

PRESENT: COUNCILLOR N D COOPER (CHAIRMAN)

Councillors W J Aron, E N Bauer, P Bedford, 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, Reverend S P Cliff, C J Davie, 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, R L Hubbard, 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 Newell, P J O'Connor, Mrs M J Overton, C R Oxby, R J Palmer, R B Parker, R J Phillips, E J Poll, P S Przystlak, A Puttick, Mrs S Rawlins, P A Robinson, 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, C J Underwood-Frost, Mrs P F Watson, W S Webb, A P Williams, S F Williams, Mrs S Woolley, R Wootten and B Young.

Mr J Krawiec (Standards Committee Added Member) and Mrs E J Olivier-Townrow (Parent Governor Representative Added Member) were also in attendance.

Before moving onto the main business on the agenda, the Chairman reported that he had raised £1,970 for charity during his term of office. This money would be shared between the Lincolnshire and Nottinghamshire Air Ambulance and Skegness Royal National Lifeboat Institution.

1. ELECTION OF CHAIRMAN OF THE COUNTY COUNCIL

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

RESOLVED

That Councillor R J Palmer be elected as Chairman of the County Council for the year 2012/13.

Councillor Palmer 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 R J PALMER IN THE CHAIR

2. CHAIRMAN'S LADY

Mrs M Palmer was invested with the Chairman's Lady's Chain of Office.

2
COUNTY COUNCIL
18 MAY 2012

3. IMMEDIATE PAST CHAIRMAN

The Chairman presented a past Chairman's Badge to Councillor N D Cooper.

4. ELECTION OF VICE-CHAIRMAN OF THE COUNTY COUNCIL

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

RESOLVED

That Councillor Mrs C M H Farquharson be elected as Vice-Chairman of the County Council for the year 2012/13.

5. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors G K Dark, R G Davies, A G Hagues, S F Kinch, R Sellars and C N Worth.

6. DECLARATIONS OF COUNCILLORS' INTERESTS

Councillor E N Bauer declared a personal interest in minute number 22 (b) as his children attended the Lincoln Priory Federation of Academies.

Councillor N D Cooper declared a personal interest in minute number 18 as he was a member of the Lincolnshire Police Authority.

Councillor J R Marriott declared a personal interest in minute number 22 (b) as he was a former teacher at a Lincolnshire school and his wife was the Personal Assistant to the Headteacher at the same school.

Councillor C R Oxby declared a personal interest in minute number 22 (b) as his granddaughter attended the Lincoln Priory Federation of Academies.

Councillor R J Phillips declared a personal interest in minute number 22 (b) as his children currently attended the Lincoln Priory Federation of Academies.

Councillor Mrs C A Talbot declared a personal and prejudicial interest in minute number 22 (ii) as she was a Trustee at the Lincoln Priory Federation of Academies.

Councillor A P Williams declared a personal interest in minute number 22 (b) as he played sport for a team and one of his team-mates was employed as a teacher at the Lincoln Priory Federation of Academies.

7. MINUTES OF THE PREVIOUS MEETING OF THE COUNTY COUNCIL HELD ON 17 FEBRUARY 2012

RESOLVED

That the minutes of the previous meeting of the County Council held on 17 February 2012 be approved and signed by the Chairman as a correct record.

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

The Chairman informed the Council that the Reverend Sue Allison (Fotherby) had kindly agreed to act as Chaplain during his term of office.

9. CHAIRMAN'S ANNOUNCEMENTS

Members of the Council were reminded that this year's Lincolnshire Show would be held at the Lincolnshire Showground, Grange-de-Lings, on Wednesday 20 June and Thursday 21 June 2012 and that the County Service of Dedication would be held in Lincoln Cathedral on Sunday 8 July 2012 at 3.30 p.m., followed by a reception in the grounds of Lincoln Castle.

On a sadder note, the Chairman reported the death of former County Councillor Albert Tebbs, who represented the Boston West Division from 1988 to 2001. Councillors stood in silent memory of former County Councillor Albert Tebbs and then paid tribute to him.

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

In accordance with Article 5.02 of the Council's Constitution the Leader notified the Council of his 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 on 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, copies of which were made available at the close of the meeting.

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

NOTE – Councillor C J Underwood-Frost declared a personal and prejudicial interest in this item under question (F) below as he was the Chairman of West Lindsey District Council's Planning Committee and left the meeting during the asking and answering of the respective question.

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	M J Hill OBE	BBC Radio Lincolnshire and its 'one week in Lincolnshire' programme
(B) P Bedford	Mrs P A Bradwell	Use of taxis for school children in the Boston area
(C) J R Marriott	Mrs P A Bradwell	Admittance of children and young people to selective schools in Lincolnshire who had not passed the Eleven Plus examinations
(D) J D Hough	E J Poll	The future of the library service and use of mobile libraries
(E) D R Dickinson	Mrs S Woolley	The Members' Big Society Fund
(F) R B Parker	B Young	Proposed relocation of Lincoln Police Station
(G) Major R Newell	M J Hill OBE	Generation of hydroelectricity from the tidal flow in Boston
(H) K J Clarke	Mrs P A Bradwell	Exclusion rates at academies in Lincolnshire
(I) N I Jackson	W S Webb	Competition in respect of public transport operators and fares

13. 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 allocation of seats on Committees, Sub-Committees and other bodies between political groups, as set out in Appendix B attached to these minutes, be approved.
- (2) 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 Group Leaders, Deputy Group Leaders and Group Whips, pursuant to his delegated powers.

14. APPOINTMENT OF CHAIRMEN AND VICE-CHAIRMEN OF COMMITTEES AND SUB-COMMITTEES (EXCEPT THE STANDARDS COMMITTEE AND THE 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 C attached to these minutes, be approved.

15. NEW CALENDAR OF MEETING DATES FOR 2012/13

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

It was moved, seconded and

RESOLVED

That the calendar of meeting dates, as set out in Appendix D attached to these minutes, be approved.

16. 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 C L Strange be appointed to the Lincolnshire Standing Advisory Council on Religious Education.
- (2) That the appointments to outside bodies, as set out in Appendix E attached to these minutes, be approved.

17. NEW STANDARDS ARRANGEMENTS

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

It was moved, seconded and

RESOLVED

- (1) That the Code of Conduct at Appendix A to the report be adopted with effect from 1 July 2012.
- (2) That oversight of Standards arrangements becomes a function of the Audit Committee.
- (3) That the Monitoring Officer (in consultation with Political Group Leaders) be authorised to make all necessary arrangements for the interview and selection of one independent person and two reserve independent persons for appointment at the next suitable meeting of the County Council.
- (4) That the Monitoring Officer (in consultation with Political Group Leaders) be authorised to set a retainer for the independent person and pay expenses at rates equivalent to the Members' Allowances Scheme.
- (5) That the Council's local arrangements for dealing with complaints of failure to comply with the Code of Conduct, after 1 July 2012, be as set out in Appendix B to the report.
- (6) That the power to grant dispensations to disclosing pecuniary interests be granted to the Monitoring Officer.
- (7) That the term of existing independent Members of the Standards Committee be extended to 1 July 2012 if no complaints are outstanding at that date or 1 September 2012 if there are any standards complaints outstanding on 1 July 2012.

- (8) That the Council's Constitution be modified accordingly.

18. POLICE AND CRIME PANEL

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

It was moved, seconded and

RESOLVED

- (1) That the development of the Lincolnshire Police and Crime Panel be noted.
- (2) That approval be given to the proposed arrangements, as set out in Appendix A to the report, for the Lincolnshire Police and Crime Panel to be established in accordance with Schedule 6 of the Police Reform and Social Responsibility Act 2011 as a joint committee of Boston Borough Council, the City of Lincoln Council, East Lindsey District Council, Lincolnshire County Council, North Kesteven District Council, South Holland District Council, South Kesteven District Council and West Lindsey District Council.
- (3) That the County Council appoints Councillors G K Dark and P A Robinson, together with a third Councillor from the Liberal Democrat Group to be confirmed in due course, to the Lincolnshire Police and Crime Panel with authority to take all decisions necessary to participate in undertaking the functions of the Panel.
- (4) That approval be given for East Lindsey District Council to be designated as the lead authority for the Lincolnshire Police and Crime Panel.

19. ANNUAL AMENDMENTS TO THE CONSTITUTION

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

It was moved, seconded and

RESOLVED

- (1) That the amendments, as detailed in the report, be approved.
- (2) That any reference in the Constitution to the post of Director of Children's Services be amended to read 'Interim Executive Director of Children's Services'.

20. OVERVIEW AND SCRUTINY ANNUAL REPORT 2011/12

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 2011/12 be approved.

21. MINUTES OF COMMITTEES

RESOLVED

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

(1)	Planning and Regulation	13 February 2012 12 March 2012 10 April 2012
(2)	Standards	20 February 2012
(3)	Audit	19 March 2012 23 April 2012
(4)	Pensions	12 April 2012

22. MOTIONS FOR DEBATE

(a) Motion by Councillor Mrs M J Overton

It was moved and seconded that

“Over the past two years Lincolnshire County Council has made massive savings by reducing staff and services through efficiencies. This Council calls on central government to share the pain more equitably with its own departments and to focus on the levers that enable the economy to stabilise and improve.”

An amendment was proposed to insert the word ‘reshaping’ before the word ‘services’ on the first line of the motion, which was accepted by the mover and seconder of the original motion.

RESOLVED

That over the past two years Lincolnshire County Council has made massive savings by reducing staff and reshaping services through efficiencies. This Council calls on central government to share the pain more equitably with its own departments and to focus on the levers that enable the economy to stabilise and improve.

(b) Motion by Councillor R B Parker

NOTE – as detailed in minute number 6 above, Councillor Mrs C A Talbot left the meeting during discussion of this item following her declaration of a personal and prejudicial interest.

It was moved and seconded that

“This Council: -

1. recognises that governing bodies of schools and academies have responsibility for ensuring that there is good financial management and that they achieve value for money;
2. takes the view that the trustees of the Priory Federation of Academies Trust have lost public confidence because of their failure to ensure robust internal financial management arrangements were in place to prevent improper spending of taxpayer’s money as detailed in the Department for Education ‘Investigation Report on Priory Federation of Academies Trust’;
3. calls on members of the trust to resign forthwith;
4. regrets that the Parliamentary Under Secretary of State for Schools should think fit to allow the current trustees who were responsible in the first place for weak governance, to oversee the introduction of new financial governance arrangements;
5. calls on the Parliamentary Under Secretary of State for Schools to reconsider that decision;
6. shares the concerns of the Public Accounts Committee that within schools and academies the ‘accountability framework is not sufficiently robust’ and shares the Committee’s doubts about ‘whether the Department of Education has the ability to pick up early warning signs of improper spending or poor value for money’.”

An amendment was moved and seconded to delete paragraphs 3, 4 and 5 above and insert a new opening paragraph to read: -

“recognises the success of the Priory Federation of Academies in providing good and improving education in Lincolnshire.”

Upon being put to the vote the amendment was carried.

The substantive motion was voted upon and it was

RESOLVED

That this Council: -

- (1) recognises the success of the Priory Federation of Academies in providing good and improving education in Lincolnshire;
- (2) recognises that governing bodies of schools and academies have responsibility for ensuring that there is good financial management and that they achieve value for money;
- (3) takes the view that the trustees of the Priory Federation of Academies Trust have lost confidence because of their failure to ensure robust internal financial management arrangements were in place to prevent improper spending of taxpayer's money as detailed in the Department for Education 'Investigation Report on Priory Federation of Academies Trust';
- (4) shares the concerns of the Public Accounts Committee that within schools and academies the 'accountability framework is not sufficiently robust' and shares the Committee's doubts about 'whether the Department of Education has the ability to pick up early warning signs of improper spending or poor value for money'.

The meeting closed at 1.05 p.m.