



**COUNTY COUNCIL  
20 MAY 2011**

**PRESENT: COUNCILLOR P BEDFORD (CHAIRMAN)**

Councillors W J Aron, E N Bauer, Mrs P Bosworth, Mrs P A Bradwell, D Brailsford, C J T H Brewis, M Brookes, P A Carpenter, E R Chapman, K J Clarke, Rev S P Cliff, N D Cooper, C J Davie, R G Davies, D R Dickinson, M Exton, Mrs C M H Farquharson, C Farrar, I G Fleetwood, M W Gilbert, G M Gooding, Mrs B Harvey OBE, J R Hicks, M J Hill OBE, R Hills, J D Hough, D C Hoyes MBE, N I Jackson, Miss A M Jenkyns, H R Johnson, Mrs J Johnson, B W Keimach, C E H Marfleet, J R Marriott, G A Marsh, Mrs P A Mathers, K Milner, Major R T Newell, P J O'Connor, Mrs M J Overton, C R Oxby, R J Palmer, R B Parker, R J Phillips, E J Poll, Mrs S Rawlins, P A Robinson, R Sellars, R A Shore, R B Singleton-McGuire, P A Skinner, K J Smith, M Smith, C L Strange, A N Stokes, E W Strengiel, J M Swanson, Mrs C A Talbot, M Tinker, T M Trollope-Bellew, A H Turner MBE JP, C J Underwood-Frost, Mrs P F Watson, W S Webb, A P Williams, Mrs S Woolley, R Wooten, C N Worth and B Young.

Mr J A Hanna and Mr J Krawiec (Standards Added Members) were also in attendance.

Prayers were led by the Reverend Andrew Higginson.

Before moving into the main business on the agenda, the Chairman, on behalf of the Council, extended thanks to the Reverend Andrew Higginson.

The Chairman also presented cheques to his chosen charities, Janet Corcoran, representing the Lincolnshire Autistic Society, and Margaret Markey, representing the Lincolnshire Soldier, Sailors, Airmen and Families Association.

**1. ELECTION OF CHAIRMAN OF THE COUNTY COUNCIL**

On the nomination of Councillor M J Hill OBE, seconded by Councillor P A Robinson, and there being no other nominations, it was

**RESOLVED**

That Councillor N D Cooper be elected Chairman of the County Council for the year 2011/12.

Councillor Cooper 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 N D COOPER IN THE CHAIR**

**2**  
**COUNTY COUNCIL**  
**20 MAY 2011**

2. CHAIRMAN'S LADY

Mrs P Cooper was invested with the Chairman's Lady's Chain of Office.

3. IMMEDIATE PAST CHAIRMAN

The Chairman presented a past Chairman's Badge to Councillor P Bedford.

4. ELECTION OF VICE-CHAIRMAN OF THE COUNTY COUNCIL

On the nomination of Councillor N D Cooper, seconded by Councillor C J Davie, and there being no other nominations, it was

RESOLVED

That Councillor R J Palmer be elected Vice-Chairman of the County Council for the year 2011/12.

5. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors G K Dark, R L Hubbard, S F Kinch, P S Przyszlak, Mrs A Puttick, B G Singleton and S F Williams.

6. DECLARATIONS OF COUNCILLORS' INTERESTS

Councillor N I Jackson declared a prejudicial interest in agenda item 20 (1) (Minute No. 22 (b) refers), due to being on the board of a local charity.

Councillor R B Parker declared a personal interest in agenda item 18 (Minute No 20 refers), as a member of the UNISON Trade Union.

7. MINUTES OF THE MEETING OF THE COUNTY COUNCIL HELD ON 11 FEBRUARY 2011

RESOLVED

That the minutes of the meeting held on 11 February 2011 be approved as a correct record and signed by the Chairman.

8. CHAIRMAN TO SIGNIFY THE APPOINTMENT OF CHAIRMAN'S CHAPLAIN

The Chairman informed the Council that the Reverend Colin Bowden (Burgh le Marsh) had kindly agreed to act as Chaplain during his term of office.

9. CHAIRMAN'S ANNOUNCEMENTS

Members of the Council were reminded that the Lincolnshire Show was to be held at the Lincolnshire Showground on Wednesday 22 June and Thursday 23 June 2011 and that the Service of Dedication was to be held in Lincoln Cathedral on Sunday 10 July 2011 at 3.30pm, followed by a reception in the Lincoln Castle grounds.

10. THE LEADER TO REPORT ON EXECUTIVE PORTFOLIOS, APPOINTMENTS TO THE EXECUTIVE AND APPOINTMENTS OF THE EXECUTIVE SUPPORT COUNCILLORS

In accordance with Article 5.02 of the Council's Constitution the Leader notified the Council of the appointments to the Executive and for the purposes of Part 3 (Responsibilities for Functions) the responsibilities of each Executive Councillor. The Leader also notified the Council of the Executive Support Councillors he had appointed in accordance with Article 5.07, as set out in Appendix A to these minutes.

11. STATEMENTS/ANNOUNCEMENTS BY THE LEADER AND MEMBERS OF THE EXECUTIVE

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

Councillor M J Hill OBE presented his Leader's Statement; a copy is set out in Appendix B to these minutes.

12. QUESTIONS TO THE CHAIRMAN, LEADER, EXECUTIVE COUNCILLORS, CHAIRMEN OF ANY COMMITTEE OR SUB-COMMITTEE AND THE NOMINEE OF THE POLICE AUTHORITY

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

<u>Questions By</u>	<u>Answered By</u>	<u>Subject</u>
(A) Mrs M J Overton	Executive Councillor for Highways,	How cuts in transport subsidies had been allocated
(B) M Smith	Executive Councillor for Highways	The criteria used for repairing frost damage roads on the coast
(C) J R Marriott	Leader of the Council	The potential impact of the Police Bill with the introduction of Police Commissioners
(D) E N Bauer	Executive Councillor Finance and Human Resources	The number of trade union officials on the County Council's payroll and the associated costs
(E) J D Hough	Executive Councillor for Children's and Adult Education	The Council's Policy in relation to the Grantham Endowed School Scheme
(F) C J T H Brewis	Executive Councillor for Children's and Adult Learning	What steps were being taken to ensure that talented young people in performing arts were not being overlooked

**4**  
**COUNTY COUNCIL**  
**20 MAY 2011**

(G) M W Gilbert	Executive Councillor for Highways	Update on the progress with regard to decriminalised parking in the County
(H) R B Parker	Leader of the Council	Repatriation of Business Rates
(I) Mrs C A Talbot	Executive Councillor for Waste Services and Green Issues	The County Council's stance on tip tax
(J) Major R T Newell	Executive Councillor Community Safety, Cohesion and Diversity	Whether an investigation had taken place as a result of a recent accident, regarding the reinstatement of the Swift Rescue boat in Boston
(K) R Wootten	Executive Councillor for Health, Housing & Community	Update in relation to the Joint Thematic Inspection of Appropriate Adult Service Provision in Youth Offending Services
(L) N I Jackson	Executive Councillor for Highways	Whether robust systems were in place to deal with surface water issues
(M) Miss A M Jenkyns	Executive Councillor for Highways	Update on the road improvement scheme in Boston
(N) J R Hicks	Executive Councillor for Children's and Adult Learning	Request for the reinstatement of a scholarship system in the Stamford area

13. COMMITTEE STRUCTURE 2011/2012

(a) COMMITTEE STRUCTURE, POLITICAL BALANCE ON COMMITTEES AND SUB-COMMITTEES AND ALLOCATION OF PLACES

A report by the Executive Director Performance and Governance had been circulated.

It was moved, seconded and

RESOLVED

- (1) That the reduction in the number of members on the Pensions Committee from 19 to 11 be approved.

- (2) That the allocation of seats on Committees, Sub-Committees and other bodies between political groups, as set out at Appendix C attached, be approved.
- (3) That the making of appointments to Committees, Sub-Committees and those other bodies be carried out by the Chief Executive, in accordance with the wishes of the Group Leaders, Deputy Group Leaders and Group Whips, pursuant to his delegated powers.
- (4) That, in relation to (1) above, the Council's Constitution be amended accordingly.

(b) APPOINTMENT OF CHAIRMEN AND VICE-CHAIRMEN OF COMMITTEES AND SUB-COMMITTEES (EXCEPT STANDARDS AND HEALTH SCRUTINY COMMITTEE FOR LINCOLNSHIRE)

A report by the Executive Director Performance and Governance had been circulated.

It was moved, seconded and

RESOLVED

That the appointment of Chairmen and Vice-Chairmen of Committees and Sub-Committees, as set out in Appendix D attached, be approved.

14. CALENDAR OF NEW MEETING DATES 2011/2012

A report by the Executive Director Performance and Governance had been circulated.

It was moved, seconded and

RESOLVED

That the calendar of meeting dates for 2011/2012, as set out at Appendix A to the report, be approved.

15. APPOINTMENTS TO OUTSIDE BODIES

A report by the Executive Director Performance and Governance had been circulated.

It was moved, seconded and

RESOLVED

- (1) That Councillor E J Poll be appointed as the joint member representative to the Anglian (Northern) Regional Flood Defence Committee for the period 2011/2013.

- (2) That the appointment of members to outside bodies, as set out at Appendix E attached, be noted.

16. MEMBERS' ALLOWANCES 2011/2012

A report by the Executive Director Performance and Governance had been circulated.

It was moved, seconded and

RESOLVED

- (1) That the County Council notes the increased level of allowances agreed and provided for in the Members' Allowances Scheme as recommended by the Independent Remuneration Panel (IRP) in its 2010 report but not as yet acted on (with the exception of IRP recommendation 2, abolition of 10,000 mile threshold, and recommendation 8 increasing/decreasing allowances by the Consumer Price Index).
- (2) That, due to the current economic climate and the impact of budget reductions on the Council, the County Council resolves not to act on any of the outstanding IRP recommendations for a period of two years from today, save that the County Council resolves to increase the mileage rate to 45p in line with the tax free rate agreed by Her Majesty's Revenue and Customs.
- (3) Notwithstanding the decision made at Annual Council in 2010, the County Council resolves not to act on recommendation 8 (increasing/decreasing allowances by the Consumer Price Index) for a period of two years from today.
- (4) That the Council's Constitution is amended accordingly.
- (5) That the money released should be earmarked to support local community, voluntary and charitable initiatives in the spirit of the Big Society. The method and member oversight of the allocations to be discussed by Group Leaders.

17. ADOPTION OF 3<sup>RD</sup> LINCOLNSHIRE LOCAL TRANSPORT PLAN

A report by the Executive Director for Communities had been circulated.

It was moved, seconded and

RESOLVED

That the 3<sup>rd</sup> Lincolnshire Local Transport Plan as proposed be adopted.

18. OVERVIEW AND SCRUTINY ANNUAL REPORT 2010/2011

A report by the Executive Director Performance and Governance had been circulated.

It was moved, seconded and

RESOLVED

That the Overview and Scrutiny Annual Report for 2010/2011 be approved.

19. STANDARDS COMMITTEE ANNUAL REPORT/INTERIM ARRANGEMENTS

A report by the Executive Director Performance and Governance had been circulated.

It was moved, seconded and

RESOLVED

(1) That the Standards Committee Annual Report be approved.

(2) That the proposed extensions to the initial term of appointments for Mr George Krawiec and Mrs Carol Lloyd be approved.

20. CONSTITUTION CHANGES

A report by the Executive Director Performance and Governance had been circulated.

It was moved, seconded and

RESOLVED

(1) That Part 1 "A Summary of the Constitution of Lincolnshire County Council", as detailed at Appendix A to the report, be approved.

(2) That the amendments as detailed in the report and attached at Appendices B and C to the report be approved.

(3) That the proposed changes throughout the Constitution, as a result of the Management Review, be approved.

(4) That the proposed changes to the Constitution, as a result of the changes to the Accounts and Audit Regulations as detailed at paragraph 15 to the report, be approved.

An amendment was moved and seconded as follows: -

'To remove the paragraph 12.2, Section relating to an amendment D6 – Petitions Scheme as detailed at page 12 of the report presented.'

**8**  
**COUNTY COUNCIL**  
**20 MAY 2011**

The above amendment, upon being put to the vote, was lost.

**RESOLVED**

- (1) That Part 1 "A Summary of the Constitution of Lincolnshire County Council", as detailed at Appendix A to the report, be approved.
- (2) That the amendments as detailed in the report and attached at Appendices B and C to the report be approved.
- (3) That the proposed changes throughout the Constitution, as a result of the Management Review, be approved.
- (4) That the proposed changes to the Constitution, as a result of the changes to the Accounts and Audit Regulations as detailed at paragraph 15 to the report, be approved.

**21. MINUTES OF COMMITTEES**

**RESOLVED**

That the minutes of the following Committees, having been printed, be received:

- |     |                         |  |
|-----|-------------------------|--|
| (1) | Audit                   | 31 January 2011<br>21 March 2011                   |
| (2) | Planning and Regulation | 14 February 2011<br>14 March 2011<br>11 April 2011 |
| (3) | Pensions                | 14 April 2011                                      |
| (4) | Standards               | 18 April 2011                                      |

The meeting adjourned at 12:45 p.m. and re-convened at 2.00 p.m.

**22. MOTIONS FOR DEBATE**

**(a) Motion by Councillor J R Marriott**

It was moved and seconded that

'Many Lincolnshire voluntary groups are now struggling to survive following the decision by the County Council to withdraw the grants it pays to them. In order to assist these groups, and others who currently receive no direct funding, Lincolnshire County Council agrees to set up a small team of officers to help them establish viable business plans and to give them advice as to how they might gain access to funding from other sources in these difficult transitional times. Such teams exist in other authorities and appear to be providing a very worthwhile service.'



RESOLVED

That the above motion be approved.

Councillor N I Jackson re-joined the meeting.

(b) Motion by Councillor R B Parker

It was moved and seconded that

'The Government is seeking to rapidly expand the academies programme which means that councils need to reflect on what that means for education policy, practice and services in their locality.

Recognising the likelihood of change in national education policy following the change of government, the Executive Director of Adults and Children's wrote to the Chairs of Governors and Head Teachers on 3 June 2010. In that letter the Director, following discussions with the Leader of the Council and Portfolio Holder, sought to set out some advice to governing bodies considering applying for academy status. The letter also made it clear that 'Lincolnshire would continue to offer services to academies and maintained schools, however all academies will be charged full costs of all services as the schools will be independent of the local authority'.

On 11 February 2011 a letter was sent by Lincolnshire School Improvement Service / CFBT inviting attendance at a meeting for schools interested in academy status. The purpose of the meeting was to discuss 'an emerging proposal to join the CFBT Schools Trust. The proposals [were said to] have the support of senior Councillors at Lincolnshire County Council'.

In the Schools White Paper the government has described the strong strategic roles of Councils as 'champions of local children and families and of educational excellence'.

Under the Education Bill currently going through Parliament, the Department of Education has made it clear that local authorities will be given a critical new role as strengthened champions of choice, securing a wide range of education options for parents and families, including ensuring that there are sufficient high quality school places and co-ordinating fair admissions.

What is now necessary in Lincolnshire is for the County Council to make a clear policy statement through the formal decision making process about what it sees as its leadership role both as a champion of education excellence and as a provider of support services to local schools. This would provide greater certainty to schools in Lincolnshire which are considered seeking academy status because it would make explicit what schools could expect from Lincolnshire County Council.

Accordingly this Council asks the Executive Director Adults and Children's to prepare a policy paper for submission to the Children and Young People Scrutiny Committee and to the Executive for decision.'

**10**  
**COUNTY COUNCIL**  
**20 MAY 2011**

Note Councillor Mrs C A Talbot declared a personal interest in this item, as a Trustee on the Priory Federation.

RESOLVED

That the above motion be approved.

In accordance with Council Procedure Rule15 (e) Councillor Mrs C A Talbot requested that it should be recorded that she had abstained from voting on this item.

The meeting closed at 3.00 p.m.