



County Offices  
Newland  
Lincoln  
LN1 1YL

13 May 2021

**Council**

A meeting of the Council will be held on **Friday, 21 May 2021 in the East Hall, The Epic Centre, Lincolnshire Showground, Grange-de-Lings, Lincoln, LN2 2NA commencing at 10.30 am** for the transaction of the business set out on the attached Agenda. The attendance of all Councillors is requested.

Yours sincerely

A handwritten signature in cursive script that reads 'Debbie Barnes'.

Debbie Barnes OBE  
Chief Executive

**Membership of the Council**  
**(70 Members of the Council)**

Councillors M Brookes (Chairman), B Adams, M G Allan, P Ashleigh-Morris, T R Ashton, Mrs A M Austin, A J Baxter, S A J Blackburn, M D Boles, Mrs W Bowkett, Mrs P A Bradwell OBE, Mrs J Brockway, S Bunney, R D Butroid, I D Carrington, T A Carter, L A Cawrey, K J Clarke, M R Clarke, N F Clarke, R J Cleaver, K H Cooke, P E Coupland, A Dani, C J Davie, R G Davies, P M Dilks, T J G Dyer, I G Fleetwood, R A Gibson, W Gray, M A Griggs, A G Hagues, A M Hall, M J Hill OBE, R J Kendrick, A M Key, Mrs J E Killey, J L King, K E Lee, C S Macey, C E H Marfleet, C Matthews, A P Maughan, D McNally, Mrs A M Newton, Mrs M J Overton MBE, R B Parker, S R Parkin, N H Pepper, Clio Perraton-Williams, Mrs S Rawlins, R P H Reid, S P Roe, N Sear, P A Skinner, T Smith, E J Sneath, H Spratt, A N Stokes, E W Strengiel, G J Taylor, Dr M E Thompson, J Tyrrell, M A Whittington, Mrs S Woolley, L Wootten, R Wootten, R A Wright and T V Young



**COUNCIL AGENDA  
FRIDAY, 21 MAY 2021**

| <b>Item</b> | <b>Title</b>  | <b>Pages</b>   |
|-------------|---|----------------|
| <b>1</b>    | <b>To elect the Chairman of the County Council for 2021/22</b>  |                |
| <b>2</b>    | <b>To elect the Vice-Chairman of the County Council for 2021/22</b>   |                |
| <b>3</b>    | <b>Apologies for Absence</b>  |                |
| <b>4</b>    | <b>Declarations of Councillors' Interests</b>   |                |
| <b>5</b>    | <b>Minutes of the meeting of the Council held on 19 February 2021</b>   | <b>5 - 20</b>  |
| <b>6</b>    | <b>Chairman's Announcements</b>   |                |
| <b>7</b>    | <b>Lincolnshire County Council Election - Return of Persons Elected - 6 May 2021</b>  | <b>21 - 28</b> |
| <b>8</b>    | <b>Election of the Leader of the County Council</b>   |                |
| <b>9</b>    | <b>The Leader to report on Executive Portfolios and Appointments to the Executive and Executive Support Councillors</b>   |                |
| <b>10</b>   | <b>Political Proportionality and Allocation of seats to Committees and Sub-Committees</b>   | <b>29 - 34</b> |
| <b>11</b>   | <b>Appointment of Chairmen and Vice-Chairmen of Committees and Sub-Committees (Except the Lincolnshire Health and Wellbeing Board, the Health Scrutiny Committee for Lincolnshire, the Bourne Town Hall Trust Management Committee and the Corporate Parenting Panel)</b> | <b>35 - 38</b> |
| <b>12</b>   | <b>Questions to the Chairman, the Leader, Executive Councillors and Chairmen of Committees and Sub-Committees</b>   |                |
| <b>13</b>   | <b>Council Constitution - Changes to the Lincolnshire Health and Wellbeing Board Terms of Reference and membership to incorporate the functions of the Integrated Care System Partnership Board</b>   | <b>39 - 62</b> |
| <b>14</b>   | <b>Appointment to Outside Bodies</b>  | <b>63 - 68</b> |
| <b>15</b>   | <b>Calendar of Meetings 2021/22</b>   | <b>69 - 72</b> |
| <b>16</b>   | <b>Motions on notice submitted in accordance with the Council's Constitution</b>  |                |

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**Please note:** for more information about any of the following please contact the Democratic Services Officer responsible for servicing this meeting

- Business of the meeting
- Any special arrangements
- Copies of reports

Contact details set out above.

All papers for council meetings are available on:

<https://www.lincolnshire.gov.uk/council-business/search-committee-records>



**COUNCIL  
19 FEBRUARY 2021**

**PRESENT: COUNCILLOR M BROOKES (CHAIRMAN)**

Councillors T Bridges (Vice-Chairman), B Adams, W J Aron, P Ashleigh-Morris, T R Ashton, Mrs A M Austin, M D Boles, Mrs W Bowkett, Mrs P A Bradwell OBE, D Brailsford, C J T H Brewis, Mrs J Brockway, R D Butroid, L A Cawrey, K J Clarke, P E Coupland, G E Cullen, C J Davie, R G Davies, B M Dobson, M T Fido, I G Fleetwood, R L Foulkes, M A Griggs, R Grocock, A G Hagues, M J Hill OBE, R J Kendrick, P M Key, Mrs J E Killey, Mrs C J Lawton, C S Macey, C E H Marfleet, C Matthews, A P Maughan, D McNally, Mrs A M Newton, Mrs M J Overton MBE, C R Oxby, R B Parker, S R Parkin, N H Pepper, Clio Perraton-Williams, E J Poll, C E Reid, R P H Reid, R A Renshaw, S P Roe, P A Skinner, E J Sneath, H Spratt, A N Stokes, M J Storer, E W Strengiel, Mrs C A Talbot, Dr M E Thompson, R H Trollope-Bellew, M A Whittington, Mrs S Woolley, L Wootten, R Wootten, C N Worth and B Young

**48 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors K Cook, S Kirk, Mrs S Rawlins, A J Spencer and A H Turner MBE JP.

**49 DECLARATIONS OF COUNCILLORS' INTERESTS**

Councillor S R Parkin advised that she had a DPI related to the labour amendment of the Council Budget (agenda item 6) in relation to her tutoring business and would leave the meeting for discussion of this item.

Councillor S P Roe advised that he had a DPI in relation to the Council Budget (agenda item 6) and would leave the meeting for discussion of this item.

**50 MINUTES OF THE MEETING OF THE COUNCIL HELD ON 11 DECEMBER 2020**

RESOLVED

That the minutes of the meeting held on 11 December 2020 be signed by the Chairman as a correct record.

**51 CHAIRMAN'S ANNOUNCEMENTS**

The Chairman reported that the devastating loss of lives all around the world continued to be witnessed and we were comforted to know our NHS staff and key workers were continuing to work hard and tirelessly to keep us all safe and well. The rollout of the vaccine

was proving to be successful and this gave us hope for the future but we must continue to encourage all to adhere to the guidelines issued by the Government.

The Prime Minister's announcement on the Government's roadmap for emerging from the current lockdown was awaited, and it was hoped that it would enable schoolchildren to return to lessons in their classrooms, as soon as it was safe to do so.

The Chairman looked forward to being able to carry out his civic duties in person rather than via the virtual world afforded to us by the likes of Microsoft Teams and Zoom.

The Chairman was pleased to attend the virtual Public Sector Compact Apprenticeship Celebration Event last month, where he was invited to speak about the importance of the apprenticeship scheme and in particular how Lincolnshire County Council contributed greatly to this. It was inspiring to hear from providers who reported on how apprentices had continued to progress with focus and determination, despite facing such unique and difficult challenges, and this was recognised and celebrated.

On a sadder note, the Chairman reported the death of the following former County Councillors:

Mrs Edna Chapman who represented the Grantham North West electoral division from 1985 until 1993 and again from 2001 until 2009. Mrs Chapman served as Chairman of the Council for the year 2005-2006.

Mr Jim Dodsworth who represented Wainfleet and Burgh electoral division from 1981 until 2001.

A number of members paid tribute to the two former councillors.

## 52 QUESTIONS TO THE CHAIRMAN, THE LEADER, EXECUTIVE COUNCILLORS, CHAIRMEN OF COMMITTEES AND SUB-COMMITTEES

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

| <u>Question by:</u> | <u>Answered by:</u> | <u>Subject</u>                                   |
|---------------------|---------------------|--|
| a) A N Stokes       | Mrs S Woolley       | Update on Covid-19 community fund scheme         |
| b) Mrs J E Killey   | R G Davies          | Pavement quality and repairs                     |
| c) Mrs A M Newton   | C J Davie           | International trade strategy                     |
| d) M D Boles        | Mrs S Woolley       | Services at John Copeland Hospital, Gainsborough |

|                        |                      |  |
|------------------------|----------------------|--|
| e) M A Whittington     | R G Davies           | Viking Way footpath through Allington misuse                             |
| f) Mrs M J Overton MBE | M J Hill OBE         | References to Greater Lincolnshire                                       |
| g) R Grocock           | R G Davies           | Pothole clusters in the south of the county                              |
| h) R A Renshaw         | E J Poll             | Provision for local jobs in contract tendering                           |
| i) Mrs A M Austin      | M J Hill OBE         | Use of emergency grant money received for Covid-19                       |
| j) C Matthews          | C J Davie            | County Council grants for businesses                                     |
| k) K J Clarke          | Mrs P A Bradwell OBE | Assistance for schools when they re-open                                 |
| l) A P Maughan         | Mrs P A Bradwell OBE | Additional funding for supporting domestic abuse victims during lockdown |
| m) P M Key             | Mrs S Woolley        | Services at John Copeland Hospital, Gainsborough                         |
| n) R B Parker          | M J Hill OBE         | County Council elections   |
| o) R J Kendrick        | C N Worth            | Update on roll out of new fire appliances.                               |

53      COUNCIL BUDGET 2021/22

(NOTE: Councillors S R Parkin and S P Roe left the meeting at 11.07am)

A report by the Executive Director – Resources had been circulated together with a separate document entitled 'Council Budget 2021/22' which described the Executive's Budget and council tax proposals.

**4**  
**COUNCIL**  
**19 FEBRUARY 2021**

RESOLVED

- (1) That there be one debate;
- (2) That 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;
- (3) That proposers of the amendments each be allowed to speak without limit of time;
- (4) That Councillors seconding the motions each be allowed to speak for six minutes;
- (5) That other speakers be allowed to speak for three minutes; and
- (6) That no further amendments be moved

It was moved and seconded that the Council:

Council Budget 2020/21

1. approves that the budget for 2020/21 be amended as follows:
  - 1.1 a new Support for Businesses Reserve of £12.000m be created for the purpose of implementing schemes for supporting Lincolnshire businesses, by a transfer of £12.000m from the Financial Volatility Reserve; and
  - 1.2 £0.200m be transferred from the Financial Volatility Reserve to the existing Flood and Water Risk Management reserve for the purpose of providing 5,000 sandbags across the county, the part refilling of grit bins throughout the winter, and localised sandbags provided for emergency response to Parish Councils.

Council Budget 2021/22

2. has due regard to the responses to the consultation on the Council's budget proposals as contained in the appended Budget Book (Appendix D - Budget Consultation Feedback);
3. 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 11 - Section 151 Officer's Statement on the Robustness of the Budget and Adequacy of Reserves);
4. has due regard to the Impact Analysis relating to increasing the Council Tax by 1.99% in 2021/22 set out in the appended 'Budget Book' (Appendix C – Impact Analysis relating to increasing the Council Tax by 1.99% in 2021/22);



5. approves:

5.1 the service revenue budgets for 2021/22 contained in the appended Budget Book, (Table 2 - Net Service Revenue Budget 2021/22) subject to the addition of £25k recurring expenditure in 'Other Budgets' to cover the County Council's share of the cost of Lincolnshire District Councils providing discretionary Council Tax relief for Special Constables, with a corresponding reduction of £25k in the proposed transfer to the Financial Volatility Reserve Earmarked Reserve;

5.2 the capital programme and its funding contained in the appended Budget Book (Section 8 - Capital Programme) and (Appendix P - Capital Programme), subject to the addition of a further £2.3m to the new Rural Road Fund to maintain Highways funding at record levels, with the stated purpose of the fund to be amended to read "Investment Fund for Rural Roads across the county, with priority primarily afforded to minor rural and unclassified roads". This will be funded by a corresponding reduction of the New Developments Capital Contingency Fund in 2021/22 only;

5.3 the County Council element of the council tax for a Band D property at £1,364.16 for 2021/22 contained in the appended Budget Book (Appendix B - County Precept 2021/22);

as together being the Council's Budget.

6. approves the Council's Medium Term Financial Strategy contained in the appended Budget Book (Appendix E – Medium Term Financial Strategy);
7. approves the Council's Capital Strategy 2021/22 contained in the appended Budget Book (Appendix O – Capital Strategy 2021/22);
8. approves the Council's Flexible Use of Capital Receipts Strategy 2021/22 contained in the appended Budget Book (Appendix G - Flexible Use of Capital Receipts Strategy);
9. approves the prudential targets for capital finance and notes the prudential indicators contained in the appended Budget Book (Appendix N - Prudential Indicators);
10. 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 10 - Minimum Revenue Provision).

An amendment was moved and seconded by the Councillor R B Parker and R A Renshaw on behalf of the Labour Group as follows:

The Labour Group's alternative budget again recognises that our residents look to the County Council to provide important services which protect and promote their interests. This is particularly true at this time when Covid-19 continues to have a major impact on the lives

of many of our residents, families and businesses. The budget put forward by the Conservative Group only deals with some of the issues presented by the Covid-19 pandemic. In particular there is scant recognition by way of extra funding of the serious educational and social challenges that many children and young people are and will continue to face because of Covid-19. This alternative budget deals with that deficiency through making sufficient and effective use of the balances available to the County Council at this time of need. Because, after all, that is what balances are for. Despite a council commitment to a 'Green Agenda' there is little recognition in the budget put forward by the controlling group of new innovative developments aimed at reducing carbon emissions. Under this revised budget, the balances going forward will stand at £27.773m.

It is proposed therefore that the following amendments are made to the circulated 'Council Budget 2021/22' report:

### **Extra Revenue Spending 2021/22 and succeeding years**

|    |   | <b>2021/<br/>22</b> | <b>2022/23<br/>and<br/>2023/24</b> |
|----|---|---------------------|------------------------------------|
| 1a | <p><b>Emotional Wellbeing and Mental Health Support for Children and Young People.</b></p> <p>This funding would be used to strengthen our response to the emerging emotional wellbeing and mental health needs of children and young people across Lincolnshire. It is well documented that the impact of the pandemic has been severe and supporting children and young people is essential to mitigate long lasting effects. The funding would provide additional capacity across our established pathways to reduce and prevent waiting times and allow services to be responsive to need as it emerges. This will include our preventative, early intervention and specialist services.</p>  | £3.000m             | -                                  |
| 1b | <p>Extension to the catch up programme (for 1 further year)<br/>The additional support should enhance the Government Funded Catch Up Funding which is set to provide £80 to schools for mainstream pupils and £240 for pupils in Special schools and APs.</p> <p>To ensure that catch up funding is targeted appropriately and teachers are skilled in addressing gaps in learning, schools should be supported in ensuring that assessment for all year groups is accurate. A group of trained professionals would deliver training to all schools (at a cost of £0.185m) and work with teachers across schools to ensure teachers are able to identify gaps in learning and address these in the most effective way – this would be based on a monitoring and moderation model for targeted support and a system wide offer, and provide governance.</p> <p>Schools would then be given additional funding to provide catch up for their pupils in the way that leaders determine best fits with their school priorities. This could include individual and small group support for pupils or additional teaching time either before or after</p> | £7.000m             | -                                  |

|     |   |                |          |
|-----|---|----------------|----------|
|     | <p>school. Sessions should be delivered by highly skilled experts to ensure pupils make the best progress possible. Schools could use some of the funding to purchase equipment so pupils can access the high quality materials already provided by Oak Academy and integrate these into face to face delivery so pupils access bespoke programmes which are designed to meet their needs.</p> <p>Schools could use some of the funding for holiday catch up programmes to support pupils in catching up with the content of the curriculum but also to develop broader social skills pupils have missed whilst being at home.</p> <p>There should be a particular focus on transition year groups who will be moving onto their next phase of education who may have missed a substantial part of their course. This includes children in the Reception cohort, those in Year 6 due to start secondary school, those in Year 8 or 9 due to start GCSE courses and those in Year 11 looking to move into the next stage of education.</p> <p>A mechanism for providing this funding to schools would need to be agreed with the DfE</p> |                |          |
| 1c  | <p><b>Additional funds for the virtual school for addition tuition for Looked After Children:</b><br/> This would provide catch up programmes using additional tutoring for 300 children young people from years 4-11 for 12 months</p>   | £0.400m        | -        |
| 2a  | <p><b>Touring Exhibition – Usher Gallery</b><br/> Presentation of the Exhibition</p>  | £0.050m        | -        |
| 3a  | <p><b>Green Master Plan: Sustainability Projects</b><br/> Solar Canopies:<br/> This project would develop solar canopies for car parks that incorporated panels to generate electricity. The canopies could include electric vehicle charging points that utilised the electricity generated from the panels</p>  | £0.300m        | -        |
| 3b. | <p><b>Green Master Plan: Sustainability Projects</b><br/> LCC Buildings:<br/> Installation of solar panels to LCC owned buildings</p>   | £0.250m        | -        |
| 3c  | <p><b>Green Master Plan: Sustainability Projects</b><br/> Schools:<br/> Energy efficiency programme in LCC maintained schools to reduce running costs for schools and reduce carbon emissions for LCC</p>   | £1.000m        | -        |
| 3d  | <p><b>Green Master Plan: Sustainability Projects</b><br/> Create a fund to purchase low grade land for habitat development. At the same time the project could generate income through carbon credits</p>   | £0.750m        | -        |
|     | <b>Total Extra Revenue Spending</b>   | <b>£12.75m</b> | <b>-</b> |

**Extra Capital Spending 2021/22 and succeeding years**

|    |   |               |               |
|----|---|---------------|---------------|
| 1. | <p><b>Street Lighting LEDS</b><br/> £7m over three years to implement full LED conversion with aggressively dimmed all-night lighting and re-visit existing part-night lit LEDs to make all night and aggressively dimmed</p> | £2.330m       | £4.670m       |
|    | <b>Total Extra Capital Spending</b>   | <b>£2.33m</b> | <b>£4.67m</b> |

### **Funding of the Extra Spending 2021/22 and succeeding years**

The extra revenue spending is all one-off and will be funded via a drawdown from the Financial Volatility Reserve. The balance prior to the amendment as shown in the budget book (p71) is £40.483m and the commitments set out here would reduce that balance to £27.733m.

The extra capital spending is a three-year programme totalling £7m. This will be funded by top slicing the annual New Developments Capital Contingency Fund which is set at £7.5m per annum as shown in the budget book (p116) and reduce it to £5.17m per annum for the three years 2021/22 to 2023/24.

### **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.

The capital proposals make use of a proportion of the annual capital contingency for the first three years of the plan and therefore means less flexibility to bring forward new proposals in year.

The revenue proposals make use of a significant drawdown of the Financial Volatility reserve. Reiterating my comments from Section 11 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.

In accordance with the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014, a recorded vote was held for the amendment, and upon it being put to the vote, the amendment was lost.

Details of the recorded vote taken:

Those for the amendment:

M D Boles, K J Clarke, G E Cullen, P M Key, Mrs J E Killey, Mrs M J Overton MBE, R B Parker and R A Renshaw

Those voting **FOR – 8**

Those voting against the amendment:

B Adams, W J Aron, P Ashleigh-Morris, T R Ashton, Mrs A M Austin, Mrs W Bowkett, Mrs P A Bradwell OBE, D Brailsford, C J T H Brewis, T Bridges, Mrs J Brockway, M Brookes, R D Butroid, L A Cawrey, P E Coupland, C J Davie, R G Davies, B M Dobson, M T Fido, I G

Fleetwood, R L Foulkes, M A Griggs, R Grocock, A G Hagues, M J Hill OBE, R J Kendrick, Mrs C J Lawton, C S Macey, C E H Marfleet, C Matthews, A P Maughan, D McNally, Mrs A M Newton, C R Oxby, N H Pepper, C L Perraton-Williams, E J Poll, C E Reid, R P H Reid, P A Skinner, Mrs E J Sneath, H Spratt, A N Stokes, M J Storer, E W Strenziel, M E Thompson, R H Trollope-Bellew, M A Whittington, Mrs S Woolley, L Wootten, R Wootten, C N Worth and B Young.

Those voting **AGAINST – 53**

**ABSTENTIONS – 0**

In accordance with the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014, a recorded vote on the motion was taken. Upon being put to the vote, the motion was carried.

Details of the recorded vote taken:

Those voting for the motion:

B Adams, W J Aron, P Ashleigh-Morris, T R Ashton, Mrs A M Austin, M D Boles, Mrs W Bowkett, Mrs P A Bradwell OBE, D Brailsford, C J T H Brewis, T Bridges, Mrs J Brockway, M Brookes, R D Butroid, L A Cawrey, P E Coupland, C J Davie, R G Davies, B M Dobson, M T Fido, I G Fleetwood, R L Foulkes, M A Griggs, R Grocock, A G Hagues, M J Hill OBE, R J Kendrick, P M Key, Mrs C J Lawton, C S Macey, C E H Marfleet, C Matthews, A P Maughan, D McNally, Mrs A M Newton, Mrs M J Overton MBE, C R Oxby, N H Pepper, C L Perraton-Williams, E J Poll, C E Reid, R P H Reid, P A Skinner, Mrs E J Sneath, H Spratt, A N Stokes, M J Storer, E W Strenziel, M E Thompson, R H Trollope-Bellew, M A Whittington, Mrs S Woolley, L Wootten, R Wootten, C N Worth and B Young.

Those voting **FOR – 56**

Those voting against the amendment:

K J Clarke, Mrs J E Killey, R B Parker and R A Renshaw.

Those voting **AGAINST – 4**

Those Abstaining:

G E Cullen

**ABSTENTIONS – 1**

RESOLVED

That the Council:

Council Budget 2020/21

1. approves that the budget for 2020/21 be amended as follows:
  - 1.1 a new Support for Businesses Reserve of £12.000m be created for the purpose of implementing schemes for supporting Lincolnshire businesses, by a transfer of £12.000m from the Financial Volatility Reserve; and
  - 1.2 £0.200m be transferred from the Financial Volatility Reserve to the existing Flood and Water Risk Management reserve for the purpose of providing 5,000 sandbags across the county, the part refilling of grit bins throughout the winter, and localised sandbags provided for emergency response to Parish Councils.

Council Budget 2021/22

That the Council:

2. has due regard to the responses to the consultation on the Council's budget proposals as contained in the appended Budget Book (Appendix D - Budget Consultation Feedback);
3. 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 11 - Section 151 Officer's Statement on the Robustness of the Budget and Adequacy of Reserves);
4. has due regard to the Impact Analysis relating to increasing the Council Tax by 1.99% in 2021/22 set out in the appended 'Budget Book' (Appendix C – Impact Analysis relating to increasing the Council Tax by 1.99% in 2021/22);
5. approves:
  - 5.1 the service revenue budgets for 2021/22 contained in the appended Budget Book, (Table 2 - Net Service Revenue Budget 2021/22) subject to the addition of £25k recurring expenditure in 'Other Budgets' to cover the County Council's share of the cost of Lincolnshire District Councils providing discretionary Council Tax relief for Special Constables, with a corresponding reduction of £25k in the proposed transfer to the Financial Volatility Reserve Earmarked Reserve;
  - 5.2 the capital programme and its funding contained in the appended Budget Book (Section 8 - Capital Programme) and (Appendix P - Capital Programme), subject to the addition of a further £2.3m to the new Rural Road Fund to maintain Highways funding at record levels, with the stated purpose of the fund to be amended to read "Investment Fund for Rural Roads across the county, with priority primarily afforded to minor rural and unclassified roads". This will be funded by a corresponding reduction of the New Developments Capital Contingency Fund in 2021/22 only;

5.3 the County Council element of the council tax for a Band D property at £1,364.16 for 2021/22 contained in the appended Budget Book (Appendix B - County Precept 2021/22);

as together being the Council's Budget.

6. approves the Council's Medium Term Financial Strategy contained in the appended Budget Book (Appendix E – Medium Term Financial Strategy);
7. approves the Council's Capital Strategy 2021/22 contained in the appended Budget Book (Appendix O – Capital Strategy 2021/22);
8. approves the Council's Flexible Use of Capital Receipts Strategy 2021/22 contained in the appended Budget Book (Appendix G - Flexible Use of Capital Receipts Strategy);
9. approves the prudential targets for capital finance and notes the prudential indicators contained in the appended Budget Book (Appendix N - Prudential Indicators);
10. 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 10 - Minimum Revenue Provision).

(NOTE: Councillor S P Roe rejoined the meeting at 12.42pm)

54     PAY POLICY STATEMENT

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

It was moved, seconded and

RESOLVED

That the Council approves the Pay Policy Statement 2021/22 attached at Appendix A to the report, as recommended by the Pay Policy Sub-Committee.

(Note: Councillor S R Parkin rejoined the meeting at 12.48pm)

55     LINCOLNSHIRE COUNTY COUNCIL'S GREEN MASTERPLAN

A report by the Executive Director – Place had been circulated.

(NOTE: Councillor H Spratt left the meeting at 12.54pm)

It was moved, seconded and

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COUNCIL  
19 FEBRUARY 2021**

RESOLVED

That the County Council supports the Green Masterplan as attached as Appendix A to the report.

(NOTE: The meeting was adjourned at 1.20pm and reconvened at 1.50pm)

(NOTE: Councillors P Ashleigh-Morris and R D Butroid did not rejoin the meeting when it reconvened)

**56      REVIEW OF THE LINCOLNSHIRE MINERALS AND WASTE LOCAL PLAN**

A report by the Executive Director – Place had been circulated.

It was moved, seconded and

RESOLVED

That the County Council:

1. Approves the document attached to the report as Appendix A for publication as the "Review of the Lincolnshire Minerals and Waste Local Plan – February 2021".
2. Approves the document attached as Appendix B to the report for publication as the "Lincolnshire Minerals and Waste Development Scheme – February 2021" and resolve that it takes effect on 19 February 2021.
3. Authorises the updating of the Lincolnshire Minerals and Waste Local Plan as a whole in accordance with the Lincolnshire Minerals and Waste Development Scheme referred to in the recommendation above.

(NOTE: Councillor E J Poll left the meeting at 2.09pm)

**57      CHANGES TO THE CONSTITUTION**

A report by the Monitoring Officer had been circulated.

It was moved, seconded and

RESOLVED

That the Council approves the changes to the Constitution shown in Appendices A, B, C and D of the report.



58 EXECUTIVE DECISION - RULE 17 (SPECIAL URGENCY)

A report by the Leader of the Council had been circulated.

It was moved, seconded and

RESOLVED

That the decision made under Rule 17 of the Access to Information Procedure Rules in the Council's Constitution by the Chief Executive be noted.

(NOTE: Councillor S P Roe left the meeting at 2.20pm)

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

(NOTE: Councillor R P H Reid left the meeting at 2.21pm)

Motion by C J Davie

It was moved and seconded as follows:

In 2012 this Council signed the Nottingham Declaration on Climate Change and we have made significant progress in reducing the Councils Carbon footprint to date. The Executive recently approved the Green Masterplan, that we debated earlier today, and this is the Council's road map to becoming zero carbon by 2050.

We also note the Greater Lincolnshire Local Enterprise Partnerships significant involvement and support for the low carbon economy which has an economic value to the area of £1.2bn per annum and holds enormous potential for future investment of up to £60bn over the next 15 years. Already employing over 12,000 people the newly announced off shore wind licenses, issued by the Crown Estate, presents further opportunities for growth, not just in offshore wind but in other technologies such as hydrogen and carbon capture that are setting up in our wider economic area and are part of long term Government initiatives.

In 2013 this council agreed a Wind Energy Position statement due to the enormous public concern over large scale industrial wind farms coming into the County area and the harm they would cause to our visual amenity and landscape settings which are a significant driver for our visitor economy. In 2015 the government's own position statement made it clear that communities must support any local application for wind turbines before it could be approved and this is explicit in Paragraph 154 (b) of the National planning policy Framework. This motion seeks to update this councils position statement, especially as the turbines which were of concern in 2013 have been replaced by much bigger units having a much greater visual impact.

This Council and the GLLEP both recognise the huge importance of our County for its role in the agri-food sector, especially for high quality food production and for supporting the requirements of the supply chain to meet contractual requirements to achieve zero-carbon targets. It is therefore vital the County's highly prized Grade 1 Agricultural land is, wherever feasible, protected solely for the production of food and for the appropriate investment in new technologies to achieve zero-carbon targets to be supported across the agri-food sector.

Within the strategic Economic plan is the need to progress 100,000 new homes in the GLLEP area by 2035. In Lincolnshire the progress to modern zero carbon homes has been painfully slow and leadership is now required to push developers to build the homes of the future. The arguments often used by developers against such a move vary but if whole life costings are used as a benchmark then there are no arguments that will prevail against Lincolnshire leading the way in building the homes that a modern, environmentally and socially aware workforce require. The public sector can set the standard for the properties that they seek to build as landowner and promoter of new development sites

It is therefore moved:

1. That this Council should play a leadership role in encouraging the take up of zero carbon policies across the entire public sector. We should therefore encourage and instigate joint initiatives to help the County, as a place, to deliver a zero carbon future.
2. To recognise the work of GLLEP on the wider low carbon agenda and creation of new green jobs which this council endorses. This Council will provide, through its economy team and working with GLLEP, advice and support to all sectors, businesses and the supply chain who request it, who wish to embrace the green jobs agenda and the Governments Green Industrial strategy.
3. We reaffirm our support for the 2013 Wind Energy Position statement and accordingly amend it thus:
  - a) The Council responds to all revising local plans and suggests that Paragraph 154(b) of the NPPF is made explicit in all local plans - that majority community support must be demonstrated before any development is passed;
  - b) As a council we object to all applications for on-shore wind turbines, other than for small scale (1-2 turbines), which are specifically linked to development and business sustainability issues and subject to them complying with all other planning policy considerations;
  - c) This council recognises the importance of our landscape and big open skies as a significant economic driver for our Visitor economy and for the role of the RAF in the County and this must be protected for future generations to enjoy and use.
4. Of increasing importance post-Brexit is the fact that the County makes one of the largest contributions to the fresh produce supply for the nation. We recognise the value of our land, particularly Grade 1. Therefore we will object to any development

proposal on Grade 1 land, unless it is temporary, time-limited, provides demonstrable alternative environmental benefits or where there is no viable alternative.

5. The wider Lincolnshire area should seek to lead by example on new housing growth and therefore this Council supports a position that all new development in the County should be designed and built to Zero Carbon standards. We request the Director of Place to communicate our view on this subject to the Local Planning Authorities, working with them and supporting them in the achievement of this position.

Upon being put to the vote, the motion was carried.

(NOTE: Councillor D McNally left the meeting at 2.51pm and Councillor R H Trollope-Bellew left the meeting at 2.53pm)

Motion by Councillor R B Parker

It was moved and seconded as follows:

In April 2020 weekly payments of Universal Credit were increased by £20 a week to provide extra support during the Coronavirus pandemic. That increase is set to be withdrawn on 31 March.

In January the Resolution Foundation warned that millions face the sharpest drop in living standards in a generation and the decision whether to keep the benefit uplift would “help define whether this is to be a Parliament of ‘levelling up’ living standards or pushing up poverty”.

Earlier this month a report by MPs on the House of Commons Work and Pensions committee argued that removing the extra payment as planned by the government would represent a ‘failure’ by government to recognise the reality of people struggling as a result of the pandemic.

The cost to the Exchequer of extending the £20 a week uplift for six months would be £3 billion. But that sum should be seen in the context of a total cost to date of £260 billion on responding to the Coronavirus pandemic and the annual cost of £100 billion spent on working age welfare payments.

The table below shows the sheer size of the increase in the number of Lincolnshire people claiming Universal Credit over the last year or so across nine of our centres of population.

|              | December 2019 | December 2020 | % change |
|--------------|---------------|---------------|----------|
| Boston       | 3562          | 8372          | 135.04%  |
| Gainsborough | 2274          | 4111          | 80.78%   |
| Grantham     | 3180          | 6094          | 91.64%   |

**16**  
**COUNCIL**  
**19 FEBRUARY 2021**

|          |       |       |         |
|----------|-------|-------|---------|
| Lincoln  | 8852  | 17973 | 103.04% |
| Louth    | 1264  | 2549  | 101.66% |
| Skegness | 4626  | 8229  | 77.89%  |
| Sleaford | 1455  | 3529  | 142.54% |
| Spalding | 3312  | 7706  | 132.67% |
| Stamford | 3056  | 6503  | 112.79% |
| Total    | 31581 | 65066 |         |

It is therefore moved that this Council:

- (1) notes the large numbers of Lincolnshire people likely to be left struggling financially by the ending on 31 March of the £20 a week uplift in Universal Credit.
- (2) calls on the Leader of the Council to write to the Chancellor of the Exchequer:-
  - (a) making the point that the uplift of Universal Credit has had a positive impact on the lives of many families and that now is not the right time to end the uplift and
  - (b) calling on the Chancellor to extend the uplift for six months to allow time for the UK economy to expand following the easing of lock-down restrictions and the greater numbers of people having been vaccinated. The situation then to be reviewed in the light of known health factors.

(NOTE: Councillor A G Hagues left the meeting at 3.16pm)

Upon being put to the vote the motion was carried.

The meeting closed at 3.18 pm



**Open Report on behalf of Andrew Crookham, Executive Director - Resources**

|            |  |
|------------|--|
| Report to: | <b>County Council</b>  |
| Date:      | <b>21 May 2021</b>   |
| Subject:   | <b>Lincolnshire County Council Election – Return of Persons Elected – 6 May 2021</b> |

**Summary:**

The purpose of this item is formally to report to the County Council the outcome of the Lincolnshire County Council's Elections, which took place on 6 May 2021.

**Recommendation:**

That the Return of Persons Elected following the Lincolnshire County Council Elections on 6 May 2021, as set out in Appendix A to this report, be noted.

**1. Background**

The Lincolnshire County Council elections took place on 6 May 2021. The councillors elected to represent the 70 divisions in Lincolnshire are listed in alphabetical order by surname, in Appendix A to this report.

**2. Legal Issues:**

Equality Act 2010

Under section 149 of the Equality Act 2010, the Council must, in the exercise of its functions, have due regard to the need to:

- \* Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act
- \* Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
- \* Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

The relevant protected characteristics are age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; and sexual orientation

Having due regard to the need to advance equality of opportunity involves having due regard, in particular, to the need to:

\* Remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic

\* Take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it

\* Encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low

The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities

Having due regard to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to tackle prejudice, and promote understanding

Compliance with the duties in section 149 may involve treating some persons more favourably than others

The duty cannot be delegated and must be discharged by the decision-maker. To discharge the statutory duty the decision-maker must analyse all the relevant material with the specific statutory obligations in mind. If a risk of adverse impact is identified consideration must be given to measures to avoid that impact as part of the decision making process

There are no direct implications in relation to accepting the decision.

#### Joint Strategic Needs Assessment (JSNA and the Joint Health and Wellbeing Strategy (JHWS)

The Council must have regard to the Joint Strategic Needs Assessment (JSNA) and the Joint Health and Wellbeing Strategy (JHWS) in coming to a decision

There are no direct implications of the decision for the JSNA or JHWS.

#### Crime and Disorder

Under section 17 of the Crime and Disorder Act 1998, the Council must exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent crime and disorder in its area (including anti-social and other behaviour adversely affecting the local environment), the misuse of drugs, alcohol and other substances in its area and re-offending in its area.

There are no direct implications of the decision for crime and disorder.

### **3. Conclusion**

The County Council is requested to note the outcome of the Lincolnshire County Council Elections on 6 May 2021, as set out in Appendix A to this report.

**4. Legal Comments:**

There are no legal implications arising out of the acceptance of the recommendation in this report.

**5. Resource Comments:**

There are no material financial consequences arising from accepting the recommendation in this report.

**6. Consultation****a) Has Local Member Been Consulted?**

n/a

**b) Has Executive Councillor Been Consulted?**

n/a

**c) Scrutiny Comments**

n/a

**d) Risks and Impact Analysis**

n/a

**7. Appendices**

|   |   |
|---|---|
| These are listed below and attached at the back of the report |   |
| Appendix A  | Return of Persons elected as County Councillors for the Lincolnshire County Council Electoral Divisions |

**8. Background Papers**

No Background Papers within Section 100D of the Local Government Act 1972 were used in the preparation of this report.

This report was written by Nigel West, who can be contacted on 07880 500844 or [nigel.west@lincolnshire.gov.uk](mailto:nigel.west@lincolnshire.gov.uk)

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**LINCOLNSHIRE COUNTY COUNCIL**

**County Election – 6 May 2021**

**Return of Persons Elected as County Councillors for the Lincolnshire County Council Electoral Divisions**

| <b><u>Name</u></b>    | <b><u>Electoral Division</u></b> | <b><u>Description</u></b> |
|-----------------------|----------------------------------|---------------------------|
| Adams, W R            | Colsterworth Rural               | Conservative              |
| Allan, M G            | Sleaford                         | Conservative              |
| Ashleigh-Morris, P    | Boston West                      | Conservative              |
| Ashton, T R           | Tattershall Castle               | Conservative              |
| Austin, Mrs A M       | Boston South                     | Independent               |
| Baxter, A J           | Deepings West & Rural            | Independent               |
| Blackburn, S A J      | Skegness South                   | Conservative              |
| Boles, M D            | Gainsborough Hill                | Liberal Democrat          |
| Bowkett, Mrs W        | Wainfleet                        | Conservative              |
| Bradwell OBE, Mrs P A | Woodhall Spa & Wragby            | Conservative              |
| Brockway, Mrs J       | Nettleham & Saxilby              | Conservative              |
| Brookes, M            | Boston Rural                     | Conservative              |
| Bunney, S             | Market Rasen Wolds               | Liberal Democrat          |
| Butroid, R D          | Gainsborough Rural South         | Conservative              |
| Carrington, I D       | Potterhanworth & Coleby          | Conservative              |
| Carter, T A           | Holbeach                         | Conservative              |
| Cawrey, L A           | Washingborough                   | Conservative              |
| Clarke, K J           | Boultham                         | Labour                    |
| Clarke, M             | Hartsholme                       | Conservative              |
| Clarke, N F           | St Giles                         | Conservative              |
| Cleaver, R J          | Stamford West                    | Independent               |
| Cooke, K H            | Stamford East                    | Conservative              |
| Coupland, P E         | Holbeach Rural                   | Conservative              |

|                 |                             |                               |
|-----------------|-----------------------------|-------------------------------|
| Dani, A         | Boston North                | Conservative                  |
| Davie, C J      | Ingoldmells Rural           | Conservative                  |
| Davies, R G     | Grantham West               | Conservative                  |
| Dilks, P M      | Deepings East               | Independent                   |
| Dyer, T J G     | Waddington & Hykeham East   | Conservative                  |
| Fleetwood, I G  | Bardney & Cherry Willingham | Conservative                  |
| Gibson, R A     | Spalding East               | South Holland<br>Independents |
| Gray, W         | Horncastle & the Keals      | Conservative                  |
| Griggs, M A     | Skirbeck                    | Conservative                  |
| Hagues, A G     | Sleaford Rural              | Conservative                  |
| Hall, A M       | Louth North                 | Conservative                  |
| Hill OBE, M J   | Folkingham Rural            | Conservative                  |
| Kendrick, R J   | Metheringham Rural          | Conservative                  |
| Key, A M        | Heckington                  | Conservative                  |
| Killey, Mrs J E | Park                        | Labour                        |
| King, J L       | Donington Rural             | South Holland<br>Independents |
| Lee, K E        | Ermine & Cathedral          | Labour                        |
| Macey, C S      | Skegness North              | Conservative                  |
| Marfleet, C E H | Louth Wolds                 | Conservative                  |
| Matthews, C     | Alford & Sutton             | Conservative                  |
| Maughan, A P    | Hough                       | Conservative                  |
| McNally, D      | Saltfleet & the Cotes       | Conservatives                 |
| Newton, Mrs A M | Spalding West               | South Holland<br>Independents |

|                        |                        |                           |
|------------------------|------------------------|---------------------------|
| Overton MBE, Mrs M J   | Bassingham & Welbourn  | Lincolnshire Independents |
| Parker, R B            | Carholme               | Labour                    |
| Parkin, S R            | Louth South            | Independent               |
| Pepper, N H            | Crowland               | Conservative              |
| Perraton-Williams, C L | Scotter Rural          | Conservative              |
| Rawlins, Mrs S         | Welton Rural           | Conservative              |
| Reid, R P H            | Bourne South & Thurlby | Conservative              |
| Roe, S P               | Hykeham Forum          | Conservative              |
| Sear, N                | Mablethorpe            | Conservative              |
| Skinner, P A           | Boston Coastal         | Conservative              |
| Smith, T               | North Wolds            | Conservative              |
| Sneath, E J            | Spalding Elloe         | Conservative              |
| Spratt, H              | Swallow Beck & Witham  | Conservative              |
| Stokes, A N            | Grantham South         | Conservative              |
| Strengiel, E W         | Birchwood              | Conservative              |
| Taylor, G J            | Spalding South         | Conservative              |
| Thompson, M E          | Eagle & Hykeham West   | Conservative              |
| Tyrell, J              | The Suttons            | Conservative              |
| Whittington, M A       | Grantham Barrowby      | Conservative              |
| Woolley, Mrs S         | Bourne North & Morton  | Conservative              |
| Wootten, L             | Grantham East          | Conservative              |
| Wootten, R             | Grantham North         | Conservative              |
| Wright, R A            | Ruskington             | Conservative              |
| Young, T V             | Gainsborough Trent     | Liberal Democrat          |

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**Open Report on behalf of Andrew Crookham, Executive Director - Resources**

|            |   |
|------------|---|
| Report to: | <b>County Council</b>   |
| Date:      | <b>21 May 2021</b>  |
| Subject:   | <b>Political Proportionality and Allocation of seats to Committees and Sub-Committees</b> |

**Summary:**

The holding of the County Council's Annual Meeting requires a review of the political proportionality and allocation of seats on committees and sub-committees.

This report invites the Council to note the political make-up of the council caused by the election and approve the allocation of seats.

**Recommendation:**

That the Council approves the allocation of seats set out in the proportionality spread sheet at Appendix A circulated with the Order of Proceedings of this meeting.

## **1. Background**

1.1 The Council is required by the Local Government and Housing Act 1989 and the Local Government (Committees and Political Groups) Regulations 1990 (as amended) to review the allocation of places to political groups on committees and sub-committees. Under the Council's Constitution the composition of committees and sub-committees is the responsibility of the full Council. This was last reviewed at the meeting of Council on 11 December 2020.

1.2 On 6 May 2021 a county council election was held to decide who should represent the 70 county council divisions. The Return of Persons Elected was reported to this meeting at Item 7 on the Agenda.

1.3 At the time of writing this report the full impact of the changes brought about by the election on the political group structure of the Council was still being determined but it is known that the Council will be at least partially divided into political groups. A review of the allocation of seats is required to be carried out at or as soon as practicable after the Annual Meeting if the Council is divided into political groups at the time of the meeting.

1.4 There is therefore a requirement to review the allocation of seats on committees and sub-committees.

1.5 In achieving political proportionality as far as reasonably practicable the 1989 Act requires the Council to apply certain principles in order as follows:

- Not all the seats on the committee are allocated to the same group
- The majority of seats on the committee are allocated to a particular political group if the number of persons belonging to that group is a majority of the authority's membership.
- The number of seats allocated to a political group on the committees of the Council bears the same proportion to all the seats on such committees as the membership of that group bears to the membership of the Council as a whole and
- The number of seats allocated to a political group on an individual committee bears the same proportion to the number of all the seats on that committee as the membership of that group bears to the membership of the Council as a whole.

1.6 For the purposes of the last two bullet points in paragraph 1.5 the membership of each group must be compared to the membership of the Council to establish the correct proportion to be used in the allocation of seats. Under Schedule 1 of the 1989 Act membership means the number of persons who are members for the time being of the authority. The number of members at the time of this decision is therefore 70 and it is this number that has been used in the calculation of the proportion to be used in deciding on allocation.

1.7 Under Regulation 16 of the 1990 Regulations, where some of the members of the relevant authority are members of one or more political groups and the others are not, the Council's obligations are as follows:

- i) To determine the proportion of the total membership of the Council who are members of one or more political groups and ensure that the same proportion of the total number of seats to be filled is allocated to each of the political groups in the proportion that the number of members of that group bears to the membership of the authority; and
- ii) To secure that persons appointed to any seats that do not fall to be allocated to a political group under the above requirement are not a member of a political group.

A political group must have at least two members – i.e. there cannot be a group of one.

1.8 There are 127 seats that fall to be filled by the Council. A spreadsheet illustrating how the number of seats can be allocated while achieving the principles listed in paragraph 1.5 above, will be attached to the Order of Proceedings of the council meeting.

## 2. Legal Issues:

### Equality Act 2010

Under section 149 of the Equality Act 2010, the Council must, in the exercise of its functions, have due regard to the need to:

- \* Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act
- \* Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
- \* Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

The relevant protected characteristics are age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; and sexual orientation

Having due regard to the need to advance equality of opportunity involves having due regard, in particular, to the need to:

- \* Remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic
- \* Take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it
- \* Encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low

The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities

Having due regard to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to tackle prejudice, and promote understanding

Compliance with the duties in section 149 may involve treating some persons more favourably than others

The duty cannot be delegated and must be discharged by the decision-maker. To discharge the statutory duty the decision-maker must analyse all the relevant material with the specific statutory obligations in mind. If a risk of adverse impact is identified consideration must be given to measures to avoid that impact as part of the decision making process

There are not considered to be any equalities impacts arising out of considering and approving the allocation of seats on committees and sub-committees to political groups on the Council.

### Joint Strategic Needs Assessment (JSNA) and the Joint Health and Wellbeing Strategy (JHWS)

The Council must have regard to the Joint Strategic Needs Assessment (JSNA) and the Joint Health and Wellbeing Strategy (JHWS) in coming to a decision

There are no implications for the JSNA or JHWS in relation to the allocation of seats on committees and sub-committees to political groups on the Council.

### Crime and Disorder

Under section 17 of the Crime and Disorder Act 1998, the Council must exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent crime and disorder in its area (including anti-social and other behaviour adversely affecting the local environment), the misuse of drugs, alcohol and other substances in its area and re-offending in its area.

There are no implications in relation to Crime and Disorder arising from the allocation of seats on committees and sub-committees to political groups on the Council.

### **3. Conclusion**

It is a matter for the Council to allocate seats on committees and sub-committees to the political groups on the Council, which it must do in accordance with the law relating to proportionality.

### **4. Legal Comments:**

Council is required to allocate seats on the Committees of the Council to political groups in accordance with the law relating to proportionality as set out in the report.

The decision is within the remit of the Council.

### **5. Resource Comments:**

There are no material financial implications from acceptance of the recommendations in this report.

### **6. Consultation**

#### **a) Has Local Member Been Consulted?**

n/a

#### **b) Has Executive Councillor Been Consulted?**

n/a

#### **c) Scrutiny Comments**

n/a

#### **d) Risks and Impact Analysis**

There were no risks identified as a result of the recommendations in this report



## 7. Appendices

|  |  |
|--|--|
| To be circulated prior to the meeting attached to the Order of Proceedings |  |
| Appendix A   | Allocation of seats to committees and sub-committees |

## 8. Background Papers

No background papers within Section 100D of the Local Government Act 1972 were used in the preparation of this report

This report was written by Nigel West, who can be contacted on 07880 500844 or [nigel.west@lincolnshire.gov.uk](mailto:nigel.west@lincolnshire.gov.uk)

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**Open Report on behalf of Andrew Crookham, Executive Director - Resources**

|            |  |
|------------|--|
| Report to: | County Council   |
| Date:      | 21 May 2021  |
| Subject:   | Appointment of Chairmen and Vice-Chairmen of Committees and Sub-Committees (Except the Lincolnshire Health and Wellbeing Board, the Health Scrutiny Committee for Lincolnshire, the Bourne Town Hall Trust Management Committee and the Corporate Parenting Panel) |

**Summary:**

The purpose of the report is to consider the appointment of Chairmen and Vice-Chairmen of the Council's Committees and Sub-Committees for the Municipal Year 201/22.

**Recommendation:**

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

## 1. Background

The Council has approved, under the preceding item of business the allocation of seats to political groups and the appointments to Committees and Sub-Committees.

Appendix A setting out nominations for the appointment of Chairmen and Vice-Chairmen will be circulated in the Order of Proceedings for this meeting, a public document available on the Council's website.

## 2. Legal Issues:

### Equality Act 2010

Under section 149 of the Equality Act 2010, the Council must, in the exercise of its functions, have due regard to the need to:

- \* Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act
- \* Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it

\* Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

The relevant protected characteristics are age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; and sexual orientation

Having due regard to the need to advance equality of opportunity involves having due regard, in particular, to the need to:

\* Remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic

\* Take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it

\* Encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low

The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities

Having due regard to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to tackle prejudice, and promote understanding

Compliance with the duties in section 149 may involve treating some persons more favourably than others

The duty cannot be delegated and must be discharged by the decision-maker. To discharge the statutory duty the decision-maker must analyse all the relevant material with the specific statutory obligations in mind. If a risk of adverse impact is identified consideration must be given to measures to avoid that impact as part of the decision making process

There are not considered to be any equalities impacts arising out of considering and approving the appointment of Chairmen and Vice-Chairmen of Committees and Sub-Committees.

#### Joint Strategic Needs Assessment (JSNA and the Joint Health and Wellbeing Strategy (JHWS)

The Council must have regard to the Joint Strategic Needs Assessment (JSNA) and the Joint Health and Wellbeing Strategy (JHWS) in coming to a decision

There are no implications for the JSNA of JHWS in relation to the appointment of Chairmen and Vice-Chairmen of Committees and Sub-Committees.

### Crime and Disorder

Under section 17 of the Crime and Disorder Act 1998, the Council must exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent crime and disorder in its area (including anti-social and other behaviour adversely affecting the local environment), the misuse of drugs, alcohol and other substances in its area and re-offending in its area

There are no implications in relation to Crime and Disorder arising from the appointment of Chairmen and Vice-Chairmen of Committees and Sub-Committees.

### **3. Conclusion**

Under the Council's Constitution it is for the Council at the Annual Meeting of the Council to appoint the Chairmen and Vice-Chairmen of Committees and Sub-Committees, excluding the Health Scrutiny Committee for Lincolnshire, the Lincolnshire Health and Wellbeing Board, the Bourne Town Hall Trust Management Committee and the Corporate Parenting Panel. Councillors are asked to consider the nominations circulated in the Order of Proceedings for this meeting.

### **4. Legal Comments:**

The Council's Constitution provides for the Council to appoint the Chairmen and Vice-Chairmen of the Council's Committees and Sub-Committees, (with the exception of the Health Scrutiny Committee for Lincolnshire, the Lincolnshire Health and Wellbeing Board, the Bourne Town Hall Trust Management Committee and the Corporate Parenting Panel) and for appointments to take place at the Annual Meeting.

### **5. Resource Comments:**

There are no specific financial implications arising from the adoption of the recommendations in this report.

### **6. Consultation**

#### **a) Has Local Member Been Consulted?**

n/a

#### **b) Has Executive Councillor Been Consulted?**

#### **c) Scrutiny Comments**

n/a

**d) Risks and Impact and Impact Analysis**

n/a

**7. Appendices**

|   |  |
|---|--|
| These are listed below and attached at the back of the report |  |
| Appendix A  | Nominations for the positions of Chairmen and Vice-Chairmen of Committees and Sub-Committees – to be circulated as part of the Order of Proceedings for the meeting. |

**8. Background Papers**

No Background papers within Section 100D of the Local Government Act 1972 were used in the preparation of this report.

This report was written by Katrina Cope, who can be contacted on 07585 463994 or [Katrina.cope@lincolnshire.gov.uk](mailto:Katrina.cope@lincolnshire.gov.uk).



**Open Report on behalf of David Coleman, Monitoring Officer**

|            |   |
|------------|---|
| Report to: | <b>County Council</b>   |
| Date:      | <b>21 May 2021</b>  |
| Subject:   | <b>Council Constitution - Changes to the Lincolnshire Health and Wellbeing Board Terms of Reference and membership to incorporate the functions of the Integrated Care System Partnership Board</b> |

**Summary:**

The Council's Constitution has undergone a number of reviews in the last year including changes to the Scheme of Delegation to reflect changes to senior management arrangements and a review of Scrutiny arrangements.

No general changes to the Constitution are therefore proposed at this Annual Meeting

However, the Lincolnshire Health and Wellbeing Board, at its meeting on 9 March 2021, endorsed proposals to amend the terms of reference of the Board to incorporate the functions of the Integrated Care System Partnership Board and to extend the membership to include the local NHS Provider organisations. Revised terms of reference have been drafted to take account of the proposed changes.

Approval is now being sought from Council to the proposed amendments to enable the necessary changes to be made in the Constitution.

**Recommendation(s):**

That the Council:-

1. approves the proposal put forward by the Lincolnshire Health and Wellbeing Board to:
  - a. Change the terms of reference of the Health and Wellbeing Board to incorporate the functions of the Integrated Care System Partnership Board
  - b. Expand the memberships of the Health and Wellbeing Board as detailed in Section 5 of Appendix B
2. approves the amendments to the Constitution set out in Appendix C

## 1. Background

### 1.1 Statutory Context

Under Section 194 of the Health and Social Care Act (2012), all upper tier and unitary authorities are required to have a Health and Wellbeing Board (HWB) for its area. In 2013, the Lincolnshire HWB was formally established as a committee of Lincolnshire County Council. The functions of the HWB are set out in Sections 195 and 196 of the Act as set out in Appendix A. In addition to the statutory functions listed in Appendix A, the Act also makes provision for the local authority to delegate any powers or functions exercisable by the authority to the HWB.

The Act states the statutory core membership of the HWB is to consist of:

- at least one councillor of the local authority
- the Director of Adult Social Services for the local authority
- the Director of Children’s Services for the local authority
- the Director of Public Health for the local authority
- a representative of the local Healthwatch organisations for the area of the local authority
- a representative of each relevant Clinical Commissioning Group (CCG)
- such other persons, or representatives of such other persons, as the local authority thinks appropriate

County Councillor members of the HWB are directly appointed by the Leader of the Council. The current membership of the HWB, as detailed in the Council’s Constitution, is shown in Appendix A.

The HWB, whilst a committee of the Council is unlike other committees being a mixture of members and officers and of Council members and representatives of other bodies. As a result, it has adopted its own Terms of Reference which are consistent with those in the Constitution but go into more detail about the way the Committee works and the roles of the members of it.

### 1.2 Integrated Care Systems

The [Integration and Innovation: Working together to improve health and social care for all White Paper](#), announced on 11 February 2021 proposes legislative reform of the NHS. Instead of working independently, every part of the NHS, public health and social care system should seek ways to connect, communicate and collaborate so that the health and care needs of the local population are met. The proposals include establishing statutory Integrated Care Systems (ICS) made up of an ICS NHS Body and an ICS Partnership Board (ICSPB). This dual structure recognises that there are two forms of integration required:

- firstly, within the NHS to remove some of the barriers to collaboration and to make working together across the NHS an organising principle; and
- secondly, between the NHS and others, principally local authorities, to deliver improved outcomes to health and wellbeing for local people.



The ICS will have an important role in addressing broader health outcomes by working in partnership through the ICSPB. This body will be responsible for developing a plan that addresses the wider NHS, public health and social care needs of the system – the ICS NHS body and local authorities will have to have regard to the plan when making decisions.

The ICS will also be required to work closely with the local HWB, as it has the experience of ‘place based’ planning. Similarly, the ICS NHS Body will be required to have regard for the Joint Strategic Needs Assessment (JSNA) and the Joint Health and Wellbeing Strategy (JHWS).

### **1.3 The Approach in Lincolnshire**

The Lincolnshire Health and Care System Leaders believe that Lincolnshire’s ICS can best function and deliver outcomes for the Lincolnshire population by working within, and evolving, existing arrangements and approaches. Central to this is the proposal to incorporate the functions of the ICS Partnership Board (ICSPB) into the Lincolnshire HWB. The advantages of this approach are:

- It builds on the strong partnership working ethos cultivated through the HWB since 2013.
- The coterminous boundary offers Lincolnshire advantages over other areas and maximises the opportunity to work collaboratively.
- It reflects a genuine desire across the local health and care system to develop innovative ways of working and to capitalise on the advances made during the Covid-19 pandemic.
- The moves towards population health management will ensure place based and neighbourhood working is focused on delivering outcomes based on the needs of the population.
- It ensures a continued focus on the wider determinants of health which have an impact on an individual’s health and wellbeing.

Revised terms of reference for the HWB, endorsed by the Board on 9 March 2021, are shown in Appendix B. Section 5 details the proposed new membership which has been updated to reflect the ICS guidance which requires ICSPBs to include representation from all local NHS providers in addition to the CCG. Under the current Terms of Reference local NHS provider representation is provided through the Chairman of Lincolnshire Coordination Board. The proposal to widen local NHS representation means this position is no longer required on the HWB as each of the NHS Trust Chairs and Chief Executive will become members of the HWB.

To ensure the HWB continues to have a clinical input, GP representation will be provided by the Chair of the Primary Care Network Alliance.

It is also suggested that the designated representative from NHSEI, referred to as ‘a designated representative from NHS Commissioning Board’ in Appendix A, becomes an associate member rather than a core member of the HWB. Their role on the Board is

primarily to share information and advice rather being an actively involved in the work of the HWB.

In addition, representatives from Lincolnshire Police, and the voluntary and community sector are also suggested as associated members.

Other changes to the terms of reference include:

- Section 2 Context – this section has been added to provide the rationale and context for the revised terms of reference
- Section 3 Objectives – the objectives have been updated to emphasise the ambition of the Joint Health and Wellbeing Strategy and to reflect the purpose of ICSs.
- Section 4 Functions and Responsibilities of the Board – the current statutory functions of the HWB are shown in points 4.1 and 4.2. Points 4.3 to 4.5 have been added to reflect the ICSPB functions.
- Section 7 Accountability – points 7.3 to 7.9 have been added or updated to reference the proposed changes.
- Section 11 Quorum – point 11.2 this has been updated to reflect the change in membership.

Paragraph 7.2 makes it clear that outside its statutory role the Board will not have decision-making powers and in particular will not exercise any functions of any other partner body. It will discharge its responsibilities by means of recommendation to the relevant partner organisations, who will act in accordance with their respective powers and duties to improve health and wellbeing of the people living in Lincolnshire. It is in this context that the functions of the Board should be read,

#### **1.4 The Constitution**

Some of the main Terms of Reference of the HWB are set out in the Council's Constitution as set out in Appendix A. If the Council approves the proposed changes, this part of the Council's Constitution will need to be amended and the necessary amendments for Council approval are set out in Appendix C. Two elements of these changes should be pointed out.

Firstly, the membership is limited to the core membership and does not include the proposed Associated Members. The decision whether to allow such attendance at its meetings is a matter for the Board itself.

Secondly the amendments do not identify any specific County Councillor members of the Board. Appointment of members of the Council to the Board is a matter for the Leader of the Council and until a Leader is appointed at the Annual Meeting appointments cannot

be made and until the Leader has determined the portfolios within their Executive it is not possible to identify Executive Councillor positions.

When the Leader has determined their Executive and the portfolios within it and made appointments to the Board more specific membership can be identified within the more detailed Terms of Reference of the Board at Appendix B.

## **2. Conclusion**

Every area is required to have an ICS by April 2021 with an overarching board in place to provide a strategic steer and to oversee the work of the local integrated health and care system. The proposal to incorporate the function of the ICSPB with the HWB puts Lincolnshire in a unique position and at the forefront of partnership working. The Council is therefore asked to approve the changes to the Health and Wellbeing Board and agree the updates to be made to the Constitution set out in Appendix C.

### **3. Legal Comments:**

The Council has the power to make the appointments to the Board and the other Terms of Reference referred to in the Report.

In taking on the role of the Integrated Care System Partnership Board the HWB is not decision-making and does not take on any of the functions of the other represented bodies.

The decision is consistent with the Policy Framework and within the remit of the full Council

### **4. Resource Comments:**

It can be confirmed that there are no financial implications regarding the proposed changes to the Lincolnshire Health and Wellbeing Board.

## **5. Consultation**

### **a) Has Local Member Been Consulted?**

n/a

### **b) Has Executive Councillor Been Consulted?**

Yes

### **c) Scrutiny Comments**

This decision has not been considered by a Scrutiny Committee

#### d) Risks and Impact Analysis

No

### 6. Appendices

|   |  |
|---|--|
| These are listed below and attached at the back of the report |  |
| Appendix A  | Extract from Part 2 of the Constitution – pages 2/43 – 2/45                |
| Appendix B  | Revised Terms of Reference for the Lincolnshire Health and Wellbeing Board |
| Appendix C  | Amendments to the Constitution   |

### 7. Background Papers

The following background papers as defined in the Local Government Act 1972 were relied upon in the writing of this report.

| Document title   | Where the document can be viewed  |
|--|---|
| Health and Social Care Act (2012)  | <a href="https://www.legislation.gov.uk/ukpga/2012/7/contents/enacted">https://www.legislation.gov.uk/ukpga/2012/7/contents/enacted</a>   |
| Integration and Innovation: Working together to improve health and social care for all White Paper | <a href="https://www.gov.uk/government/publications/working-together-to-improve-health-and-social-care-for-all/integration-and-innovation-working-together-to-improve-health-and-social-care-for-all-html-version">https://www.gov.uk/government/publications/working-together-to-improve-health-and-social-care-for-all/integration-and-innovation-working-together-to-improve-health-and-social-care-for-all-html-version</a> |

This report was written by Alison Christie, Programme Manager who can be contacted on 07917 245464 or [alison.christie@lincolnshire.gov.uk](mailto:alison.christie@lincolnshire.gov.uk).

Extract from Part 2 of the Constitution (approved version 19 February 2021), pages 2/43 – 2/45

### **7.07 Health and Wellbeing Board**

There will be a Health and Wellbeing Board. The Board will comprise:

The Executive Councillor for NHS Liaison, Community Engagement  
The Executive Councillor for Adult Care, Health and Children's Services  
The Executive Councillor for Culture and Emergency Services  
Five further County Councillors  
The Director of Public Health  
The Executive Director – Children's Services  
The Executive Director – Adult Care and Community Wellbeing

A designated representative from each clinical commissioning group in Lincolnshire  
A designated representative from the NHS Commissioning Board  
One designated District Council representative  
A designated representative of Healthwatch  
The Police and Crime Commissioner for Lincolnshire  
The Chairman of the Lincolnshire Coordination Board

#### Functions

- To encourage persons who arrange for the provision of any health and social care services in the area to work in an integrated manner
- To provide such advice, assistance or other support as it thinks appropriate for the purpose of encouraging joint commissioning
- To prepare and publish a Joint Strategic Needs Assessment
- To prepare and publish a Joint Health and Wellbeing Strategy

#### Quorum

One third of the membership of the Board to include a representative from the clinical commissioning groups, a Lincolnshire County Council Executive Councillor and either the Chairman or the Vice-Chairman.

#### Frequency of Meetings

The Board shall meet no less than four times each year including an AGM

#### Chairman and Vice-Chairman

Each member of the Board shall have one vote and decisions will be made by a simple majority. The Chairman will have a casting vote

#### Substitutes

Each member of the Board can nominate a named substitute. Two working days advance notice that a substitute member can attend a meeting of the Board will be given to the Democratic Services Manager. Substitute members will have the same powers as Board members.

**LINCOLNSHIRE HEALTH AND WELLBEING BOARD**  
**Terms of Reference and Procedural Rules**

**1. PURPOSE**

- 1.1 This document sets out the agreed principles and way of working for the Lincolnshire Health and Wellbeing Board which includes acting as the Integrated Care System Partnership Board (ICSPB) from April 2021.
- 1.2 It reflects the strong and effective partnership working across the health and care system and a commitment to the joint endeavour to deliver better health outcomes to the people of Lincolnshire.

**2. CONTEXT**

- 2.1 The Lincolnshire Health and Wellbeing Board (the Board) is established as a consequence of Section 194 of the Health and Social Care Act 2012 as a committee of Lincolnshire County Council.
- 2.2 Lincolnshire has a long history of strong and effective joint working to address the factors that determine health throughout the life course, and to seek to reduce demand on health and care services in a more preventative and proactive way.
- 2.3 The introduction of an Integrated Care System (ICS) in Lincolnshire is the next step on the evolution of partnership working. Health and Care System Leaders agree the ICS can best deliver outcomes for Lincolnshire by the Board fulfilling the role of the ICSPB.
- 2.4 The advantages of this approach are seen to be:
  - 2.4.1 It builds on the strong partnership working ethos cultivated through the Board since 2013.
  - 2.4.2 The move towards population health management will ensure place based and neighbourhood working is focused on delivering outcomes based on the needs of the population.
  - 2.4.3 It ensures a continued focus on the wider determinants of health which have an impact on an individual's health and wellbeing.
  - 2.4.4 The coterminous boundary offers Lincolnshire advantages over other areas and maximises opportunities to work collaboratively.
  - 2.4.5 It reflects a genuine desire across the local health and care system to develop innovative ways of working and to capitalise on the advances made during the Covid-19 pandemic.

### 3. OBJECTIVES

- 3.1 To provide strong local leadership across the health and care system to improve the health and wellbeing of Lincolnshire's population.
- 3.2 To maximise opportunities and circumstances for joint working and integration of services and make the best use of existing opportunities and process to prevent duplication or omission within Lincolnshire.
- 3.3 To work collaboratively to address the wider determinants of health – the physical, cultural, social and political environment in which we live – which impact on an individual's health outcomes.
- 3.4 To promote transformational change through shifting the health and care system towards preventing rather than treating ill health and disability by promoting self-care and healthy living.
- 3.5 To maximise the opportunities and resources available to Lincolnshire by integrating services.
- 3.6 To reduce current inequalities in the provision of healthcare and close the gap.
- 3.7 To ensure a focus on issues and needs, requiring partnership and collective action across a range of organisations, to deliver.

### 4. FUNCTIONS AND RESPONSIBILITIES OF THE BOARD

- 4.1 To deliver the functions of a Health and Wellbeing Board as set out in [Section 195 and 196 of the Health and Social Care Act 2012](#) as follows:
  - 4.1.1 To encourage persons who arrange for the provision of any health and social care services in the area to work in an integrated manner.
  - 4.1.2 To provide advice, assistance or other support, as it thinks appropriate, for the purpose of encouraging joint commissioning.
  - 4.1.3 To prepare and publish a Joint Strategic Needs Assessment (JSNA) on the local population.
  - 4.1.4 To prepare and publish a Joint Health and Wellbeing Strategy (JHWS)
- 4.2 To produce the Pharmaceutical Needs Assessment (PNA) in accordance with the [NHS \(Pharmaceutical and Local Pharmaceutical Services\) Regulations 2013 \(SI 2013/349\)](#) and liaising with NHS England and Improvement (NHSEI) to ensure recommendations or gaps in services are addressed.
- 4.3 To provide the overarching strategic partnership for the health and care system, setting the vision and strategy.
- 4.4 To provide oversight of the work undertaken by the member partners to take forward the Lincolnshire ICS to deliver the 'triple aim' duty for all NHS organisations of better health for the

whole population, better quality care for all patients and financially sustainable services for the taxpayer.

- 4.5 To provide a system wide governance forum, including NHS, local government and wider partners, to enable collective focus and direction to the responsibilities and decision making of the individual partners.

## 5. MEMBERSHIP

- 5.1 The membership of the Board will comprise the following (*\* denotes statutory members of the Health and Wellbeing Board as required [by Section 194 of the Health and Social Care Act 2012](#)*<sup>1</sup>):

- The Executive Councillor for NHS Liaison, Community Engagement
- The Executive Councillor for Adult Care, Health and Children's Services
- Six further County Councillors
- The Director of Public Health\*
- The Executive Director of Children Services\*
- The Executive Director of Adult Care and Community Wellbeing\*
- Chair, NHS Lincolnshire CCG
- Chief Executive, NHS Lincolnshire CCG
- Chair, Primary Care Network Alliance
- Chair, United Lincolnshire Hospitals NHS Trust
- Chief Executive, United Lincolnshire Hospitals NHS Trust
- Chair, Lincolnshire Partnership Foundation NHS Trust
- Chief Executive, Lincolnshire Partnership Foundation NHS Trust
- Chair, Lincolnshire Community Health Services NHS Trust
- Chief Executive, Lincolnshire Community Health Services NHS Trust
- One designated District Council representative
- The Police and Crime Commissioner for Lincolnshire
- A designated representative of Healthwatch Lincolnshire\*

- 5.2 Associate Members<sup>2</sup> of the Board are as follows:

- A designated representative from NHSEI
- Chief Constable/representative, Lincolnshire Police
- A designated representative for the Voluntary and Community Sector

- 5.3 The Board will confirm the representative nominations by the partner organisations at the Annual General Meeting.

- 5.4 Board Members, through a majority vote, have the authority to approve individuals as

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<sup>1</sup> In addition to the positions highlighted, statutory membership of the Health and Wellbeing Board also includes at least one elected Councillor from the upper tier authority, nominated by the Leader of the Council, and at least one representative from each Clinical Commissioning Group whose area falls within or coincides with the local authority area.

<sup>2</sup> Associate member status is appropriate for individuals wanting to be involved with the work of the HWB, but who are not designated as core members. The HWB has the authority to invite associated members to join and approve their membership before they take their place. Associate members will not, unless specifically requested, be consulted on dates and venues of meetings but are invited to submit agenda items and have a standing invitation to attend meetings if an issue they are keen to discuss is on the agenda. Associated members will not have voting rights at HWB meetings.



Associate Members of the Board. The length of their membership will be for up to one year and will be subject to re-selection at the next Annual General Meeting (AGM).

- 5.5 Each non statutory member of the Board shall nominate a named substitute and provide details to the LCC Democratic Services Officer.
- 5.6 Two working days advance notice, that a substitute member will be attending a meeting of the Board, needs to be given to the LCC Democratic Services Officer.
- 5.7 Substitute members will have the same powers as Board Members.

## **6. CHAIR AND VICE CHAIR**

- 6.1 The Board shall elect the Chair and Vice Chair at each AGM
- 6.2 The Chair and Vice Chair will not be from the same organisation.
- 6.3 The appointment will be by a majority vote of all Board Members/substitutes present at the meeting and will be for a term of one year.

## **7. ACCOUNTABILITY**

- 7.1 The Board carries formal delegated authority to carry out its functions under Section 195 and 196 of the Health and Social Care Act 2012 from the County Council.
- 7.2 Save for the statutory functions referred to in paragraph 7.1 the Board will not have decision-making powers and will not exercise any functions of any other partner body. It will discharge its responsibilities by means of recommendation to the relevant partner organisations, who will act in accordance with their respective powers and duties to improve health and wellbeing of the people living in Lincolnshire.
- 7.3 NHS Members will ensure that they keep their organisation advised on the work of the Board.
- 7.4 The District Council Member will ensure that they keep all District Councils advised on the work of the Board.
- 7.5 Board members bring the responsibility, accountability and duties of their individual roles to the Board to provide information, data and consultation material appropriate to inform the discussions and decisions. A copy of the health and care system structure is shown in Appendix A.
- 7.6 The arrangements for the Board to fulfil the role of the ICSPB do not affect the role and functions of the Health Scrutiny Committee for Lincolnshire.
- 7.7 The Board will report to Full Council and NHSEI via the Regional Team as required.
- 7.8 The Board will provide information to the public through publications, local media, and wider public activities and by publishing the minutes of meetings on the County Council website and Lincolnshire's Integrated Care System website.

7.9 When required the members of the Board will take place in round table discussions with the public, voluntary, community, private and independent sectors to ensure there is a 'conversation' with Lincolnshire communities about health and wellbeing.

## **8. ROLES AND RESPONSIBILITIES OF BOARD MEMBERS**

8.1 To work together effectively to ensure the delivery of the functions and shared objectives are met for the benefit of Lincolnshire's communities.

8.2 To work collaboratively to build a partnership approach to key issues and provide collective and shared leadership for the communities of Lincolnshire.

8.3 To participate in discussions to reflect the views of their partner organisations, being sufficiently briefed and able to make recommendations about future policy developments and service delivery.

8.4 To champion the work and partnership approach in wider networks and in the community.

8.5 To ensure that there are communication mechanisms in place within the partner organisations to enable information about the priorities and recommendations are disseminated and appropriate action is taken to ensure the shared objectives are met.

8.6 To demonstrate commitment by prioritising attendance at meetings and development sessions.

8.7 To demonstrate commitment by prioritising activity in between meetings, such as responding to email communications and providing information within set deadlines.

8.8 To treat each other as equals, with respect and demonstrate that they value the contribution of others by listening and responding and encouraging real dialogue.

8.9 To act in accordance with the Board Member's roles and responsibilities listed in Appendix B.

## **9. BOARD MEETINGS**

9.1 The Board will meet in public no less than four times per year including an AGM.

9.2 Additional meetings of the Board may be convened with the agreement of the Chair and Vice Chair.

9.3 The Board will hold development or wider partnership events as required. These meetings will be held in private.

9.4 All papers are to be sent to the Programme Manager Strategy and Development no later than 15 working days before the date of the scheduled meeting for approval with the Chair and Vice Chair. The appropriate committee report template should be used.

9.5 All finalised agenda items or reports to be tabled at the meeting will be sent by the Programme

Manager Strategy and Development to the Democratic Services Officer no later than seven working days in advance of the next meeting. No business will be conducted that is not on the agenda.

- 9.6 Democratic Services will circulate and publish the agenda and reports at least five clear working days prior to the meeting. Exempt<sup>3</sup> or Confidential<sup>4</sup> Information shall only be circulated to Core Members.

## 10. PROCEDURE AT MEETINGS

- 10.1 Members of the public may attend all formal meetings of the Board subject to the exceptions in the Access to Information Procedure Rules as set out in [Part 4 of Lincolnshire County Council's Constitution](#).

- 10.2 Only Board members, or their substitute, are entitled to speak through the Chair. Associate Members and the public are entitled to speak if pre-arranged with the Chair before the meeting.

- 10.3 The aim of the Board is to make its business accessible to all members of the community and partners. Accessibility will be achieved in the following ways:

10.3.1 Ensuring adequate access to Board meetings.

10.3.2 To include a work programme of planned future work on the agenda.

10.3.3 Reports and presentations are in a style that is accessible to the wider community, and of a suitable length, so that their content can be understood.

10.3.4 Enabling the recording of meetings to assist the secretariat in accurately recording actions and decisions.

## 11. QUORUM

- 11.1 Any full meeting of the Board shall be quorate if not less than a third of the Board membership are present.

- 11.2 This third should include the following:

- Either the Board Chair or Vice Chair, and in addition
- A Lincolnshire County Council Executive Councillor
- An NHS Chair

- 11.3 Failure to achieve a quorum within thirty minutes of the scheduled start of the meeting, or should the meeting become inquorate after it has started, shall render the meeting

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<sup>3</sup> Exempt Information is information falling within any of the descriptions set out in Part I of Schedule 12A of the Local Government Act 1972 subject to the qualifications set out in Part II and the interpretation provisions set out in Part III of the said schedule. In each case, read as if references there in to 'the authority' were references to 'the Board' or any of the partner organisations.

<sup>4</sup> Confidential Information is information furnished to partner organisations or the Board by a government department upon terms (however expressed) which forbid the disclosure of the information to the public.

adjourned until the next scheduled meeting of the Board.

## **12. DECLARATIONS OF INTEREST**

12.1 At the start of all meetings, all core members who are members of Lincolnshire County Council shall declare any interest in accordance with the Member's Code of Conduct which is set out in [Part 5 of the Lincolnshire County Council's Constitution](#)

## **13. VOTING**

13.1 Each core member or substitute member shall have one vote.

13.2 Wherever possible, decisions will be reached by consensus. In exceptional circumstances and where decisions cannot be reached by consensus of opinion, voting will take place and decisions agreed by a simple majority. The Chair will have a casting vote.

13.3 Decisions of the Board will be as recommendations to the partner organisations to deliver improvements in the health and wellbeing of the population of Lincolnshire.

## **14. CONDUCT OF MEMBERS AT MEETINGS**

14.1 It is important to ensure that there is no impression created that individuals are using their position to promote their own interests, whether financial or otherwise, rather than the general public interest.

14.2 When at Board meetings or when representing the said Board, in whatever capacity, a member must uphold the seven [Nolan Principles of Public Life](#):

- Selflessness
- Integrity
- Objectivity
- Accountability
- Openness
- Honesty
- Leadership

## **15. MINUTES**

15.1 Democratic Services shall minute the meetings and produce and circulate an action log as part of the agenda to all core members.

15.2 Democratic Services will send the draft minutes to the Director of Public Health, Chief Executive of NHS Lincolnshire CCG and lead officers within ten working days of the meeting for comment.

15.3 The draft minutes, following comment from relevant officers (point 15.2 above), will be circulated to core members.

- 15.4 The draft minutes will be approved at the next quorate minuted meeting of the Board.
- 15.5 LCC Democratic Services will publish the minutes, excluding Exempt and Confidential Information, on the Lincolnshire County Council website.

**16. OFFICER AND ADMINSTRATIVE SUPPORT**

- 16.1 Appropriate officer and administrative support to be provided by Lincolnshire County Council and NHS Lincolnshire CCG.

**17. EXPENSES**

- 17.1 Partnership organisations are responsible for meeting the expenses of their own representatives.

**18. OPERATIONAL/WORKING SUBGROUPS**

- 18.1 With the agreement of the Board, operational/working subgroups can be set up to consider specific issues or areas of work to support the activities of the Board. Operational/working subgroups will be responsible for arranging the frequency and venue of their meetings.
- 18.2 Any recommendations of the operational/working subgroup will be made to the Board who will consider them in accordance with these terms of reference.

**19. REVIEW**

- 19.1 This document will be reviewed on an annual basis and confirmed at the AGM, or earlier if necessary.
- 19.2 Any amendments shall only be included by unanimous vote.

Signature:

Signature:

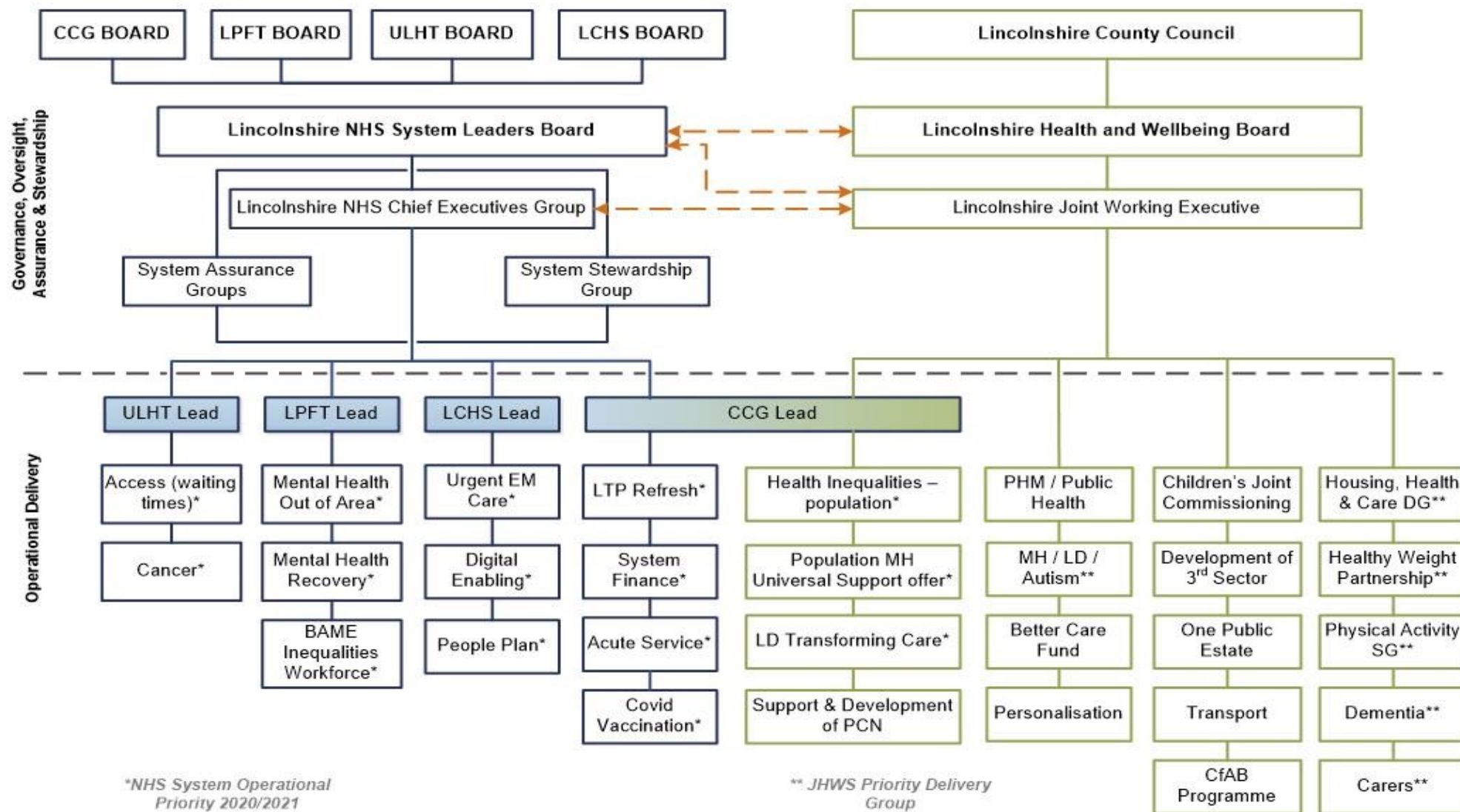
Chair  
Lincolnshire Health and Wellbeing Board

Vice Chair  
Lincolnshire Health and Wellbeing Board

Date:

Date:

### HEALTH AND CARE SYSTEM IN LINCOLNSHIRE



**Key roles and responsibilities of individual core board members**

| Core Member  | Key Roles and Responsibilities   |
|--|--|
| <b>Lincolnshire County Council Executive members</b> | <ul style="list-style-type: none"> <li>• Report any issues raised by the public to the Board</li> <li>• Report any issues raised by other councillors to the Board</li> <li>• Provide strategic direction in relation to Lincolnshire's Joint Health and Wellbeing Strategy</li> <li>• Report publicly on the work and progress of the Board</li> <li>• Report to Executive on the work and progress of the Board</li> <li>• Promote and ensure co-production of all commissioning plans and proposals</li> </ul>                                  |
| <b>Lincolnshire County Councillor</b>                | <ul style="list-style-type: none"> <li>• Report publicly on the work and progress of the Board</li> <li>• Report any issues raised by the public to the Board</li> <li>• Report any issues raised by other councillors to the Board</li> </ul>   |
| <b>Director of Public Health</b>                     | <ul style="list-style-type: none"> <li>• Update the Board on public health related matters</li> <li>• Ensure Lincolnshire is addressing health inequalities and promoting the health and wellbeing of all Lincolnshire residents</li> <li>• Lead the revision and publication of the JSNA</li> <li>• Lead the revision and publication of the Joint Health and Well-being Strategy</li> </ul>  |
| <b>Adults and Children's Executive Directors</b>     | <ul style="list-style-type: none"> <li>• Report on commissioning activity to the Board</li> <li>• Provide relevant information requested by the Board</li> <li>• Contribute to the creation of the JSNA</li> <li>• Have regard to the JSNA and the JHWS when developing commissioning and budget proposals</li> <li>• Report Board activity to assistant directors and heads of service</li> </ul>   |
| <b>NHS Lincolnshire Clinical Commissioning Group</b> | <ul style="list-style-type: none"> <li>• Ensure that the Clinical Commissioning Group members/partners directly feed into the JSNA</li> <li>• Have regard to the JSNA and the JHWS when developing commissioning and budget proposals</li> <li>• Report commissioning activity to the Board</li> <li>• Report Board activity to other Clinical Commissioning Group members</li> </ul>  |
| <b>Lincolnshire Healthwatch representative</b>       | <ul style="list-style-type: none"> <li>• Reflect the public's views acting as the patient's voice to report any issues raised by the public to the Board</li> <li>• Promote community participation and co-production in support of activity</li> <li>• Ensure evidence from Healthwatch is fed into JSNA evidence base</li> <li>• Report on and from Healthwatch England</li> <li>• Ensure the JHWS reflects the need of Lincolnshire's population</li> <li>• Provide reports to the Board on issues raised by providers or the public</li> </ul> |



| <b>Core Member</b>                                   | <b>Key Roles and Responsibilities</b>   |
|--|---|
|  | of Lincolnshire   |
| <b>District Council representative</b>               | <ul style="list-style-type: none"> <li>• Promote the Board’s intentions to District Council partners</li> <li>• Ensure evidence from the District Council is fed into JSNA evidence base</li> <li>• Feedback any issues raised by partner districts or the public to the Board</li> </ul>   |
| <b>Office of the Police &amp; Crime Commissioner</b> | <ul style="list-style-type: none"> <li>• Update the JHCPB on any relevant commissioning intentions or issues</li> <li>• Provide a strategic link between the HWB agenda and community safety</li> <li>• Highlight any areas of mutual interest and benefit</li> <li>• Have regard to JSNA and JHWBs when developing commissioning and budget proposals</li> </ul> |
| <b>NHS Provider Organisations</b>                    | <ul style="list-style-type: none"> <li>• Provide a strategic link between the Board and the STP programme</li> <li>• Have regard to the JSNA and the JHWS</li> <li>• Provide insight and perspective from the wider NHS in Lincolnshire</li> </ul>  |

| <b>Associate Members – individuals wanting to be involved with the work of the HWB, but who are not designated as core members.</b> | <b>Key Roles and Responsibilities</b>  |
|---|--|
| <b>NHS England representative</b>   | <ul style="list-style-type: none"> <li>• Update the Board on any national commissioning issues which will affect Lincolnshire’s JHWS</li> <li>• Feedback on any issues raised by the Board affecting Lincolnshire to NHSEI</li> <li>• Report on direct commissioning activity</li> <li>• Have regard to JSNA and JHWS when developing commissioning and budget proposals</li> <li>•</li> </ul> |
| <b>Chief Constable / representative, Lincolnshire Police</b>  | <ul style="list-style-type: none"> <li>• Update the Board on any community safety issues which will affect Lincolnshire’s JHWS</li> <li>• To support joint working on cross cutting agendas, for example mental health and substance misuse</li> <li>• To support partnership working and system integration</li> <li>• To support the JSNA and JHWS</li> </ul>                                |
| <b>Voluntary and Community Sector</b>   | <ul style="list-style-type: none"> <li>• Reflect the public’s views acting as a voice to report any issues raised by the public to the Board</li> <li>• Promote community participation and co-production in support of activity</li> </ul>  |

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## **Part 2**

# **ARTICLES OF THE CONSTITUTION**

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2/1

## ARTICLE 7 – REGULATORY AND OTHER COMMITTEES AND BODIES OF THE COUNCIL

### 7.01 Regulatory and Other Committees

The Council will appoint the Committees set out in paragraphs 7.02 to 7.05 inclusive below to discharge the functions listed under each by reference to Part 3 of this Constitution and with the delegated powers shown.

- Each of the said Committees will conduct its business in accordance with the Council Procedure Rules and Access to Information Rules in Part 4 and will meet in public unless the nature of the business is such that the press and public must be excluded or the Committee determine that the press and public should be excluded in accordance with the Access to Information Procedure Rules.

Each of the Committees referred to shall be entitled to appoint such sub-Committees or panels or joint panels as each body considers appropriate to fulfil its functions.

Please see Annex A for composition

### 7.07 Health and Wellbeing Board

There will be a Health and Wellbeing Board. The Board will comprise:

- ~~The Executive Councillor for NHS Liaison, Community Engagement~~
- ~~The Executive Councillor for Adult Care, Health and Children's Services~~
- ~~The Executive Councillor for Culture and Emergency Services~~
- ~~Five further Eight County Councillors appointed by the Leader of the Council~~
- The Director of Public Health
- The Executive Director - Children's Services
- The Executive Director - Adult Care and Community Wellbeing
- ~~A designated representative from each~~ Chair NHS Lincolnshire clinical-Clinical commissioning-Commissioning group-Group in Lincolnshire
- Chief Executive NHS Lincolnshire Clinical Commissioning Group
- Chair, Primary Care Network Alliance
- Chair, United Lincolnshire Hospitals NHS Trust
- Chief Executive, United Lincolnshire Hospitals NHS Trust
- Chair, Lincolnshire Partnership Foundation NHS Trust
- Chief Executive, Lincolnshire Partnership Foundation NHS Trust
- Chair, Lincolnshire Community Health Services NHS Trust

Chief Executive, Lincolnshire Community Health Services NHS Trust

~~A designated representative from the NHS Commissioning Board~~

One designated District Council representative

A designated representative of Healthwatch Lincolnshire

The Police and Crime Commissioner for Lincolnshire

~~The Chairman of the Lincolnshire Coordination Board~~

### Functions

- To encourage persons who arrange for the provision of any health and social care services in the area to work in an integrated manner
- To provide such advice, assistance or other support as it thinks appropriate for the purpose of encouraging joint commissioning
- To prepare and publish a Joint Strategic Needs Assessment
- To prepare and publish a Joint Health and Wellbeing Strategy
- To produce the Pharmaceutical Needs Assessment (PNA) in accordance with the NHS (Pharmaceutical and Local Pharmaceutical Services) Regulations 2013 (SI 2013/349) and liaising with NHS England and Improvement (NHSEI) to ensure recommendations or gaps in services are addressed.
- To provide the overarching strategic partnership for the health and care system, setting the vision and strategy.
- To provide oversight of the work undertaken by the member partners to take forward the Lincolnshire ICS to deliver the 'triple aim' duty for all NHS organisations of better health for the whole population, better quality care for all patients and financially sustainable services for the taxpayer.
- To provide a system wide governance forum, including NHS, local government and wider partners, to enable collective focus and direction to the responsibilities and decision making of the individual partners.

### Quorum

One third of the membership of the Board to include an ~~representative from the clinical commissioning groups~~ NHS Chair, a Lincolnshire County Council Executive Councillor and either the Chairman or the Vice-Chairman of the Board.

### Frequency of Meetings

The Board shall meet no less than four times each year including an AGM.

### Chairman and Vice-Chairman

The Board shall elect its Chairman and Vice Chairman at its AGM.

### Voting

Each member of the Board shall have one vote and decisions will be made by a simple majority. The Chairman will have a casting vote.

### Substitutes

Each member of the Board can nominate a named substitute. Two working days advance notice that a substitute member can attend a meeting of the Board will be given to the Democratic Services Manager. Substitute members will have the same powers as Board members.



**Open Report on behalf of Andrew Crookham, Executive Director - Resources**

|            |                                       |
|------------|---------------------------------------|
| Report to: | <b>County Council</b>                 |
| Date:      | <b>21 May 2021</b>                    |
| Subject:   | <b>Appointments to Outside Bodies</b> |

**Summary:**

This report requests that the Council review its appointments to outside bodies as detailed in Appendix A.

**Recommendation:**

That the Council makes the appointments to the organisations detailed in Appendix A.

## **1. Background**

The Council's Constitution provides the Council with responsibility for appointing representatives of the Council to outside bodies unless the appointment is an Executive function under Part 3 of the Constitution, or has been delegated by the Council.

Under Part 3 of the Constitution, the Executive has responsibility to make appointments to all outside bodies except joint committees of one or more local authorities or politically balanced bodies. The bulk of the outside body appointments will therefore be made by the Executive. However, under the Council's Constitution it falls to the Council to make appointments to joint committees and to those bodies, the membership of which is politically balanced.

Council Procedure Rules state that the Council shall make appointments to outside bodies at the Annual General meeting.

Appendix A setting out a list of organisations to which the full Council must make appointments and the appointments it is proposed should be made will be circulated in the Order of Proceedings for this meeting, a public document available on the Council's website.

The Council is requested to make appointments as required.

## 2. Legal Issues:

### Equality Act 2010

Under section 149 of the Equality Act 2010, the Council must, in the exercise of its functions, have due regard to the need to:

- \* Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act
- \* Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
- \* Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

The relevant protected characteristics are age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; and sexual orientation

Having due regard to the need to advance equality of opportunity involves having due regard, in particular, to the need to:

- \* Remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic
- \* Take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it
- \* Encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low

The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities

Having due regard to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to tackle prejudice, and promote understanding

Compliance with the duties in section 149 may involve treating some persons more favourably than others

The duty cannot be delegated and must be discharged by the decision-maker. To discharge the statutory duty the decision-maker must analyse all the relevant material with the specific statutory obligations in mind. If a risk of adverse impact is identified consideration must be given to measures to avoid that impact as part of the decision making process

There are no implications of the Equality Act 2010 in reviewing the appointments to Outside Bodies.



Joint Strategic Needs Analysis (JSNA and the Joint Health and Wellbeing Strategy (JHWS)

The Council must have regard to the Joint Strategic Needs Assessment (JSNA) and the Joint Health & Well Being Strategy (JHWS) in coming to a decision

There are no implications for the JSNA of JHWS in relation to the review of Council appointments to outside bodies.

Crime and Disorder

Under section 17 of the Crime and Disorder Act 1998, the Council must exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent crime and disorder in its area (including anti-social and other behaviour adversely affecting the local environment), the misuse of drugs, alcohol and other substances in its area and re-offending in its area

There are no implications in relation to Crime and Disorder from the review of these appointments.

**3. Conclusion**

The appointments to outside bodies will assist Councillors participating strategically and in the wider community. It will also provide Councillors with additional knowledge and expertise which can be shared with fellow Councillors.

**4. Legal Comments:**

The making of appointments to the bodies set out in Appendix A is within the remit of the Council.

**5. Resource Comments:**

There are no specific financial implications arising from the adoption of recommendations in this report.

**6. Consultation**

**a) Has Local Member Been Consulted?**

n/a

**b) Has Executive Councillor Been Consulted?**

n/a

**c) Scrutiny Comments**

n/a

**d) Risks and Impact Analysis**

n/a

**7. Appendices**

|   |   |
|---|---|
| These are listed below and attached at the back of the report |   |
| Appendix A  | List of Statutory and Other Organisations |

**8. Background Papers**

No background papers within Section 100D of the Local Government Act 1972 were used in the preparation of this report.

This report was written by Katrina Cope, who can be contacted on 07385 463994 or [Katrina.cope@lincolnshire.gov.uk](mailto:Katrina.cope@lincolnshire.gov.uk).

STATUTORY ORGANISATIONS

| <u>NAME OF BODY</u>   | <u>NUMBER OF APPOINTMENTS</u>   | <u>COUNCILLOR</u> |
|---|---|-------------------|
| Anglian (Northern) Regional Flood Defence Committee                                 | 3 +<br>1 jointly with North Lincolnshire Council<br><i>(each for a 1 year period – Lincolnshire County Council to make the joint appointment for 2021 - 2022)</i> |                   |
| Eastern Inshore Fisheries & Conservation Authority<br><i>(politically balanced)</i> | 2   |                   |
| Lincolnshire Police and Crime Panel<br><i>(politically balanced)</i>                | 3   |                   |
| Lincolnshire Standing Advisory Council for Religious Education (SACRE)              | 3   |                   |
| Secure Accommodation Review Panel   | 2<br>(+ 2 substitutes)  |                   |

### OTHER ORGANISATIONS

| <u>NAME OF BODY</u>   | <u>NUMBER OF APPOINTMENTS</u> | <u>COUNCILLOR</u> |
|---|-------------------------------|-------------------|
| Central Lincolnshire Joint Strategic Planning Committee<br><i>(politically balanced)</i>                                      | 3<br>(+1 substitute)          |                   |
| Eastern Shires Purchasing Organisation - Management Committee (ESPO)<br><i>(politically balanced)</i>                         | 2                             |                   |
| Eastern Shires Purchasing Organisation - (ESPO) Finance and Audit Sub-Committee   | 1                             |                   |
| Gibraltar Point Joint Advisory Committee<br><i>(politically balanced)</i>   | 4                             |                   |
| Lincolnshire Wolds Area of Outstanding Natural Beauty (AONB) Member Joint Advisory Committee<br><i>(politically balanced)</i> | 2                             |                   |
| Snipe Dales Joint Advisory Committee<br><i>(politically balanced)</i>   | 4                             |                   |
| South East Lincolnshire Joint Strategic Planning Committee<br><i>(politically balanced)</i>                                   | 3<br>(+3 substitutes)         |                   |



**Open Report on behalf of Andrew Crookham, Executive Director - Resources**

|            |                                     |
|------------|-------------------------------------|
| Report to: | <b>County Council</b>               |
| Date:      | <b>21 May 2021</b>                  |
| Subject:   | <b>Calendar of Meetings 2021/22</b> |

**Summary:**

This report proposes a Calendar of Meeting dates, shown in Appendix A for the year 2021/22.

**Recommendation:**

That the Calendar of Meeting dates, as shown in Appendix A, be approved.

## **1. Background**

The Council's Constitution requires that the Council approves a programme of ordinary meetings of the Council for the year at its Annual Meeting.

Attached is a schedule of proposed dates for 2021/22. The 2021 dates are based on those agreed by the Council in May 2020, and as later amended, and the 2022 dates are based on the 2021 schedule.

## **2. Legal Issues:**

### Equality Act 2010

Under section 149 of the Equality Act 2010, the Council must, in the exercise of its functions, have due regard to the need to:

- \* Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act
- \* Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
- \* Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

The relevant protected characteristics are age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; and sexual orientation

Having due regard to the need to advance equality of opportunity involves having due regard, in particular, to the need to:

\* Remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic

\* Take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it

\* Encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low

The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities

Having due regard to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to tackle prejudice, and promote understanding

Compliance with the duties in section 149 may involve treating some persons more favourably than others

The duty cannot be delegated and must be discharged by the decision-maker. To discharge the statutory duty the decision-maker must analyse all the relevant material with the specific statutory obligations in mind. If a risk of adverse impact is identified consideration must be given to measures to avoid that impact as part of the decision making process

There are no implications of the Equality Act 2010 in adopting the Calendar of Meeting Dates for 2020/21.

#### Joint Strategic Needs Assessment (JSNA and the Joint Health and Wellbeing Strategy (JHWS)

The Council must have regard to the Joint Strategic Needs Assessment (JSNA) and the Joint Health and Wellbeing Strategy (JHWS) in coming to a decision

There are no implications for the JSNA of JHWS in relation to approval of these dates.

#### Crime and Disorder

Under section 17 of the Crime and Disorder Act 1998, the Council must exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent crime and disorder in its area (including anti-social and other behaviour adversely affecting the local environment), the misuse of drugs, alcohol and other substances in its area and re-offending in its area.

There are no implications in relation to Crime and Disorder from the approval of these dates.

### **3. Conclusion**

Councillors are asked to consider and approve the Calendar of Meeting Dates for 2021/22 as detailed in Appendix A.

**4. Legal Comments:**

The Council's Constitution provides for the Annual Council Meeting to approve a programme of ordinary meetings of the Council for the forthcoming year.

**5. Resource Comments:**

There are no specific financial implications arising from the recommendations of this report.

**6. Consultation****a) Has Local Member Been Consulted?**

n/a

**b) Has Executive Councillor Been Consulted?**

n/a

**c) Scrutiny Comments**

n/a

**d) Risks and Impact Analysis**

n/a

**7. Appendices**

These are listed below and attached at the back of the report

|            |   |
|------------|---|
| Appendix A | Calendar of Meeting Dates 2021/22 – to be circulated as part of the Order of Proceedings for the meeting. |
|------------|---|

**8. Background Papers**

The following background papers as defined in the Local Government Act 1972 were relied upon in the writing of this report.

| Document title                    | Where the document can be viewed            |
|-----------------------------------|---|
| Calendar of Meeting Dates 2020/21 | Democratic Services and the Council Website |

This report was written by Katrina Cope, who can be contacted on 07385 463994 or [Katrina.Cope@lincolnshire.gov.uk](mailto:Katrina.Cope@lincolnshire.gov.uk)

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