

Agenda Item 5

LINCOLNSHIRE COUNTY COUNCIL

24 FEBRUARY 2017

ORDER OF PROCEEDINGS

Prayers will be led by the Chairman's Chaplain, Reverend Martin Brebner OBE in the Council Chamber at 9.55 a.m., prior to the start of formal proceedings at 10.00a.m.

The agenda previously circulated and published will be followed

Councillor T M Trollope-Bellew in the Chair

(Please note: There is no fire or terror alarm test planned for today, in the event of an alarm sounding, please leave by the nearest fire exit and follow instructions of our staff Fire Marshalls)

Councillors are reminded that the meeting is being recorded for live broadcast via the internet. Any Councillors wishing to tweet during the Council meeting are reminded to include #LCCLive within their tweet.

AGENDA

1. APOLOGIES FOR ABSENCE

List of apologies for absence to be read by the Chief Executive.

2. DECLARATIONS OF MEMBERS' INTERESTS

Councillors to announce any interests

(NOTE - Councillors are reminded that there is no need to declare an interest if it has already been recorded on the register of disclosable pecuniary interests in accordance with the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 or if the councillor has received a dispensation from the Monitoring Officer for the purpose of this meeting).

3. MINUTES OF THE MEETING OF THE COUNTY COUNCIL HELD ON 16 DECEMBER 2016

The Chairman to state:-

That the minutes of the meeting of the County Council held on 16 December 2016 be approved as a correct record and signed by the Chairman.

4. SUBMISSION OF PETITIONS

The Chairman to state:

The Council has received a petition requesting that Lincolnshire County Council retain its Amenity Grass Cutting budget at the current level.

(Councillor Mrs Eileen Ballard, on behalf of Louth Town Council, to speak for no longer than five minutes and then present the petition to the Chairman)

The Chairman to state: -

The Chief Executive has determined that the petition requesting that Lincolnshire County Council retain its Amenity Grass Cutting budget at the current level be referred to the Executive Councillor for Highways, Transport and IT.

5. CHAIRMAN'S ANNOUNCEMENTS

The Chairman to state:-

Since the last meeting of the County Council I have continued to carry out my civic engagements with pride.

I thank the Vice-Chairman and Lady, Councillor Andrew and Lucille Hagues, for representing me at civic functions when I have not been able to attend.

In particular, I was delighted to welcome HRH The Princess Royal to the County when she visited the new Victim Lincs Unit at Lincolnshire Police Headquarters and the Lincolnshire Wolds Riding for the Disabled Centre at Kenwick.

Since our last meeting the county, and in particular the City of Lincoln, has benefitted from the unprecedented national coverage of the achievements of Lincoln City Football Club. I am sure you will join me in congratulating the Imps in their exceptional history making run in The FA Cup, and wish them good fortune in next month's quarter-finals at The Emirates Stadium – unless you're an Arsenal fan of course!

On a sadder note, I have to report the death of former County Councillor Roy Chapman, who represented Colsterworth Rural electoral division from May 1997 until his retirement in May 2013. He was Chairman of the Council from June 2009 to May 2010 and was Chairman of the Policy, Performance and Resources Committee from May 2005 to June 2009. I intend to represent the Council at his funeral at St John's Church, Manthorpe, Grantham, on 6 March 2017.

Some of you may also have known former West Lindsey district councillor and former Mayor of Caistor Alan Caine, who died earlier this week. His 20 years' service with West Lindsey included terms on Lincolnshire Wolds Countryside Management Committee and Lincolnshire Police and Crime Panel.

I invite you to stand in silence as a mark of respect for both gentlemen.

(Councillors will be given an opportunity to pay tribute).

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

6. QUESTIONS TO THE CHAIRMAN, THE LEADER, EXECUTIVE COUNCILLORS, CHAIRMEN OF COMMITTEES AND SUB-COMMITTEES

The Chairman to state:

I am anxious to allow a good spread of questions across the Chamber within the time allocated. I intend to allow 45 minutes for questions. I am expecting Councillors to be disciplined because of the time available.

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

7. COUNCIL BUDGET 2017/18

A report by the Executive Director Finance and Public Protection has been circulated together with a separate document entitled 'Council Budget 2017/18' which described the Executive's budget and council tax proposals.

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

Temporary Amendment to Council Procedure Rules

The Chairman to state:

There will be one debate.

The Chairman to move:

- (1) That Councillor M J Hill OBE, Leader of the Council in introducing and moving the budget and in responding to issues raised during the debate be allowed to speak without limit of time (at A and E on the Order of Proceedings).**
- (2) That proposers of the amendments each be allowed to speak without limit of time (at C on the Order of Proceedings).**
- (3) That Councillors seconding the motions, each be allowed to speak for 6 minutes (at B and C on the Order of Proceedings).**
- (4) That other speakers each be allowed to speak for 3 minutes (at D on the Order of Proceedings).**
- (5) That no further substantial amendments be moved (other than the original amendments moved by Group Leaders).**

Councillor A G Hagues to second.

Vote on the Temporary Amendment to Council Procedure Rules

Rules of Debate

The Chairman will state:

I wish to remind Members about the Rules of Debate as set out in Rules 13.5 and 13.9 of the Council Procedure Rules which have not been suspended. These are set out in paragraphs (i), (ii) and (iii) below.

Therefore, I have decided that the debate will take the form as set out in paragraphs (A) to (F) on pages 4 to 9 of the Order of Proceedings.

- (i) Rule 13.5 (When a Councillor may speak again)**

A Councillor who has spoken on a motion may not speak again whilst it is the subject of debate, except:

- (a) In exercise of a right of reply;**

- (b) on a point of order or information and
- (c) by way of personal explanation.

(ii) Rule 13.9 (Right of reply)

- (a) The mover of a motion has a right to reply at the end of the debate on the motion, immediately before it is put to the vote;
 - (b) if an amendment is moved, the mover of the original motion has the right of reply at the close of the debate on the amendment, but may not otherwise speak on it; and
 - (c) the mover of the amendment has no right of reply to the debate on his or her amendment.
- (iii) (a) Except as set out in Rules 13.5 and 13.9 above, Councillors are only allowed to speak once during the debate. Therefore, the motion and any amendment(s) will proceed as one debate.
- (b) Councillors are reminded that the Chairman will require the mover of any amendment – if it is to increase expenditure, to indicate the source from which financial provision is to be made for the proposal and if it is to reduce expenditure, to indicate where the reduction is to be made.

Budget Debate

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

That the Council:

- 1. 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);**
- 2. Has due regard to the Section 151 Officer's Statement on the Robustness of the Budget and the Adequacy of Reserves as set out in the appended Budget Book (Section 11 – Section 151 Officer's Statement on the Robustness of the Budget and Adequacy of Reserves);**
- 3. Has due regard to the Impact Analysis relating to the increasing of Council Tax by 3.95% in 2017/18 set out in the appended Budget**

Book (Appendix C – Impact Analysis relating to the increasing the Council Tax by 3.95% in 2017/18);

4. Approves:

- 4.1 The service revenue budgets for 2017/18 contained in the appended Budget Book (Table 3 - Net Service Revenue Budget 2017/18);**
- 4.2 The capital programme and its funding contained in the appended Budget Book (Section 8 - Capital Programme) and (Appendix N - Capital Programme);**
- 4.3 The County Council element of the council tax for a band D property at £1,173.42 for 2017/18 contained in the appended Budget Book (Appendix B - County Precept 2016/17);**

As together being the Council's Budget

- 5. Approves the Council's Financial Strategy contained in the appended Budget Book (Appendix E - Financial Strategy);**
- 6. Approves the Council's Flexible use of Capital Receipts Strategy contained in the appended Budget Book (Appendix G – Flexible Use of Capital Receipts Strategy);**
- 7. Approves the prudential targets for capital finance and notes the prudential indicators contained in the appended Budget Book (Appendix M – Prudential Indicators);**
- 8. Approves that the minimum revenue provision (MRP) be based on the asset life method, charged on an annuity basis for major infrastructure projects and in equal instalments for all other assets, over the estimated life of the assets acquired through borrowing as set out in the appended Budget Book (Section 10 - Minimum Revenue Provision).**

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

(C) Amendment to be moved by Councillor R B Parker on behalf of the Labour Group

The point of this amendment is to give greater emphasis to County Council spending on preventative services. Recent years have seen government funding of public services reduced significantly and there are clear indications that the trend will continue. That being so there is a strong case to protect or increase council expenditure on those services which will enable people and

families to live their lives in the future without the need to use other public services. Not only will there be less take up of already hard pressed services but individual people are much less likely to find themselves in situations that could have been avoided; fear of going out at night because of the absence of street lights leading to social isolation, delayed transfers of care, poorer health because of the absence of health improvement programmes, accidents as a result of pot holes or pavements not being fixed are examples.

Council Tax is paid by residents by and large to meet expenditure in the coming year and in the expectation that services are in place to protect and promote the lives of Lincolnshire people. That is what this amendment seeks to do and also to lessen the likelihood of demands on public services in future years.

It is proposed that the following amendments are made to the circulated 'Council Budget 2017/18' report:

Extra Spending (Revenue) 2017/18

- Re-instate all night Street Lighting (page 99, line 5) add **£1.75m**
(£1.2m for conversion & £0.55m for running costs)
 - Adult Social Care including to prevent delayed transfers of care £500k for each of 7 districts (page 89, new line 3a) **£3.5m**
 - Reinstate cuts within Children's Centres (Early Years changes) (page 79, line 4) add **£611.145k**
 - Reinstate preventative health and social care services cut in last years (i.e. 2016/17) budget with an inflation uplift of 2%:
 - Welfare Support (page 95, new line 3a) **£255k**
 - Health Improvement activities (*) (page 95, line 4) **£2.256m**
 - Sexual Health Services (page 95, new line 3b) **£450k**
 - Prevention & Treatment of Substance Misuse (page 95, line 6) **£926k**
- (*) – includes adult weight management; health trainer programme; sports co-ordination; food & health programmes; walking programmes; master gardener; and health support for offenders.
- Reinstate cuts in Citizens Advice Services funding (page 97, Line 5) add **£684k**
 - Re-instate Road Side Grass Cutting (page 99, line 5) add **£510k**
 - Pot hole filling and footpath repairs £100k for each of 7 districts (page 99, line 5) add **£700k**

- Improve library services (page 97, line 6) add **£400k**
- Cost of Borrowing for new capital schemes listed below:
 - Park and Ride in Lincoln (page 27, Appendix A, Line 24)
(Full year borrowing cost is £600k pa) add **£150k**
 - Recycling Centre for North Hykeham and Lincoln South
(page 27, Appendix A, Line 24) add **£22.5k**
(Full year borrowing cost is £90k pa)

In addition revenue running costs of £1.15m pa for park & ride and £230k pa for the recycling centre would be incurred from 2018/19 when the schemes are assumed to be operational.

Extra Capital Spending

- Park and Ride in Lincoln (Page 20, Table 4, Environment & Economy line, 2017/18 column) add **£10m**
- Recycling Centre for North Hykeham and Lincoln South (Page 20, Table 4, Environment & Economy line, 2017/18 column) add **£1.5m**

(Increase intended Borrowing figure for 2017/18 in Table 4 by **£11.5m**)

(Add additional lines to Appendix N, page 74, under Environment & Economy to reflect the above two additional capital schemes)

Funding of the Extra Spending 2017/18

£12.215m to be taken from the Financial Volatility Reserve. That reserve account will have an estimated balance of £49.634m at 31/03/2017 of which £17.870m is already spoken for in the Conservative led council budget leaving the account at £19.549m after allowing for the additional £12.215m revenue spending.

It is expected that there will be an underspending of £20m in the current financial year which has been factored into the estimated year-end balance on the Financial Volatility Reserve of £49.634m.

The Director of Finance & Public Protection has confirmed that these proposals are compliant with the existing Financial Strategy of the Council and represent a balanced budget for 2017/18. The Council is predicting an ongoing budget deficit over the two financial years after 2017/18 and substantial savings or other actions will need to be found in those years to deliver a balanced budget. These proposals reduce the funding available to assist in balancing future budgets from the Financial Volatility Reserve to £19.5m.

To be seconded by Councillor J D Hough

Debate to take place

(D) Other Councillors

(E) Response by the Leader of the Council

(F) In accordance with the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014 the recorded votes to be taken in the following order:-

- (i) Labour Group Amendment
- (ii) Lincolnshire Administration Group motion (original or amended)

8. COUNCIL BUSINESS PLAN 2017/18

A report by the Chief Executive has been circulated.

Councillor M J Hill OBE to move:

That the Council Business Plan 2017/18 be approved as attached at Appendix A.

Councillor Mrs P A Bradwell to second.

9. APPOINTMENT OF RETURNING OFFICER

A report by the Executive Director Environment and Economy had been circulated.

Councillor M J Hill OBE to move:

That Mr Tony McArdle, Chief Executive, be appointed as the Returning Officer for the County Council Election on 4 May 2017.

Councillor Mrs P A Bradwell to second

10. PAY POLICY STATEMENT

A report by the Executive Director Children's Services has been circulated:

Councillor M J Hill OBE to move:

That the Council agree the Pay Policy Statement attached at Appendix A to the report.

Councillor Mrs M J Overton MBE to second.

11. MEMBERS ALLOWANCES 2017/18

A report by the Executive Director Responsible for Democratic Services has been circulated.

Councillor Mrs J Brockway to move:

That the Council adopts the Members Allowance Scheme as detailed in Appendix A to the report.

Councillor C E D Mair to second.

12. LINCOLNSHIRE LOCAL GOVERNMENT PENSION SCHEME – REQUIREMENT FOR ASSET POOLING

A report by the Executive Director for Finance and Public Protection had been circulated.

Councillor M A Allan to move:

That the Council as administering authority of the Lincolnshire Local Government Pension Fund:

- 1. Approve the adoption of Border to Coast Pensions Partnership (BCPP) Pooling Arrangement as the Councils chosen approach to meet the requirement to pool assets in the LGPS.**
- 2. Approve inclusion within the Lincolnshire LGPS Investment Strategy Statement of the BCPP Pooling Arrangement as the Council's approach to pooling investments in accordance with the Local Government Pension Scheme (Management and Investment of Funds) Regulations 2016 and the Guidance on Preparing and Maintaining an Investment Strategy Statement**
- 3. Approve the subscription by the Council as administering authority for 1 class A voting share in Border to Coast Pensions Partnership Limited**
- 4. Appoint the Executive Director for Finance and Public Protection to exercise the Council's rights as a shareholder in Border to Coast Pensions Partnership Limited on behalf of the Council as the administering authority of the Lincolnshire Local Government Pension Fund;**
- 5. Approve the subscription by the Council as administering authority for such number of class B non-voting shares in the Border to Coast Pensions Partnership Limited as shall be necessary to ensure that the Lincolnshire LGPS contributes by way of equity one twelfth of the minimum regulatory capital requirement of the company as determined in accordance with the requirements of the company's regulators;**

6. **Approve the entering into of a Shareholder Agreement between the Council and the Administering Authorities of the other Pool Funds and the company generally in the form attached at Appendix E of the report and described within the Report;**
7. **Approve the entering into of an Inter-Authority Agreement between the Council and the Administering Authorities of the Partner Funds generally in the form attached at Appendix C of the report and described within the Report**
8. **Approve the establishment as a formal Joint Committee under section 102 of the Local Government Act 1972 of the Border to Coast Pensions Partnership Joint Committee in accordance with and to carry out the functions set out in the Inter-Authority Agreement**
9. **Appoint the Chairman (or Vice Chairman in their absence) of the Pension Committee to represent the Council on behalf of Lincolnshire Local Government Pension Scheme on the Border to Coast Pensions Partnership Joint Committee;**
10. **Approve the changes to the Constitution set out in Appendix D of the report to enable Lincolnshire to be a partner on the Border to Coast Pensions Partnership Joint Committee and undertake all Fund activities in regards to being an investor in Border to Coast Pensions Partnership Limited in its capacity as an Asset Management Company;**
11. **Authorise the Executive Director for Finance and Public Protection in consultation with the Chairman of the Pensions Committee to finalise the approval and execution, where required, of all legal documents necessary to give effect to the above decisions including the Articles of Association of Border to Coast Pensions Partnership Limited, the Shareholder Agreement and the Inter-Authority Agreement**

Councillor Mrs S Rawlins to second

13. CONSULTATION ON THE FUTURE GOVERNANCE ARRANGEMENTS FOR LOCAL GOVERNMENT IN LINCOLNSHIRE

A report by the Chief Executive has been circulated.

Councillor M J Hill OBE to move

That the Council authorises the Chief Executive in consultation with the Leader of the Council to make arrangements for seeking the views of the residents of the county on the principle of moving to a unitary system of local government in Lincolnshire.

Councillor J R Marriott to second.

14. CALENDAR OF MEETINGS 2017/18

A report by the Executive Director responsible for Democratic Services has been circulated.

Councillor Mrs J Brockway to move:

That the Calendar of Meeting Dates for 2017/18 as shown in Appendix A of the report be approved.

Councillor S L W Palmer to second

15. LINCOLNSHIRE MINERALS AND WASTE LOCAL PLAN: SITE LOCATIONS (PRE-SUBMISSION DRAFT)

A report by the Executive Director for Environment and Economy has been circulated.

Councillor C J Davie to move:

That the County Council approve the Site Locations (Pre-Submission Draft) for submission to the Secretary of State for Communities and Local Government in April 2017 for examination.

Councillor R A Shore to second

16. AMENDMENTS TO THE CONSTITUTION

A report by the Executive Director responsible for Democratic Services has been circulated.

Councillor Mrs J Brockway to move:

That the Council approve the amendments to the Council's Constitution as set out in the Appendix to the report.

Councillor Mrs M J Overton MBE to second.

AT THE CONCLUSION OF THE MEETING

The Chairman to state:

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

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

FOR THE INFORMATION OF COUNCILLORS

COUNCIL MEETINGS – INTERVENTION IN DEBATE

1. (a) Points of Order are just that. They must relate to the Council Procedure Rules or conduct of the meeting and generally will be drawing attention to a perceived breach, e.g.
 - (i) absence of a quorum;
 - (ii) order of speeches;
 - (iii) irrelevance;
 - (iv) time limit for speech exceeded;
 - (v) misconduct;
 - (vi) motion not seconded.
- (b) Examples of common intervention which are NOT points of order:-
 - (i) Points of information or Personal Explanation (as to which see below);
 - (ii) Disagreement with a speaker;
 - (iii) Further thoughts or clarification of a previous speech prompted by the speaker (unless amounting to a Personal Explanation);
 - (iv) Correction of a speakers opinion (rather than fact, which is a Point of Information);
 - (v) An attempt to "reply" to another Member's speech or a point made in it;
2. (a) Point of Information – when a Member is speaking and is obviously proceeding on the basis of information which is wrong or of which the member is ignorant, another member may properly seek to intervene to provide the correct or missing information, thereby saving the Council from being misled and saving its time.
- (b) ASKING FOR information is NOT a Point of Information; a member who has spoken may be able to request a colleague who has not yet spoken to ask;
3. (a) A Personal Explanation is a proper intervention only when an earlier speech by the Member is being misquoted or misrepresented;
- (b) It must not be used as a spurious pretext for reiteration of the Member's earlier speech or as a second speech.
4. Practice

Members rising to make one of the Points must specify which one is being used. The Member speaking should give way. The Point should be made briefly. The Chairman will then rule on it promptly, firmly and finally. There will be no debate nor will the ruling of the Chairman be open to discussion.

FOR THE INFORMATION OF COUNCILLORS

Recording Notice

Please note – this meeting may be recorded and filmed for live broadcast via the Council's website. At the start of the meeting the Chairman will confirm if all or part of the meeting is being recorded. Data collected during the recording will be retained in accordance with the Council's policy.

Members of the public are also able to film, record, report and commentate on public meetings of local government bodies in England by various methods, including social media. Although there is a general presumption in favour of photography and audio/visual recording of meetings, proceedings must not be disrupted by the use of media tools.

People seated in the public gallery/seating area should not be photographed, filmed or recorded without the consent of the individuals concerned. This also applies to those individuals who may ask a public question, present a petition or make a representation at a Council meeting open to the public and who are not seated in a "public seating area".

If you have any queries regarding this please contact the Head of Democratic Services (01522) 552480.