

Agenda Item 4

MEETING OF LINCOLNSHIRE COUNTY COUNCIL

10 DECEMBER 2021

ORDER OF PROCEEDINGS

MEETING GUIDANCE

Today's proceedings will be live streamed and recorded.

Health and Safety

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

Please note: there is no fire drill or fire alarm test planned for today, in the event of the fire alarm sounding, please leave by the nearest fire exit and make your way to the car park at the front of County Offices.

Requesting to speak

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

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

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

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

Prayers will be led by Councillor A Key in the Council Chamber at 10.20am prior to the start of formal proceedings at 10.30am

Members are requested to take their seats by 10.25am

The agenda previously circulated and published will be followed

Councillor M Brookes in the Chair

ORDER OF PROCEEDINGS – 10 DECEMBER 2021

1. APOLOGIES FOR ABSENCE

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

2. DECLARATIONS OF COUNCILLORS' INTERESTS

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

Note:-

Councillors are reminded that there is no need to declare an interest if it has already been recorded on the register of disclosable pecuniary interests (DPIs) or notified to the Monitoring Officer in accordance with the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012. Where councillors do declare an interest they must state what the interest is. Councillors must not speak or vote on the item.

Should you have any queries about declarations please seek advice from officers in advance of the meeting.

3. MINUTES OF THE MEETING OF THE COUNTY COUNCIL HELD ON 17 SEPTEMBER 2021

The Chairman to state:-

That the minutes of the meeting of the County Council held on 17 September 2021 be approved as a correct record and signed by the Chairman.

4. CHAIRMAN'S ANNOUNCEMENTS

I have been delighted, with the support of my wife Jackie, to have been able to carry out more civic engagements since the relaxation of Covid-19 restrictions and the associated roll out of the vaccination programme. With Covid continuing to be part of our everyday lives and the emergence of new variants, we must remember that following new guidelines as they are issued is just as important as ever. Please be assured that I will continue to keep a close eye on the guidance as I look to represent the County Council at events around Lincolnshire and beyond.

I would like to thank the Vice-Chairman and Consort, Councillors Alison and Richard Austin, for their support during this period.

Since the last meeting we have celebrated Lincolnshire Day joining with North and North East Lincolnshire as Greater Lincolnshire, illustrating our continued commitment to working together for the benefit of all our residents. This was also the kick-start of the Queen's Green Canopy which it is hoped will see thousands of

trees planted across the UK in commemoration of the Queen's Platinum Jubilee next year. The Remembrance Sunday service held in Lincoln Cathedral was a very poignant occasion and was well supported and attended. I was pleased to lay a poppy wreath on behalf of the County Council.

It is with great sadness that I report the deaths of a serving member and a former member of the County Council:

County Councillor Bob Adams, who represented the Colsterworth Rural electoral division from 2 May 2013, was Chairman of the Highways and Transport Scrutiny Committee at the time of his death last month, having been appointed to that role on 17 May 2019.

Councillor Adams had also been chairman of the Flood and Water Management Scrutiny Committee from 11 May 2018 until 17 May 2019, and vice-chairman of the Children and Young People Scrutiny Committee between 17 May 2013 and 15 May 2015.

Former County Councillor Jim Swanson who represented the former Spilsby electoral division from June 2009 until May 2013 also passed away recently.

I'm sure you will join me in offering our heartfelt condolences to the family and friends of Councillor Adams and Mr Swanson and I invite you all to stand for a minute's silence as a mark of respect.

[Following the silence Chairman to invite councillors to speak]

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

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

Statements by the Members of the Executive are detailed as report reference 5.0 in the agenda previously circulated.

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

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

When invited to ask their question, councillors should press the button on their microphone to make it live and press it again once they have finished speaking.

7. APPOINTMENT OF MEMBERS TO THE BOURNE TOWN HALL TRUST MANAGEMENT COMMITTEE

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

Councillor Mrs S Woolley to move:

That the Council appoints the following voting members to serve on the Bourne Town Hall Trust Management Committee:

Councillor M J Hill OBE

Councillor P M Dilks

Councillor A Stokes

Councillor T Ashton

and the councillor elected to the vacant Colsterworth Rural Division

Councillor R P H Reid to second

8. THE REVOCATION OF BYELAWS MADE UNDER SECTION 164 OF THE PUBLIC HEALTH ACT 1875 WITH RESPECT TO LAND AT ANDERBY CREEK, LAND AT WOLLA BANK, LAND AT MARSH YARD, LAND AT MOGGS EYE, LAND AT HUTTOFT CAR TERRACE AND LAND AT CHAPEL SIX MARSH IN THE COUNTY OF LINCOLNSHIRE AND DATED 24 SEPTEMBER 2013

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

Councillor C J Davie to move:

That Council

- 1. Approve the making of and the affixing of the Council's seal to the byelaw attached at Appendix A, revoking the byelaw made by Council on 24 April 2013 and confirmed by the Secretary of State on 24 September 2013 and attached at Appendix B;**
- 2. Delegates to the Executive Director – Place authority to take all further steps necessary to make the said byelaw effective.**

Councillor T J G Dyer to second

9. MEMBERS' ALLOWANCES SCHEME 2022/23

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

Councillor M J Hill OBE to move:

1. **That the Council considers the IRP Report and its recommendations.**
2. **That the Council approves the Scheme of Members' Allowances for 2021/22 as the Lincolnshire County Council Scheme of Members' Allowances for 2022/23 subject to:-**
 - a) **The amendments shown in Appendix B to the Report; and**
 - b) **The amount of the Allowances within Schedule 1 to the 2021/22 scheme of Members' Allowances being increased by the average % increase in pay for employees covered by the National Joint Council for Local Government Services for the last 12 months**

Councillorto second (TBC)

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

Motion by Councillor M J Hill OBE

Preamble:

In February 2021, the county council's road maintenance grant was reduced by the Government from £51m down to £38.7m – a 25% cut. As a result, county councillors voted to fill this funding gap by allocating £12.3m from council reserves for this financial year.

The Treasury's own figures have consistently shown the East Midlands to be lowest funded region per head for transport in the UK. And if we were receiving the same level of funding as the UK average, we and our neighbouring counties would have an extra £1 billion to spend on transport every year.

Lincolnshire is a large rural county with 5,500 miles of road to maintain. Without the £12.3 million in funding that has been taken from the council's road maintenance grant, 24,000 potholes would go unfilled and 37 miles of roads in need of rebuilding would go un-repaired.

Local government has been at the forefront of government spending cuts for the last 10 years. During that time, Lincolnshire County Council has seen its annual government grants fall from £227m to £109m. In addition, the council has faced cost pressures of around £22-61m each year.

It is to our credit that we have maintained good services during this period.

Since 2011, the county council has found savings totalling £354m. Prior to the local government finance settlement later this month, initial estimates suggest it will face a cumulative funding shortfall of up to £57m over the next four years. Whilst some new welcome funding will be forthcoming from the Government, the main way to close that gap will be to increase council tax, draw on our reserves or find further savings – or more likely a combination of all three.

Because of these budget strains, it is unlikely the council can continue allocating funding from reserves to bring our roads maintenance funding back to 2019/20 levels which will have a detrimental effect on the state of our roads and lead to even greater costs in future.

Over many years highway maintenance has been a top priority for Lincolnshire residents which was highlighted even more during this year's county council elections.

There is an urgent need for government to reinstate their highway maintenance funding to previous levels where it correctly recognised the importance of good roads for safety and economic confidence.

I therefore move that this Council:

- 1. Urgently lobbies Government to reinstate their Highways Maintenance Grant for Lincolnshire to the 2019/20 levels**
- 2. Enlists the support of the public, partners and MPs.**
- 3. Identifies solutions if the money is not forthcoming before it sets its budget in February 2022.**

Councillor.....to second (TBC)

Motion by Councillor A J Baxter

Whilst welcoming the wide-ranging goals in the Council's 'Green Masterplan', this motion seeks to ensure the council is fully measuring its performance towards achieving those goals.

I therefore move that this Council:

- 1. Includes a 'Climate Change Impact Assessment' in reports to the Council, Executive decision-makers and its committees.**
- 2. Such Impact Assessments to include an evaluation of the consistency of report recommendations with the Council's Green Masterplan and Carbon**

Management Plan, together with a specific statement on the carbon-neutrality, or otherwise, of the recommendations.

Councillor R J Cleaver to second

Motion by the Labour Group

Councillor R B Parker to move:

The Government has recently announced a ten year 'vision' for social care. From October 2023 the Government plans to introduce a new £86,000 cap on the amount anyone in England will have to spend on their personal care over their lifetime, to be funded in part from a new tax, the Health and Social Care Levy

The White Paper sets out details of £1 billion of funding over the next 3 years including:

- £300m to help councils increase the range of supported housing options which allow people to live more independently,
- £150m to drive the greater adoption of technology and
- £500m for workforce development, primarily through training and qualifications.
- controversial plans to cap care costs at £86,000, which would allow wealthy people to keep a greater proportion of their assets than poorer people.

Jeremy Hunt, who chairs the Commons health and social care select committee, said the spending plans of around £1bn as outlined were "a long way off" the £7bn a year extra the health and social care select committee called for by the end of the parliament. The government's commitments do not match the ambition set out by the Prime Minister and urgency of change, which the people who draw on care and support rightly expect to see.

These proposals do nothing to deal with the immediate pressures facing social care as we head into one of the most difficult winters on record."

There is an absence of long-term strategy to transform the pay, terms and conditions of care workers, nor the high vacancy levels in the care sector. In the short term, £500 million over 3 years is not enough to cover a workforce of over 1.65 million.

King's Fund have argued that the measures failed to "fix social care" as Boris Johnson promised he would do "once and for all" in July 2019.

The care cap of £86,000 is much more advantageous to people who own more expensive houses and detrimental to those who own cheaper properties. The policy will also be more advantageous to people living in areas where house prices are

high and detrimental to people living in areas where house prices are lower.

Motion

For the reasons set out above I move that:

This council calls on the Leader of the Council to write to Lincolnshire MPs urging them to press the Minister of Care, Gillian Keegan, to reconsider the present proposals.

Councillor K E Lee to second

AT THE CONCLUSION OF THE MEETING

I would like to take this opportunity to wish you all a happy Christmas and a safe and healthy new year.

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

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

FOR THE INFORMATION OF COUNCILLORS

COUNCIL MEETINGS – RULES OF DEBATE

(i) Rule 13.4 Content and Length of Speeches

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

(ii) Rule 13.5 (When a Councillor may speak again)

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

- a) In exercise of a right of reply;
- b) On a point of order or information; and
- c) By way of personal explanation.

(iii) Rule 13.9 (Right of Reply)

- a) The mover of a motion has a right to reply at the end of the debate on the motion, immediately before it is put to the vote;
- b) If an amendment is moved, the mover of the original motion has the right of reply at the close of debate on the amendments, but may otherwise not speak on it; and
- c) The mover of the amendment has no right of reply to the debate on his or her amendment.

COUNCIL MEETINGS – INTERVENTION IN DEBATE

1. (a) Points of Order are just that. They must relate to the Council Procedure Rules or conduct of the meeting and generally will be drawing attention to a perceived breach, e.g.
 - (i) absence of a quorum;
 - (ii) order of speeches;
 - (iii) irrelevance;
 - (iv) time limit for speech exceeded;
 - (v) misconduct;
 - (vi) motion not seconded.
- (b) Examples of common intervention which are **NOT** points of order:-
 - (i) Points of information or Personal Explanation (as to which see below);
 - (ii) Disagreement with a speaker;

- (iii) Further thoughts or clarification of a previous speech prompted by the speaker (unless amounting to a Personal Explanation);
 - (iv) Correction of a speaker's opinion (rather than fact, which is a Point of Information);
 - (v) An attempt to "reply" to another Member's speech or a point made in it;
2. (a) Point of Information – when a Member is speaking and is obviously proceeding on the basis of information which is wrong or of which the member is ignorant, another member may properly seek to intervene to provide the correct or missing information, thereby saving the Council from being misled and saving its time.
- (b) ASKING FOR information is **NOT** a Point of Information; a member who has spoken may be able to request a colleague who has not yet spoken to ask;
3. (a) A Personal Explanation is a proper intervention only when an earlier speech by the Member is being misquoted or misrepresented;
- (b) It must not be used as a spurious pretext for reiteration of the Member's earlier speech or as a second speech.

4. Practice

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