



MINUTES

COUNCIL

THURSDAY, 21 JUNE 2007
2.00 PM

PRESENT

Councillor Michael Taylor - Chairman

Councillor Robert Adams
Councillor Ray Auger
Councillor Christine Brough
Councillor Robert Broughton
Councillor Mrs Frances Cartwright
Councillor Elizabeth Channell
Councillor George Chivers
Councillor Alan Davidson
Councillor John Dawson
Councillor Mike Exton (Vice-Chairman)
Councillor Stuart Farrar
Councillor Mrs Joyce Gaffigan
Councillor John Harvey
Councillor Robert Hearmon
Councillor David Higgs
Councillor Trevor Holmes
Councillor Reginald Howard
Councillor Mrs Maureen Jalili
Councillor Sam Jalili
Councillor Kenneth Joynson
Councillor Jock Kerr
Councillor Albert Victor Kerr
Councillor Peter Martin-Mayhew

Councillor Stuart McBride
Councillor Andrew Roy Moore
Councillor Mrs. Linda Neal
Councillor Benjamin Newcombe-Jones
Councillor John Nicholson
Councillor Alan Parkin
Councillor Mrs Margery Radley
Councillor Robert Russell
Councillor Bob Sandall
Councillor Susan Sandall
Councillor Trevor Scott
Councillor Ian Selby
Councillor Mrs Judy Smith
Councillor John Smith
Councillor Mrs Maureen Spencer-Gregson
Councillor Peter Stephens
Councillor Ian Stokes
Councillor Jeffrey Thompson
Councillor Andrea Webster
Councillor Graham Wheat
Councillor Mike Williams
Councillor Avril Williams
Councillor Raymond Wootten

OFFICERS

Chief Executive
3 Strategic Directors: Beverly Agass; Geoff Plummer; Ian Yates
Corporate Head, Finance & Resources
Monitoring Officer
HR & Organisational Development Service Manager
Scrutiny Officer

20. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Bisnauthsing, Mrs Bosworth, Carpenter, Craft, Helyar, Mrs Kaberry-Brown, Lovelock and Wood.

21. DECLARATIONS OF INTEREST

There were no declarations of interest.

22. MINUTES

The minutes of the meeting held on 17th May 2007 were signed as a correct record by the Chairman subject to the following:-

Page 13 LGA Rural Commission – name Portfolio Holder (Councillor John Smith).

23. COMMUNICATIONS (INCLUDING CHAIRMAN'S ENGAGEMENTS)

A list of the Chairman and Vice-Chairman's engagements since the last Council meeting had been circulated with the agenda.

It was agreed that the earlier Members' Forum had been very successful and that a further session should be arranged before the next Council meeting.

24. AMENDMENTS TO THE CONSTITUTION - QUESTIONS BY MEMBERS

Decision:-

That the Council's Constitution be amended as follows:-

- 1. Delete clauses 11.1 through to 11.7 of the Council Procedure Rules contained in part 4 of the Constitution and as detailed at Appendix 1 attached to the report; and***
- 2. Substitute the wording relating to Questions on Notice as detailed at Appendix 2 attached to the report.***

The Council had before them report LEG1 of the Monitoring Officer which reported on proposed amendments to the Constitution. These had been considered at the Annual General Meeting on 17th May 2007 but could not be approved at that meeting since the proposals had to be referred to an Ordinary Meeting of the Council. The proposals constituted an amendment to the Council Procedure Rules as detailed in Part 4 of the Constitution.

The motion was duly proposed, seconded and carried.

25. CAPITAL STRATEGY 2007/2010

Decision:-

That the Council approve the Capital Strategy for 2007/10.

The Council had before them report CHFR51 of the Corporate Head of Finance and Resources on a draft Capital Strategy for 2007/10, which had been approved by Cabinet for Consultation on 2nd April 2007. It had also been reviewed by the former Resources Development and Scrutiny Panel on 5th April.

1) Following the review by the DSP, the Cabinet were now recommending the following amendments to the strategy:

- "The appropriate scrutiny body will receive regular reports from the Capital Asset Management Group to ensure that the scoring processes are robust" has been inserted into the section on project appraisal.
- A major repairs and maintenance position as quoted on page 13 of the Capital Strategy has been amended to attach the following words:

"Taking into account of the resolution of the lease arrangements" – in relation to the Deepings Leisure Centre item.

- "The Audit Committee will periodically consider whether the scoring mix for Capital Projects is fit for purpose" has been added into the section on project appraisal.

The motion was duly proposed, seconded and carried.

(Councillor Selby left the meeting at 2.09pm)

26. DRAFT COUNCIL ANNUAL PERFORMANCE PLAN 2007/08

Decision:-

That the Council:-

a) Adopts the Annual Performance Plan for 2006/07 – 2007/08 including the three year performance targets against the national performance indicators.

b) Agrees that the authority is delegated to the Chief Executive, in consultation with the Leader, to make any minor changes to the draft Plan that may be necessary prior to its publication at the end of June 2007.

The Council had before them report POI004 of the Corporate Head of Partnerships and Organisational Improvement which advised of the legal requirement to provide a Performance Plan by 30th June each year, although this would change when the current Local Government Bill became Law.

The Performance Plan summarised how the Council had performed in 2006/07 against its agreed delivery targets and set out the Council's targets for the year ahead.

Members asked questions in relation to some of the performance indicators as detailed in the report and also the performance of the Customer Services Centre. The Chief Executive observed that the Council had finite resources and that concentrating efforts in one area would result in less resources being available for other areas.

The Portfolio Holder (Councillor Auger) advised that any concerns about performance of the Customer Services Centre should be referred to himself. The new Head of Corporate and Customer Services was now in post.

The motion was duly proposed, seconded and carried.

27. DELEGATION OF APPROVAL OF ACCOUNTS

Decision:-

That the Council clarify the terms of reference of the Governance and Audit Committee (GAAC) by:

a) Revising term Q to read as follows:

"To review and accept the annual statement of accounts on behalf of the Council. Specifically to consider whether appropriate accounting policies have been followed and whether there are concerns arising from the financial statements or from the audit that need to be brought to the attention of the Council".

b) Including an additional term of reference under the

accounts section to read as follows:

"To review and draw to the attention of Council issues arising out of financial reports in accordance with the Local Government Act 2003".

The Council had before them report CHFR52 of the Corporate Head of Finances and Resources which advised that clarity was required in respect of the terms of reference of the Governance and Audit Committee as agreed by Council on 1st March 2007.

The motion was duly proposed, seconded and carried.

28. MEMBERS' ALLOWANCE SCHEME 2007/08 - INTERIM ARRANGEMENTS
Decision:-

- a) To request a review of the Members' Allowance Scheme for the municipal year 2007/08 onward to reflect the new member structures; and***
- b) To adopt an interim scheme based on the existing Members' Allowance Scheme for the financial year 2007/08 until the outcome of the Members' Remuneration Panel is known.***

The Council had before them report CHFR55 of the Corporate Head of Finance and Resources which advised that the Local Authorities (Members) Allowance (England) Regulations 2003 put in place and consolidated and simplified a framework for allowances that covered district and parish councils. The Council were unable to revoke or amend its scheme of allowances without first considering the recommendations of an independent panel. In view of the revised arrangements for policy development and overview and scrutiny recently adopted by the Council, it was recommended that the Remuneration Panel examine in more detail the functions carried out by these new arrangements and determine the Members' Allowance Scheme for the future.

The motion was duly proposed, seconded and carried.

29. REPRESENTATION ON OUTSIDE BODIES
Decision:-

- a) That Mr John Kirkman be appointed to serve on the Lincolnshire Primary School Provisions Panel;***

b) That the appointment of the Assets and Resources Portfolio holder to the Shared Services Member Management Board be confirmed; and

c) That Councillor Hearmon replace Councillor Mrs Radley on the Lincolnshire Health Scrutiny Committee.

The Council had before them report DEM002 of the Democracy Services Manager which advised that three appointments to outside bodies were required to be made by the Council.

Following consideration of the nominations put forward, a vote was taken on each appointment and appointments were made as indicated above.

30. OVERVIEW AND SCRUTINY ANNUAL REPORT

Decision:-

To note the report.

The Council had before them report DEM003 of the Scrutiny Officer which outlined the work of the Council's former Development and Scrutiny Panels (DSPs) from May 2006 – May 2007. The report also detailed changes to scrutiny as proposed in the Local Government and Public Involvement in Health bill.

The Chairman of the Council's new Scrutiny Committee paid tribute to the improvement in the Council's scrutiny processes in the past year as a result of hard work by both members and officers.

The motion was duly proposed, seconded and carried.

31. REVIEW OF PENSION SCHEME

Decision:-

a) To approve the seven employer discretions and two administering authority discretions as detailed in the report to Cabinet SD13 and appendices;

b) To authorise the notification of the approved employer discretions and administering body discretions to the Council's pension administrators, Lincolnshire County Council;

c) To adopt the pension policy statement detailed in appendix 4 of report SD13; and

d) To give delegated authority to the Chief Executive, as Head of Paid Service, in consultation with the Portfolio Holder, to consider and incorporate outcomes from the consultation into the Council's pension discretions and Statement of Pensions Policy.

The Council had before them report HR0092 of the Human Resources and Organisational Development Service Manager which advised that Lincolnshire County Council as Pensions Administrators required the District Council to undertake a review of its pension fund discretionary policies to take account of changes in legislation such as age discrimination. A response was required by 29th June 2007.

In reviewing the discretions the opportunity had also been taken to review the Council's Pension Policy Statement. The discretions and policy statement would apply until 31st March 2008. After that date a new pension scheme would take effect.

Consultation with trade union representatives was ongoing and consultation with staff had commenced.

The motion was duly proposed, seconded and carried.

**32. NOTICE(S) OF MOTION GIVEN UNDER COUNCIL PROCEDURE RULE 12:
By Councillor Jeff Thompson**

Decision:-

To not support the motion by Councillor Thompson.

Councillor Thompson had submitted and moved the following motion:-

"In view of the ability of all members to obtain a cup of whatever beverage they prefer whenever they like from the members' lounge and have water available in the Council Chamber, I believe that the suspension of business for about half an hour and the disruption caused together with the inability of visitors to avail themselves of such a privilege is totally unnecessary.

I therefore move that full Council business proceeds without a break in the future."

In moving the motion, Councillor Thompson advised the newer members that today's meeting was unusual in its short length, normally full council continued until 5-5.30pm. Council always

adjourned to take tea at 3.30pm and invariably half an hour was taken up. Water and tea were available at all times. There may be persons in the Chamber waiting to hear a particular item and Councillor Thompson suggested to break off business for 30 minutes did not create a good impression. The motion was seconded by Councillor Broughton.

Councillors Mike Williams, Maureen Jalili and Ibis Channell all spoke against the motion. Councillor Sam Jalili spoke as a medical practitioner, his earnest advice was that the physiology of human thinking is impaired after an hour or so, it was therefore imperative to keep the tea break. Councillor Howard reminded the meeting of the Noel Coward song which advised that "Everything stops for tea".

The Leader reminded the meeting that Full Council demanded high concentration levels, especially on the part of the Chairman and the Committee Officer, neither of whom were able to leave the meeting whilst it continued. The Chairman advised that it was the intention to have a division bell installed in time for the next meeting.

After further discussion, the motion was lost.

33. CLOSE OF MEETING

The meeting was closed at 3.07pm.