



Wyre Borough Council
Date of Publication: 6 June 2018
Please ask for : Roy Saunders
Democratic Services and Scrutiny
Manager
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, 14 June 2018** commencing at 7.00 pm.

Yours sincerely,

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

Garry Payne
Chief Executive

The Mayor will invite the Mayor's Chaplin, Reverend Canon John Hall to say prayers.

COUNCIL AGENDA

- 1. Apologies for absence**
- 2. Confirmation of minutes**

To approve as a correct record the minutes of the meetings of the Council held on:

- (a) 12 April 2018 (extra-ordinary meeting);
- (b) 12 April 2018 (scheduled meeting);
- (c) 10 May 2018 (Annual Meeting).

- 3. Declarations of Interest**

To receive any declarations of interest from any Member or Officer on any item on this agenda.

- 4. Announcements**

To receive any announcements from the Mayor, Leader of the Council, Deputy Leader of the Council, Members of the Cabinet, a Chairman of a Committee or the Chief Executive.

5. **Public questions or statements**

To receive any questions or statements from members of the public under Procedure Rule 9.1.

Any questions or statements received by the specified deadline of noon on Friday 8 June 2018 will be published and circulated separately.

6. **Questions "On Notice" from councillors**

The following question has been submitted by Cllr B Stephenson:

“Could the Street Scene Parks and Open Spaces Portfolio Holder please provide a statement regarding fly tipping on privately owned back alleys, as rubbish continues to pile up in certain areas? At what point can Wyre Council take action and intervene?”

Any further questions received by the specified deadline of noon on Friday 8 June 2018 to the Mayor, a member of the Cabinet or the Chairman of a Committee under Council Procedure Rule 12.1 will be published and circulated separately.

7. **Executive reports**

To receive reports from Cabinet Members. (In accordance with Procedure Rule 11.3 Councillors will be able to ask questions or make comments).

- | | | |
|-----|---|-----------------|
| (a) | Leader of the Council (Councillor Henderson) | (Pages 1 - 2) |
| (b) | Resources Portfolio Holder (Councillor A Vincent) | (Pages 3 - 4) |
| (c) | Street Scene, Parks and Open Spaces Portfolio Holder (Councillor Bridge) | (Pages 5 - 6) |
| (d) | Planning and Economic Development Portfolio Holder (Councillor Michael Vincent) | (Pages 7 - 10) |
| (e) | Neighbourhood Services and Community Safety Portfolio Holder (Councillor Berry) | (Pages 11 - 14) |
| (f) | Leisure, Health and Community Engagement Portfolio Holder (Councillor Bowen) | (Pages 15 - 18) |

8. **Overview and Scrutiny Committee Periodic Report** (Pages 19 - 22)

Report of the Chairman of the Overview and Scrutiny Committee (Cllr Ibison) attached.

9. Treasury Management Activity 2017/18 (Pages 23 - 32)

Report of the Resources Portfolio Holder (Cllr A Vincent) and the Head of Finance and Section 151 Officer attached.

10. Constitution Amendments (Pages 33 - 90)

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

11. Notices of Motion

None.

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

This page is intentionally left blank



Report of:	To:	Date	Item No.
Cllr. David Henderson, Leader of the Council	Council	14 June 2018	7(a)

Executive Report: Leader of the Council
--

1. Purpose of report

1.1 To inform Council of progress on key objectives and the current position on a number of issues, as set out below.

2. Recent activities

2.1 On 1 May I attended a meeting at The Mount, Fleetwood to discuss our Heritage Lottery Funding (HLF) bid with key members of the HLF Team. We anticipate a decision on the bid in June/July and Members will be kept up to date with progress.

2.2 On Sunday 6 May I attended the unveiling of the Sir Fleetwood Hesketh statue which is located in Euston Gardens. The event was well attended and I would like to pay thanks to the Fleetwood Historical Society who have been the driving force behind the project to install a statue in the gardens.

2.3 The Chief Executive and I are nearing the completion of our Ward Walks and Members should be very proud of how they support and represent their communities and it has been a pleasure to meet and greet residents, community groups and business owners in the various Wards. I would like to take this opportunity to put on record my thanks to the numerous volunteers that I have met during my Ward Walks. Volunteers play an important role in supplementing the excellent work that we do in this Borough, particularly the Parks Friend Groups whose valuable contributions ensure that we receive year after year Green Flag awards for our Parks.

2.4 As Members are aware the General Data Protection Regulations (GDPR) came into force on the 25 May and whilst the Council has registered all Members and arranged a mandatory training session, this is just the beginning of the journey and all Members as Data Controllers in their own rights will need to ensure they have put in place the appropriate technical measures to protect the personal information they process. Failure to take such action, could lead to the Councillor themselves facing a large fine or even prosecution.

- 2.5 If Members are in any doubt about what actions they need to take to ensure full compliance with GDPR they should, without hesitation, contact Joanne Billington, Head of Governance.

3. Blackpool, Fylde and Wyre Economic Prosperity Board

- 3.1 On 2 May 2018 the first meeting of the Blackpool, Fylde and Wyre Economic Prosperity Board (EPB) took place and I was elected Vice Chairman.
- 3.2 The purpose of the Blackpool, Fylde and Wyre Economic Prosperity Board is to bring together local authority partners Blackpool Borough Council, Fylde Borough Council and Wyre Borough Council in a robust, formally constituted arrangement which will help shape and drive economic development across the Fylde Coast.
- 3.3 The EPB will act as a joint committee pursuant to powers under the Local Government Acts 1972 and 2000 and under the Local Authorities (Arrangement for the Discharge of Functions) (England) Regulations 2012 and will comprise of the constituent authorities and three co-opted members, one each from each constituent area. Our co-opted member is Peter Worthington, Managing Director of Builders Supplies West Coast.
- 3.4 Members can access the EPB agenda papers and minutes via our website.

4. Lancashire District Leaders and Shadow Combined Authority Meetings

- 4.1 Lancashire District Leaders met on the morning of 21 May followed by an afternoon meeting of the Shadow Combined Authority but owing to holiday commitments I was not able to attend either meeting but on my behalf Cllr Roger Berry attended the Shadow Combined Authority meeting.
- 4.2 Fylde Council have taken the decision not to attend meetings of the Shadow Combined Authority but as agreed in December 2015 whilst we are not formally part of the Shadow Combined Authority the Chief Executive and I (or a nominated substitute) will continue to attend so that I can report back to Members.
- 4.3 At the Shadow Combined Authority meeting various topics were discussed including updates from the Lancashire Local Enterprise Partnership, discussion on the Lancashire Strategic Economic Plan and Local Industrial Strategy and the consultation on Transport for the North.

5. Comments and Questions

- 5.1 In accordance with procedure rule 11.3 any member of Council will be able to ask me a question or make a comment on the contents of my report or on any issue, which falls within my area of responsibility. I will respond to any such questions or comments in accordance with Procedure Rule 11.5.



Report of:	To:	Date	Item No.
Cllr. Alan Vincent, Resources Portfolio Holder	Council	14 June 2018	7(b)

Executive Report: Resources Portfolio Holder

1. Purpose of report

1.1 To inform Council of progress on key objectives and the current position on issues within the Resources Portfolio, as set out below.

2. Finance

2.1 The final accounts for 2017/18 are currently being compiled and will be considered by the Audit Committee at their meeting next month. This is the first live experience of shorter statutory deadlines now introduced and means that the accounts will be signed off two months earlier than the previous statutory deadline. Whilst this represents a significant challenge for the Financial Services Team and the wider council generally, it does mean that capacity can be released earlier to focus attention on supporting the development and implementation of the efficiencies programme.

3. Human resources

3.1 As Members will be aware the new General Data Protection Regulation's (GDPR) came into force on 25 May 2018. We have been ensuring that any staff that have the responsibility for processing personal data are aware of the new regulations and around 210 members of staff have now received training. In addition, staff with additional responsibility for processing Subject Access, Freedom of Information and Environmental Information Regulations requests will also be required to attend a half day training session provided by an external provider.

4. Procurement

4.1 We have been in discussions with BIU our energy broker. In return for Wyre Council acting as the public body sponsor of their OJEU Notice they have agreed to waive the £3,000 annual charge for their service (i.e. this will equate to a total saving of £8,250 over the remainder of the contract which expires on 30/09/2020). In addition we will get £200 for any company that signs up onto the new framework that BIU will be advertising on the OJEU notice.

5. Asset management

- 5.1** The new LED lighting and internal decoration at Fleetwood market is nearing completion. This has really enhanced the look and feel of the market and is helping with our new marketing campaign aimed at encouraging people to 'take a fresh look at Fleetwood Market'.
- 5.2** Work is underway for the external decoration and repairs to the rear elevation of the Civic Centre.
- 5.3** Unfortunately Marine Hall continues to suffer from vandalism and anti-social behaviour and during early May there was significant damage to the roof at the Marine Hall. It is estimated that this will cost the council in the region of £1,500 to repair.

6. Comments and questions

- 6.1** In accordance with procedure rule 11.3 any member of Council will be able to ask me a question or make a comment on the contents of my report or on any issue, which falls within my area of responsibility. I will respond to any such questions or comments in accordance with Procedure Rule 11.5.

arm/ex/cou/cr/18/1406 Item 7(b)



Report of:	To:	Date	Item no.
Cllr. Simon Bridge, Street Scene, Parks and Open Spaces Portfolio Holder	Council	14 June 2018	7(c)

Executive Report: Street Scene, Parks and Open Spaces Portfolio Holder

1. Purpose of report

- 1.1 To inform council of progress on key objectives and the current position on issues within the Street Scene, Parks and Open Spaces Portfolio as set out below.

2. Parks and open spaces

- 2.1 The pavilion at Memorial Park will be used until December as a 'Dementia Hub' every six weeks. The first meeting was held in April and it is planned that sessions provide both practical advice, activities and respite for those living with dementia and carers.
- 2.2 A new masterplan for Jubilee Gardens has been developed and the proposals include outdoor gym equipment for adults, additional play equipment for children and young people along with new areas of planting to improve the appeal and biodiversity value of the site. The Friends Group are currently seeking the views of residents and visitors on the proposals.
- 2.3 Representatives from the Heritage Lottery Fund visited the Mount 1 May to meet volunteers, partners and key members of the project team. The meeting gave them the opportunity to see the site and ask questions in advance of the application being considered by the North West committee in June.
- 2.4 Hawthorne Park and Memorial Park were assessed in May for the Green Flag Award. Judges carried out assessments of each site and questioned officers, volunteers and visitors to check that the management plans are in being put into practice. This year Vicarage Park and Kepple Lane will receive a 'mystery shop' and notification of the judge's visit is not therefore provided.

3. Waste and recycling

- 3.1** The team continue to support local community events across the summer, with provision of bins, litter pickers, bags etc. and the collection of waste after an event. We have also supported groups taking part in the national Daily Mail and Keep Britain Tidy campaign The Great Plastic Pickup.
- 3.2** Officers have been approached by Trinity Hospice to help them with a project to raise funds through the recycling of Christmas trees. Customers would be able to make a donation and book a collection slot for their real Christmas tree. Trinity hospice piloted this with Blackpool Council last year and it was a great success generating much needed funds and lots of volunteer support. They are seeking to extend the service to parts of Wyre - Fleetwood, Thornton Cleveleys and Poulton-le-Fylde. Wyre Council will work with Veolia and Trinity Hospice to promote the scheme, provide logistical advice and support in recycling of the trees.
- 3.3** I am sure Members will have seen in the press the issues affecting the recycling of plastics with countries such as China effectively 'closing their door' to materials from the rest of the world. This is creating an issue nationally. To date Lancashire County Council are still securing markets for the recyclable materials in the UK and Europe, but it is paramount that the quality of recyclable materials presented by households is of good quality and the target materials only.

4. Street scene

- 4.1** The first application of herbicide to highway areas across the borough is underway. Officers will monitor the effects of the weed killer and arrange additional work as required.

5. Comments and questions

- 5.1** In accordance with procedure rule 11.3 any member of council will be able to ask me a question or make a comment on the contents of my report or on any issue, which falls within my area of responsibility. I will respond to any such questions or comments in accordance with procedure rule 11.5.

arm/ex/cou/cr/18/1406 Item 7(c)



Report of:	To:	Date	Item No.
Cllr Michael Vincent, Planning and Economic Development Portfolio Holder	Council	14 June 2018	7(d)

Executive Report: Planning and Economic Development Portfolio Holder

1. Purpose of report

- 1.1 To inform Council of progress on key objectives and the current position on issues within the Planning and Economic Development Portfolio, as set out below.

2. Coastal Community Teams (Fleetwood and Cleveleys)

Fleetwood

- 2.1 A final Annual Review will be submitted to MHCLG later this year. There is still one grant left for shopfronts and we are currently working with Regenda to continue support for retailers in Fleetwood.

Cleveleys

- 2.2 After a successful partnership with HMP Kirkham they have now completed the painting of the bollards. They have commenced the second phase of improvements which includes the repainting of some benches and lampposts.
- 2.3 Blackpool and Fylde College art students are still working on a voluntary basis designing an interactive map of Cleveleys Town Centre to be installed at the bus station shelter.
- 2.4 Future project plans include speciality markets in the town, and exploring options for a weekly market.

3. Hillhouse Enterprise Zone (EZ)

- 3.1 Progress continues to be made on the masterplan with How Planning appointed to complete the Planning Policy element of the document. A final draft of the full document will be circulated towards the end of June with Public and Statutory Consultation commencing in July.

3.2 Marketing for the site and new signage is underway and the website www.hillhouseez.com went live on 11 May.

4. Business support

4.1 The next Wyred Up event will take place on June 20th at Thornton FC. Lesley Burrows from Positive Footprints Network is our guest speaker and her presentation will be how to inspire young people to discover their potential. A survey has gone out to all Wyred Up members to help form the new phase in Wyred Up. We are looking at developing the Wyred Up offer including membership and will re-establish the strategic board.

5. Planning policy

Local Plan

5.1 The draft Local Plan has been under formal examination since submission on 23 January 2018. The hearings took place at the Civic Centre during the weeks commencing 14 May, and 21 May, and a review session took place on 5 June. We are now waiting for the Inspector's response which may be in the form of additional questions, an interim report, or a final report which is expected in the autumn.

6. Nationally Significant Infrastructure Projects (NSIPs)

Preesall Underground Gas Storage Facility – Halite

6.1 The Development Consent Order (DCO) was granted for this project on 17 July 2015. The DCO set out a number of formal Requirements (similar to conditions on a planning permission) which the council is responsible for discharging and monitoring. Many of these requirements relate to matters that must be discharged/approved by the local planning authority before any works can commence on any stage of the development. Halite continue to submit applications for the discharge of a number of these requirements with a view to formally commencing work on the ground once all necessary requirements have been discharged.

A585 Windy Harbour to Skippool Improvement Scheme

6.2 The formal pre-submission public consultation on this scheme has now ended. A formal response on behalf of the council was submitted by the head of Planning Services under delegated powers. Comments were made on the scheme details, but it was also submitted that the scheme should not be considered to be the sole solution to the issues on the A585 and the improvement should be part of a wider package of measures to include other key parts of the road and its critical junctions.

Hillhouse Enterprise Zone Power Station – Wyre Power

6.3 This scheme has been registered with the Planning Inspectorate although the timetable for formal submission of the application is not yet known. Preliminary investigative work on the environmental impact of the development is ongoing and I will update Members as the scheme progresses

7. Comments and questions

- 7.1** In accordance with procedure rule 11.3 any member of Council will be able to ask me a question or make a comment on the contents of my report or on any issue, which falls within my area of responsibility. I will respond to any such questions or comments in accordance with Procedure Rule 11.5.

arm/ex/cou/cr/18/1406 Item 7(d)

This page is intentionally left blank



Report of:	To:	Date	Item no.
Cllr. Roger Berry, Neighbourhood Services and Community Safety Portfolio Holder	Council	June 2018	7(e)

Executive Report: Neighbourhood Services and Community Safety Portfolio Holder

1. Purpose of report

- 1.1 To inform council of progress on key objectives and the current position on issues within the Neighbourhood Services and Community Safety Portfolio as set out below.

2. Community Safety

Youth Intervention

- 2.1 The Community Safety Partnership has undertaken significant work on addressing youth anti-social behaviour. To support this work we submitted a bid for funding to the Police and Crime Commissioner for Lancashire and have recently been notified that the bid was successful. The funding has been awarded to run a pilot scheme that will help children to develop and improve their decision making skills when faced with situations that could result in them being drawn into situations that might lead them into conducting anti-social behaviour.

Crime and Disorder Strategic Assessment

- 2.2 The Council has a statutory requirement to participate in a strategic assessment of issues and threats relating to crime and disorder within the District as outlined in the Crime and Disorder Act 1998. The strategic assessment is produced on a three-year cycle, which allows capacity to develop partnership intelligence assessments on significant threats, issues and gaps in knowledge.
- 2.3 Across Lancashire, Community Safety Partnerships work in tandem with data analysts at Lancashire Constabulary. The last time this process was completed was in 2015 and work has now started on the next strategic assessment. In order to assist in this process a Fylde Coast workshop was held at the Civic Centre on 17 May 2018, with representatives attending from relevant agencies including ourselves, Lancashire Constabulary, Lancashire Fire and Rescue Service, Lancashire County Council, Blackpool Council and Fylde Council. It is the intention that a

Lancashire-wide strategic assessment will be produced together with individual District specific profiles that will then be used by the Partnerships to inform strategic planning.

Organised Crime

- 2.4** Organised crime is a growing threat to our communities as criminal organisations seek to increase their influence. In order to respond to this national threat Wyre, Fylde and Lancaster City Council have agreed to work closely together with Lancashire Constabulary, Lancashire Fire and Rescue Services and Lancashire County Council Trading Standards. The work will include regular meetings intended to identify suspected organised crime groups and a coordinated response to disrupt activity.

3. Disabled Facilities Grants Grant Determination 2018/19

- 3.1** On 16 May we received our Disabled Facilities Grant Determination for 2018-19. We have been awarded an allocation of £1,698,819 an increase upon our allocation of £1,563,469 last year of nearly 9%. This is one of the highest awards in Lancashire.

4. Flood Resilience

- 4.1** Overview and Scrutiny conducted the first meeting of the Flooding Task group looking into the role of Councillors in preparing communities to be more flood resilient, actions during an event and the important role during the recovery phase. Their report will be presented to Cabinet in due course.

5. Rossall Coastal Defence Scheme

- 5.1** Completion of the £62 million scheme was celebrated on 1 June with a formal ceremony in the morning and a charity and community event in the afternoon.

6 Wyre Beach Management Scheme

- 6.1** Indicative funding of £40.4 million has been allocated to the Wyre Beach Management scheme over the full 100 year life of the scheme. The first phase of this scheme is estimated to cost £22 million and will provide better protection to 11,000 properties. An application for studies leading to an outline business case and initial design of the works has been submitted to the Environment Agency for approval. Potential works involve beach management structures, beach nourishment and dune management across the frontage but concentrating on the area immediately north of Cleveleys (Rossall Beach) and the Fleetwood frontage north of the new Rossall scheme.

7. Car Parking

- 7.1** A report on the car parking consultation was received by Overview and Scrutiny in May. The consultation report highlighted parking charges, payment methods, discounts for residents, length of stay and special / larger bays as key areas.

8. Comments and questions

- 8.1** In accordance with procedure rule 11.3 any member of council will be able to ask me a question or make a comment on the contents of my report or on any issue, which falls within my area of responsibility. I will respond to any such questions or comments in accordance with procedure rule 11.5.

arm/ex/cou/cr/1406 Item 7(e)

This page is intentionally left blank



Report of:	To:	Date	Item No.
Cllr. Lynne Bowen, Leisure, Health and Community Engagement Portfolio Holder	Council	14 June 2018	7(f)

Executive Report: Leisure, Health and Community Engagement Portfolio Holder

1. Purpose of report

1.1 To inform Council of progress on key objectives and the current position on issues within the Leisure Health and Community Engagement Portfolio, as set out below.

2. Environmental Health

Food Safety

2.1 For the financial year 2017/18 the Council undertook 866 food safety interventions in food establishments across Wyre. The percentage of food establishments considered broadly compliant with food safety legislation in Wyre is now 95% which represents a significant shared achievement by our food businesses and the Food Safety Team. I would like to assure the public that the Council does not tolerate poor food safety standards in food businesses and the team takes appropriate enforcement action when necessary. Last year we undertook three prosecutions.

2.2 Regarding our food businesses, I would like to thank the vast majority of food business owners in Wyre for their continued co-operation and the shared goal of keeping our residents safe by maintaining good standards of food hygiene. Members of the public are able to check the standard of hygiene at their favourite restaurant or café by checking food hygiene ratings at:-

<http://ratings.food.gov.uk/QuickSearch.aspx?refla=lr45mhdmmx0%3d>

3. Licensing

3.1 Licensing taxi drivers is an important public safety function that the Council undertakes as part of its licensing services. In February we were forced to revoke the licence of a taxi driver as we were satisfied that he had abused a position of trust and had failed to disclose this information to us as the Licensing Authority. The driver appealed our decision to the Magistrates Court and I am pleased to confirm that the appeal was

dismissed on 16 May 2018. All of our licensed drivers are entrusted with the safety and security of the travelling public, some of whom are extremely vulnerable. The case has affirmed our position that licensed drivers must display high standards of honesty and integrity if they are to operate in Wyre.

4. Arts, Events and Volunteering

Just Reminiscing at Fleetwood Market

- 4.1** The drop in 'Just Reminiscing' reminiscence project started on 18 May and is now taking place at Fleetwood Market every Friday morning. The project is an opportunity for visitors to handle objects and replicas from the past and chat about memories. It involves eight newly recruited volunteers and is a new catalyst for using reminiscence and creative approaches throughout the borough in residential and community settings. Each volunteer has been trained to be a dementia friend.

5. Sports Development

Wyre Sports Awards

- 5.1** Nominations for the Wyre Sports Awards are now open with a closing date of Friday 13 July. Nominations can be made on: <http://www.lancashiresportsawards.co.uk/nominate/>.

The categories this year are:

- Volunteer of the year
- Coach of the year
- Club of the year
- Lifetime achievement award
- Service to underrepresented groups
- Community project of the year
- Young achiever of the year
- Primary school of the year
- Secondary school of the year

Performance Pass

- 5.2** Local athlete Lauren Brook from Thornton Cleveleys has been awarded a performance pass at the YMCA leisure centres in Wyre to support her training in representing Great Britain in her age group for triathlon. The costs of competing at a national level are well documented and the performance pass scheme allows our elite sportsmen and women free access to our facilities. Lauren is very grateful for this support and has agreed to support appropriate community based events in return.

6. Marine Hall and Thornton Little Theatre

- 6.1** Comedian, Ed Byrne and stars of 'Strictly Come Dancing' Ian Waite and Oti Mabuse performed to almost full houses at Marine Hall in May. Both of these shows were held mid-week and were a hit with customers who lived locally as well as others who had travelled from further afield. Many

of those travelling from further away had booked into hotels and planned a break around their visit supporting the local economy.

p6.2 In April, Thornton Cleveleys Operatic Society staged their hugely successful 'Songs from the Shows' at Thornton Little Theatre. They played to almost full houses at each of the six performances across the weekend.

6.3 Our new programming policy for the theatres is to improve the financial return from larger commercial shows in order to keep community rates competitive and attractive for local hirers.

6.4 Our 'Harmony and Health' singing sessions at Marine Hall were featured in a BBC news item about 'Healthier Fleetwood' over the first May Bank Holiday.

7. Mental Health Awareness Event

7.1 Wyre Council officers supported an event at Cleveleys Plaza, organised by Doherty's Destiny and Cllr Andrea Kay on Sunday 20 May. The aim of the event was to raise awareness of mental health issues in young people through a music festival #JamesFest. The event was very well attended by young people and families.

8. Comments and questions

8.1 In accordance with procedure rule 11.3 any member of council will be able to ask me a question or make a comment on the contents of my report or on any issue, which falls within my area of responsibility. I will respond to any such questions or comments in accordance with procedure rule 11.5.

arm/ex/cou/cr/18/1406 Item 7(f)

This page is intentionally left blank



Report of:	Meeting	Date	Item No.
Cllr John Ibison, Chairman of Overview and Scrutiny Committee	Council	14 June 2018	8

Overview and Scrutiny Committee: Periodic Report

1. Purpose of Report

1.1 To inform Council about the work that the Overview and Scrutiny Committee has undertaken since the last periodic report was submitted.

2. Recommendation

2.1 That the report be noted.

3. Background

3.1 Since the last periodic report to Full Council the Overview and Scrutiny Committee has met on ten occasions, all of which were scheduled meetings. There have been no calls-in during 2017/18.

4. Committee meetings

4.1 Councillor Michael Vincent was elected as Chairman of the Committee on 22 September 2014, with Councillor Kerry Jones elected as Vice Chairman. On 8 January 2018 Councillor John Ibison was elected as Chairman of the Committee for the remainder of the 2017/18 municipal year, with Councillor Kerry Jones continuing in her role as Vice Chairman.

4.2 The committee's work has focused on the delivery of the annual Overview and Scrutiny Work Programme. The committee's Work Programme has remained sufficiently flexible to accommodate other issues that have arisen during the course of the year.

4.3 The Leader of the Council attended one committee meeting, to introduce the 2019 update to the Council's Business Plan.

4.4 Quarterly Business Plan performance reports have been received from the Service Director Performance and Innovation. The reports have

assisted the committee to monitor the delivery of the Business Plan and to identify topics for further scrutiny.

- 4.5** The committee continued to closely monitor the development of the Local Plan by receiving quarterly progress reports from the Planning Policy and Economic Development Manager, until the Plan's submission in January 2018.
- 4.6** Twelve months after the submission of their reports to the Cabinet, the committee reviewed the progress of the implementation of the recommendations of the following task groups:
- (i) Building Stronger Relationships with Town and Parish Councils
 - (ii) Clinical Commissioning Groups
- 4.7** The committee continues to fulfil its requirement to scrutinise the work of the Community Safety Partnership (CSP) at least annually, receiving a report about the CSP's performance and priorities for the coming year. A report about the Partnership was most recently received by the committee on 12 March 2018.
- 4.8** The Council has a co-opted representative on Lancashire County Council's Health Scrutiny Committee, who reports annually to the committee. The report for 2017/18 will be considered by the committee at their July meeting, alongside other health matters.
- 4.9** Other reports received by the committee from officers and representatives of external organisations included the following:
- Scams and doorstep crime – report from Lancashire County Council
 - Fylde and Wyre Clinical Commissioning Group - update
 - Children and Young People
 - Wyre Campaigns Plan 2017/18
 - Waste and recycling services task group report
 - Dementia in Wyre
 - Review of proposed fees and charges
 - Cost profiles – benchmarking results 2017/18
 - Life in Wyre task group report
 - Planned maintenance and investment schedule 2018/19
 - Digital transformation task group report
 - O&S Work Programme preparation
 - Department of Communities and Local Government Select Committee report – The Effectiveness of Local Government Overview and Scrutiny Committees
 - Asset Management Strategy and Action Plan 2018-2023
 - Digital Transformation Plan - update

5. Task Groups

5.1 Waste and Recycling Contract

Wyre Council has a contract with Veolia for waste and recycling collection services which was initially for eight years from 2012, with an option to extend for a further eight years from April 2020. The Overview and Scrutiny Committee commissioned a task group to consider options for the delivery of the waste and recycling collection services beyond April 2020.

The task group reported to the Overview and Scrutiny Committee in September 2017, its recommendations being accepted by the Cabinet the following month.

5.2 Life in Wyre

In May 2017 the Overview and Scrutiny Committee set up a task group with the following purpose:

“To review the Life in Wyre Survey and to better understand its use and identify areas for improvement to ensure the Council gets best value from the survey.” (Scoping Document)

The task group submitted its report and recommendations to the Cabinet in November 2017.

5.3 Digital transformation

The decision to purchase the Modern.Gov Committee Minutes System, for the management and publication of committee minutes, agendas and documents was taken in December 2017. In summary, the benefits will be threefold:

- 1) To make the agenda publication process more efficient and more resilient.
- 2) To improve the efficiency of the committee minutes and agendas process making it far less time consuming for council officers.
- 3) To enable paperless working to be introduced for Council meetings, saving time and money.

A task group was set up “to consider the options for the council to move to more digital processes and towards a paper-free organisation”.

The task group made fifteen recommendations about the implementation of Modern.Gov, which were supported by the Cabinet in response to a task group report on 14 February 2018.

5.4 Engaging with Children and Young People

A task group that has reviewed how the council might engage more effectively with children and young people is due to report to the Cabinet on 13 June 2018.

The review was commissioned by the Overview and Scrutiny Committee in response to comments made in a report on the Local Government Association Peer Review Challenge, which said that the council's current Business Plan is skewed towards older people and adults. Steps have already been taken to rectify this imbalance.

6. Training and development

6.1 Members of the Overview and Scrutiny Committee have attended several courses run by the Centre for Public Scrutiny, including the following:

- Introduction to scrutiny (3 members)
- Scrutinising Council performance (1 member and Scrutiny Officer)
- Chairing skills (1 member)

6.2 Councillors continue to attend the North West Strategic Scrutiny Network whenever possible. The Network holds three meetings a year, keeping councillors abreast of current scrutiny thinking both nationally and locally.

7. Future work

7.1 Overview and Scrutiny Work Programme 2018/19

The Overview and Scrutiny Work Programme for 2018/19 is reviewed at every meeting of the committee. All members are invited to make suggestions about potential review topics for inclusion in the Programme. Scrutiny is member-led and without suggestions from councillors about task group topics the Programme will not achieve its purpose.

report author	telephone no.	email	date
Peter Foulsham, Scrutiny Officer	01253 887606	peter.foulsham@wyre.gov.uk	15 May 2018



Report of:	Meeting	Date	Item No.
Cllr. Alan Vincent, Resources Portfolio Holder and Clare James, Head of Finance	Council	14 June 2018	9

Treasury Management Activity 2017/18

1. Purpose of report

- 1.1 To report on the overall position and activities in respect of Treasury Management for the financial year 2017/18.

2. Outcomes

- 2.1 An informed Council who have an understanding of Treasury Management activity, in line with the approved Treasury Management Policy and Strategy Statements and Treasury Management Practices.

3. Recommendation

- 3.1 That the Annual Report on Treasury Management Activity for the 2017/18 financial year be approved.

4. Background

- 4.1 This Council is required by regulations issued under the Local Government Act 2003 to produce an annual treasury management review of activities and the actual prudential and treasury indicators for 2017/18. This report meets the requirements of both the CIPFA Code of Practice on Treasury Management, (the Code), and the CIPFA Prudential Code for Capital Finance in Local Authorities, (the Prudential Code).

- 4.2 During 2017/18 the minimum reporting requirements were that the full Council should receive the following reports:

- an annual treasury strategy in advance of the year (Council 06/04/17)
- a mid-year (minimum) treasury update report (Council 07/12/17)

- an annual review following the end of the year describing the activity compared to the strategy (this report).

4.3 The regulatory environment places responsibility on members for the review and scrutiny of treasury management policy and activities. This report, is, therefore, important in that respect, as it provides details of outturn position for treasury activities and highlights compliance with the Council's policies previously approved by members. Member training on treasury management issues was undertaken during the year on 18/01/2018 in order to support members' scrutiny role.

5. Key issues and proposals

5.1 The Economy and Interest Rates

5.1.2 After the UK economy's strong growth in the second half of 2016, growth in the first half of 2017 was disappointingly weak. It was the slowest for the first half of any year since 2012. The main reason for this was the sharp increase in inflation caused by the devaluation of sterling after the EU referendum, which caused the cost of imports to rise. This meant a further reduction in consumer disposable incomes and spending power, as inflation exceeded average wage increases. Consequently, the services sector of the economy, accounting for approximately 75% of GDP (gross domestic product), saw weak growth as consumers responded by cutting back on their expenditure.

5.1.2 Growth picked up modestly in the second half of 2017. On the 2 November 2017, the Monetary Policy Committee (MPC) raised the Bank Rate from 0.25% to 0.50%. This raised expectations of further interest rate rises, supported by the minutes of the MPC in February, which resulted in investment rates from 3-12 months increasing sharply during the spring quarter.

5.1.3 Public Works Loan Board (PWLB) borrowing rates increased correspondingly to the above developments with the shorter term rates increasing more sharply than longer term rates.

5.1.4 The General Election on 8 June 2017 was the major UK landmark event of the year but had relatively little impact on financial markets.

5.2 Overall Treasury Position as at 31 March 2018

5.2.1 At the beginning and the end of 2017/18 the council's treasury, (excluding borrowing by PFI and finance leases), position was as follows:

Table 1	31/3/17 Principal	Rate/ Return	Avge Life Yrs	31/3/18 Principal	Rate/ Return	Avge Life Yrs
Total Debt	1,560	4.43%	30	1,559	4.43%	29
Total investment s	19,014	0.46%	0.08	14,310	0.38%	0.02
Net debt	-17,454			-12,751		
CFR*	11,548			11,452		
Under borrowing	9,988			9,893		

*Capital Financing Requirement

5.3 The Strategy for 2017/18

5.3.1 The expectation for interest rates within the treasury management strategy for 2017/18 anticipated that the Bank Rate would not start rising from 0.25% until quarter 2 2019 and then only increase once more before 31 March 2020. Continued uncertainty in the aftermath of the 2008 financial crisis promoted a cautious approach, whereby investments would continue to be dominated by low counterparty risk considerations, resulting in relatively low returns compared to borrowing rates.

5.3.2 In this scenario the treasury strategy was to maintain the authority's under-borrowed position whilst the Head of Finance monitored interest rates in financial markets, reappraising the portfolio position if there was significant risk of a sharp fall or rise in long or short term borrowing rates. Thus avoiding the cost of holding higher levels of investments and reducing counterparty risk.

5.3.3 During 2017/18, longer term PWLB rates were volatile but with little overall direction, whereas shorter term PWLB rates were on a rising trend during the second half of the year.

5.4 The Borrowing Requirement and Debt

The council's underlying need to borrow to finance capital expenditure is termed the Capital Financing Requirement (CFR). The underlying need to borrow for capital purposes is measured by the CFR, while usable reserves and working capital are the underlying resources available for investment. The table below compares the estimated CFR to the debt which exists at 31 March. This gives an indication of the borrowing required. It also shows the estimated resources available for investment. An option is to use these balances to finance the expenditure rather than investing, often referred to as internal borrowing, so the table gives an indication of the minimum borrowing requirement through this method.

	31/03/17 Actual £	31/03/18 Budget £	31/03/18 Actual £
CFR (£m)	11,548	11,452	11,452
Less external borrowing	1,552	1,552	1,552
Borrowing requirement	9,996	9,900	9,900
Reserves and Balances	19,153	23,812	23,812
Borrowing/(investment) need	(9,157)	(13,912)	(13,912)

5.5 Borrowing Rates and Borrowing Outturn in 2017/18

5.5.1 PWLB certainty maturity borrowing rates have been volatile during the year with little consistent trend. However, shorter rates were on a rising trend during the second half of the year and reached peaks in February/ March.

5.5.2 During the year, the 50 year PWLB target (certainty) rate for new long term borrowing was 2.50% in quarters 1 and 3 and 2.60% in quarters 2 and 4.

5.5.3 No new borrowing was undertaken during the year 2017/18. Capital schemes budgeted for in 2017/18 were funded by grants and contributions, capital receipts and the Capital Investment Reserve. No rescheduling was done during the year as the average 1% differential between PWLB new borrowing rates and premature repayment rates made the cost of rescheduling prohibitive. There were no short-term borrowing transactions (i.e. less than 365 days) during 2017/18.

5.5.4 Interest payments in respect of long-term borrowing for the 2017/18 financial year total £68,830 compared to the full year budget of £68,830. The actual interest payments, including miscellaneous payments for the year to 31 March is £68,848 compared to the full year budget of £68,850. This includes £18.26 payable to the Fielden Trust.

5.5.5 The council has not had a formal overdraft facility and annual arrangement fee since 2011. The council now incurs charges at 4% over the current base rate for net overdrawn balances with no annual arrangement fee. The council's net bank account position was overdrawn on one occasion during the 2017/18 financial year. This was reported in the Treasury Management Activity April 2017 to September 2017 report to council 7 December 2017.

5.6 Investment Rates and Outturn in 2017/18

5.6.1 Investment rates for three months and longer have been on a rising trend during the second half of the year. This reflects the expectation that the Bank Rate would increase from its floor of

0.25% and reached a peak at the end of March. The Bank Rate was raised from 0.25% to 0.50% on 2 November 2017 and remained at that level for the rest of the year. However, further increases are expected over the next few years. Deposit rates continued into the start of 2017/18 at previous depressed levels owing, in part, to a large tranche of cheap financing being made available under the Term Funding Scheme to the banking sector by the Bank of England; this facility ended on 28 February 2018.

5.6.2 Investment Policy – the Council’s investment policy is governed by MHCLG (Ministry of Housing, Communities and Local Government) guidance which has been implemented in the annual investment strategy approved by the Council on 6 April 2017. This policy sets out the approach for choosing investment counterparties and is based on credit ratings provided by the three main credit rating agencies, supplemented by additional market data (such rating outlooks, credit default swaps, bank share prices etc.).

The investment activity during the year conformed to the approved strategy, and the council had no liquidity issues.

5.6.3 Investments held by the Council – Internally managed funds earned an average rate of return of 0.38%. The comparable performance indicator is the average 7 day LIBID (London Interbank Bid Rate) which was 0.21%. The equated investments for 2017/18 are analysed in the table below:

	Equated Investment Principal £	Interest Due £	Rate of Return	Benchmark Return
Bank of Scotland (fixed)	452,055	2,712	0.60%	0.21%
Eastleigh BC (fixed)	139,726	1,118	0.80%	0.21%
Qatar (1 month fixed A)	482,192	2,215	0.46%	0.21%
Qatar (1 month fixed B)	169,863	594	0.35%	0.21%
Qatar (3 month fixed A)	504,109	2,823	0.56%	0.21%
Qatar (3 month fixed B)	515,068	2,318	0.45%	0.21%

Goldman Sachs IB (fixed)	2,150,685	14,090	0.65%	0.21%
Qatar (Call)	1,528,767	7,644	0.50%	0.21%
Bank of Scotland (Call)	2,704,781	6,065	0.22%	0.21%
	Equated Investment Principal £	Interest Due £	Rate of Return	Benchmark Return
Santander 60 day Notice	2,843,836	10,705	0.38%	0.21%
Santander 95 day Notice	3,000,001	14,733	0.49%	0.21%
Nat West Liquid Select	1,434,705	734	0.05%	0.21%
Money Market Funds	4,846,008	13,944	0.29%	0.21%
Total	20,771,796	79,695	0.38%	0.21%

5.6.4 Interest receivable from investments for the 2017/18 financial year totals £79,695 compared to the full year budget of £59,240. Interest overall including miscellaneous items, received in the year totalled £82,834 compared to a budgeted figure of £62,220. The increase in interest and investment income over that budgeted of £20,614 is owing to an improved return on investment and an improved cash flow situation in the latter half of the financial year owing to delayed expenditure of external grant monies.

5.6.5 There have been seven occasions during the year where funds over £100,000 have remained in the council's accounts overnight as a surplus balance. Three of these were intentional, to ensure that sufficient funds were available for any significant payments during the Christmas closedown. There have been no occasions of funds over £100,000 remaining in the council's overnight general account since February when the Nat West roll up facility and control account was activated.

5.7 Other Issues

5.7.1 **Revised CIPFA Codes**

In December 2017, the Chartered Institute of Public Finance and Accountancy, (CIPFA), issued a revised Treasury Management Code and Cross Sectoral Guidance Notes and a Revised Prudential Code.

A particular focus of these revised codes was how to deal with local authority investments which are not treasury type investments e.g. by investing in purchasing property in order to generate income for the authority at a much higher level than can be attained by treasury instruments. One recommendation was that local authorities should produce a new report to Members to give a high level summary of the overall capital strategy and to enable Members to see how the cash resources of the authority have been apportioned between treasury and non-treasury investments. A further report will follow detailing the impact of these changes.

5.7.2 **Markets in Financial Instruments Directive II (MiFID II)**

The European Union set the date of 3 January 2018 for the introduction of regulations under MiFID II. These regulations govern the relationship that financial institutions conducting lending and borrowing transactions will have with local authorities from that date. As a council we have opted up to Professional Status in order to be able to continue to access the same investment instruments previously used. There has been little impact on our treasury management activities.

Financial and legal implications	
Finance	Considered in detail in the report above.
Legal	The approval of the recommendation will ensure that the statutory requirements have been complied with.

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 an 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
Julie Woods	01253 887601	Julie.Woods@wyre.gov.uk	18/05/2018

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

List of appendices

Appendix 1 Prudential and Treasury Indicators

arm/ex/cou/cr/18/1406jw1

Appendix 1: Prudential and Treasury Indicators

1. Prudential Indicators	2016/17 Actual £'000	2017/18 Estimate £'000	2017/18 Actual £'000
Capital Expenditure	21,929	15,644	12,640
Ratio of financing costs to net revenue stream	0.46%	0.74%	0.59%
Gross Borrowing requirement General Fund	1,560	1,560	1,559
Gross debt	1,560	1,560	1,559
CFR	11,548	11,452	11,452
Annual change in CFR	(96)	(96)	(96)
2. Treasury Management Indicators	2016/17 Actual £'000	2017/18 Estimate £'000	2017/18 Actual £'000
Authorised Limit for external debt borrowing		20,000	
Other long term liabilities		0	
Total		20,000	
Operational Boundary for external debt borrowing		13,548	
Other long term liabilities		8	
Total		13,556	
Actual external debt	1,560		1,559

Maturity structure of fixed rate borrowing during 2017/18	upper limit	lower limit
Under 12 months	100%	0%
12 months and within 24 months	45%	0%
24 months and within 5 years	75%	0%
5 years and within 10 years	75%	0%
10 years and above	100%	0%

These gross limits are set to avoid large concentrations of fixed rate debt that has the same maturity structure and would therefore need to be replaced at the same time.

This page is intentionally left blank



Report of:	Meeting	Date	Item no.
Cllr Henderson, Leader of the Council and Marianne Hesketh, Service Director Performance and Innovation	Council	14 June 2018	10

Constitution Amendments

1. Purpose of report

1.1 To enable changes to be made to the Council's Constitution.

2. Outcomes

2.1 More up to date and effective governance arrangements.

3. Recommendations

3.1 That the definition of Key Decisions in Article 16 in Part 2 of the Constitution be amended to increase the financial threshold from £50,000 to £100,000.

3.2 That the changes to the Scheme of Delegation to Officers, in Part 7 of the Constitution, set out in Appendix 1, be approved.

3.3 That the changes to consultation requirements in the Cabinet Procedure Rules in Part 4.04 of the Constitution, set out in Appendix 2, be approved.

3.4 That the following paragraph be added to the Terms of Reference of the Audit Committee in Article 7:

- "To receive updates and reports from the Head of Governance (Data Protection Officer) and to approve policies in relation to compliance with the Data Protection Act and Regulations made under the Act."

3.5 That the following additional paragraph be included in the list of executive functions delegated to the Head of Governance in Part 7.02 of the Constitution:

- “To submit reports, as the Council’s designated Data Protection Officer, to the Information Commissioner’s Office on breaches of the General Data Protection Regulations.”

3.6 That the change to the requirements for the publication of background papers referred to in reports, referred to in paragraph 6.2 of the Access to Information Procedure Rules in Part 4.02 of the Constitution, as set out in Appendix 3, be approved.

3.7 That the simplified wording of the Summary and the Articles in Parts 1 and 2 of the Constitution, set out in Appendix 4, be approved.

3.8 That the proposals for the further reviews of the Constitution set out in paragraph 5.8 of this report be noted and supported.

4. Background

4.1 A number of changes to the Constitution are required as a consequence of decisions made by Council, to reflect changed circumstances and to remove inconsistencies between different parts of the Constitution. The reasons for each of the specific changes recommended are explained below. A review of the wording and formatting of the first two Parts of the Constitution has also been undertaken and minor changes are proposed.

5. Key issues and proposals

Key Definitions

5.1 The threshold for Key Decisions set out in Article 16 of the Constitution has for some years been set at £50,000. Increasing this threshold to £100,000 would align the value to the current procurement threshold in Financial Regulations. Following a review of other Lancashire authorities it has been identified that Fylde, Chorley, Preston, Burnley and Rossendale all have thresholds of £100,000 with South Ribble on £75,000 whilst Lancaster and Pendle still retain the £50,000 limit.

5.2 No change is proposed to the other definition of a key decision, i.e. one that is “*significant in terms of its effects on communities living or working in an area comprising two or more wards in the area of the local authority*”.

Scheme of Delegation to Officers

5.3 Changes need to be made to the Scheme of Delegation in Part 7.02 of the Constitution, to reallocate authorisations previously allocated to the Head of Leisure and Tourism, following the deletion of that post. Minor clarifications also need to be made to the authorisations granted to the Head of Environmental Health and Community Safety for licensing functions. Proposed wording for both changes is set out in Appendix 1.

Cabinet Procedure Rules: Consultation

- 5.4** The current requirements for consultation on proposals submitted in reports to the Cabinet set out in Paragraph 2.4 of the Cabinet Procedure Rules in Part 4.04 of the Constitution, are unnecessarily specific and restrictive. It is recommended that the wording be clarified, as set out in Appendix 2.

GDPR functions and responsibilities

- 5.5** As a consequence of the implementation from 25 May 2018 of new legal requirements under the General Data Protection Regulations (GDPR), additions are required to the Terms of Reference of the Audit Committee and the delegation of functions to the Head of Governance, as set out in recommendations 3.6 and 3.7 of this report.

Publication of Background Papers

- 5.6** The Local Government (Executive Arrangements)(Meetings and Access to Information)(England) Regulation 2012 require that any background document which has been relied on to a material extent in preparing a report must be published on the Council's website as well as being made available for inspection on request. The Council's Access to Information Rules refer only to public inspection of background papers, so reference to their publication on the website needs to be added. See Appendix 3

Simplification of wording: Parts 1 and 2 (Summary and Articles)

- 5.7** The Summary in Part 1 and the Articles in Part 2 of the Constitution have been reviewed to ensure accuracy and to simplify the wording and format. Proposed revisions are set out as track changes in Appendix 4. It is intended that a similar review will be undertaken within the next few months to simplify the wording in the other parts of the Constitution.
- 5.8** Once that exercise has been completed and any changes have been approved by the Council, it is envisaged that a further review will be undertaken to see if it is possible to re-write or merge some parts of the Constitution (such as the Articles and the Procedure Rules), to make the whole document easier to use and to avoid repetition and duplication.

Financial and legal implications	
Finance	There are no additional costs arising from this report. The proposed change to the key decision threshold will simplify the process for approving some decisions, but the Financial Regulations and Financial Procedure Rules applying to the implementation of such decisions will remain unchanged.

Legal	The proposals in this report will ensure that the parts of the Council's Constitution referred to are up-to-date and that statutory requirements are met.
-------	---

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	01253 887481	roy.saunders@wyre.gov.uk	18/05/2018

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

Appendices

- Appendix 1 Scheme of Delegation: Proposed changes
- Appendix 2 Cabinet Procedure Rules: Consultation requirements.
- Appendix 3 Access to Information Procedure Rules: Publication of Background Papers
- Appendix 4 Summary and Articles of the Constitution – Simplified wording

arm/ex/cou/cr/1506rs1 Item 10

Changes to Scheme of Delegation

Re-allocation of authorisations currently allocated to the Head of Leisure and Tourism

The authorisations listed below are currently delegated to the former post of to the Head of Leisure and Tourism. It is proposed that they now each be re-allocated to the officers shown in italics.

Executive Functions

1. To alter normal opening hours in any buildings, premises or facilities open to the public for specific events, public holidays or other urgent reasons.

All Heads of Service

2. To waive fees and charges where such action will result in enhanced promotion.

Service Director Performance and Innovation

3. To manage the Council's markets.

Service Director Performance and Innovation

4. To obtain licences issued under the Licensing Act 2003.

Service Director Performance and Innovation

5. To manage and deal with all matters affecting the Marine Hall and Thornton Little Theatre.

Service Director Performance and Innovation

Non-Executive Functions

1. To agree boating byelaws in accordance with the Local Government (Miscellaneous Provisions) Act 1976.

Service Director People and Places

Changes to authorisations to the Head of Environmental Health and Community Safety

The Licensing Act 2003 and the Criminal Justice and Peace Act 2001 (S 19) need to be added to the lists of legislation under which the Head of Environmental Health can exercise powers.

Cabinet Procedure Rules: Paragraph 2.4 – Consultation

Revised wording

2.4 Consultation

Consultation will be carried out on proposals in All reports to the Cabinet from any member of the Cabinet or an Officer on proposals relating to the budget and policy framework must contain details of the nature and to the extent necessary to comply with legislation and the Council's duty to consult of consultation with stakeholders and the Overview and Scrutiny Committee, and the outcome of that consultation. Reports about other matters will set out the details and outcome of consultation as appropriate. The level of consultation required will be appropriate to the nature of the matter under consideration.

Access to Information procedure Rules

Revised wording: Publication of Background Papers

6. Background Papers

6.1 List of Background Papers

Report authors will set out in every report a list of those documents (called “background papers”) relating to the subject matter of the report which in his/her opinion:

(a) disclose any facts or matters on which the report or an important part of the report is based; and

(b) which have been relied on to a material extent in preparing the report

but does not include published works or those which disclose exempt or confidential information (as defined in Rule 10).

6.2 Inspection ~~of~~ and Publication ~~of~~ Background Papers

The Council will make available for public inspection and publish on the Council’s website for a minimum period of 4 years from the date of the meeting to which the report is submitted,~~on request for four years after the date of the meeting one copy of~~ each of the documents on the list of background papers.

**Proposed changes to Summary (Part 1) and Articles (Part 2) of the Constitution
(Simplified wording and more consistent format)**

|

arm/ex/cou/cr/1506rs1 Item 10

Summary and Explanation

The Council's Constitution

Wyre Borough Council has agreed a constitution which sets out how the Council operates, how decisions are made and the procedures which are followed to ensure that these are efficient, transparent and accountable to local people. ~~Some of these processes are required by the law, while others are a matter for the Council to choose. The Constitution commits the Council to an accountable, efficient and effective scheme of representation and decision making.~~

What's in the Constitution

The Constitution is divided into 7 parts. The first 4 parts set out the basic rules governing the Council's business, ~~followed by including: 19 Articles (in Part 2) explaining how key parts of the Council operate; lists describing who is responsible for various functions (in Part 3), and Rules setting out procedures to be followed at meetings and when making decisions (in Part 4). Codes and protocols are included in (Part 5); the Members' Allowances Scheme is set out in (Part 6) and the Council's Management Structure and Scheme of Delegation in (Part 7).~~

How the Council Operates

The Council is composed of 50 cCouncillors elected every four years. Councillors are democratically accountable to residents of their ward. The overriding duty of cCouncillors is to the whole community, but they have a special duty to their electors, including those who did not vote for them.

Councillors agree to follow a Code of Conduct to ensure high standards in the way they undertake their duties.

All cCouncillors meet together as the Council, ~~which decides overall policies and sets the budget each year.~~ Meetings of the Council are normally open to the public. ~~Here Councillors decide the Council's overall policies and set the budget each year.~~

How Decisions are Made

The Executive

The Executive is ~~the part of the Council which is~~ responsible for most day-to-day decisions. The Executive is made of up of a Leader elected by the Council and six-five Cabinet Members selected by the Leader, one of whom will be designated Deputy Leader. When major decisions are to be made or issues are to be discussed, advance notice of them is published in the Cabinet's Schedule of Executive Decisions. Where sufficient notice cannot be given the exception or urgency provisions set out in the Access to Information Procedure Rules (in Part 4.02) will be followed. If these major decisions are to be discussed with Council officers at a meeting of the Cabinet, this will generally be open for the public to attend except where personal or confidential matters are being discussed. The Executive has to make decisions ~~which are~~ in line with the Council's overall policies and budget. If it wishes to make a decision which is outside the budget or policy framework, this must be referred to the Council as a whole to consider.

Overview and Scrutiny

There is an Overview and Scrutiny Committee which supports and scrutinises the work of the Cabinet and the Council ~~as a whole~~. It conducts reviews and submits reports and recommendations which advise the Cabinet and the Council ~~as a whole~~ on its policies, budget and service delivery. The Overview and Scrutiny Committee also monitors the decisions of the Cabinet. Any three ~~c~~Councillors can 'call-in' a decision which has been made by the Executive but not yet implemented. This allows the Overview and Scrutiny Committee to consider whether the decision is appropriate and if necessary, recommend that the Cabinet or an individual Portfolio Holder or in limited circumstances the Council reconsider the decision. The Committee may also be asked by the Cabinet or the Council to undertake reviews or draw up responses to consultation documents. Members of the Cabinet cannot be Members of the Overview and Scrutiny Committee.

Regulatory Committees

The Council appoints Committees to consider applications for planning approval and various types of licenses. These committees also consider and make recommendations and decisions on planning and licensing policies. Members of the Cabinet can-not be Members of the regulatory committees.

The Council's Staff

The Council employs ~~Officers-officers~~ to give advice, implement decisions and manage the day-to-day delivery of its services. Some ~~Officers-officers~~ have a specific duty to ensure that the Council acts within the law and uses its resources wisely. A ~~p~~Protocol governs the relationships between ~~o~~Officers and ~~m~~Members of the Council, as set out in Part 5 of this Constitution.

Citizens' Rights

Citizens have a number of rights in their dealings with the Council. These are set out in in Article 3 and include rights to vote in elections, obtain information from the Council, to participate in elements of the Council's decision making process and to make comments or complaints. Some of these are legal rights, whilst others depend on the Council's own processes.

For further information on the Council's Constitution, please contact the Council's Democratic Services and Scrutiny Manager, Civic Centre, Poulton-le-Fylde.

Email: roy.saunders@wyre.gov.uk
Telephone: 01253 887481

Article 1 - The Constitution

1.01 Powers of the Council

The Council will exercise all its powers and duties in accordance with the law and this Constitution.

1.02 The Constitution

This Constitution, and all its appendices, is the Constitution of Wyre Borough Council.

The purpose of the Constitution is to:

1. enable the Council to provide clear leadership to the community in partnership with citizens, businesses and other organisations;
2. support the active involvement of citizens in the process of local authority decision-making;
3. help Councillors represent their constituents effectively;
4. enable decisions to be taken efficiently and effectively;
5. create a powerful and effective means of holding decision-makers to public account;
6. ensure that no one will review or scrutinise a decision in which they were directly involved;
7. ensure that those responsible for decision making are clearly identifiable to local people and that they explain the reasons for decisions; and
8. provide a means of improving the delivery of services to the community.

1.03 Interpretation and Review of the Constitution

Where the Constitution permits the Council to choose between different courses of action, the Council will always choose that option which it thinks is closest to the purposes stated above.

The Council will monitor and evaluate the operation of the Constitution as set out in Article 18.

This page is intentionally left blank

Article 2 - Members of the Council

2.01 Composition and Eligibility

(a) Composition

The Council comprises 50 ~~mMembers, otherwise called (cCouncillors)~~. One or more ~~cCouncillors~~ is elected by the voters of each ward in accordance with a scheme drawn up by the Local Government Commission and approved by the Secretary of State.

(b) Eligibility

Only registered voters of the area or those living or working there will be eligible to hold the office of ~~cCouncillor~~.

2.02 Election and Terms of cCouncillors

Election and Terms

The regular election of ~~cCouncillors~~ will be held on the first Thursday in May every four years beginning in 2003. The terms of office of ~~cCouncillors~~ will start on the fourth day after being elected and will finish, for payment purposes, on the third day after the date of the next regular election, essentially retiring on the fourth day after the election in accordance with the Local Government Act 1972.

2.03 Roles and Functions of All cCouncillors

(a) Key Roles

All ~~cCouncillors~~ will:

- (i) collectively be the ultimate policy-makers and carry out a number of strategic and corporate management functions;
- (ii) represent their communities ~~as advocates and bringing their~~ views into the Council's decision-making process, ~~i.e. become the advocate of and for their communities;~~
- (iii) deal with individual casework and act as an advocate for constituents in resolving particular concerns or grievances;
- (iv) balance different interests ~~identified within the ward~~ and represent the ward as a whole;
- (v) be involved in decision-making;
- (vi) be available to represent the Council on other bodies; and
- (vii) maintain the highest standards of conduct and ethics.

(b) Rights and dDuties

- (i) Councillors will have such rights of access to such documents, information, land and buildings of the Council as are necessary for the proper discharge of their functions and in accordance with the law.
- (ii) Councillors will not make public information which is exempt without the consent of the Council or divulge confidential information to anyone other than a cCouncillor or officer entitled to know it.

For these purposes, “confidential information” and “exempt information” are defined in the Access to Information Procedure Rules in Part 4 of this Constitution.

- (iii) Councillors will be permitted to address meetings of the Planning ~~Committee~~ about ~~Committee~~ about a particular application, in accordance with the procedures in place (set out in Part 5 of this Constitution).
- (iv) Councillors will be permitted to address meetings of the Licensing Committee only in accordance with the provisions of the Licensing Act 2003 (Hearings Regulations) 2005 (as amended)

2.04 Conduct

Councillors will at all times observe the Members’ Code of Conduct and the Protocol on Member/Officer Relations set out in Part 5 of this Constitution.

2.05 Allowances

Councillors will be entitled to receive allowances in accordance with the Members’ Allowances Scheme set out in Part 6 of this Constitution.

Article 3 - Citizens and the Council

3.01 Citizens' rRights

Citizens have the following rights. Their rights to information and to participate are explained in more detail in the Access to Information Procedure Rules in Part 4 of this Constitution:

(a) Voting and pPetitions

- (i) Citizens on the electoral roll for the area have the right to vote at local elections.
- (ii) Citizens on the electoral roll also have the right to sign a petition to request a referendum for an elected mayor. ~~form of Constitution.~~ If a petition for a referendum for an elected mayor signed by 5% of the local electorate is received a referendum on proposals for executive arrangements, including an elected mayor, must be held.
- (iii) Anyone who lives, works or studies within the Borough of Wyre can sign or submit a petition in accordance with the Council's Petitions Scheme (as set out in Part 5.07).

(b) Information

Citizens have the right to:

- (i) attend meetings of the Council and its cCommittees except where confidential or exempt information is likely to be disclosed, and the meeting is therefore held in private;
- (ii) attend meetings of the Cabinet (except where exempt information is likely to be disclosed);
- (iii) find out from the Schedule of Executive Decisions what key decisions will be taken by the Cabinet or one of its members and when;
- (iv) see reports and background papers, and any records of decisions made by the Council and the Cabinet; and
- (v) inspect the Council's accounts and make their views known to the external auditor.

(c) Participation

Citizens have the right to ask questions at Cabinet or Council meetings (in accordance with the Procedure Rules in Part 4), contribute to reviews undertaken by the Overview and Scrutiny Committee, and comment on individual planning and licensing applications.

(d) Complaints

Citizens have the right to complain to:

- (i) the Council itself under its complaints scheme;
- (ii) the Ombudsman after using the Council's own complaints scheme;
- (iii) the Monitoring Officer about a breach of the Councillor's Code of Conduct.

3.02 Citizens' Responsibilities

Citizens must not be violent, abusive or threatening to Councillors or Officers and must not wilfully harm things owned by the Council, Councillors or Officers.

Article 4 - The Council Meeting

4.01 Meanings

(a) Policy Framework

The policy framework includes ~~_, for example,~~ the following plans and strategies:

- Crime and Disorder Reduction Strategy;
- Local Plan and associated documents;
- Licensing Authority Policy Statement;
- Business Plan;
- Any other plan or strategy (whether statutory or non statutory) in respect of which the Council determines that the decision on its adoption or approval should be taken by it rather than the Cabinet;
- Pay Policy Statement.

(b) Budget

The budget includes the allocation of financial resources to different services and projects, proposed contingency funds, setting the Council Tax and decisions relating to the control of the Council's borrowing requirement and, the control of its revenue and capital expenditure.

4.02 Functions of the Full Council

Only the Council will exercise the following functions:

- (a) adopting and changing the Constitution;
- (b) approving or adopting the policy framework and the budget;
- (c) subject to the urgency procedure contained in the Access to Information Procedure Rules in Part 4 of this Constitution, making decisions about any matter in the discharge of an Executive function which is covered by the policy framework or the budget where the decision maker is minded to make it in a manner which would be contrary to the policy framework or contrary to/or not wholly in accordance with the budget;
- (d) appointment of the Leader; (the Leader will inform the Council of the Deputy Leader and other ~~m~~Members appointed to the Cabinet);
- (e) agreeing and/or amending the terms of reference for committees, deciding on their composition and making appointments to them;

- (f) appointing representatives to outside bodies unless the appointment is an Executive function or has been delegated by the Council;
- (g) adopting a Members Allowances Scheme;
- (h) changing the name of the area, conferring the title of honorary alderman or freedom of the borough;
- (i) confirming the appointment of the Head of Paid Service and the designation of the Monitoring Officer and the Chief Finance (Section 151) Officer;
- (j) making, amending, revoking, re-enacting or adopting bylaws and promoting or opposing the making of local legislation or personal Bills;
- (k) all local choice functions set out in Part 3 of this Constitution which the Council decides should be undertaken by itself rather than the Cabinet or one of its members; and
- (l) all other matters which, by law, must be reserved to Council.

4.03 Council Meetings

There are three types of Council meeting:

- (a) the annual meeting;
- (b) ordinary meetings;
- (c) extraordinary meetings

and they will be conducted in accordance with the Council Procedure Rules in Part 4 of the Constitution.

4.04 Responsibility for Functions

The Council will maintain the schedules in Part 3 of this Constitution setting out the responsibilities for the Council's functions which are not the responsibility of the Cabinet or one of its members.

Article 5 - Chairing the Council

5.01 Roles and Function of the Mayor

The Mayor and the Deputy Mayor will be elected by the Council annually. The Mayor, or in his absence, the Deputy Mayor, will have the following responsibilities:

1. to uphold and promote the purposes of the Constitution, and to interpret the Constitution when necessary;
2. to preside over meetings of the Council so that its business can be carried out efficiently and with regard to the rights of cCouncillors and the interests of the community;
3. to ensure that the Council meeting is a forum for the debate of matters of concern to the local community and the place at which mMembers who are not in the Cabinet are able to hold the Cabinet and its members to account;
4. to promote public involvement in the Council's activities;
5. to be the conscience of the Council;
6. to attend such civic and ceremonial functions as the Council and he/she determines appropriate; and
7. to mediate any differences of view between the Council and the Cabinet on setting the budget or adopting a strategy or plan.

This page is intentionally left blank

Article 69 - The Cabinet

69.01 Role

The Cabinet will carry out all of the local authority's functions which are not the responsibility of any other part of the local authority, whether by law or under this Constitution.

69.02 Form and cComposition

The Cabinet will form the Executive of the Council and will consist of the Leader together with at least five cCouncillors (the statutory maximum is 8 plus the Leader).

On election; the Leader will inform the Council of the Deputy Leader and other mMembers s/he has appointed to the Cabinet.

Each mMember of the Cabinet will individually hold office until the Annual Council Meeting following the next Council elections, unless:

- ~~he or s~~/he resigns from office;
- ~~he or s~~/he is suspended from being a cCouncillor under Part III of the Local Government Act, 2000;
- ~~he or s~~/he is no longer a cCouncillor;
- ~~he or s~~/he is removed from office by the Leader, who must give written notice of any change to the Chief Executive (such removal to take place after two days and to be notified to the Council at the next meeting).

69.03 Leader

The Leader will be a cCouncillor elected to the position by the Council at the Annual Meeting following an election. The Leader will then hold office until the Annual Council Meeting following the next Council elections, unless:

- ~~he or s~~/he resigns from office;
- ~~he or s~~/he is suspended from being a cCouncillor under Part III of the Local Government Act, 2000;
- ~~he or s~~/he is no longer a cCouncillor;
- ~~he or s~~/he is removed from office by a resolution of the Council (following a vote on Notice of Motion submitted under the Council Procedure Rules;

If the office of Leader becomes vacant, the Council shall fill the vacancy as soon as reasonably practicable, either at the next ordinary or a specially convened Council meeting. The person elected will then hold office in accordance with the provisions of this Article. (Pending such an appointment the Deputy Leader will assume the responsibilities of the Leader)

69.04 Proceedings of the Cabinet

Proceedings of the Cabinet shall take place in accordance with the Cabinet Procedure Rules set out in Part 4 of this Constitution.

69.05 Responsibility for Functions

The Leader will maintain a list, as set out in Part 3 of the Constitution, detailing the particular responsibilities of each Cabinet Member. Functions can also be delegated to committees of the Cabinet, Officers or joint arrangements and, where applicable, will be listed in Part 3.

69.06 Lead Members

The Leader may also appoint such number of other councillors as he/s/he may think fit to assist the Council and the Cabinet. These councillors, known as Lead Members, have no decision making powers and do not form part of the Executive. Their role will be to provide support and advice on their specialist area of activity. Each Lead Member holds office until the Annual Council Meeting after the next Council elections, ~~unless:~~

- ~~— he or she resigns from office;~~
 - ~~— he or she is suspended from being a Councillor under Part III of the Local Government Act 2000;~~
 - ~~— he or she is no longer a councillor; or~~
- ~~he or she is removed from office by the Leader who must give written notice of any change to the Chief Executive (such removal to take place after two days and to be notified to the Council at the next meeting) on the same terms as a Member of the Cabinet (see 9.02, above).~~

The responsibilities of Lead Members are set out in Part 3 of the Constitution.

Article 7 – Audit Committee

7.01 Terms of Reference~~Membership~~

14 Members of the Council, who will operate independently from both the Executive and the Overview and Scrutiny function and receive training appropriate to their role.

7.02 Delegation of functions

See Scheme of Delegation (Part 7)

7.03 Functions

~~Audit committees are a key component of an authority's governance framework. Their function is to~~ To provide an independent and high level resource to support good governance and strong public financial management.

~~The purpose of an audit committee is to~~ To provide those charged with governance, independent assurance on the adequacy of the risk management framework, the internal control environment and the integrity of the financial reporting and annual governance processes. ~~By overseeing internal and external audit it makes an important contribution to ensuring that effective assurance arrangements are in place.~~

~~The Audit Committee will~~ To have regard to relevant government guidance, the requirements of the Chartered Institute of Public Finance and Accountancy (CIPFA) and any other relevant body, ~~and members shall receive training appropriate for this role.~~

- ~~• The Council will appoint an Audit Committee independent from both the Executive and the Overview and Scrutiny function and will have the following core functions;~~
- To be satisfied that the Council's Annual Governance Statement properly reflects the risk environment, to identify any actions required to improve it and to demonstrates how governance supports the achievement of the authority's objectives;
- ~~In relation to the council's internal audit functions, the Audit Committee will~~ To oversee its the Council's internal audit function's independence, objectivity, performance and professionalism. It will, support the effectiveness of the internal audit process and promote the effective use of internal audit and. ~~This will involve~~ consideration of the annual audit plan and, the receipt of regular reports detailing progress against the plan and the annual report;
- To review the risk profile of the organisation and consider the effectiveness of the Council's risk management arrangements including. ~~This will involve~~ monitoring the progress of embedding risk management, reviewing the councils risk registers and other assurances provided, ensuring that action is being taken where necessary to mitigate such risks;

- To monitor the effectiveness of the control environment, including arrangements for ensuring value for money and for managing the council's exposure to the risks of fraud and corruption. ~~This will involve maintaining~~ and making changes where needed. ~~to~~
- To maintain and amend where necessary the council's counter fraud polices;
- To consider the reports and recommendations of external audit, including the auditor's report to those charged with governance (ISA 260) on issues arising from the audit of the accounts;
- To ~~review~~ consider the financial statements, external auditors opinion and reports to members and to monitor management action in response to issues raised by External Audit;
- To support effective relationships between internal and external audit, inspection agencies and other relevant bodies and encourage the active promotion of the value of the audit process;
- To undertake the annual review of the council's use of the Regulation of Investigatory Powers Act 2000 (RIPA), ensuring compliance with the Code of Practice; and
- To maintain and make changes to the council's Financial Regulations and Financial Procedure Rules (without reference to full council).
- To receive updates and reports from the Head of Governance (Data Protection Officer) and to approve policies in relation to compliance with the Data Protection Act and Regulations made under the Act.*

* (Subject to approval at the Council meeting on 14 June 2018)

Article 8 – Employment and Appeals Committee

8.01 Terms of Reference Membership

10 Members of the Council

8.02 Delegation of functions

See Scheme of Delegation (Part 7)

8.03 Functions

- (a) To consider and make decisions on any new policies or major amendments to current policies.
- (b) To consider matters relating to sSuperannuation, pensions and gratuities, including consideration of and making recommendations on retirement pay policy.
- (c) To consider appeals against dismissal or grievances, when necessary, under the Council's procedures.
- (d) To be the member-level forum for dealing with employee and human resources issues (except for the appointment of the Chief Executive or Service Directors and any other statutory officers, which are is the responsibility of an Appointments Committee appointed by the Council - see the Officer Employment Procedure Rules in Part 4.07).
- (e) Separate arrangements may apply to statutory officer roles (Monitoring Officer and Section 151 Officer) and guidance should be sought from Human Resources on arrangements for dealing with issues relating to these posts.

8.02 Role

~~To be the Member level forum for dealing with employee and human resources issues (except for the appointment of the Chief Executive or Directors, which is the responsibility of an Appointments Committee appointed by the Council - see the Officer Employment Procedure Rules in Part 4.07).~~

This page is intentionally left blank

Article 9 – Licensing Committee

9.01 Membership

14 Members of the Council.

9.02 Delegation of functions

See Scheme of Delegation (Part 7)

9.03 Functions

Taxi, gaming, entertainment, food and miscellaneous licensing.

Functions relating to licensing and registration as set out in Schedule 1 of the Functions Regulations.

To consider any applications for the grant, renewal, transfer or variation of any licences, permits or registrations of persons, premises or occupations where the relevant officer is of the opinion that the application might be refused.

To carry out all functions of the Licensing Act 2003, with the exception of the adoption, publication and review of the Licensing Act 2003 Policy that the Council intends to apply when carrying out its functions.

To consider any matter relating to the licensing, registration or control of premises, persons or occupations which may affect public safety, hygiene or any other matters concerning public health.

To exercise the powers and duties of the Council in relation to the licensing, registration and control of premises, persons or occupations which may affect public health or hygiene, animal welfare, public safety, (other than those specifically the responsibility of another Committee).

To exercise the powers of the Council with regard to permits for street collections and house to house collections.

To deal with applications for the grant, renewal, transfer or variation of any licence or permit referred by the relevant officer to the Committee.

To consider matters relating to hackney carriages and private hire vehicles or pleasure boats including fares and charges and hackney carriage stands.

To deal with matters relating to the grant, refusal, revocation, renewal or transfer of licences or permits for proprietors and drivers of hackney carriages, private hire vehicles and pleasure boats.

To carry out all the functions of the Gambling Act 2005 with the exception of the adoption, publication and review of the Statement of Principles that the Council intends to apply when carrying out its functions and the exercise of the power contained in Section 166 of the Act to resolve not to issue casino premises licences (which will be functions of the full Council).

To make, amend, revoke or re-enact byelaws.

Functions relating to health and safety under any 'relevant statutory provision' within the meaning of Part 1 of the Health and Safety at Work Act, 1974, to the extent that those functions are discharged otherwise than in the Council's capacity as employer.

Article 106 - Overview and Scrutiny Committee

106.01 Membership Terms of Reference

~~The Council will appoint an Overview and Scrutiny Committee to discharge the Overview and Scrutiny functions conferred by Section 21 of the Local Government Act 2000 or Regulations under Section 32 of the Local Government Act 2000. The Terms of Reference of the Committee are as follows:~~

14 Members of the Council.

Delegation of functions

See Scheme of Delegation (Part 7).

Functions

The Committee will discharge the functions conferred by Section 21 of the Local Government Act 2000 or Regulations under Section 32 of the Local Government Act 2000.

In addition the committee will:

- (i) ~~to~~ assist the Council and the Cabinet in the development of its budget and policies ~~by in-depth analysis of policy issues;~~
- (ii) ~~to~~ challenge the boundaries of existing policies and think creatively about possible new policies or solutions to problems;
- (iii) ~~to~~ conduct research, community and other consultation ~~in the analysis of policy issues and~~ and to consider possible options;
- (iv) ~~to~~ make a positive contribution to the improvement of services;
- (v) ~~to~~ liaise with ~~other~~ external organisations operating in the area, ~~whether national, regional or local,~~ to ensure that the interests of local people are enhanced by collaborative working;
- (vi) ~~to~~ review and scrutinise the decisions made by and performance of the Cabinet or individual portfolio holders and by Council ~~o~~ Officers where decisions have been delegated, both in relation to individual decisions and over time;
- (vii) ~~to~~ review and scrutinise the performance of the Cabinet in relation to the Council's policy objectives, performance targets and/or particular service areas;
- (viii) ~~to~~ make recommendations to the Cabinet and/or the Council arising from ~~the outcome of~~ the scrutiny process.

- (ix) ~~to~~ undertake the Council's statutory requirements to scrutinise the Crime and Disorder partnership.
- (x) ~~to~~ consider any Councillor Call for Action (CCfA) submitted to it by the Service Director Performance and Innovation. ~~Such consideration will be short and outcome focussed.~~ If appropriate, the Committee will make recommendations to the Cabinet, in accordance with the procedures set out in the Council's CCfA Scheme (Part 5.10).

6.02 ~~Proceedings of the Overview and Scrutiny Committee~~

~~The Overview and Scrutiny Committee will conduct its proceedings in accordance with the Overview and Scrutiny Procedure Rules set out in Part 4 of this Constitution.~~

Article 10 - Regulatory and Other Committees

10.01 Regulatory and Other Committees

~~The Council will appoint the Committees set out in the 'Responsibility for Council Functions' in Part 3 of this Constitution to discharge the functions described.~~

This page is intentionally left blank

Article 11 – Planning Committee

11.01 Membership

14 Members of the Council.

11.02 Delegation of functions

See Scheme of Delegation (Part 7)

11.03 Functions

Functions relating to town and country planning and development control as specified in Schedule 1 to the Local Authorities (Functions and Responsibilities (England) Regulations, 2000 (the Functions Regulations).

To consider applications for planning permission, consent under the Town and Country Planning (Control of Advertisements) Regulations, certificates of lawful use or development, certificates of appropriate alternative development, listed building consents and Conservation Area Consents, the relaxation of Building Regulations and other applications under the Town and Country Planning Act, 1990 or associated legislation unless such matters have been delegated to an Officer.

To determine applications for planning permission for development by the Council or jointly with any other person.

To determine applications which the Council has power to determine for planning permission for development on land in which the Council has an interest where the Council does not intend to develop the land itself or jointly with any other person.

To confirm or otherwise deal with the Tree Preservation Orders, to which objections have been made.

To authorise the service of stop notices under the Town and Country Planning Act, 1990.

To authorise the service of planning contravention notices under the Planning and Compensation Act, 1991 and the serving of notices under Section 215 relating to the condition of land.

To authorise the entry into agreements for planning purposes regulating the development of land.

To make directions under Article 4 of the Town and Country Planning (General Permitted Development) Order, 1995.

To determine Hedgerow Removal Notices and the authorisation of the service of Hedgerow Replacement and Retention Notices.

To declare Conservation Areas or Areas of Special Control under the Town and Country Planning (Control of Advertisements) Regulations.

To make comments to the National Infrastructure Directorate on any proposed nationally significant infrastructure project within or impacting on the Borough.

To appoint an Independent Person to liaise with the Council's Monitoring Officer and the Standards Committee on ethical standards issues, as required by the Localism Act 2011

Article 12 – Senior Officers Appointments Committee

12.01 Terms of ReferenceMembership

~~To make recommendations to the Council, should any vacancies occur, on the appointment of members of the Corporate Management Team.~~ Four Members of the Council, to include at least 1 member of the Cabinet by law.

12.02 MembershipDelegation of functions

See Scheme of Delegation (Part 7)

~~The membership of the Committee will comprise 4 Councillors appointed at the Annual Meeting of the Council.~~

12.03 Function

To appoint the Head of Paid Service (the Chief Executive) and Directors.

This page is intentionally left blank

Article 13 – Senior Officers Disciplinary Committee

13.01 Terms of referenceMembership

The membership of the Committee will comprise 4 Members and 2 Independent Persons.

The 2 independent persons will be those appointed by the Council in accordance with Regulations made under Section 28(7) of the Localism Act 2011 to deal with the Council's Councillor Code of Conduct regime and also specifically for this purpose under the Local Government (Standing Orders) (England) (Amendment) regulations 2015.

If the Council does not have 2 independent persons available, arrangements will be made to appoint an independent person from another Council to sit on the Committee. To review the conclusions of any investigation under the Council's agreed disciplinary procedures in to the conduct of any of its three "protected" officers performing the statutory roles of Head of the Paid Service, Chief Finance Officer (Section 151 Officer) and Monitoring Officer, where the outcome of the investigation is to recommend dismissal and, after considering the investigation report and the views of the "protected" officer, to make recommendations to a meeting of the full Council on what it considers to be the most appropriate action.

13.02 MembershipFunctions

The membership of the Committee will comprise 4 Councillors and 2 Independent Persons.

The 2 independent persons will be those appointed by the Council in accordance with Regulations made under Section 28(7) of the Localism Act 2011 to deal with the Council's Councillor Code of Conduct regime and also specifically for this purpose under the Local Government (Standing Orders) (England) (Amendment) regulations 2015.

If the Council does not have 2 independent persons available, arrangements will be made to appoint an independent person from another Council to sit on the Committee.

To review the conclusions of any investigation under the Council's agreed disciplinary procedures in to the conduct of any of its three "protected" officers performing the statutory roles of Head of the Paid Service, Chief Finance Officer (Section 151 Officer) and Monitoring Officer, where the outcome of the investigation is to recommend dismissal and, after considering the investigation report and the views of the "protected" officer, to make recommendations to a meeting of the full Council on what it considers to be the most appropriate action.

This page is intentionally left blank

Article 141 - The Standards Committee

11.01 Standards Committee

~~The Council will appoint a Standards Committee.~~

141.01 Composition Membership

2

6 Members of the Council.

(a) Membership

~~The Standards Committee will be composed of:~~

- ~~• At least six Councillors (with places allocated in accordance with the political balance requirements set out in Section 15 of the Local Government and Housing Act 1989).~~

(b) Chairing the Committee

A Chairman will be elected at the first meeting of the Committee in each Council Year.

141.02 Quorum Delegation of functions

3

~~The quorum for meetings of the Standards Committee shall be 3 Members. See Scheme of Delegation (Part 7).~~

141.04 Role and Functions

The Standards Committee will have the following ~~roles and~~ functions:

- ~~To promot~~**ing** and maintain**ing** high standards of conduct by Councillors and co-opted Members;
- ~~To assist~~**ing** the Councillors and co-opted Members to observe the Members' Code of Conduct;
- ~~To advise~~**ing** the Council on the adoption or revision of the Members' Code of Conduct;
- ~~To monitor~~**ing** the operation of the Members' Code of Conduct;
- ~~To advise~~**ing**, ~~training or arranging to train~~ Councillors and co-opted Members on matters relating to the Members' Code of Conduct and to arrange training where necessary;
- ~~To grant~~**ing** dispensations to Borough Councillors, Parish Councillors and co-opted Members from requirements relating to interests set out in the Members' Code of Conduct;
- ~~To consider~~**ing**, determin**ing** and tak**ing** decisions on allegations that individual councillors have breached the Councillors Code of Conduct, in

accordance with the procedures agreed by the Council for dealing with such allegations.

- (h) The exercise of (a) to (g) above in relation to the Parish and Town Councils wholly or mainly in the Borough of Wyre area and the Members of those Parish and Town Councils
- (i) To monitor and review any Codes or Protocols relating to Members included in Part 5 of the Council's Constitution.
- (j) To investigate any allegations of breaches of Member Protocols and, where appropriate, considering the withdrawal of any privileges or facilities provided under that protocol from the Member(s) who has breached it to ensure the "proper administration of the Council".

- ~~(h) the exercise of (a) to (g) above in relation to the Parish and Town Councils wholly or mainly in the Borough of Wyre area and the Members of those Parish and Town Councils.~~
- ~~(i) monitoring and reviewing any Codes or Protocols relating to Members included in Part 5 of the Council's Constitution.~~
- ~~(j) investigating any allegations of breaches of Member Protocols and, where appropriate, considering the withdrawal of any privileges or facilities provided under that protocol from the Member(s) who has breached it to ensure the "proper administration of the Council".~~

This page is intentionally left blank

Article 154 - Joint aArrangements

154.01 Arrangements to pPromote wWell-bBeing

The Council or the Cabinet, in order to promote the economic, social or environmental well-being of its area, may:

- (a) enter into arrangements or agreements with any person or body;
- (b) co-operate with, or facilitate or co-ordinate the activities of, any person or body; and
- (c) exercise on behalf of that person or body any functions of that person or body.

154.02 Joint aArrangements

- (a) The Council may establish joint arrangements with one or more local authorities and/or their Executive to exercise functions which are not Executive functions in any of the participating authorities, or advise the Council. Such arrangements may involve the appointment of a joint committee with these other local authorities.
- (b) The Cabinet may establish joint arrangements with one or more local authorities to exercise functions which are Executive functions. Such arrangements may involve the appointment of joint committees with these other local authorities.
- (c) Except as set out below, the Executive may only appoint Cabinet mMembers to a joint committee ~~and those Members need not reflect the political composition of the local authority as a whole.~~
- (d) The Cabinet may appoint mMembers to a joint committee from outside the Cabinet in the following circumstances:
 - the joint committee is between a County Council and a single District Council and relates to functions of the Executive of the County Council. In such cases, the Executive of the County Council may appoint to the joint committee any cCouncillor who is a mMember for an electoral division which is wholly or partly contained within the area.

In this case the political balance requirements do not apply to such appointments.

- (e) Details of any joint arrangements including any delegations to joint committees will be found in the Council's scheme of delegations in Part 3 of this Constitution.

154.03 Access to Information

- (a) The Access to Information Procedure Rules in Part 4 of this Constitution apply.
- (b) If all the ~~m~~Members of a joint committee are ~~m~~Members of the Cabinet or Executive in each of the participating authorities then its access to information regime is the same as that applied to the Cabinet.
- (c) If the joint committee contains ~~m~~Members who are not on the Cabinet or Executive of any participating authority then the Access to Information Rules in Part V(A) of the Local Government Act, 1972 will apply.

154.04 Delegation ~~t~~To and ~~f~~From ~~o~~Other Local Authorities

- (a) The Council may delegate non-Executive functions to another local authority or, in certain circumstances, the Executive of another local authority.
- (b) The Cabinet may delegate Executive functions to another local authority or the Executive of another local authority.
- (c) The Council will decide whether or not to accept such a delegation from another local authority.

154.05 Contracting ~~o~~Out

The Council, for functions which are not Executive functions, or the Cabinet for Executive functions, may contract out to another body or organisation functions which may be exercised by an officer and which are subject to an order under section 70 of the Deregulation and Contracting Out Act, 1994, or under contracting arrangements where the contractor acts as the Council's agent under usual contracting principles, provided there is no delegation of the Council's discretionary decision making.

Article 165 – Officers

Terminology

165.01 Management sStructure

(a) General

The Council may engage such staff (referred to as 'oOfficers') as it considers necessary to carry out its functions.

(b) Statutory oOfficers

The full Council will appoint persons for the posts of Chief Executive.

(The full Council will also appoint the Service Directors, who will be designated as members of the Corporate Management Team).

The functions of the Chief Executive will be, as follows:

Post	Functions and Areas of Responsibility
Chief Executive (and Head <u>oOf Paid Service</u>)	<p>To assist with the identification and delivery of the Council's vision and corporate objectives.</p> <p>To be the Council's Head of Paid Service with overall responsibility for the effective corporate and operational management of the Authority, and delivery of quality services to the community.</p> <p>To provide professional and policy advice to all parties in the decision-making process.</p> <p>To ensure the effective strategic management of the Council.</p> <p>To support the work and decision-making processes of the Leader and Executive, including the setting of <u>sStrategic pPriorities</u>, which reflect the Council's Community Strategy.</p> <p>To advise on the formulation, review and implementation of Council policy and strategy, including strategic financial matters.</p> <p>To ensure effective performance management systems are in place in order to secure <u>bBest vValue</u> in service delivery including maximising the opportunities for joined-up working through partnership and joint provision.</p> <p>To sustain the corporate interests and workings of the Council as a whole.</p>

Post	Functions and Areas of Responsibility
<p>Chief Executive (and Head of Paid Service) (Continued)</p>	<p>To ensure effective mechanisms are in place for the delivery of effective internal and external communication.</p> <p>To actively manage the relationship between Members and Officers and to intervene to resolve any communication and other problems within the Authority.</p> <p>To work with elected Members and staff to ensure the Council adopts a proactive response to external challenges from central government and other bodies (locally, regionally, nationally and internationally).</p> <p>To secure arrangements for the Council to work with others to improve the economic, social and environmental well-being of the area through joined-up working and service provision.</p> <p>To keep under review the organisation and management of the Authority.</p> <p>To ensure arrangements are in place for the production of appropriate contingency plans for the authority and fulfil the statutory duties concerned with civil emergency planning.</p> <p>To ensure that the Council's responsibilities for health and safety are met.</p> <p>To set agreed targets and monitor and evaluate the performance of the Service Directors.</p> <p>To work with the Cabinet to make any arrangements required to represent the Council at national, regional and European levels, with government bodies, local authorities, agencies, the local community, the private sector, academic institutions and any other organisations.</p>

(c) Head of Paid Service, Monitoring Officer and Chief Financial Officer

The Council will designate the following posts as shown:

Designation	Post
Head of Paid Service and Returning Officer for elections	Chief Executive
Designation	Post

Monitoring Officer

Head of Business Support

Chief Financial (Section 151) Officer

Head of Finance

Such posts will have the functions described in Article 15.02 - 15.04 below.

(d) Structure

The Head of Paid Service will determine and publicise a description of the overall Service Unit structure of the Council showing the management structure and deployment of officers. This is set out in Part 7 of this Constitution.

165.02 Functions of the Head of Paid Service

(a) Discharge of Functions by the Council

The Head of Paid Service will report to the Council on the manner in which the discharge of the Council's functions is co-ordinated, the number and grade of officers required for the discharge of functions and the organisation of officers.

(b) Restrictions on Functions

The Head of Paid Service cannot be the Monitoring Officer but may hold the post of Chief Financial Officer if a qualified accountant.

165.03 Functions of the Monitoring Officer

(a) Maintaining the Constitution

The Monitoring Officer in conjunction with the Democratic Services and Scrutiny Manager will maintain an up-to-date version of the Constitution and will ensure that it is published on the Council's website.

(b) Ensuring Lawfulness and Fairness of Decision-making

After consulting with the Head of Paid Service, Chief Financial Officer and the Legal Services Manager, the Monitoring Officer will report to the full Council or to the Cabinet in relation to an Executive function if he or she/he considers that any proposal, decision or omission would give rise to unlawfulness or if any decision or omission has given rise to maladministration. Such a report will have the effect of stopping the proposal or decision being implemented until the report has been considered.

(c) Supporting the Standards Committee

The Monitoring Officer will contribute to the promotion and maintenance of high standards of conduct through provision of support to the Standards Committee.

(d) Dealing with ~~c~~Complaints against Councillors

The Monitoring Officer will administer the process agreed by the Council for dealing with allegations of breaches of the Code of Conduct by Wyre Borough or Parish Councillors within the area.

(e) Proper Officer for Access to Information

The Monitoring Officer will ensure that decisions made by the Cabinet or one of its members, together with the reasons for those decisions and relevant Officer reports are made publicly available as soon as possible (and that background papers are made available, on request).

(f) Advising whether Executive decisions are within the budget and policy framework

The Monitoring Officer will advise whether decisions of the Executive are in accordance with the budget and policy framework.

(g) Providing ~~a~~Advice

The Monitoring Officer will contribute to the corporate management of the Council and will provide advice on the scope of powers and authority to take decisions, on maladministration, on financial impropriety, probity and on budget and policy framework issues to all Councillors.

(h) Restrictions on ~~p~~Posts

The Monitoring Officer cannot be the Chief Financial Officer or the Head of Paid Service.

165.04 Functions of the Chief Financial Officer

(a) Ensuring ~~l~~Lawfulness and ~~f~~Financial ~~p~~Prudence of ~~d~~Decision-~~m~~Making

After consulting with the Head of Paid Service, the Legal Services Manager and the Monitoring Officer, the Chief Financial Officer will report to the full Council or to the Cabinet in relation to an Executive function and the Council's external auditor if ~~he or s~~he considers that any proposal, decision or course of action will involve incurring unlawful expenditure, or is unlawful and is likely to cause a loss or deficiency or if the Council is about to enter an item of account unlawfully.

(b) Contributing to ~~c~~Corporate ~~m~~Management

The Chief Financial Officer will contribute to the corporate management of the Council, in particular through the provision of professional financial advice.

(c) Administration of ~~f~~Financial ~~a~~Affairs

The Chief Financial Officer will have responsibility for the administration of the financial affairs of the Council.

(d) Internal aAudit

The Chief Financial Officer will ensure that an adequate and effective system of internal audit service is provided to the Council.

(e) Providing aAdvice

The Chief Financial Officer will provide advice on the scope of powers and authority to take decisions, on maladministration, on financial impropriety, probity and on budget and policy framework issues to all cCouncillors and will support and advise cCouncillors and oOfficers in their respective roles.

(f) Give fFinancial iInformation

The Chief Financial Officer will provide financial information to the media, members of the public and the community.

(g) Restriction on pPosts

The Chief Financial Officer cannot be the Monitoring Officer.

165.05 Duty to pProvide sSufficient rResources to the Monitoring Officer and Chief Financial Officer

The Council will provide the Monitoring Officer, the Deputy Monitoring Officer and the Chief Financial Officer with such oOfficers, accommodation and other resources as are in their opinion sufficient to allow their duties to be performed.

165.06 Other oOfficers

Other oOfficers will carry out the roles and functions for which they are responsible as set out in Part 7 of this Constitution.

165.07 Conduct

Officers will comply with the Officers' Code of Conduct and the Protocol on Member/Officer Relations set out in Part 5 of this Constitution.

165.08 Employment

The recruitment, selection and dismissal of oOfficers will comply with the Officer Employment Procedure Rules set out in Part 4 of this Constitution.

This page is intentionally left blank

Article 176 - Decision Making

176.01 Responsibility for Decision Making

The Council will issue and keep up-to-date a record of what part of the Council or which individual has responsibility for particular types of decisions or decisions relating to particular areas or functions. This record is set out in Part 3 of this Constitution.

176.02 Principles of Decision Making

All decisions of the Council will be made in accordance with the following principles:

- (a) proportionality (ie. the action must be proportionate to the desired outcome);
- (b) due consultation and the taking of professional advice from Officers;
- (c) respect for human rights;
- (d) a presumption in favour of openness; and
- (e) clarity of aims and desired outcomes.

176.03 Types of Decision

(a) Decisions Reserved to the Council

Decisions relating to the functions listed in Article 4.02 will be made by the Council and not delegated.

(b) Key Decisions

(i) A key decision means an Executive decision which is likely:

- (a) to result in the local authority incurring expenditure which is, or the making of savings which are, significant having regard to the local authority's budget for the service or function to which the decision relates; or
- (b) to be significant in terms of its effects on communities living or working in an area comprising two or more wards in the area of the local authority.

The sum of ~~£100,000~~ ~~£50,000~~ has been agreed as ~~defining the definition~~ of "significant" for the purpose of paragraph (a). [**subject to increase being approved on 14 June 2018*]

(ii) A decision taker may only make a key decision in accordance with the requirements of the Executive Procedure Rules set out in Part 4 of this Constitution.

16.04 Decision Making by the Council

~~Subject to Article 16.08, the Council meeting will follow the Council Procedure Rules set out in Part 4 of this Constitution when considering any matter.~~

16.05 Decision Making by the Executive

~~Subject to Article 16.08, the Cabinet will follow the Cabinet Procedure Rules set out in Part 4 of this Constitution when considering any matter.~~

16.06 Decision Making by Overview and Scrutiny Committees

~~Overview and Scrutiny Committees will follow the Overview and Scrutiny Procedure Rules set out in Part 4 of this Constitution when considering any matter.~~

16.07 Decision Making by Other Committees and Sub-Committees Established by the Council

~~Subject to Article 16.08, other Council Committees and Sub-Committees will follow those parts of the Council Procedure Rules set out in Part 4 of this Constitution as apply to them.~~

16.08 Decision Making by Council Bodies Acting as Tribunals or in a Quasi-Judicial Manner

~~The Council, a Councillor or an Officer acting as a tribunal or in a quasi judicial manner or determining/considering (other than for the purposes of giving advice) the civil rights and obligations or the criminal responsibility of any person will follow a proper procedure which accords with the requirements of natural justice and the right to a fair trial contained in Article 6 of the European Convention on Human Rights.~~

17.04 Decision making by Council bodies acting as tribunals or in a quasi-judicial manner

~~Subject to Article 17/08 the Cabinet, Council and Overview and Scrutiny Committee will follow their respective Procedure Rules set out in Part 4 of this Constitution as apply to them. For other committees and sub-committees established by the Council the Council Procedure Rules will apply.~~

17.05 Decision making by Council bodies acting as tribunals or in a quasi-judicial manner

~~The Council, a councillor or an officer acting as a tribunal or in a quasi judicial manner or determining/considering (other than for the purposes of giving advice) the civil rights and obligations or the criminal responsibility of any person will follow a proper procedure which accords with the requirements of natural justice and the right to a fair trial contained in Article 6 of the European Convention on Human Rights.~~

Article 187 - Finance, cContracts and lLegal mMatters

187.01 Financial mManagement

The management of the Council's financial affairs will be conducted in accordance with the Financial Procedure Rules set out in Part 4 of this Constitution.

187.02 Contracts

Every contract made by the Council will comply with the Contracts Procedure Rules (Standing Orders relating to Contracts) set out in Part 4 of this Constitution.

187.03 Legal pProceedings

The Chief Executive is authorised to institute, defend or participate in any legal proceedings in any case where such action is necessary to give effect to decisions of the Council or in any case where the Legal Services Manager considers that such action is necessary to protect the Council's interests.

187.04 Authentication of dDocuments

Where any document is necessary to any legal procedure or proceedings on behalf of the Council, it will be signed by the Chief Executive or other person authorised by him/her, unless any enactment otherwise authorises or requires, or the Council has given requisite authority to, some other person.

187.05 Common Seal of the Council

The Common Seal of the Council will be kept in a safe place in the custody of the Chief Executive. A decision of the Council, or of any part of it, will be sufficient authority for sealing any documentation necessary to give effect to the decision. The Common Seal will be affixed to those documents which in the opinion of the Legal Services Manager should be sealed. The affixing of the Common Seal will be attested by the Chief Executive or some other person authorised by him/her.

This page is intentionally left blank

Article 198 – ~~R~~Review and ~~r~~Revision of the Constitution

198.01 Protocol for ~~m~~Monitoring and ~~r~~Review of Constitution by Monitoring Officer

~~A key role for The Monitoring Officer is to be aware of the strengths and weaknesses of the Constitution adopted by the Council, and to shall~~ make recommendations for ways in which ~~it the Constitution~~ could be amended in order to better achieve the purposes set out in Article 1. In undertaking this task the Monitoring Officer may:

- (1) observe meetings of ~~councillors and officers~~~~different parts of the Member and Officer structure~~;
- (2) undertake an audit trail of a sample of decisions;
- (3) record and analyse issues raised with him/her by ~~Members~~~~councillors~~, ~~o~~~~Officers~~, the public and other relevant stakeholders;
- (4) compare practices in this Authority with those in other comparable Authorities, or national examples of ~~b~~~~Best~~ ~~p~~~~Practice~~; and
- (5) take such other action as may facilitate the process.

198.02 Changes to the Constitution

Changes to the Constitution will be approved only by the Council except for:

- amendments to the Council’s Financial Regulations and Financial Procedure Rules which may be made by the Audit Committee without reference to the full Council.
- minor changes to correct clerical mistakes, make factual amendments (including changes to job titles), to comply with the law or to reflect decisions made by or behalf of the Council, which may be made by the Democratic Services and Scrutiny Manager.

This page is intentionally left blank

Article 2019 - sSuspension, iInterpretation and pPublication of the Constitution

2019.0 Suspension of the Constitution

1

(a) Limit to Suspension

The Articles of this Constitution may not be suspended. The Rules specified below may be suspended by the full Council to the extent permitted within those Rules and the law.

(b) Procedure to sSuspend

A motion to suspend any Rules will not be moved without notice unless at least one half of the whole number of Councillors are present. The extent and duration of suspension will be proportionate to the result to be achieved, taking account of the purposes of the Constitution set out in Article 1.

2019.0 Interpretation

2

The ruling of the Mayor as to the construction or application of this Constitution or as to any proceedings of the Council shall not be challenged at any meeting of the Council. Such interpretation will have regard to the purposes of this Constitution contained in Article 1.

2019.0 Publication

3

The Head of Paid Service will ensure that copies are available on the Council's website and for inspection at the Civic Centre, ~~and can be purchased by members of the local press and the public on payment of a reasonable fee.~~

20.04 Description of Executive arrangements

The following parts of this Constitution constitute the Executive arrangements:

1. Article 10 (The Overview and Scrutiny Committee) and the Overview and Scrutiny Procedure Rules (to the extent that they refer to the relationship with the Cabinet e.g. procedures for call-in of Executive decisions);
2. Article 6 (The Cabinet) and Part 4.04 (the Cabinet Procedure Rules);
3. Article 15 (Joint arrangements);
4. Article 17 (Decision making) and Part 4.02 (the Access to Information Procedure Rules);
5. Part 3 (Responsibility for Functions);
6. Part 7.02 (in so far as they deal with the Delegation of Executive Functions to officers).

Schedule 1 – Description of Executive Arrangements

The following parts of this Constitution constitute the Executive arrangements:

1. ~~Article 6 (The Overview and Scrutiny Committee) and the Overview and Scrutiny Procedure Rules (to the extent that they refer to the relationship with the Cabinet e.g. procedures for call-in of Executive decisions);~~
2. ~~Article 9 (The Cabinet) and Part 4.04 (the Cabinet Procedure Rules);~~
3. ~~Article 14 (Joint arrangements);~~
4. ~~Article 16 (Decision making) and Part 4.02 (the Access to Information Procedure Rules);~~
5. ~~Part 3 (Responsibility for Functions);~~
6. ~~Part 7.02 (in so far as they deal with the Delegation of Executive Functions to officers).~~