

**LINCOLNSHIRE COUNTY COUNCIL**

**17 FEBRUARY 2012**

**ORDER OF PROCEEDINGS**

Prayers will be led by the Chairman's Chaplain, the Reverend Colin Bowden, 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 N D Cooper in the Chair

**AGENDA**

1. **APOLOGIES FOR ABSENCE**

List of apologies to be read by the Chief Executive.

2. **DECLARATIONS OF COUNCILLORS' INTERESTS**

Councillors to announce any interests.

**(NB Councillors are reminded that there is no need to declare an interest unless he/she is being asked to take a decision on any matter which he/she has an interest)**

3. **MINUTES OF THE MEETING OF THE COUNTY COUNCIL HELD ON 9 DECEMBER 2011**

The Chairman to state: -

**That the minutes of the meeting held on 9 December 2011 be approved as a correct record and signed by the Chairman.**

4. SUBMISSION OF PETITIONS

The Chairman to state:

**The Council has received two petitions and, in accordance with the Petitions Protocol, I shall ask the petitioners to present their petitions in the following order:-**

**(1) An appointed representative to speak for not more than three minutes to explain the contents of a petition on behalf of Breathe Easy Lincoln “regarding access to care if people are assessed as needing moderate care”.**

(The appointed representative to speak and then present the petition to the Chairman)

The Chairman to state:

**The Chief Executive has determined that the petition “regarding access to care if people are assessed as needing moderate care” will be referred to the Executive Councillor for Adult Social Care.**

The Chairman to state:

**(2) Mr M Wylie to speak for not more than three minutes to explain the contents of his petition “regarding objections to any possible proposal or decisions which will lead to the permanent closure of Leadenham and Whisby Household Waste Recycling Centres”.**

(Mr M Wylie to speak and then present his petition to the Chairman)

The Chairman to state:

**The Chief Executive has determined that the petition “regarding objections to any possible proposal or decisions which will lead to the permanent closure of Leadenham Household Waste Recycling Centre” will be referred to the Executive Councillor for Waste Services and Green Issues.**

5. CHAIRMAN'S ANNOUNCEMENTS

The Chairman to state as follows:

**My civic engagements since the last Council meeting have been varied and have given me the opportunity to continue visiting places within Lincolnshire and some further afield.**

**I thank my wife Pauline for supporting me on these engagements and also Councillor Robert and Mrs Maureen Palmer, Vice-Chairman and Lady, for representing us at civic functions when we have been unable to attend.**

**Since the last meeting of the Council, I was delighted to receive students from the University of Lincoln when they hosted a Model UN Debate here in the Council Chamber. I was honoured to welcome HRH The Princess Royal to Lincolnshire on the occasion of the official opening of the Engineering Hub at the University of Lincoln. I have also attended a variety of events including the Founders Day Parade at RAF Cranwell and the Bishop Grosseteste University College's 150 Years of Learning Celebration.**

**Our continued commitment to the development and support of our Councillors has again been recognised by East Midlands Councils, who have re-accredited us with the Regional Councillor Development Charter. Our congratulations and thanks go to those Councillors and Officers responsible.**

**It is with regret that I have to inform you of the death of former County Councillor Bud Robinson, who represented the Lincoln Bracebridge Division from 1989 to 1993 and again from 2001 to 2009.**

**Can I invite Councillors and Officers to stand in silent memory.**

**I would now like to give Councillors an opportunity to pay tribute.**

A complete itinerary of civic engagements, since the last meeting of this Council, together with Councillor Development Events attended by County Councillors are on deposit in the Members' Foyer.

**6. ANNOUNCEMENTS/STATEMENTS BY THE LEADER AND MEMBERS OF THE EXECUTIVE**

The Chairman to state:

**The statements/announcements are detailed as report reference 6.0 in the agenda that has been circulated and published.**

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

The Chairman to state:

**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.**

**Would Councillors wishing to ask questions please indicate by pressing their button to join the queue and may I remind Councillors that once you have joined the queue you do not need to press your button when I invite you to speak, or when you sit down.**

8. COUNCIL BUDGET 2012/13 TO 2014/15

A report by the Executive Director Resources and Community Safety has been circulated, together with a separate booklet entitled 'Council Budget 2012/13 to 2014/15' which described 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 K J Smith, Executive Councillor for Finance and Human Resources, 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 to E on the Order of Proceedings).**
- (2) **That Group Leaders each be allowed to speak without limit of time (at C and D on the Order of Proceedings).**
- (3) **That Councillors seconding the motions and Councillor J R Marriott, as Group Leader of the Liberal Democrat Group, each be allowed to speak for 6 minutes (at B to 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 be moved (other than the original amendments moved by Group Leaders).**

Councillor R J Palmer 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 on pages 5 and 6 of the Order of Proceedings.**

**Therefore, I have decided that the debate will take the form as set out in paragraphs (A) to (G) on pages 6 to 10 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 not otherwise 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 K J Smith, Executive Councillor for Finance and Human Resources, to introduce the report and move: -

- (1) **That the responses to consultation on the Council's budget proposals (Appendix C of the accompanying booklet, pages 19 to 24) be noted.**
- (2) **That the Section 151 Officer's statement on the robustness of the budget and the adequacy of reserves (Section 9 of the accompanying booklet, pages 13 to 16) be noted.**
- (3) **That the service revenue budgets for 2012/13 to 2014/15 (Table 4 of the accompanying booklet, page 7) be agreed.**
- (4) **That the capital programme 2012/13 to 2014/15 and Future Years and its funding (Section 5 of the accompanying booklet, pages 10, 11 and 12) be agreed.**
- (5) **That the County Council element of the council tax for a Band D property at £1065.69 for 2012/13 (Appendix B of the accompanying booklet, page 18) be agreed.**

**And that together these form the Council's Budget.**

- (6) **That the prudential targets for capital finance be agreed and the prudential indicators (Appendix I of the accompanying booklet, pages 36 and 37) be noted.**

**(7) That a minimum revenue provision based on the average life method and made in equal instalments over the estimated life of the assets acquired through borrowing (Section 7 of the accompanying booklet, page 12), be agreed.**

(B) Motion to be seconded by Councillor M J Hill OBE.

**(C) Amendment to be moved by Councillor R B Parker and seconded by Councillor J D Hough**

'The Labour Group proposes the following amendments to the circulated report 'Council Budget 2012/13 to 2014/15'.

This council recognises that resources are available to invest in important services developments in the 2012/13 financial year.

This council therefore agrees to increase revenue spending by £1.830m and capital spending by £350k in 2012/13; a total of £2.180m

### **Adult Social Care**

Increase the budget by £600k

This is the net cost of keeping open County Council day centres for the coming financial year.

### **Education services**

Increase of £750k

This funding would be used to get youth work with young people in communities back on its feet and would be targeted at those areas with the greatest need

### **Apprenticeship schemes across all service directorates**

Increase budgets by £480k

This funding would be used to implement a programme of 30 apprenticeships (at £16,000 each) for young people across all service directorates of the County Council.

### **Capital Programme**

Increase the Capital Programme by £350k to allow more preparatory work on a Park and Ride scheme on the west side of Lincoln to the benefit of commuters into Lincoln and to local Lincoln people.

**The total increased spending is therefore:**

<b>Keeping open the Day Centres</b>	<b>£600k</b>
<b>Providing more Youth Services</b>	<b>£750k</b>
<b>Taking on young people as apprentices</b>	<b>£480k</b>
<b>Starting work on Park and Ride in Lincoln</b>	<b>£350k</b>
<b>Total spend</b>	<b>£2180m</b>

**Funding for the increased expenditure**

**Use £1.830m from the Revenue Budget contingency of £6.850m**  
**Use £350k from the Waste Management Reserves in 2012/13 to fund the**  
**Park and Ride capital scheme**

**Total funding made available £2.180m**

These budget amendments allow for affordable spending which is directed towards important areas which are ignored in the budget proposals put forward by the Conservative administration.

The Executive Director Resources and Community Safety has confirmed that these proposals are within the existing Financial Strategy of the Council and represent a balanced budget for 2012/13.'

**(D) Amendment to be moved by Councillor Mrs M J Overton  
and seconded by Councillor C J T H Brewis.**

'I propose the following amendments to the circulated report "Council Budget 2012": -

**Overall envelope and tax level of 0% increase**

We reluctantly accept the £6m one-off payment from national government in order to keep the tax level unchanged for the tax payer. We recognise this could well require a smaller Council budget in future years.

**Where is the flexibility in the budget?**

This budget proposes an increase into the contingency fund, taking the total to £6.9m. Additional lately confirmed income not yet budgeted is £3.5m, which I shall call a contingency surplus.

(New homes bonus £1.5m, Growth in tax base £1.5m and extended rights to free travel grant £0.5m)

Ear-marked reserves are proposed to be £38.5m by the end of next year. This including £11.7m for the energy from waste plant. We propose leaving that untouched.

General reserves are at £16m, at the very top end of what is considered reasonable. Keeping these at 2.5% of spend, still within our financial strategy would put £4.5m as a one-off, back into supporting the people of Lincolnshire, rather than stagnating in the vaults on relatively low interest rates.)

### **We propose savings as follows**

Reduce consultancy and legal costs by £0.25m

Despite making large numbers of people redundant (over 1000 last year), and paying substantial redundancies (£26m) we still find those savings partly swallowed up by consultancy costs, which were well over a million last year. Legal costs have continued to rise, now at £3.3m. This is not an open cheque book and we do not need to be trail blazers in fighting our own councillors and constituents.

Making money work and taking out the false economies:-

#### £1.18m to save the Day Centres and reablement care currently in three homes

Day care centres do need to be well-managed and cost-effective, creating vibrant hubs which enable vulnerable adults to thrive. They lever in partnership resources from the voluntary sector and from private and public bodies. We intend to keep them open. It will not be seen as an increase in choice, if we start by closing the very thing they have chosen.

I am unconvinced that there are suitable alternatives for people using the three homes, Bonner House, Linelands and Harrison House. The figures given at the decision meeting were questionable and need to be reviewed. Over £9m was available in a grant for reablement, and these homes who specialise in this kind of excellent care should be among the recipients.

The Council can use its combined buying power to commission services and then for individuals to use a voucher system to access them.

#### £0.25m Local Recycling sites

Keeping Whisby and Leadenham Recycling Sites, albeit with reduced hours and certainly with tighter requirements on the recycling rates. This keeps well-used local services local, reduces Lincolnshire's overall carbon footprint and traffic congestion into towns and helps keep our countryside clean.

#### £1m Youth and support for vulnerable children

Some small support for youth centres to continue where they can be shown to be effective in improving quality of life for children. We want to ensure there is an emergency contingency for vulnerable children with additional needs.

### The economy: Cost neutral

The Council has funding for broadband, Teal Park and four major infrastructure roads. As we said previously, the Council spends a substantial amount of money and we want more of it spent helping Lincolnshire's economy. Work to help our local businesses position themselves for this is vital. We support that and want to broaden it.

Next we need do what we can to work with a wide range of local businesses and social enterprises, in cost-effective ways that work. This is our sustainable economic engine, now and for the future. Just house-building is not enough. We need a wide range of businesses and enterprises that can underpin a steady, sustained economy, without damaging the Lincolnshire we know and love.

### Cost neutral for the Council: A proper scheme for low cost fuel, commissioned by the County Council

To effectively reduce Council tax further, a second element could be offered to our Council tax payers. Councils can use their buying power to get economies of scale and for people to purchase through a simple voucher scheme. The County Council would be trusted to commission a fair and transparent system.

We propose taking £2.180 out of the contingency, leaving a reasonable total contingency of £4.72m. This leaves the "financial volatility reserve" available for dealing with future financial pressure.

The Executive Director of Resources and Community Safety has confirmed that these proposals can be funded as proposed, are within the Council's existing Financial Strategy and represent a balanced budget.'

### **Debate to take place**

- (E) Other Councillors
- (F) Response by the Executive Councillor for Finance and Human Resources
- (G) Votes to be taken in the following order: -
  - (i) Labour amendment
  - (ii) Independents amendment
  - (iii) Conservative Motion (original or amended)

9. PAY POLICY STATEMENT

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

Councillor K J Smith to move:

- (1) That the remit of the Chief Officers' Salaries Review Sub-Committee be changed to exercise oversight of Pay Policy and recommend the annual Pay Policy Statement and any amendments to Council and that the Sub-Committee be renamed to 'Pay Policy Sub-Committee'.**
- (2) That the draft Pay Policy Statement in Appendix A to the report be agreed, subject to any final amendments necessary should final guidance be published before the Council meeting.**
- (3) That a strategic review of pay policy, as outlined in the report, be undertaken following which the Sub-Committee may make recommendations on modifications to the Pay Policy for adoption by the Council.**

Councillor C J T H Brewis to second.

10. DRAFT ORGANISATIONAL STRATEGY AND BUSINESS PLAN

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

Councillor M J Hill OBE to move:

- (1) That the Organisational Strategy be approved.**
- (2) That the Business Plan be approved.**

Councillor C E H Marfleet to second.

11. MEMBERSHIP OF JOINT COMMITTEES

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

Councillor M J Hill OBE to move:

**That the Lincolnshire County Council appointments to joint committees requiring political balance be agreed, as attached at Appendix A to the report.**

Councillor J R Marriott to second.

12. MINUTES OF COMMITTEES

(a) PLANNING AND REGULATION

Councillor R Hills to move:

**That the minutes of the meetings of the Planning and Regulation Committee of 28 November 2011 and 16 January 2012 be received.**

No recommendations.

(b) AUDIT

Councillor B Young to move:

**That the minutes of the meetings of the Audit Committee of 19 December 2011 and 30 January 2012 be received.**

No recommendations.

(c) PENSIONS

Councillor C Farrar to move:

**That the minutes of the meeting of the Pensions Committee of 12 January 2012 be received.**

No recommendations.

13. MOTIONS FOR DEBATE

The Chairman to state:

**No Motions have been received.**

14. AT THE CONCLUSION OF THE MEETING

The Chairman to state:

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

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