



Wyre Borough Council
Date of Publication: 1 May 2018
Please ask for : Democratic Services
Tel: 01253 887481

Dear Councillor,

You are hereby summoned to attend a meeting of Wyre Borough Council to be held at the Civic centre, Breck Road, Poulton-le-Fylde on **Thursday, 10 May 2018** commencing at 7.00 pm.

Yours sincerely,

A handwritten signature in black ink that reads "Garry Payne".

Garry Payne
Chief Executive

COUNCIL AGENDA

1. **Apologies for absence**
2. **Declarations of Interest**
3. **Presentation of the HMS Sheraton Trophy**
4. **Election of Mayor for the 2018/19 Municipal Year**
5. **Election of Deputy Mayor for the 2018/19 Municipal Year**
6. **Mayor's Communications**
7. **Appointments to Committees, Panels and Groups 2018/19** (Pages 1 - 8)

Report of the Leader of the Council (Cllr Henderson) and the Chief Executive.
8. **Cabinet Membership and Responsibilities** (Pages 9 - 12)

Report of the Leader of the Council (Cllr Henderson) and the Chief Executive
9. **Dispensation for non-attendance at Council meetings: Cllr Balmain** (Pages 13 - 16)

Report of the Leader of the Council (Cllr Henderson) and the
Chief Executive

If you have any enquiries on this agenda, please contact Roy Saunders, Democratic Services and Scrutiny Manager, tel: 01253 887481, email: roy.saunders@wyre.gov.uk



Report of:	Meeting	Date	Item no.
The Leader of the Council (Cllr David Henderson) and the Chief Executive (Garry Payne)	Annual Council	10 May 2018	7

Appointments to Committees Panels and Groups 2018/19

1. Purpose of report

- 1.1 To enable Members to be appointed to the Council's Committees and other Panels and Groups for the 2018/19 Council Year.

2. Outcomes

- 2.1 Effective arrangements to carry out the Council's non-executive decision making and advisory functions.

3. Recommendations

- 3.1 That all the current Committees, Panels and Groups be reappointed for 2018/19, with the same number of places on each and with the same membership as in 2017/18, except:

- (a) That Councillor Cartridge be appointed to the Licensing Committee in place of Councillor Bridge;
- (b) That Councillor Collinson be appointed to the Employment and Appeals Committee in place of Councillor Bridge.
- (c) That Councillor Bowen be appointed to the Senior Officers Appointments Committee in place of Councillor Murphy.
- (d) That Councillor Bowen be appointed to the Senior Officers Disciplinary Committee in place of Councillor Murphy.
- (e) That Councillor Henderson be appointed to the Councillor Development Group in place of Councillor Murphy.

- (f) That Councillor Michael Vincent (in his role as the Planning and Economic Development Portfolio Holder) be appointed to the Planning Policy Group in place of Councillor Murphy.
 - (g) That Councillor R Duffy be appointed to the Standards Committee in place of Cllr M Anderton;
 - (h) That Councillor Barrowclough be appointed to the Licensing Committee in place of Cllr M Anderton;
 - (i) That Councillor Beavers be appointed to the Audit Committee in place of Councillor Barrowclough;
 - (j) That Councillor Fail be appointed to both the Senior Officers Appointments Committee and the Senior Officers Disciplinary Committee in place of Councillor Beavers
- 3.2** That the prospective Chairmen and Vice Chairmen of each Committee, as indicated with an asterisk in Appendix 1, be noted.
- 3.3** That Councillor Berry be re-appointed as the Wyre Council representative on the Police and Crime Panel for Lancashire for 2018/19.
- 3.4** That, Councillor Henderson be re-appointed as the additional Conservative representative from a District Council on the Police and Crime Panel for Lancashire for 2018/19, if still required to achieve political balance on the Panel.

4. Background

- 4.1** The Council Procedure Rules in Part 4 of the Constitution require that: *“At the Annual Meeting, the Council will appoint at least one Overview and Scrutiny Committee, a Standards Committee and such other Committees as the Council considers appropriate to deal with matters, which are neither reserved to the Council, nor are Executive functions (as set out in Part 3 of the Constitution).”*
- 4.2** Section 15 of the Local Government and Housing Act requires that the allocation of places on non-executive Committees of the Council must be allocated on the following criteria:
- (a) that all seats on a body are not allocated to the same Political Group;
 - (b) that the majority of seats on a body are allocated to a particular Political Group, if the number of persons belonging to that Group is the majority of the Authority’s membership;

(c) subject to paragraphs (a) and (b) above, that the number of seats on the ordinary Committees of a relevant Authority which are allocated to each Political Group bears the same proportion to the total of all the seats on the ordinary Committees of that Authority;

(d) subject to paragraphs (a) - (c) above, that the number of seats on a body which are allocated to each Political Group bears the same proportion to the number of all seats on that body as is borne by the number of members of that Group in membership of the Authority.

4.3 Places on the committees, and also the panels and other groups currently established by the Council, as listed in Appendix 1, have been allocated on the basis of calculations made under the political balance rules set out above. No adjustments are required for 2018/19.

4.5 Each council in Lancashire appoints one representative to the Police and Crime Panel (PCP), which is established as a formal Joint Committee of the 15 local authorities for the Lancashire police force area. The terms of reference of the Panel are set out under Responsibilities for Joint Functions in Part 3.04 of the Council's Constitution. Councillor Berry was appointed at the Annual Council meeting last year as the Wyre Council representative on the Panel for 2017/18. Wyre currently has a second Conservative representative on the Panel to ensure that the required political balance on the Panel is achieved. Councillor Gibson was appointed to fill that place at the Annual Meeting in May 2017, but ceased to be eligible when he resigned from the Conservative Group and Councillor Henderson was appointed as a second representative at the last Council meeting on 12 April.

5. Key issues and proposals

5.1 Notification has been received of a number of changes to Conservative places on committees, directly or indirectly as a consequence of the appointment of Councillor Bridge to the Cabinet as listed in paragraph 3.1. Councillor Cartridge, who was elected at a by-election in January 2018, has not previously been a member of any committees has been nominated to the Licensing Committee, in place of Councillor Bridge.

5.2 In accordance with the usual convention, the new Mayor, Councillor M Anderton, will not be a member of any committees. The Labour nominations for her replacements are Councillor Barrowclough on the Licensing Committee and Councillor R Duffy on the Standards Committee. The Labour Group has also nominated Councillor Beavers to the Audit Committee in place of Councillor Barrowclough and Councillor Fail to the Senior Officers Appointments and Disciplinary Committees.

5.3 A full list of the proposed membership of all Committees, Panels and Groups for 2018/19 is attached as Appendix 1.

- 5.4** As usual, the Chairmen and Vice Chairmen of each Committee, Panel and Group will be formally appointed at its' respective first meeting in 2018/19. However, where known the Conservative Group nominations for those roles are indicated with an asterisk in Appendix 1.

Financial and legal implications	
Finance	None arising directly from this report.
Legal	The proposals in this report are in accordance with legal requirements, as referred to in section 4 of this report.

Other risks/implications: checklist

If there are significant implications arising from this report on any issues marked with a ✓ below, the report author will have consulted with the appropriate specialist officers on those implications and addressed them in the body of the report. There are no significant implications arising directly from this report, for those issues marked with a x.

implications	✓ / x
community safety	x
equality and diversity	x
sustainability	x
health and safety	x

risks/implications	✓ / x
asset management	x
climate change	x
data protection	x

report author	telephone no.	email	date
Roy Saunders	01253 887481	roy.saunders@wyre.gov.uk	1/5/18

List of background papers:		
name of document	date	where available for inspection
None	-	-

List of appendices

Appendix 1: Nominations to Committees, Panels and Groups 2018/19

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NOMINATIONS TO COMMITTEES 2018/19

PLANNING COMMITTEE (14 Councillors: 10 Conservative, 4 Labour)

Conservative: Councillors I Amos, R Amos, Lady Atkins, Ballard (Vice Chairman)*, Ellison, Greenhough, Holden, Ingham, Moon (Chairman)* and Orme.

Labour: Councillors Lees, Raynor, Shewan and E Stephenson.

(Contact Carole Leary 01253-887444)

LICENSING COMMITTEE (14 Councillors: 10 Conservative, 4 Labour)

Conservative: Councillors C Birch, Cartridge, Catterall, Ormrod, Pimbley, Robinson (Chairman)*, A Turner, Matthew Vincent, Walmsley (Vice-Chairman)* and Wilson.

Labour: Councillors Barrowclough, Lees, Smith and B Stephenson.

(Contact Carole Leary 01253-887444)

Scrutiny

OVERVIEW AND SCRUTINY COMMITTEE (14 Councillors: 11 Conservative, 3 Labour)

Conservative: Councillors I Amos, R Amos, Ballard, C Birch, Ellison, Hodgkinson, Ibison (Chairman)*, Jones (Vice Chairman)*, Ormrod, Robinson and Matthew Vincent.

Labour: Councillors E Anderton, Fail and Smith.

(Contact Peter Foulsham 01253-887606)

Others

AUDIT COMMITTEE (14 Councillors: 10 Conservative, 4 Labour)

Conservative: Councillors McKay (Chairman)*, A Turner (Vice Chairman)*, R Amos, Balmain, Greenhough, Holden, Ingham, Moon, Walmsley and Wilson.

Labour: Councillors. E Anderton, Beavers, Raynor and B Stephenson.

(Contact Roy Saunders 01253-887481)

EMPLOYMENT AND APPEALS COMMITTEE (10 Councillors: 7 Conservative, 3 Labour)

Conservative: Councillors A Turner (Chairman)*, Robinson (Vice-Chairman)*, R Amos, B Birch, Collinson, Holden, and Wilson.

Labour: Councillors I Duffy, R Duffy and Shewan.

(Contact Duncan Jowitt 01253-887608)

SENIOR OFFICERS APPOINTMENTS COMMITTEE (4 Councillors: 3 Conservative, 1 Labour)

Conservative: Councillors Henderson, Bowen and A. Vincent

Labour: Councillor Fail

(Contact Roy Saunders 01253-887481)

SENIOR OFFICERS DISCIPLINARY COMMITTEE (4 Councillors: 3 Conservative, 1 Labour)

Conservative: Councillors Henderson, Bowen and A. Vincent

Labour: Councillor Fail

Independent Person's: Barry Parsonage and Helen Kay.

(Contact Roy Saunders 01253-887481)

STANDARDS COMMITTEE (6 Councillors: 4 Conservative, 2 Labour)

Conservatives: Councillors B Birch (Chairman)*, I Amos, Catterall and Moon (Vice-Chairman)*.

Labour: Councillors R Duffy and Lees.

Nominated substitutes for Code of Conduct Hearings if required:

Conservative: Councillors Lady Atkins and Kay

Labour: Councillors Beavers and Fail

(Contact Roy Saunders 01253-887481)

COMMITTEES AND OTHER BODIES NOT GOVERNED BY STATUTORY POLITICAL BALANCE RULES

COUNCILLOR DEVELOPMENT GROUP (12 Councillors: 9 Conservative, 3 Labour)

Conservative: Councillors C Birch, Henderson, Holden, Jones, Kay, A Turner, S Turner, Matthew Vincent and Walmsley.

Labour: Councillors Smith, B Stephenson and E Stephenson.

(Contact Duncan Jowitt 01253-887608)

PLANNING POLICY GROUP (15 Councillors: 9 Conservative, 3 Labour plus the Planning and Economic Development Portfolio Holder (Cllr Michael Vincent), Chairman (Cllr Moon) and Vice Chairman (Cllr Ballard) of Planning Committee.

Conservative: Councillors I Amos, Atkins, Ballard (Vice Chairman)*, B Birch, Greenhough, Ingham, Jones, Moon (Chairman)*, Pimbley, Robinson, S Turner and Michael Vincent.

Labour: Councillors Beavers, Fail and Shewan.

(Contact Roy Saunders 01253-887481)

Note: * The appointment of Chairmen and Vice-Chairmen is subject to confirmation at the first meeting of each of the Committees, Panels and Groups.

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Report of:	Meeting	Date	Item no.
The Leader of the Council (Cllr David Henderson) and the Chief Executive (Garry Payne)	Council	10 May 2018	8

Cabinet Membership and Responsibilities

1. Purpose of report

- 1.1** To inform the Council of changes to the membership of the Cabinet and to the allocation of responsibilities to Portfolio Holders.

2. Outcomes

- 2.1** Effective executive decision making and the delivery of Council priorities.

3. Recommendations

- 3.1** That the appointment of Cllr Bridge to Cabinet and the following revised allocation of Executive responsibilities within the Cabinet, with immediate effect, be noted:

- Cllr A Vincent - Resources Portfolio Holder and Deputy Leader
- Cllr Michael Vincent - Planning and Economic Development Portfolio Holder
- Cllr Berry - Neighbourhood Services and Community Safety Portfolio Holder
- Cllr Bowen - Leisure, Health and Community Engagement Portfolio Holder
- Cllr Bridge – Street Scene, Parks and Open Spaces Portfolio Holder.

- 3.2** That the list of the Responsibilities for Executive Functions, in Part 3.03 of the Constitution, be amended accordingly.

4. Background

4.1 Arrangements for the composition, roles and responsibilities of the Cabinet are set out in Article 9 of the Council's constitution. Paragraph 2 of Article 9 specifies that the Cabinet will comprise the Leader and at least 5 other Councillors appointed by the Leader (the statutory maximum is 10). Paragraph 3 states that the Leader will appoint a Deputy Leader and paragraph 5 states that the Leader will maintain a list (set out in Part 3 of the Constitution) detailing the particular responsibilities of each Cabinet Member. The Leader is free to choose how he divides those responsibilities between his Cabinet members.

5. Key issues and proposals

5.1 When Cllr Henderson was appointed Leader of the Council in December 2017 he stated that, for the time being, he intended to retain the existing division of Responsibilities for Executive Functions then in place. He also decided to revert to the position prior to May 2015 and appoint five other Members to the Cabinet, rather than six, as appointed by the previous Leader. At that time, as well as his new responsibilities as Leader, Councillor Henderson said he would himself continue to take responsibility for the functions delegated to the Street Scene, Parks and Open Spaces Portfolio Holder. He reappointed Councillors A Vincent, Murphy, Berry and Bowen to the Cabinet with their respective previous portfolio responsibilities and Councillor Michael Vincent was appointed to take on the then vacant Health and Community Engagement Portfolio.

5.2 Cllr Henderson has now decided to concentrate on his role as Leader. He has re-instated the role of a separate Street Scene, Parks and Open Spaces Portfolio Holder and has merged the responsibilities of the former Leisure and Culture Portfolio Holder and the Health and Community Engagement Portfolio Holder to form a new combined role of Leisure, Health and Community Engagement Portfolio Holder.

5.3 Councillor Murphy, after 9 years, has decided to step down from the role of Portfolio Holder. The Leader has therefore appointed Councillor Bridge to the Cabinet and has re-shuffled the portfolio responsibilities as set out in paragraph 3.1.

Financial and legal implications	
Finance	The permanent reduction in Portfolio Holder positions will result in an ongoing saving on the Special Responsibility Allowances budget of £8,352 (see council report 08.03.18).
Legal	The proposed appointments are in accordance with the Council's Constitution and legal requirements.

Other risks/implications: checklist

If there are significant implications arising from this report on any issues marked with a ✓ below, the report author will have consulted with the appropriate specialist officers on those implications and addressed them in the body of the report. There are no significant implications arising directly from this report, for those issues marked with a x.

risks/implications	✓ / x
community safety	x
equality and diversity	x
sustainability	x
health and safety	x

risks/implications	✓ / x
asset management	x
climate change	x
data protection	x

report author	telephone no.	email	date
Roy Saunders, Democratic Services and Scrutiny Manager	01253 887481	roy.saunders@wyre.gov.uk	1/5/2018

List of background papers:		
name of document	date	where available for inspection
None	-	-

LIST OF APPENDICES

None.

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Report of:	Meeting	Date	Item no.
The Leader of the Council (Cllr David Henderson) and the Chief Executive (Garry Payne)	Council	10 May 2018	9

Dispensation for non-attendance at council meetings: Councillor Balmain

1. Purpose of report

- 1.1 To approve a dispensation to enable Councillor Balmain to continue to act as a Councillor for a specified period of time without having to attend meetings.

2. Outcomes

- 2.1 Cllr Balmain will be able to continue as a Councillor.

3. Recommendations

- 3.1 That Councillor Balmain be granted a dispensation to continue to act as a Councillor without attending meetings until 30 October 2018.

4. Background

- 4.1 Members will be aware that Councillor Balmain has suffered from various health problems since having a heart operation on 28 June 2017. He attended the Council meeting on 7 December and had hoped to be able to attend meetings more regularly from that date. Unfortunately, he has not been able to do so and he has said that it is unlikely that he will be able to attend this Council meeting. In order to continue to be a councillor, he will need to be granted a dispensation at this meeting to avoid breaching the provisions of Section 85 (1) of the Local Government Act 1972.

5. Key issues and proposals

5.1 Whilst, because of the nature of his health problems, Cllr Balmain has not, so far, been able to attend meetings, he has been able to respond to enquiries from local constituents and to deal with other Council business by e-mail. He has also, when necessary, been able to discuss local issues or refer specific actions to the other Garstang Ward Members (Cllr Lady Atkins and Cllr Collinson). These arrangements will continue until Cllr Balmain is able to attend meetings again on a regular basis, which it is hoped will be soon.

5.2 It is therefore proposed that the Council accepts that there are valid reasons for his non-attendance at meetings and passes the necessary resolution to grant him dispensation to continue as a Councillor until 30 October 2018. Hopefully, he will be able to attend meetings again before then but, if he has not been able to do so, a further report will be submitted to the Council meeting on 18 October 2018.

Financial and legal implications	
Finance	Councillor Balmain will continue to be eligible to receive Basic Allowance payments in accordance with the Council's Members Allowance Scheme, for which there is budget provision.
Legal	Referred to in paragraph 4.1.

Other risks/implications: checklist

If there are significant implications arising from this report on any issues marked with a ✓ below, the report author will have consulted with the appropriate specialist officers on those implications and addressed them in the body of the report. There are no significant implications arising directly from this report, for those issues marked with a x.

risks/implications	✓ / x
community safety	x
equality and diversity	x
sustainability	x
health and safety	x

risks/implications	✓ / x
asset management	x
climate change	x
data protection	x

report author	telephone no.	email	date
Roy Saunders (Democratic Services and Scrutiny Manager)	01253 887481	Roy.saunders@wyre.gov.uk	23/04/18

List of background papers:		
name of document	date	where available for inspection
None	-	-

List of appendices

None.

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