Hall Trust Management Committee be revised as set out in Appendix A of the report and authority be delegated to the Committee to exercise the Delegated Activities as defined in the revised Terms of Reference.

During debate an amendment was moved and seconded that the following words be added onto the end of recommendation 2 "...as intended by the deed of gift". Upon being put to the vote the amendment was lost.

A vote was taken on the substantive motion, and it was moved, seconded and

RESOLVED

That the Council, in its role as trustee of Bourne Town Hall, approves that:

1. A preferred option be pursued of transferring ownership of Bourne Town Hall to a new or existing charity to be held on charitable trust consistent with the spirit of the original gift, in order for the Town Hall to be used for the benefit of the people of Bourne as intended by the original donor.
2. Should the preferred option not prove to be viable then Bourne Town Hall should be disposed of with sale proceeds used for the benefit of the residents of Bourne.
3. The Terms of Reference of the Bourne Town Hall Trust Management Committee be revised as set out in Appendix A of the report and authority be delegated to the Committee to exercise the Delegated Activities as defined in the revised Terms of Reference.

The meeting adjourned for lunch at 12.55pm

The meeting resumed at 2.05pm

22 DEVOLUTION - GOVERNANCE REVIEW AND DRAFT SCHEME

A report by the Chief Executive had been circulated.

It was moved, seconded and

RESOLVED

1. That Council endorse the signing of the Greater Lincolnshire Devolution Document Agreement by the Leader of the Council and delegates authority to the Chief Executive to engage in negotiations with Government regarding the potential devolution of further powers, with responsibilities and resources.
2. That the contents of the Greater Lincolnshire Governance Review, attached at Appendix A of the report be noted.
3. That, on the basis of the Governance Review, the Council concludes that the establishment of a Mayoral Combined Authority for the Greater Lincolnshire Area would improve the exercise of statutory functions in that area.
4. That the Council supports the preparation and publication of a Scheme for the establishment of a Mayoral Combined Authority for the Greater Lincolnshire Area under Section 109 of the Local Democracy, Economic Development and Construction Act 2009.
5. That the Council support the publication of the draft Scheme for a Greater Lincolnshire Mayoral Combined Authority as attached as Appendix B to the report for consultation purposes, subject to such final revisions as may be approved by the Chief Executive, in consultation with the Leader, and prior to the commencement of the formal consultation exercise.

6. That the outcome of the consultation exercise is submitted to the Secretary of State by the Chief Executive in consultation with the Leader.
7. That Council meets no later than 20 October 2016 to consider giving consent to an Order establishing a Mayoral Combined Authority for Greater Lincolnshire.
8. That insofar as any of the matters referred to in the report concern of non-executive functions, authority is delegated to the Chief Executive, in consultation with the Leader, to take all necessary steps and actions to progress the recommendations detailed in the report.
9. That further reports be presented to Council and the Executive as appropriate as the devolution process develops.

23 ELECTORAL REVIEW OF LINCOLNSHIRE - UPDATE

A report by the Director responsible for Democratic Services had been circulated.

It was moved, seconded and

RESOLVED

1. That Council note the launch of a further period of limited consultation in North Kesteven, South Holland, South Kesteven and West Lindsey.
2. That Council delegate to the Chief Executive, in consultation with Group Leaders, any Council response to the further period of limited consultation in these four district areas.

24 CHANGES TO THE CONSTITUTION

A report by the Monitoring Officer had been circulated.

It was moved, seconded and

RESOLVED

That the changes to the Constitution attached as Appendix A to the report be approved.

**25 MOTIONS ON NOTICE SUBMITTED IN ACCORDANCE WITH THE
COUNCIL'S CONSTITUTION**

(1) Motion by Councillor R B Parker

It was moved and seconded that:

This council notes in relation to the Serco contract for the delivery of back office services that

- since 1st April 2015 because of the failure of Serco to deliver services as specified in the contract there have been serious operational difficulties which have caused problems for the citizens of Lincolnshire, our Local Authority schools, organisations we trade with and which supply us with vital services, and our staff
- as a consequence the reputation of the County Council has suffered severely because we as the local authority and as a fair trader and as a good employer have to take responsibility for the failures of our contractors
- at the end of February 2016 when the last report was received by the Value for Money Committee, 9 of the 43 Key Performance Indicators which measure the delivery of services under the contract were still not being met by Serco
- as a consequence of Serco's failure to meet the terms of the contract, service credits amounting to just under £1.2m have been repaid by Serco since April 2015
- at the present date there is no clear indication when all Key Performance Indicators and other projects not being met, will be met.

Accordingly this council expresses its serious dissatisfaction with the delivery of the back office services contract by Serco and resolves

- to ask the Chief Executive to begin at once a review using independent specialists to examine all aspects of the drawing up and implementation of the contract between Serco and the County Council. Three particular areas to include
 - 1) whether it was reasonable to expect there to be a smooth transfer of responsibilities from Mouchel to Serco and a shift from one IT system, SAP to Agresso, at the same time – 1 April 2015 - and
 - 2) whether the contract as drawn up was too large for the County Council to exit from without very serious ongoing difficulties thereby restricting the council's freedom of movement and
 - 3) whether Serco and the County Council had sufficient specialist staff in place in the right numbers to handle their respective responsibilities during the run-up to and from 1 April 2015
- to ask the Chief Executive to explore all options available to the County Council to bring an end to the contractual relationship between Serco and the County Council within the terms of the contract
- to bring a report back to the next full council meeting in September to enable the Council to make recommendations to the Executive.

An amendment was moved and seconded as follows:

This council continues to be concerned and disappointed by the delivery of some services by Serco and the impact this is having on

- the citizens of Lincolnshire,
- our Local Authority schools,
- organisations we trade with and which supply us with vital services
- our staff
- operations of the County Council.

This Council acknowledges that Serco has made progress in improving service delivery and looks forward to this service delivery reaching the contracted standards. While this Council has the contractual right to terminate the contract with Serco, it recognises that it is currently in the Council's best interest to work with Serco while they continue to put the problems right. Serco's continued commitment to rectification, in spite of their financial losses, is valued by this Council.

Accordingly the Council resolves

- to ask the Chief Executive to ensure that the promised review of the procurement and award of the Serco contract and the implementation of Agresso is undertaken at once using the Council's external auditors KPMG the terms of reference for the review to be agreed by the Audit Committee at its next meeting in June.
- that the review is reported to the Audit Committee at its September meeting.
- To ask the Chief Executive to keep under review progress to improve performance and the options available to the County Council within the terms of the contract and to consult as he considers necessary with the Recovery Group.

The mover of the original motion accepted the amendment, and this became the substantive motion.

Upon being put to the vote, the motion was carried.

(2) Motion by Councillor C Pain

It was moved and seconded that:-

In the latest government austerity cuts in the next financial year, Lincolnshire County Council will have to cut in the region of another 34.8 million pounds from their budget. This will be on top of the 150 million pounds that the Lincolnshire County Council has already cut. We will also have to cut more council jobs.

I strongly feel that the latest austerity cuts are an inappropriate move against Lincolnshire County Council and its services. As I stand here in the council chamber our officers cannot even implement the extra 34.8 million pounds worth of savings in year two. This will mean that the County Council will become bankrupt and have to close its doors and hand the keys back to the government.

I believe that the country would be far better stopping paying the EU 355 million a week and also stopping millions of pounds of aid that we give to corrupt third world countries. This money is desperately needed here in the UK.

We cannot afford to lose more staff as this will put pressure on the remaining staff and the services we deliver. The staff should be consulted to give them a choice of losing fellow officers and workers, or the entire council staff taking a pay reduction equal to the proposed savings. This will keep the expertise and staff on hand to maintain Lincolnshire County Council services that the Lincolnshire public deserve. At the same time it will give hard working staff members job security, where they have mortgages, families and cars to run etc. I am sure they would like the security of knowing their jobs were safe. Any savings through staff leaving or retiring should be taken into account in the overall equation. This means that the salaries can be reviewed at a later date, but more importantly this assures the continuity of Lincolnshire County Council.

The false economy of these job reductions means that any proposed savings will be offset by redundancy payments and means that no short term savings will be made. Some councils have done this previously and had to replace these people afterwards, often with the same people that were made redundant in the first place.

I propose the following motion:-

Lincolnshire County Council Staff are consulted on the future savings to be made out of the LCC staff budget, and are given the option of taking a pay cut across every employee, rather than losing staff from the workforce. The findings of this consultation should be taken into account by the Head of Paid Service in determining the future structure of the workforce.

Upon being put to the vote, the motion was lost.

The meeting closed at 4.25 pm

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