

Present:	Councillor Geoff Ellis (<i>in the Chair</i>)
Councillors:	Yvonne Bodger (substituted for Ronald Hills), Chris Burke, Gary Hewson (substituted for David Jackson), Ric Metcalfe, Hilton Spratt and Ralph Toofany
Independent Person(s):	Chris Elkington and Roger Vine
Apologies for Absence:	Councillor Ronald Hills, Councillor David Jackson, Councillor Katie Vause and Councillor Loraine Woolley

42. Confirmation of Minutes - 3 February 2014

RESOLVED that the minutes of the meeting held on 3 February 2014 be confirmed.

43. Declarations of Interest

No declarations of interest were received.

44. Code of Conduct: Cases Review

The Assistant Director of Legal and Corporate Support Services:

- a) presented a report containing information on recent cases relating to other local authorities' codes of conduct.
- b) highlighted that members should identify any issues raised within the report as being relevant for further consideration with regard to their impact upon members.
- c) drew members' attention to the case involving the prosecution of a councillor for taking part in a vote on setting council tax contrary to the Local Government Finance Act 1992, and advised of the provisions in place to limit the likelihood of this occurring locally.
- d) invited members' questions and comments.

Members:

- discussed a case involving the disclosure of information to the local media and the potential distinction to be drawn between information which was legally sensitive and politically sensitive.
- considered the circumstances in which a councillor became unable to take part in votes regarding the setting of the council tax.
- noted that a letter had been provided to councillors reminding them of their legal responsibilities in taking part in a vote on the council tax and suggested that this letter could be provided annually.
- questioned whether members who paid council tax to other district councils were similarly affected by restrictions in taking part on votes in the event on meeting the criteria for arrears.
- discussed the applicability of housing rent debts limiting Lincoln Tenant Panel members from taking part in the consideration of setting housing rents.

The Reserve Independent Person noted the importance of a council's finance department in providing the relevant information to a monitoring officer in a timely manner in order to ensure action could be taken wherever was appropriate.

The Assistant Director of Legal and Corporate Support Services:

- advised that regardless of whether a document contained officially exempt or confidential information, a councillor would still have a duty to consider whether it would be reasonable and in the public interest to share that information more widely.
- stated that members who were affected by council tax arrears legislation would be unable to take part in setting the council tax even when voting in a different district from the relevant property.

RESOLVED that:

1. the report be noted.
2. guidance regarding the nature of confidential information be issued to members.
3. members be reminded on an annual basis of the legal restrictions applying to councillors in taking part in votes on setting the council tax.

45. Member Development Update

The Assistant Director of Legal and Corporate Support Services:

- a) presented a report updating members on the delivery of member development.
- b) highlighted the extensive changes made to the delivery of the induction process for new councillors.
- c) requested any guidance from members on their member development priorities for the year ahead.
- d) invited members' questions and comments.

Members:

- noted that while the training delivered at sessions was often well-received and of a high quality, attendance from members was frequently very low. Councillors were noted to have many demands upon their time, but it was necessary to consider how attendance rates could be improved.
- questioned the purpose of continuing with member development events if councillors chose not to attend in significant numbers.
- stated that it was important to retain training provision.
- suggested holding training immediately prior to evening committee meetings wherever possible and appropriate would be welcomed.

The Independent Person suggested that combined training sessions on separate topics might assist in attracting more members to events.

The Assistant Director of Legal and Corporate Support Services advised that officers had sought to provide alternative methods for training provision, including e-learning, but that these had not been widely used.

RESOLVED that the report be noted.

46. Promoting Constructive Debate within Meetings

The Democratic Services Officer:

- a) presented a report providing commentary on the Council Procedure Rules in place for meetings of Council.
- b) advised that the report had been provided to give members the chance to review the rules as a whole in order to assess whether the rules were appropriately balanced to encourage constructive debate within meetings.
- c) highlighted a number of areas in which the Council had flexibility to change its rules, including providing for Council as a place for broad debates and provisions related to the questioning of elected representatives.
- d) invited members' questions and comments.

Members:

- discussed the need for Council meetings to become a place where matters of importance to the city were debated. The reasons for its present shortcomings were not clear although improvements had been made in recent years.
- proposed that Council play an increased role as an initiator of discussions around topics which could then be developed in detail by scrutiny committees.
- considered whether the Guildhall offered suitably modern facilities or if a more accessible venue would be preferred.
- noted the potential value of webcasting, while acknowledging its prohibitive cost.
- highlighted the need for topics to be directly relevant to individual residents before significant public engagement could be elicited.
- suggested that the provision for public question time could be promoted to local stakeholders.

The Independent Person and Reserve Independent Person:

- commented that greater use could be made of the present provisions allowing questions from members to portfolio holders and committee chairs.
- suggested that any more general annual debate could be timed to coincide with Local Democracy Week.

RESOLVED that:

1. The Leader and officers be requested to make arrangements for a State of the Area debate.
2. A report regarding the progress made in this regard be provided to the next meeting of the Committee.

47. Electoral Registration in Lincoln

The Principal Democratic Officer:

- a) noted that the report had been provided for the attention of members following recent consideration by the Audit Committee of the number of properties in the city without registered electors.
- b) highlighted the changes due to be made to the electoral registration system as a result of individual electoral registration.
- c) advised of students' discretion in choosing where to register to vote and of the reluctance of some residents to be added to the electoral register.
- d) drew members' attention to the work underway with Lincoln University to agree a data-sharing protocol to improve student registration rates.
- e) stated that the Council had received a grant from the Cabinet Office to support electoral registration and requested guidance from members on the most suitable uses for this funding.
- f) invited members' questions and comments.

Members:

- noted the need for residents to consider electoral registration and voting as being a moral duty.
- stated the Council should make use of its legal powers to prosecute those who refused to register to vote, while noting the financial constraints and difficulty in prosecuting individuals from a considerably larger group.
- advised that while a 100% registration rate would be preferred, a 98% registration rate was a good rate given the challenges in encouraging registering residents to vote.
- suggested that voter apathy was the responsibility of local and national politicians to resolve.
- proposed that the Council seek to make use of the business community in encouraging workers to register to vote.

The Principal Democratic Officer responded that:

- the Council already promoted electoral registration in public buildings and that similar materials could also be provided to private employers.
- few local authorities actively prosecuted people who did not register to vote, as providing suitable proof of a refusal was difficult in practice. Equally, under individual electoral registration the fines in place for failing to register would be solely retained by central government, meaning that councils did not receive any financial support for bringing prosecutions.

RESOLVED that the report be noted.

48. Work Programme 2014-15

The Assistant Director of Legal and Corporate Support Services:

- a) presented the proposed 2014-15 Ethics and Engagement Committee work programme for consideration by members.
- b) invited members' questions and comments.

RESOLVED that the work programme be approved.