

Agenda Item 4

MEETING OF LINCOLNSHIRE COUNTY COUNCIL

18 FEBRUARY 2022

ORDER OF PROCEEDINGS

MEETING GUIDANCE

The proceedings will be live streamed and recorded.

Health and Safety

Anyone planning to attend the meeting is encouraged to undertake a lateral flow test prior to setting off. Anyone testing positive or experiencing any symptoms of Covid-19 is requested to not attend the meeting. Lateral flow tests can be obtained online or from local pharmacies.

Please note: there is no fire drill or fire alarm test planned, 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.

Requesting to speak

There may be councillors who choose to dial into the meeting via Microsoft Teams as observers. Having taken legal advice, councillors joining the meeting in that way cannot be treated as present at the meeting and cannot take part in the meeting as if they were. The Chairman has decided that there may in his discretion be circumstances in which he will allow someone who is not present in the Council Chamber to address the meeting. However he will not allow contributions on the substantive items on the agenda from councillors who are not present and no councillor who is not present may take part in any vote. Nor will the Chairman allow those observing virtually to ask questions.

If a member would like to speak, they should raise their hand so it can be clearly seen.

Requests to speak will be monitored by Democratic Services, and managed by the Chairman, with the assistance of the Chief Executive.

When the Chairman invites you to speak, you should press the button on your microphone unit to make it live. Please press the button again to switch it off once you have finished speaking.

Prayers will be led by Councillor A M Key in the Council Chamber at 9.50am prior to the start of formal proceedings at 10.00am

Members are requested to take their seats by 9.55am

The agenda previously circulated and published will be followed

Councillor M Brookes in the Chair

ORDER OF PROCEEDINGS – 18 FEBRUARY 2022

1. APOLOGIES FOR ABSENCE

List of apologies to be read by Chief Executive Debbie Barnes OBE.

2. DECLARATIONS OF COUNCILLORS' INTERESTS

Councillors to indicate if they have any interests they wish to declare.

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.

Councillors are not required to declare an interest in Item 6 (Council Budget 2022/23) by reason only of owning property in Lincolnshire.

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 10 DECEMBER 2021

The Chairman to state:-

That the minutes of the meeting of the County Council held on 10 December 2021 be approved as a correct record and signed by the Chairman.

4. CHAIRMAN'S ANNOUNCEMENTS

I would like to once again welcome you back to the Council Chamber for today's meeting and also welcome those who are listening via the live stream on our website.

I am pleased that, following relaxation of Government restrictions, I have been able to more fully carry out my role as chairman, representing the Council at events that were curtailed during the height of the pandemic. I would like to thank my wife and Chairman's Lady, Jackie, for her continued support.

I was delighted to welcome students from the University of Lincoln for the Model United Nations General Assembly as part of the International Relations Programme which was held here in the Council Chamber. This is an important part of their studies and demonstrates the collaboration and long running

successful partnership between the University and the County Council. Indeed, I understand there are a number of students from the University's School of Social and Political Science tuning in to this meeting today.

You will have received an invitation to attend the county service to be held in Lincoln Cathedral on Sunday 13 March. I hope to see as many councillors as possible in attendance and if you haven't already replied could I please ask that you do so as soon as possible so that the necessary arrangements can be made.

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

5. QUESTIONS TO THE CHAIRMAN, THE LEADER, EXECUTIVE COUNCILLORS AND 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 button on their microphone to make it live and press it again once they have finished speaking.

6. COUNCIL BUDGET 2022/23

A report by the Executive Director - Resources has been circulated, together with a separate document entitled 'Council Budget 2022/23' which describes the Executive's Budget and council tax proposals.

An amendment has been submitted by the Shadow Executive.

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

Temporary Suspension of Council Procedure Rules

The Chairman to move:

That there be one debate on the Executive's budget proposals and the Shadow Executive amendment and therefore that Council Procedure Rules 13.4 (Content and length of speeches), 13.6 (b), 13.6 (c), 13.6 (d), 13.6 (e) (Amendments to motions) and 13.10 (b) (Motions which may be moved during debate) be temporarily suspended for the duration of the debate and

(1) 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 in this Order of Proceedings)

(2) That the proposer of the amendment listed in this order of proceedings 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 or at E on the Order of Proceedings if they reserve their speech until later in the debate)
- (4) That other speakers each be allowed to speak for 3 minutes (at E on the Order of Proceedings)
- (5) That no further amendments be moved.

Councillor A M Austin to Second

Vote on the Temporary Suspension of 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) and (ii) below:

Except as set out in rules 13.5 and 13.9 below, councillors are only allowed to speak once during the debate. Therefore, the motion and any amendment(s) will proceed as one debate.

Therefore, the debate will take the form as set out in paragraphs (A) to (G) on pages 5 to 7 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.

Budget Debate

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

It is recommended that the Council:

- 1. has due regard to the responses to the consultation and engagement on the Council's budget proposals as contained in the appended Budget Book (Appendix D - Budget Consultation and Engagement Feedback);**
- 2. has due regard to the Section 151 Officer's Statement on the Robustness of the Budget and the Adequacy of Reserves as set out in the appended Budget Book (Section 10 - 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 4.99% in 2022/23 set out in the appended 'Budget Book' (Appendix C – Impact Analysis relating to increasing the Council Tax by 4.99% in 2022/23);**
- 4. approves:**
 - 4.1 the service revenue budgets for 2022/23 contained in the appended Budget Book, (Table 2 - Net Service Revenue Budget 2022/23);**
 - 4.2 the capital programme and its funding contained in the appended Budget Book (Section 7 - Capital Programme) and (Appendix O - Capital Programme);**
 - 4.3 the County Council element of the council tax for a Band D property at £1,432.17 for 2022/23 contained in the appended Budget Book (Appendix B - County Precept 2022/23);**

as together being the Council's Budget.
- 5. approves the Council's Medium Term Financial Strategy contained in the appended Budget Book (Appendix E – Medium Term Financial Strategy);**
- 6. approves the Council's Capital Strategy 2022/23 contained in the appended Budget Book (Appendix N – Capital Strategy 2022/23);**
- 7. approves the prudential targets for capital finance and notes the prudential indicators contained in the appended Budget Book (Appendix M - Prudential Indicators);**
- 8. approves that the minimum revenue provision (MRP) be based on the asset life method, charged on an annuity basis for major infrastructure**

projects and in equal instalments for all other assets, over the estimated life of the assets acquired through borrowing as set out in the appended Budget Book (Section 9 - Minimum Revenue Provision).

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

(C) Amendment to be moved by Councillor A Baxter on behalf of the Shadow Executive

This Council resolves to:

- 1. Limit the council tax rise increase for the year 2022/23 to a total of 4% (3% Adult Social Care and 1% for general services).**
- 2. Transfer £6.45 million from the Financial Volatility Reserve in order to fund the following:**
 - £3.2 million to make up the Highways budget shortfall (as a result of limiting the council tax increase to 4%).**
 - £1.2 million investment in the Children and Adolescent Mental Health Service (CAHMS) to provide increased resources necessary to meet the rising demand for services as a result of the pandemic.**
 - £2.05 million investment to support Green MasterPlan projects to reduce carbon emissions, specifically:**
 - £1.5 million to develop cycling and walking schemes across the county.**
 - £300,000 to deliver solar canopies for car parks incorporating panels that generate electricity to power vehicle charging points below.**
 - £250,000 to install solar panels on LCC owned buildings.**

Executive Director of Resources/s.151 Officer Commentary

The Executive Director of Resources has confirmed these proposals are viable and broadly compliant with the existing Financial Strategy of the Council.

Reducing the amount of revenue collected from council tax will mean this funding will not be available for future years. Maintaining the level of service spend proposed in this amendment by using reserves is unlikely to be sustainable in the longer term.

The proposals make use of a drawdown of the Financial Volatility reserve. Reiterating my comments from Section 10 of the budget book, the stated intention of the reserve is to manage future funding volatility and given that issue is yet to be resolved, it is my strong professional opinion that the reserve should be maintained towards its historical level of around £50m and steps should be taken to replenish it to that level at the earliest opportunity

(D) To be seconded by Councillor K Lee

Debate to take place

(E) Other Councillors

(F) Response by the Leader of the Council

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

- (i) Shadow Executive Amendment
- (ii) Conservative Group Motion (Original or amended)

7. LOCAL TRANSPORT PLAN 5 (LTP5)

A report by the Executive Director - Place has been circulated.

Councillor R G Davies to move:

That LTP 5 attached at Appendix A to the report is adopted as Lincolnshire County Council's Local Transport Plan in accordance with its duty under the Transport Act 2000 and to form part of the Council's Policy Framework in place of the existing Local Transport Plan.

Councillor C L Perraton-Williams to second

8. PAY POLICY STATEMENT

A report by the Executive Director – Resources has been circulated.

Councillor M J Hill OBE to move:

That Council approves the Pay Policy Statement 2022/23 attached as Appendix A to the report, as recommended by the Pay Policy Sub-Committee.

Councillor Mrs P A Bradwell OBE to second

9. AUDIT COMMITTEE ANNUAL REPORT 2021

A report by the Chairman of the Audit Committee has been circulated.

Councillor Mrs S Rawlins to move:

That the Council receives the Audit Committee Annual Report 2021

Councillor M A Allan to second

10. OPT INTO NATIONAL SCHEME FOR AUDITOR APPOINTMENTS

A report by the Executive Director – Resources has been circulated.

Councillor M J Hill OBE to move

That the Council accepts the Public Sector Audit Appointments' invitation to opt into the sector-led option for the appointment of external auditors to principal local government and police bodies for the five financial years from 1 April 2023.

Councillor M A Whittington 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 – RULES OF DEBATE

(i) Rule 13.4 Content and Length of Speeches

Speeches must be directed to the question under discussion or to a personal explanation, point of order or information. A councillor proposing a motion, including the movement of an amendment, or a Chairman or Executive Councillor responding shall not speak for more than 6 minutes and no other speech shall exceed 3 minutes except with the consent of the meeting.

(ii) 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.

(iii) 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 debate on the amendments, 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.

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 making 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.