

<b>Present:</b>	Councillor Geoff Ellis ( <i>in the Chair</i> )
<b>Councillors:</b>	Gill Clayton-Hewson (substituted for Tony Gray), Ronald Hills, Adrianna McNulty, Ric Metcalfe, Ralph Toofany, Katie Vause and Loraine Woolley
<b>Independent Person(s):</b>	Roger Vine
<b>Apologies for Absence:</b>	Chris Elkington, Councillor Tony Gray and Councillor Edmund Strengiel

1. **Confirmation of Minutes - 17 March 2014**

RESOLVED that the minutes of the meeting held on 17 March 2014 be confirmed.

2. **Declarations of Interest**

No declarations of interest were received.

3. **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 withdrawal of an application for judicial review regarding the compatibility of the current standards provisions with the European Convention on Human Rights.
- d) invited members' questions and comments.

Members discussed the case involving a parish councillor who had acted as a contract manager and awarded payment to himself, noting surprise that the matter had not been referred for prosecution because it was not considered to be in the public interest.

RESOLVED that the report be noted.

4. **Boundary Review**

The Democratic Services Officer:

- a) presented a report regarding the Local Government Boundary Commission for England's review of the Council's electoral arrangements.
- b) highlighted the proposals contained within the report, which would allow the Council to respond to the consultation and to meet the necessary criteria.

- c) noted that the review had been undertaken as the council had a variance of  $\pm 10$  per cent from 1/11 of the mean electorate in more than 30 per cent of its wards.
- d) advised that the Committee was requested to make a recommendation to Council in advance of its final decision regarding a response to the Commission on 24 June 2014.
- e) invited members' questions and comments.

Members:

- advised that the proposals had not received the support of the opposition group as the boundaries had little difference from those in place in 1999, which the Commission had subsequently altered. The response from the Commission to the proposals would be awaited with interest and no alternative would be proposed until that stage.
- stated that the changes imposed in 1999 had not been supported by the majority of councillors at the time and so the similarity of the proposed revisions did not represent a valid reason for their rejection. It was a considerable challenge to re-balance the wards within the city while meeting the Commission's three criteria; there was, therefore, little room for manoeuvre and the proposed submission reflected an effective and non-partisan approach to the problem.
- noted that the submission would carry more weight with the Commission if it were supported unanimously by members and expressed regret that this appeared to be unlikely.

RESOLVED that Council be recommended to approve the draft submission and supporting documents.

## **5. Defamation Act 2013**

The Assistant Director of Legal and Corporate Support Services:

- a) presented a report summarising the impact of the Defamation Act 2013.
- b) advised that the impact of the legislation was significant within the broader field of defamation, but did not have a direct bearing on advice previously issued to councillors regarding qualified privilege.
- c) questioned whether a guidance note should be re-issued in order to ensure members, particularly those recently elected, were aware of the relevant law.
- d) stressed the requirement for 'serious' harm to reputation to be shown in order for a successful action by an individual.
- e) noted that she would be meeting with the Communications Manager to discuss the production of a protocol regarding the manner in which the Council's reputation could be protected from defamatory comments.
- f) invited members' questions and comments.

Members:

- noted that the Act appeared to tilt the balance in favour of free speech rather than protecting the reputation of the individual.
- stated that the guidance was a useful reminder of the law, particularly in view of the increasing use of social media.
- discussed the manner in which councillors could limit their exposure to offensive comments and the limits upon the actions that could be taken by councils.

The Assistant Director of Legal and Corporate Support Services responded that any protocol would note the difficulties in bringing claims for defamation and would seek to manage relevant parties' expectations.

RESOLVED that:

1. the guidance regarding defamation be circulated to members.
2. a further report be provided to a future meeting regarding the Council's response to defamatory comments.

## **6. Member Induction Review**

The Democratic Services Officer:

- a) presented a report regarding the induction process for new members following the May 2014 elections.
- b) summarised the changes from the previous induction programme.
- c) noted the feedback received from the members who had participated in the induction process.
- d) invited members' questions and comments.

Members:

- noted that feedback from councillors had been broadly positive and that the focus should continue to be upon tailoring content towards members without previous local government experience.
- stated that the compiled programme was extremely positive and thanked officers for its delivery.

RESOLVED that the report be noted.

## **7. Local Democracy Week Update**

The Democratic Services Officer:

- a) presented a report updating members on the Council's plans for Local Democracy Week 2014.
- b) requested comments from members on the proposals provided, including the scope for further lesson plans to be produced for schools to use with secondary schoolchildren.

- c) noted that a proposal for a State of the City Debate would be considered later in the agenda and that this was proposed to have a direct link with Local Democracy Week.
- d) invited members' questions and comments.

Members:

- noted the role that councillors with teaching experience had to play in the creation of suitable lesson plans.
- suggested that the Council should make arrangements to offer suitable training to the teachers who would be delivering the lesson plans.
- welcomed the lesson plans and noted with disappointment that schools had not been more able to engage with the Council's previous events.

The Reserve Independent Person welcomed the plan, suggesting that consideration should be given to the number of children attending school within Lincoln who lived outside the city's boundaries and noting the potential for mixed messages if officers did not deliver the lessons.

The Democratic Services Officer responded that:

- an offer would be made to schools for teachers to receive any training or guidance they required.
- as Lincoln was the principal urban draw for an area extending beyond its own boundaries and had significant similarities to Lincolnshire's other district councils, the inclusion of children from outside Lincoln should not affect the proposed programme.

RESOLVED that the report be noted.

## **8. State of the City Debate**

The Assistant Director of Legal and Corporate Support Services:

- a) presented a report regarding proposals for a State of the City debate.
- b) advised members of the format of the proposed event.
- c) highlighted the potential crossover with Local Democracy Week 2014.
- d) invited members' questions and comments.

Members:

- requested the Leader's view on the proposals. The Leader advised that the proposals were to be welcomed, noting that the event had to be outward-looking and properly assess the state of the city's health. In addition, linked themes were to be suggested which would allow the discussion to be topical and based around what the Council could do for Lincoln.
- suggested that the proposals be given further consideration by members.
- agreed that the idea was sound in principle, noting the risk that the outcome would be similar to scrutiny committees in which the final report bore little resemblance to members' discussions.

- noted that there was a risk of one-sided debate given the Council's current political balance.
- suggested that consideration be given to including young people in the event. In particular, a separate debate featuring school representatives would be especially beneficial.
- stressed that the event should be properly advertised.

RESOLVED that members be requested to submit any further proposals to Democratic Services for the attention of the Leader.

## **9. Work Programme Update**

The Democratic Services Officer:

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

RESOLVED that the work programme be approved.