

Agenda Item 4

MEETING OF LINCOLNSHIRE COUNTY COUNCIL

9 DECEMBER 2022

ORDER OF PROCEEDINGS

MEETING GUIDANCE

The proceedings will be live streamed and recorded.

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.

Members should be mindful that the new high-performing loop system is sensitive to any type of noise in the Chamber. Ambient sound from the Chamber immediately prior to meetings, and during open session may be picked up by the loop, and therefore Councillors should conduct private conversations outside of the Chamber. The loop will be muted at the close of the meeting.

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 speak directly into the microphone and press the button again to switch it off once you have finished speaking.

Prayers will be led by Reverend Canon Sudharshan Sarvananthan in the Council Chamber at 10.20a.m., prior to the start of formal proceedings at 10.30 a.m.

The agenda previously circulated and published will be followed

Councillor A M Austin in the Chair

ORDER OF PROCEEDINGS – 9 DECEMBER 2022

1. APOLOGIES FOR ABSENCE

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

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.

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 27 SEPTEMBER 2022

The Chairman to state:-

That the minutes of the meeting of the County Council held on 27 September 2022 be approved as a correct record and signed by the Chairman.

4. CHAIRMAN'S ANNOUNCEMENTS

Chairman to state:

Since the last meeting of the Council, I have been busy carrying out civic engagements around the County.

These included the celebration of Lincolnshire Day when we once again joined with our colleagues from North and North East Lincolnshire as Greater Lincolnshire, to celebrate this great county.

I was delighted to welcome guests to my service of dedication which was held in my local church in Wyberton. It was my wish to encourage people to visit my division and for me to showcase what we have to offer in the south of the county.

The Remembrance Sunday service held in Lincoln Cathedral was a very poignant occasion and I was honoured to lay a poppy wreath on behalf of the County Council.

It is with sadness that I report the death of former Chairman of the County Council, Colin Helstrip. Mr Helstrip was first elected to represent the Stamford South electoral division in May 1997. Four years later he was elected to represent Stamford West, a seat he held until his retirement in June 2009.

He was chairman of the Council in 2006/2007.

I also have to report the sad passing of former County Councillor Philip Keddell who represented the Stamford North electoral division from May 1993 until his retirement in May 2001. Mr Keddell was also a former member of South Kesteven District Council and Stamford Town Council.

I invite you all to stand for a minute's silence as a mark of respect for both gentlemen

[Following the silence Chairman to invite councillors to speak]

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

5. RESULT OF BY-ELECTION FOR SPALDING WEST ELECTORAL DIVISION

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

The Chairman to state:

That the Electoral Return, as circulated with this Order of Proceedings, be noted.

(NOTE: the Electoral Return will be circulated on the morning of the 9 December 2022, following the by-election which is taking place on 8 December 2022)

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

Statements by the Members of the Executive have been circulated

7. THE LEADER TO REPORT ON EXECUTIVE PORTFOLIOS

In accordance with Article 5.02 the Leader notifies the Council of the appointments to the Executive and for the purposes of Part 3 (Responsibilities for Functions) the responsibilities of each Portfolio Holder.

8. 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.

9. POLITICAL PROPORTIONALITY AND ALLOCATION OF SEATS TO COMMITTEES AND SUB-COMMITTEES

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

Councillor M J Hill OBE to move:

That the Council approves:

- 1. The changes to the composition and terms of reference of the Pensions Committee set out in Appendix B;**
- 2. That the Constitution be amended to substitute the wording in respect of Pensions Committee set out in Appendix B for the wording relating to that Committee currently contained in Article 7.2 of the Constitution.**
- 3. That accordingly the Pensions Committee be increased from 11 seats to 12 seats, by the addition of one co-opted member and retaining the allocation of these seats to elected members to 8; and**
- 4. That the County Council approves the allocation of Committee Seats (as detailed in Appendix C or D as the case may be) in accordance with the political balance rules.**

Councillor E W Strengeiel to second

10. MEMBERS ALLOWANCES SCHEME 2023/24

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

Councillor M J Hill OBE to move:

- 1. That the Council considers the IRP report and recommendations at Appendix A to the report;**

2. That the Council approves the Scheme of Members' Allowances for 2022/23 as the Lincolnshire County Council Scheme of Members' Allowances for 2023/24 subject to the amendments shown in Appendix B of the report (a 4.04% uplift - as detailed in Option 1 on page 94 of the agenda pack, which was considered by the Independent Remuneration Panel)

Councillor P M Dilks to second.

11. A DEVOLUTION DEAL FOR LINCOLNSHIRE

A report by the Chief Executive has been circulated.

Councillor M J Hill OBE to move:

It is recommended that the Council supports:

1. Engagement with government officials to secure a devolution deal for Greater Lincolnshire on the basis of the draft devolution prospectus attached as Appendix A to the report.
2. In principle, devolution to a mayoral county combined authority for Greater Lincolnshire.
3. Continued engagement with key stakeholders with a view to Appendix A being developed and enhanced as the basis of the devolution bid to government to ensure that Greater Lincolnshire is in as strong a position as possible to secure a deal.

Councillor to second.

12. MOTIONS ON NOTICE SUBMITTED IN ACCORDANCE WITH THE COUNCIL'S CONSTITUTION

Motion by the Labour Group

Councillor R B Parker to move:

Parking on the pavement has long been a hot topic and it could be argued is becoming more of a problem, particularly but not exclusively, in inner-city locations close to town centres. Many inner-city houses do not have garages and residents rely on on-street parking. But in some cases, the streets are too narrow to allow both on-street parking and for vehicles to drive down the centre of the road. In such situations, vehicles are often parked on the pavement so as to allow vehicular flow. Visitors to the area often seek out on-street parking spaces so as to avoid paying car park charges and add to parking on the pavement.

Vehicles parked on the footpath can and often do cause an obstruction and inhibit the independence of many vulnerable people especially older or disabled people with visual or mobility impairments. In such circumstances, pavement parking is dangerous because pedestrians, families with push chairs for example, are forced into the road and into incoming traffic.

When it comes to parking on the pavement outside of London, the Highway Code states that 'you should not' park on the pavement. It can be argued that whilst it's not encouraged, motorists are not prohibited from doing so by default. However, another rule in the Highway Code says that motorists 'must not' leave their car in 'a dangerous position' or where it creates an unnecessary obstruction to the road. In such cases the police can issue a fixed penalty notice.

In 2020 the government ran a consultation exercise, which amongst other things sought ways to solve the pavement parking problem. Since then, it is fair to say, progress has stalled and currently the ban on pavement parking only applies in London.

It also needs to be recognised that pavements are not designed to carry the weight of motor vehicles and the added maintenance cost of repairing cracked and damaged paving is an unnecessary financial burden on the County Council.

Accordingly, this council calls on the Executive to:

- 1) Promote through our Communications Team periodic awareness raising campaigns about the benefits of 'Better Parking' in an effort to bring about a change in culture, and**
- 2) Work with our own Civil Parking Enforcement team and Lincolnshire Police to re-emphasise to motorists the importance of not parking on pavements and the likely consequences of so doing.**

Councillor K Clarke to second.

AT THE CONCLUSION OF THE MEETING

Members are reminded that following this meeting, there will be a Councillor Development Event: Less Corporate, More Parenting taking place. All councillors are invited and encouraged to attend. The session will commence 30 minutes after the end of this 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 13.5 (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 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 speakers 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.