



Wyre Borough Council
Date of Publication: 6 November 2019
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 November 2019** 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 Father John Walsh to say prayers.

COUNCIL AGENDA

1. Apologies for absence

2. Confirmation of minutes

(Pages 1 - 8)

To approve as a correct record the Minutes of the meeting of the Council held on 3 October 2019.

3. Declarations of Interest

To receive any declarations of interest from any Member 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. Appointment of Corporate Directors

(Pages 9 - 12)

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

Chief Executive.

6. Public questions or statements

No questions or statements received from members of the public by the specified deadline of noon on Friday 8 November 2019.

7. Questions "On Notice" from councillors

No questions received from Members of the Council to the Mayor, a member of the Cabinet or the Chairman of a Committee by the specified deadline of noon on Friday 8 November 2019.

8. 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).

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|-----|---|-----------------|
| (a) | Leader of the Council (Councillor Henderson) | (Pages 13 - 14) |
| (b) | Resources Portfolio Holder (Councillor A Vincent) | (Pages 15 - 16) |
| (c) | Street Scene, Parks and Open Spaces Portfolio Holder (Councillor Bridge) | (Pages 17 - 18) |
| (d) | Planning and Economic Development Portfolio Holder (Councillor Michael Vincent) | (Pages 19 - 22) |
| (e) | Neighbourhood Services and Community Safety Portfolio Holder (Councillor Berry) | (Pages 23 - 26) |
| (f) | Leisure, Health and Community Engagement Portfolio Holder (Councillor Bowen) | (Pages 27 - 30) |

9. Honorary Aldermen (Pages 31 - 34)

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

10. Audit Committee Periodic Report (Pages 35 - 38)

Report of the Chairman of the Audit Committee (Cllr McKay).

11. Licensing Committee Periodic Report (Pages 39 - 48)

Report of the Chairman of the Licensing Committee (Cllr Robinson).

12. Constitution Review (Pages 49 -

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

13. Councillor Development Strategy and Councillor Development Programme 2019 -2023

(Pages 133 - 206)

Report of the Leader of the Council (Cllr Henderson) and the Service Director Performance and Innovation.

14. Independent Remuneration Panel Membership

(Pages 207 - 210)

Report of the Leader of the Council (Cllr Henderson) and the Service Director Performance and Innovation.

15. 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

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Council Minutes

The minutes of the Council meeting held on Thursday, 3 October 2019 at the Council Chamber, Civic Centre, Poulton-le-Fylde.

Councillors present:

The Mayor, Councillor Ann Turner and the Deputy Mayor, Councillor Barry Birch.

Councillors I Amos, R Amos, Armstrong, Lady D Atkins, Sir R Atkins, Baxter, Beavers, Berry, C Birch, Bowen, Bridge, Cartridge, Catterall, Collinson, Cropper, E Ellison, P Ellison, Fail, Fairbanks, Gerrard, George, Henderson, Ibison, Ingham, Kay, Le Marinel, Leech, Longton, McKay, Minto, Moon, Orme, O'Neill, Raynor, Robinson, Smith, Stirzaker, Swales, S Turner, A Vincent, M Vincent, D Walmsley, L Walmsley, Webster and Williams.

Apologies: Councillors Ballard, Holden and Matthew Vincent.

Officers present:

Garry Payne, Chief Executive
Mark Billington, Service Director People and Places
Mark Broadhurst, Service Director Health and Wellbeing
Marianne Hesketh, Service Director Performance and Innovation
Roy Saunders, Democratic Services and Scrutiny Manager
Duncan Jowitt, Democratic Services Officer
Emily Waring, Communication Officer
Sandra Byrne, Cleaner, Greener Project officer.

Also present: Seven members of the public.

21 Confirmation of minutes

Agreed that the minutes of the meeting of the Council held on 11 July 2019 be confirmed as a correct record (by 34 votes to 8, with 1 abstention).

22 Declarations of Interest

Mark Billington, Mark Broadhurst and Marianne Hesketh each declared a pecuniary interest in agenda item 15 (Corporate Management Team Restructure) because they were each directly affected by the proposed

restructure and stated that they would leave the meeting before that item was considered.

23 Announcements

The Mayor announced:

1. That the report submitted under agenda item 9 on the Appointment of Honorary Aldermen had been withdrawn and that a revised report would be submitted to a future meeting.
2. That the Capricorn Concert on 2 October had been very successful. The Mayor thanked the organisers and all those who had attended.
3. That she, along with the Mayoress and her Deputies, had successfully completed the Wyre Walk Challenge at the beginning of September. She thanked the officers who had supported them on the walk and said that she would be grateful if any Councillors who had not already done so would sponsor them retrospectively.
4. That tickets (£12 each) were now available for The Northern Festival of Remembrance at the Marine Hall on Saturday 9 November 2019 at 7.00 pm, in aid of The Royal British Legion Poppy Appeal and with a raffle for the Mayor's Charities.
5. That the Lancashire Youth Orchestra and a Brass Band would be playing a concert in aid of the Mayor's Charities at Hodgson School on the afternoon of Sunday 8 December. Details would be advertised soon.

24 Public questions or statements

None received.

25 Questions "On Notice" from councillors

None received.

26 Executive reports

- (a) Leader of the Council (Councillor Henderson)

The Leader of the Council (Cllr Henderson) submitted a report.

Cllr Henderson responded to questions and comments from Cllr Fail and Cllr Swales.

Agreed that the report be noted.

- (a) Resources Portfolio Holder (Councillor A Vincent)

The Resources Portfolio Holder (Cllr A Vincent) submitted a report.

Cllr Vincent responded to a question from Cllr Longton.

Agreed that the report be noted.

- (a) Street Scene, Parks and Open Spaces Portfolio Holder (Councillor Bridge)

The Street Scene Parks and Open Spaces Portfolio Holder (Cllr Bridge) submitted a report.

Cllr Bridge circulated a revised version of the table headed "Officer Hours Patrolled by Area Qtr 3", referred to in paragraph 4.5 of his report.

Cllr Bridge responded to questions and comments from Cllr Stirzaker, Cllr Armstrong and Cllr Collinson.

Agreed that the report be noted.

- (a) Planning and Economic Development Portfolio Holder (Councillor Michael Vincent)

The Planning and Economic Development Portfolio Holder (Cllr Michael Vincent) submitted a report.

Cllr Michael Vincent said, when introducing his report, that a first meeting of the Town Centre Partnership Board, referred to in paragraph 5.4 of his report, had now been held. He said the Board would deal quickly but thoroughly with the preparation of a Business Case for the Future High Street Fund submission for Fleetwood Town Centre.

Cllr Michael Vincent responded to questions and comments from Cllr Swales, Cllr Raynor, Cllr Fail and Cllr Sir R Atkins.

Cllr Vincent said, in response to the question from Cllr Sir R Atkins, that he was not aware of any impact on Wyre Council of the recent insolvency of Lancashire construction firm Marcus Worthington and Co, but he would check and confirm to him.

Agreed that the report be noted.

- (a) Neighbourhood Services and Community Safety Portfolio Holder (Councillor Berry)

The Neighbourhood Services and Community Safety Portfolio Holder (Cllr Berry) submitted a report.

Cllr Berry provided a verbal update on the recent flooding following the

very heavy rainfall and high tides over the preceding weekend. He said that, fortunately, the banks of the river Wyre had held, although they had been close to overtopping at St Michaels. However, there had been extensive surface water flooding of roads and fields. He was aware of six properties that had been flooded. A multi-agency meeting was to be held on Monday 7 October to review events and co-ordinate any outstanding actions required.

Cllr Berry responded to questions and comments from Cllr Fail, Cllr Longton, Cllr George and Cllr Minto.

Cllr Berry said that he would arrange for a written response to be sent to Cllr Minto explaining how the two pumps (one manually operated and one automatic) at Stanah had been used on Sunday 29 October, including information on the flow rates of the pumps.

Agreed that the report be noted.

- (a) Leisure, Health and Community Engagement Portfolio Holder (Councillor Bowen)

The Leisure Health and Community Engagement Portfolio Holder (Cllr Bowen) submitted a report.

Cllr Bowen provided a verbal update on the recent positive BBC coverage of progress made on the Healthier Fleetwood project.

Cllr Bowen responded to questions and comments from Cllr B Birch and Cllr E Ellison.

Agreed that the report be noted.

- (a) Cabinet Member Questions and Comments

Cllr Henderson responded to a question from Cllr Michael Vincent.

Cllr A Vincent responded to a question from Cllr B Birch referred to him by Cllr Bowen.

27 Appointments to Committees

The Leader of the Council (Cllr Henderson) and the Chief Executive submitted a report on changes to the membership of the committees for the remainder of the 2019/20 Municipal Year.

Agreed (by 38 votes to 0, with 8 abstentions):

1. That the revised political balance calculations following the resignation of Cllr George from the Labour Group, set out in Appendix 1, resulting in a total allocation of 60 seats to the Conservative Group, 13 seats to

the Labour Group and 7 seats to the UKIP Group and with no seats allocated to the single Brexit Party member be noted.

2. That Cllr Collinson be appointed to the Licensing Committee in place of Cllr Swales.
3. That Cllr Fairbanks be appointed to the Audit Committee in place of Cllr George.
4. That Cllr Swales, be appointed to the Employment and Appeals Committee in place of Cllr George.
5. That Cllr Beavers be appointed to the Councillor Development Group in place of Cllr Swales.
6. That Cllr Swales be appointed to the Standards Committee in place of Cllr Beavers.

28 Honorary Aldermen

The Mayor informed the Council that the report of the Leader of the Council and the Chief Executive had been withdrawn to enable the proposals to be considered further and a revised report would be submitted to a future meeting.

29 Overview and Scrutiny Committee: Periodic Report

The Chairman of the Overview and Scrutiny Committee (Cllr Ibison) submitted a report informing the Council about the work undertaken by the Committee since the last periodic report had been submitted on 14 June 2018.

Agreed that the report be noted.

30 Gambling Act 2003 - Revised Statement of Gambling Policy 2019-2021

The Leisure, Health and Community Engagement Portfolio Holder (Cllr Bowen) and the Service Director Health and Wellbeing submitted a report on a revised Statement of the Council's Gambling Policy.

Agreed (unanimously) that the revised Statement of Gambling Policy 2019 – 2021, attached as Appendix 1 of the report, be formally adopted by the Council.

31 Lancashire Business Rates Pool: 75% Business Rates Retention Pilot - Strategic Economic Growth and Financial Sustainability Fund

The Leader of the Council (Cllr Henderson) and the Head of Finance (Section 151 Officer) submitted a report on a proposal to allow advance funding of Wyre's contribution to the Greater Lancashire Plan from general balances on the basis that it would be clawed back from the Strategic Economic Growth and Financial Sustainability Fund (SEGFSF) generated from additional

business rates growth by being in the Lancashire Business Rates Pool (75% Pilot).

Agreed (unanimously)

1. That, subject to a unanimous vote by the Business Rate Pool's Governing Body (expected to be held on 26 September 2019), a contribution of £21,853 (estimated) would be made to the Greater Lancashire Plan based on the current local government structure in Lancashire, as set out in Appendix 2 of the report. (This sum being based on an aggregate £400,000 contribution from the pool members and will be clawed back from the SEGFSF in 2020/21 subject to there being sufficient additional growth to cover the full amount and on the basis that any further contribution to the next steps for the Greater Lancashire Plan would require approval).
2. That responsibility for finalising the arrangements for the contribution be delegated to the Head of Finance (S.151 Officer) in consultation with the Leader of the Council.

32 Climate Change Policy Group

The Leader of the Council (Cllr Henderson) and the Chief Executive submitted a report on the establishment of a Climate Change Policy Group.

The Leaders of each of the political groups submitted their nominations for membership of the Group in accordance with the allocation of places set out in paragraph 3.2 of the report.

Agreed (unanimously):

1. That a Climate Change Policy Group be established.
2. That the Group would not have any delegated decision making and that its functions will be:
 - To assist officers in the development of the Climate Change Action Plan.
 - To make recommendations to the Cabinet on issues relating to climate change.
 - To monitor and review progress on the development and implementation of measures to alleviate the impact of climate change, referred to in the motion approved by the Council on 11 July 2019.
 - To report annually to Full Council.
3. That members be appointed to the Policy Group for the remainder of the 2019/20 Municipal year, as follows:

Cllr Armstrong (Fleetwood)
Cllr Sir Robert Atkins (Garstang)
Cllr Cartridge (Rural West)
Cllr Cropper (Rural West)
Cllr P Ellison (Thornton)
Cllr Fail (Cleveleys)
Cllr Gerrard (Fleetwood)
Cllr Ingham (Poulton)
Cllr Leech (Rural East)
Cllr McKay (Poulton)
Cllr Robinson (Rural East)
Cllr D Walmsley (Cleveleys).

4. That, an initial meeting of the new group be held on a date to be arranged in October or November 2019 and that further meetings then be arranged, probably in January and March 2020.

33 Single Use Plastics Policy

The Leader of the Council (Cllr Henderson) and the Service Director People and Places submitted a report on a single use plastics policy for the Council.

Agreed (unanimously):

1. That the council's officers be encouraged to ensure that single-use plastics were phased out or reduced across all council locations.
2. That, where possible, improved recycling at council facilities be introduced regarding plastics and other materials.
3. That event organisers be required to reduce or eliminate single-use plastics and provide improved recycling opportunities at events held on council land.
4. That strategic partners be encouraged to adopt single use plastic policies.
5. That best practice and information about plastic free initiatives, be shared with residents, businesses and visitors through the council's communication channels.
6. That the Council would join forces with external organisations who champion cleaner greener environments.
7. That the Council would communicate the importance of protecting our urban, rural and marine environments, and support and promote positive initiatives, campaigns and actions for reducing plastic waste.
8. That the Council would continue to support communities, beach cleans and litter-pick initiatives to ensure our parks, beaches and open spaces are free from plastic litter.

Corporate Management Team Restructure

The Leader of the Council (Cllr Henderson) and the Chief Executive submitted a report on a proposed revision to the structure of the Corporate Management Team.

Agreed (unanimously):

1. That from the 1 December 2019, under the existing post of Chief Executive, a revised Corporate Management Team structure be implemented to include three Corporate Directors.
2. That the following Corporate Director salary levels be approved- £62,000 – 72,000 (£62,000/67,000/72,000).
3. That the three existing Service Directors and Head of Finance/Section 151 Officer be ring-fenced for a role as a Corporate Director and be interviewed by the Senior Officer Appointments Committee and that once interviews had been completed the Senior Officer Appointments Committee would make a recommendation to full Council.
4. The unsuccessful applicant would either take up a role or continue in the role of Head of Service. If the unsuccessful applicant was a current Service Director, salary protection would apply for 18 months in accordance with the Council's adopted Policy. As a result of this restructure there would be no compulsory redundancies. However, should any unsuccessful candidate request voluntary redundancy that would only be agreed if the request met the Council's Redundancy Policy, including a two year payback.
5. That in the event of an internal appointment/s not being made a further report would be brought back before full Council identifying options.

Notices of Motion

None.

The meeting started at 7.00 pm and finished at 8.03 pm.

NOTE: An audio recording of this meeting is available on the Council's website via the following link <https://www.youtube.com/watch?v=TWcYSN5gaKs>



Report of:	Meeting	Date
Councillor Henderson, Leader of the Council and the Chief Executive	Council	14 November 2019

Appointment of three Corporate Directors as part of a revised Senior Management Structure
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1. Purpose of report

- 1.1 Following interviews held on 4 November 2019 by the Senior Officers Appointments Committee to recommend to Full Council the appointment of three new Corporate Directors.

2. Outcomes

- 2.1 An effective consolidated senior management structure ensuring delivery of the Council's Business Plan.
- 2.2 High performing services with good customer satisfaction levels.
- 2.3 Effective leadership and management of Council services.

3. Recommendation

- 3.1 That Members agree to the following appointments:

Mark Billington - Corporate Director Environment (Street Scene Services, Engineering Services, Environmental Health & Community Safety and Built Environment).

Marianne Hesketh - Corporate Director Communities (Housing, Community Services, Planning and ICT Services).

Clare James - Corporate Director Resources (Financial Services, Governance Services, Contact Centre and Business Support).

Appointments will be effective from 1 December 2019.

4. Background

- 4.1** On 3 October 2019, under the existing post of Chief Executive, Council approved a proposed new senior management structure with effect from 1 December 2019 to include three Corporate Directors.
- 4.2** It was also agreed that remuneration package of the three new Corporate Directors posts would be £62,000 – 72,000 (£62,000/67,000/72,000) and that the three existing Service Directors and Head of Finance/Section 151 Officer be ring-fenced for a role as a Corporate Director and be interviewed by the Senior Officers Appointments Committee with the Chief Executive attending the interviews in advisory capacity.

5. Key issues and proposals

- 5.1** On 4 November 2019 the Senior Officers Appointments Committee interviewed 4 internal candidates and following a rigorous selection process the panel unanimously agreed that a recommendation should be put to full Council that Mark Billington, Marianne Hesketh and Clare James be appointed as Corporate Directors.
- 5.2** Members will be aware that in the report approved on 3 October 2019 if the unsuccessful applicant was a current Service Director that person would be offered a role as a of Head of Service and salary protection would apply for 18 months in accordance with our adopted Policy. Mark Broadhurst has been offered and accepted the role of Head of Housing Services.

Financial and legal implications	
Finance	Once the 18 month salary protection comes to an end there will be a saving and the exact amount will be declared as part of the 2021/22 budget.
Legal	Changes to the senior management structure will require amendments to be made to the Council's Constitution which will be the subject of a further report.

Other risks/implications: checklist

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

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

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

Processing Personal Data

In addition to considering data protection along with the other risks/ implications, the report author will need to decide if a 'privacy impact assessment (PIA)' is also required. If the decision(s) recommended in this report will result in the collection and processing of personal data for the first time (i.e. purchase of a new system, a new working arrangement with a third party) a PIA will need to have been completed and signed off by Data Protection Officer before the decision is taken in compliance with the Data Protection Act 2018.

report author	telephone no.	email	date
Garry Payne	(01253) 887500	garry.payne@wyre.gov.uk	05/11/2019

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

List of appendices

None

dem/cou/cr/19/1411 Item 7

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Report of:	To:	Date
Councillor David Henderson, Leader of the Council	Council	14 November 2019

Executive Report: Leader of the Council
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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. Lancashire Leaders Meeting and Lancashire District Leaders Meeting 6 November

- 2.1 As the agenda for the meeting of full Council will be published on 6 November I will provide members with a verbal update on matters raised at both the meeting of Lancashire Leaders and Lancashire District Leaders.

3. Climate Change

- 3.1 When full Council met in July and declared a Climate Change Emergency I stated that we would ensure adequate resources would be made available to ensure the issue of climate change was at the forefront of Council business. I can confirm that on Friday 18 October we advertised a newly created post of Climate Change and Environmental Projects Officer and their main function will be to develop the council's policies and lead on the delivery of key actions regarding Climate Change and Sustainability.
- 3.2 On 21 October I gave an interview to That's Lancashire TV on the subject of climate change and the interview was aired on 22 October from 6pm.
- 3.3 In line with our commitment to embrace technology and reduce our use of paper when the Overview and Scrutiny Committee met on 21 October it was our first paperless committee meeting and we will continue to hold paperless meetings as evidenced here tonight.
- 3.4 Members will be aware that I am one of the Lead Members for the Lancashire Climate Change Theme Group and on 24 October I attended the Climate Change Theme Group meeting. We discussed how issues relating to climate change and the environment should be reflected in the Greater Lancashire Plan and it was confirmed that Andrew Bowen, Chief Executive of One Carbon World, a global resource partner for the United Nations Climate Neutral Now Initiative has agreed in principle to pre-approve grants for all 15 Lancashire

Councils to support the measurement of their carbon footprints and the Group agreed that the offer of grant funding should be pursued.

- 3.5** On 21 November Wyre's Climate Change Policy Group will hold their first meeting and I have no doubt that they will add value to both the implementation and policy process.

4. Comments and Questions

- 4.1** 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.

dem/cou/cr/19/1411 Leader



Report of:	To:	Date
Councillor Alan Vincent, Resources Portfolio Holder	Council	14 November 2019

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 budget preparation for 2020/21 is progressing well. The Council's Medium Term Financial Plan was approved by Cabinet on 16 October following a pre-council presentation by the Head of Finance. Any relevant policy changes in the Chancellor's Autumn Budget will now be incorporated into these forecasts as will the Local Government Finance Settlement announcement in December.
- 2.2 The Portfolio Holder's proposals for any changes to fees and charges will be considered by the Overview and Scrutiny Committee at their meeting on 2 December and individual Portfolio Holders will be presented with the relevant feedback prior to the final report being issued.
- 2.3 Despite intensive lobbying for the continuation of the 75% Business Rates Retention (BRR) Lancashire Pool, it is likely that the pilot will cease and Wyre will revert to the former 50% pooling arrangement. This is disappointing but it does at least allow us to retain some of the levy previously paid over to central government and we are optimistic that a return to 75% BRR is to be expected in 2021/22.

3. ICT / Digital Transformation

- 3.1 Last November, I approved the procurement of an ICT training agreement with a company called QA. This agreement has meant that all members of the ICT team have benefited from a range of technical and management training courses over the last 12 months. We have now utilised the remaining credits from the QA training agreement to run a cyber security awareness session. A number of officers have been identified as Cyber Security Champions and attended the awareness session which was led by an ethical hacker. The objective of this session was to provide information to champions so that they would be the first point of contact for users in their service area. Further cyber

training sessions are being planned for all staff and Elected Members in the near future.

4. Comments and questions

- 4.1** 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.

dem/cou/cr/19/1411 Resources



Report of:	To:	Date
Councillor Simon Bridge, Street Scene, Parks and Open Spaces Portfolio Holder	Council	14 November 2019

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 As part of the restoration of the Mount, work has commenced on the Lodge and Pavilion and to the east of the Lodge, groundworks for the installation of the new play area are well underway. Myself and Rosslee Construction took part in a Radio Lancashire interview from the site on 15 October to promote the project and discuss current work.
- 2.2 Installation of a walker, a cycle trainer and a slalom machine at King George V Playing Field in Fleetwood was completed in October. This was one of six 'open spaces' projects delivered through the Healthier Fleetwood partnership to offer another opportunity for health and fitness in the community with funding from the Walney Extension Community Fund.
- 2.3 The design of new play facilities at Jubilee Gardens are progressing well. Initial concepts were discussed with the Friends Group in October and these included some ideas from students on the new BSc (Hons) Landscape Architecture course at Myerscough College.

3. Waste and recycling

- 3.1 The new operating hours of Lancashire County Council's recycling centres came in to force on 1 November. Centre opening hours will now be 9am – 5pm all year round. The opening days of some centres have also been changed, although this has not affected Jameson Road, Fleetwood or the Community Recycling and Reuse Centre at Catterall.

4. Street Scene

- 4.1** Wyre held its first Pumpkin Rescue Roadshows during half term to showcase the potential food delicacies you can make from pumpkins. The events were a great success and gathered wider publicity hopefully encouraging people to consider what they do with the flesh from their pumpkins and consider further Love Food Hate Waste ideas.

5. North West in Bloom Awards

- 5.1** The North West In Bloom Awards were held on 31 October and 1 November 2019 and I am very pleased to advise members that once again Wyre was extremely successful with 30 Awards in the Neighbourhood category, Gold awards for Jean Stansfield Memorial Park, Poulton and Kepple Lane Park, Garstang and a Silver Gilt for Euston Gardens, Fleetwood. Kepple Lane Park also received a National Certificate of Distinction.
- 5.2** In addition our Wyre in Bloom groups achieved Gold at Churchtown (best newcomer), Catterall, Fleetwood (including the Heritage Award), Great Eccleston, Garstang, Preesall, St Michael's and Thornton. Silver Gilt medals were also awarded to Cleveleys, Inskip (including Highly Commended for the Common), Hambleton and Pilling (most improved entry).
- 5.3** A special mention must also be made to the teams at Catterall and Garstang who were both winners in the National Britain in Bloom Awards in the large village and small town categories respectively. I would personally like to thank our fantastic volunteers and officers who make the judge's visit such a huge success and these awards are truly well deserved.

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.

dem/cou/cr/19/1411 Street Scene



Report of:	To:	Date
Councillor Michael Vincent, Planning and Economic Development Portfolio Holder	Council	14 November 2019

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. Hillhouse Enterprise Zone (EZ) Implementation Plan

- 2.1 Officers have met with Genecon in October to discuss updates and amendments needed to the draft Implementation Plan modelling to reflect the current understood intentions on the various land parcels within the EZ. Genecon are currently undertaking the amendments and a follow up meeting with officers is expected in November.

3. Business support

- 3.1 A meeting of the Wyred Up Steering Group took place on 17 October 2019. Discussions centred around the developments of Fleetwood Town Centre and the resource which Lancaster University could provide in terms of Science and Eco Innovation, Health and the Management School for the area. A presentation was given to the group by Age UK around support which can be provided to businesses to facilitate employee retirement readiness. It was agreed that this resource would be shared with all businesses within Wyre.
- 3.2 The Building Wyre event takes place on 7 November at Blackpool and the Fylde College, and this is being led by Steve Newsham, Regenda Homes. The Agenda for the event comprises of a number of presentations. Garry Payne will present on Wyre Council's adopted Local Plan, outlining Housing sites to date and planning applications, infrastructure included within the plan and other housing and development opportunities. Steve Newsham will present on the Extra Care Scheme in Fleetwood. Blackpool and the Fylde College will present on Apprenticeships within the Construction Industry.

4. Coastal Community Funds (CCF)

- 4.1** Garry Carr Building Services Ltd has been appointed to convert the former flats at Fleetwood Market into studios. Work commenced in October and is scheduled to be completed February 2020. Tenders for the supply of the kiosks for the outdoor area at Fleetwood Market have been received and an appointment is due to be made in November. Installation of the kiosks and completion of the outdoor area is scheduled to be completed April 2020.

5. Future High Street Fund

- 5.1** A Town Centre Partnership Board has been formed which includes major stakeholders within Fleetwood. Their first meeting took place on 1 October 2019. The inaugural meeting was chaired by Garry Payne. Volunteers were sought from the Partnership for the position of Chair and Vice Chair going forward. Mark Bowen - Lancaster University has agreed to take the position of Chair of the Board, and Jane Cole - Blackpool Transport has agreed to take the position as Vice Chair of the Board. Terms of Reference for the Board are currently being drafted and will be presented at the Partnership Board's next meeting on 18 November 2019.
- 5.2** Following the invitation to tender exercise for the Fleetwood Town Centre Masterplan, the Council are currently in the process of formally appointing the Council's preferred bidder. The £150k development funding secured as part of the Future High Streets Fund Expression of Interest submission will be apportioned between IBI Group and Peter Brett Associates to complete the Fleetwood Town Centre Masterplan and the Future High Streets Business Case. To complement this Thinking Place have been commissioned, with the remaining funds, to develop Fleetwood's place narrative for the future, which will complement both the Masterplan whilst strengthening the Council's Business Case submission to MHCLG.
- 5.3** A joint inception meeting took place on 5 November 2019 to discuss the Masterplan and Business Case. An inception meeting has already been undertaken with Thinking Place on 8 October 2019 and work is now underway with this commission.

6. High Streets Heritage Action Zone

- 6.1** An inception meeting with Historic England was held in October and officers are now working to submit the Programme Design to the North West office by 6 December 2019. Potential projects were discussed with Historic England and these will be tested with the Fleetwood Town Centre Partnership Board to ensure the involvement of local businesses and communities in agreeing the scheme of work.

7. Planning policy

Local Plan

- 7.1** At the time of writing, we are still waiting for confirmation from the Planning Inspectorate that they have accepted our Annual Position Statement. If the council is successful in having its five year land supply approved, it will then be confirmed until 31 October 2020.

- 7.2** The Planning Policy Working Group (PPWG) has considered a draft masterplan for Land West of the A6 (Nateby Crossing), Garstang in October and stakeholder consultation took place between 11 and 25 October. PPWG also considered the final draft masterplan for the Great Ecclestone extension (Part 1). Cabinet in December will consider the final draft of both masterplans. Once approved by Cabinet they will become material consideration in determining planning applications.
- 7.3** Work is progressing on a number of other masterplans relating to Forton, Poulton-le-Fylde (Blackpool Road), Garstang (Cockerham Road) and Thornton (Lambs Road). We are expecting to receive the draft Masterplans for Forton and Poulton-le-Fylde (Blackpool Road) shortly and the PPWG will consider those draft Masterplans in December subject to their receipt. Following consideration by the PPWG, there will be a period of consultation on the draft masterplans before being considered by Cabinet for approval in the new year.

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.

dem/cou/cr/19/1411 Planning

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Report of:	To:	Date
Councillor Roger Berry, Neighbourhood Services and Community Safety Portfolio Holder	Council	14 November 2019

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. Housing

Regenda Homes External Wall Insulation programme update

- 2.1** £20million is being invested into Regenda Homes across Fleetwood in a bid to improve living standards for residents. As part of this investment, Regenda are carrying out an external wall insulation programme (EWI), the first phase of which has been completed on the Flakefleet estate. This has also included new roofs and doors/window where necessary.
- 2.2** EWI involves fixing a layer of insulation material to the outside of homes which is then covered with a reinforcing render. There are many benefits of EWI for residents, it improves the quality of homes by reducing heat loss, reducing condensation, preventing damp and will help save money for residents on their energy bills.
- 2.3** EWI improvement works have now also started on the Westview Estate.

Lighthouse View Extra Care Scheme, Chatsworth Avenue, Fleetwood

- 2.4** Lighthouse View is a £12million development and will offer 72 high quality one-bedroom and two-bedroom apartments. It will provide a safe and secure living environment for over 55's who want to enjoy their independence with care and support available, as and when they need it. The scheme is due for completion later this year, with residents set to move in in the New Year. The development has attracted interest from over 130 applicants to date, the majority being local to Fleetwood.

3. Flooding in Wyre

- 3.1** As Members will be aware the last two weeks of September saw rainfall significantly above average which coincided with high Spring tides. This restricted local drainage networks from discharging to the River Wyre and caused a build-up of water levels in local watercourses. This resulted in widespread flooding to the highway network and internal flooding to seven properties. Officers deployed pumps and barriers to Preesall and closed roads in consultation with Lancashire CC. Excellent communication through the Flood Action Groups occurred with information exchanged in both directions.
- 3.2** The Council hosted a flood risk management partners meeting on 7 October to share knowledge of the event and are continuing to assist in improving the drainage network through a partnership approach.
- 3.3** One such initiative which is backed by United Utilities and the Environment Agency and which is being delivered through the Wyre Rivers Trust are works to create wetland storage areas at Stanah and White Carr Lane together with studies at Springfield (including the pumping station) through the United Utilities Flying Start project. The schemes will deliver the multiple benefits of flood reduction, water quality and habitat creation.

4. Community Safety - Policing arrangements

- 4.1** Lancashire Constabulary conducted a Core Services Review in 2018/19. The force has reconfigured to resource the three priority areas of Contact and Response, Local Policing and Investigation based on threat and risk. In order to help achieve this there are three police teams working locally.
- Response Team: The primary role of response officers is to respond to grade 1, grade 2 and grade 3 calls for service. They will generally retain the investigation work associated with those incidents, unless it is serious or complex, when it will be passed to CID.
 - Neighbourhood Policing Team: The role of Neighbourhood Policing Teams is to prevent crime and ASB by engaging communities, solving problems and undertaking targeted activity.
 - Community Safety Team: The purpose of the Community Safety Team continues to be prevention through people based problem solving. When appropriate this will be as part of an integrated team with partners. They will specialise in dealing with vulnerable people who have issues relating to crime or antisocial behaviour, prioritising those whose behaviour is impacting on the community or who are causing or suffering the greatest harm.
- 4.2** As the new teams start to embed in the Wyre area the Wyre Community Safety Partnership will seek to work with them to help to ensure safer communities across Wyre.

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.

dem/cou/cr/19/1411 Neighbourhood

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Report of:	To:	Date
Councillor Lynne Bowen, Leisure, Health and Community Engagement Portfolio Holder	Council	14 November 2019

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. Cemeteries

- 2.1** I am pleased to report that the new Baby Memorial Garden at Poulton Cemetery, Garstang Road East is now open. The Council has been able to undertake improvement work with grant assistance from the Stillbirth and Neonatal Death Charity (SANDS). The garden includes the creation of a beautiful mosaic by local artist Janine Walker and a plaque provided by Wyre Memorials. It is hoped that this new area will provide an opportunity for peaceful reflection for anyone who has experienced the death of a baby.
- 2.2** SANDS is a charity that supports anyone affected by the death of a baby. The organisation works in partnership with health professionals to try to ensure that bereaved parents and families receive the best possible care and also funds research that could help to reduce the numbers of babies dying and families devastated by this tragedy.

3. Arts and events

Fun Arts Group at Garstang Library

- 3.1** An exhibition is underway at Garstang Library to showcase the work of the Fun Arts Group which takes place every Thursday morning at the library. The session is attended by older people, many of whom have Dementia. The exhibition has a remembrance theme with various types of Poppy Art and will also help promote the Arts and Health programme. After being exhibited at the library the exhibition will be moving to our reception area here at the Civic Centre next to the Unknown Soldier.

4. Active Lives and Community Engagement

My Place Project – Lancashire Wildlife Trust

- 4.1** We have just started a new project with Lancashire Wildlife Trust. The My Place Project is a two year project that aims to help people who have mental health problems through taking part in outdoor activities. The Project Officer will initially be working with individuals referred to the project at North Drive in Cleveleys and at Tower Wood. The project will be supported by our Ranger Service and the Engagement Team.

Wyre Sports Awards

- 4.2** On Wednesday 9 October we celebrated the borough's sporting superstars as the achievements of nine individuals, clubs and schools were recognised at the Wyre Sports Awards.
- 4.3** The awards were given out to showcase Wyre's sporting talent after clubs, coaches, players and parents were asked to nominate those in the community who deserved to be recognised for their efforts.
- 4.4** The winners of the 2019 awards were:
- Primary School of the Year – Hambleton Primary School.
 - Community Project of the Year – YMCA Your Move
 - Secondary School of the Year – Hodgson Academy
 - Club of the Year – Fleetwood Cricket Club
 - Services to Under-represented Groups – Josh Landmann (Para Alpine Skiing and Paratriathlon)
 - Volunteer of the Year – Sarah Skelton, (Garstang Hockey Club)
 - Young Achiever of the Year – Isabella Lyons (Rhythmic Gymnastics)
 - Coach of the Year – Kev McGuirk (Fleetwood Town Juniors)
 - Lifetime Achievement – Steve Abbott (Thornton Cleveleys Football Club)
- 4.5** The Mayor presented each winner with their certificate and they will now go forward to represent Wyre at the Lancashire Sports Awards, the largest celebration of amateur sport in the county, which takes place on 22 November.

5. Marsh Mill

- 5.1** There was an event held for the 225th Birthday Party on 19 and 20 October 2019 with live performances from Scold's Bridle and the Windmill Players. The event was a great success and welcomed around 200 visitors. Photographers visited from the Lancashire Evening Post and Blackpool Gazette.
- 5.2** Marsh Mill will open for the Christmas lights switch-on, on 24 November when the sails will turn.

6. Marine Hall and Thornton Little Theatre

- 6.1** Marine Hall took part in Heritage Open Days on 20, 21 and 22 September. These were very popular and welcomed 105 extra visitors into the venue for a tour of the ballroom and to find out more about its heritage.
- 6.2** On Saturday 12 October, world renowned musician Dame Evelyn Glennie visited Marine Hall to give an 'In Conversation with' during the morning followed by an evening recital. This event was funded by 'The Access Fylde Coast Project', a unique project that not only plays an important part in changing preconceptions about disability but is also aiming to enhance The Fylde Coast as an outstanding location for people with disabilities – both visitors and residents. A major part of the project includes a series of events which showcase high-profile disabled performers. Dame Evelyn Glennie has been profoundly deaf since the age of 12. She has overcome many challenges and is considered to be the World's best percussionist. Over 250 people attended the 'In Conversation with', including many local school children who were thrilled to get the chance to ask Dame Evelyn questions and have their photo taken with her and more than 350 people attended the evening recital.
- 6.3** November is shaping up to be the theatres' busiest month of the year with 26 events happening in 26 days at Marine Hall and the same at Thornton Little Theatre. There are only 5 days with no events taking place at Marine Hall in November and only 6 days with no bookings at Thornton Little Theatre.

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.

dem/cou/cr/19/1411 Leisure

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Report of:	Meeting	Date
Councillor Henderson, Leader of the Council and Garry Payne, Chief Executive	Council	14 November 2019

Honorary Aldermen

1. Purpose of report

- 1.1 To enable the Council to consider conferring the title of Honorary Alderman on a number of former Councillors.

2. Outcomes

- 2.1 The appointment of four Honorary Aldermen.

3. Recommendations

- 3.1 That, in recognition of the eminent services rendered by them to the Council, the title of Honorary Aldermen be conferred on Marge Anderton, Ruth Duffy, John Hodgkinson and Terry Lees, at a special meeting of the Council on a date to be arranged by the Chief Executive.

4. Background

- 4.1 Section 249 of the Local Government Act 1972 states that:

“the Council may, by resolution passed by no less than two thirds of the Members voting thereon at a meeting of the Council specially convened for the purpose with notice of the object, confer the title of Honorary Alderman on persons who have, in the opinion of the Council, rendered eminent services to the Council, but are no longer Members of the Council”.

5. Key issues and proposals

- 5.1 In the past, the Council has only conferred the title of Honorary Aldermen on ex-Councillors who have served as a Councillor for at least 16 years, i.e. at least four full terms in office. All of the above have served four terms as Councillor, apart from Marge Anderton who only served for 15

years and 11 months. Owing to a by-election her term was shorter than normal and, in these exceptional circumstances, the usual rules have been relaxed.

- 5.2** It is proposed that the title of Honorary Alderman be conferred on the above named former Councillors, each of whom are deemed to have met the Council's criteria and have rendered eminent service to the Council.

Financial and legal implications	
Finance	It is anticipated that any costs arising from the conferment of these titles will be met from within existing Mayoral budgets.
Legal	Set out in paragraph 4.1.

Other risks/implications: checklist

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

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

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

Processing Personal Data

In addition to considering data protection along with the other risks/ implications, the report author will need to decide if a 'privacy impact assessment (PIA)' is also required. If the decision(s) recommended in this report will result in the collection and processing of personal data for the first time (i.e. purchase of a new system, a new working arrangement with a third party) a PIA will need to have been completed and signed off by Data Protection Officer before the decision is taken in compliance with the Data Protection Act 2018.

report author	telephone no.	email	date
Roy Saunders	01253 887481	roy.saunders@wyre.gov.uk	28/09/2019

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

List of appendices

None

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Report of:	Meeting	Date
Councillor Lesley McKay, Chairman of the Audit Committee and Clare James, Head of Finance	Council	14 November 2019

Audit Committee: Periodic Report

1. Purpose of report

- 1.1 To inform the Council of the current position on issues being dealt with by the Audit Committee.

2. Audit Committee Meetings

- 2.1 Since the last Periodic Report, which was discussed at the Council meeting on 6 September 2018, the Audit Committee has met five times. A link to the website for further details on the reports and minutes is included here:

<https://wyre.moderngov.co.uk/ieListMeetings.aspx?CId=149&Year=0>

- 2.2 In summary, the following issues have been considered by the Committee:

At the 13 November 2018 meeting:

- Annual Review of Audit Committee's Performance
- Internal Audit and Risk Management – Progress Report
- Annual Review of the Council's Financial Regulations and Financial Procedure Rules
- Annual Review of Council's Counter Fraud Policies – Anti Fraud, Corruption and Bribery, Whistle Blowing, Anti Money Laundering, Gifts and Hospitality and Registering Interests
- Annual Audit Letter from the Council's External Auditors in relation to 2017/18
- Housing Benefit Subsidy Claim Audit 2016/17 Update

At the 12 March 2019 meeting:

- Review of Audit Committee's Terms of Reference
- Internal Audit Strategy and Audit Plan 2019/20
- Certification of Claims and Returns Annual Report 2017/18
- External Audit Plan 2018/19
- Periodic Private Discussion with Chief Internal Auditor

At the 28 May 2019 meeting:

- Election of Chairman
- Election of Vice Chairman
- Annual review of Internal Audit Charter
- Review of effectiveness of Internal Audit
- Internal Audit Annual Report 2018/19
- External Audit annual audit fee 2019/20

At the 18 June 2019 meeting:

- Marine Hall Audit – verbal update
- Training in advance of the Committee considering the draft Statement of Accounts 2018/19
- Risk Management Policy: Annual Review
- Annual Governance Statement of Assurance from the previous Committee
- Annual Governance Statement 2018/19
- Periodic Private Discussion with the External Auditor, Deloitte

At the 30 July 2019 meeting:

- Statement of Accounts 2018/19 (Post Audit)
- Management Representation Letter 2018/19
- Report to those charged with Governance (ISA 260) 2018/19

2.3 The next Audit Committee meeting is arranged for 19 November 2019, when we will be considering:

- Marine Hall Audit - update
- Internal Audit and Risk Management – Progress Report (including AGS Action Plan update)
- Annual Review of the Council's Financial Regulations and Financial Procedure Rules
- Annual Review of Council's Counter Fraud Policies – Anti Fraud, Corruption and Bribery, Whistle Blowing, Anti Money Laundering, Gifts and Hospitality and Registering Interests
- Annual Audit Letter from the Council's External Auditors in relation to 2018/19
- Compliance with the Regulation of Investigatory Powers (RIPA) 2000

- Data Protection Policy and Procedures

3. Key Activities

- 3.1** The three main documents considered by the Audit Committee annually are the Annual Governance Statement (AGS), the Statement of Accounts (SOA) and the Report to those charged with Governance (ISA 260). Each one has been considered in detail by the Committee in line with statutory deadlines.
- 3.2** With regard to the AGS, there were no significant governance issues which needed to be identified in the statement for 2018/19. Good progress is being made on the list of ongoing actions set out in the Action Plan included in the Statement. Regular reviews will continue to be made throughout the year.
- 3.3** The SOA (post audit) was approved by Audit Committee on the 30 July 2019 in compliance with new, earlier, statutory deadlines introduced last year. In the external auditor's ISA 260 report, Deloitte "did not identify any significant audit risks and have identified no significant concerns regarding the Council's arrangements to secure economy, efficiency, and effectiveness" and issued an unqualified Value for Money opinion. Three low priority areas for improvement were identified, relating to the IT environment and asset valuations and a management response agreed.

4. Comments and Questions

- 4.1** In accordance with Procedure Rule 13.4, any Member of Council will be able to ask me a question or make a comment on the contents of my report or any issue, which falls within my area of responsibility. I will respond to any such questions or comments in accordance with Procedure Rules 13.6.

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Report of:	Meeting	Date
Councillor Julie Robinson, Chairman of the Licensing Committee	Council	14 November 2019

Periodic Report - Licensing

1 Purpose of report

- 1.1 To inform the Council of the current position on issues dealt with by the Licensing Committee and Licensing Team during the period October 2018 to September 2019 (inclusive).

2 Licensing Committee hearings

The Licensing Committee has met nine times and Licensing Sub Committees have met twice, during this reporting period. A total of twenty two matters have been dealt with.

2.1 Licensing Act 2003

Two applications for new premises licences and one application to vary an existing premises licence were referred to the Committee for determination, following objections by Responsible Authorities and/or residents, during statutory consultation periods.

The two applications for new premises licences are summarised below:

- The Park Club, 2A West Drive, Thornton Cleveleys - granted subject to additional conditions
- Biviano's, 25 Breck Road, Poulton – granted

The following application sought to vary an existing premises licence to extend the hours on Thursdays:

- The Cube, Breck Road, Poulton – granted subject to additional conditions

2.2 Gambling Act 2005

The Committee considered the revised Statement of Gambling Policy 2019-2021 and following a full public consultation exercise recommended the Policy to Council for adoption.

One application to increase the number of gaming machines permitted in the Newton Arms was referred to the Committee in accordance with the Council's published policy. The variation was granted.

2.3 Taxi/private hire licensing

The Committee considered one application to increase the number of permitted passengers in a vehicle, which was granted after members viewed the vehicle in question.

Seven applicants for dual driver licences were brought before members during the period covered by this report.

- Four were granted three year licences.
- Two were granted one year licences.
- One was refused due to their previous criminal and motoring offences.

In addition seven existing drivers were brought before members, following investigations by licensing officers into complaints about their conduct.

- One had no further action taken
- One received a written warning that would remain live for five years.
- One had their licence suspended for one month
- One had their licence suspended for two months with a requirement for some additional training
- Three had their licences revoked as they were no longer considered to be fit and proper to hold a Wyre Driver's Licence.

The driver issued with a one month suspension appealed to the Magistrates Court which upheld his appeal on 27 March 2019. The Council was able to resist the application for costs that the driver's solicitor submitted, with the Magistrates deciding that both parties be responsible for their own costs.

The outstanding appeal reported in the last periodic report, was heard on 21 November 2018 by Blackpool Magistrates. The court dismissed the appeal and directed the appellant to pay £500 towards the Council's costs.

3. Licences/permits/registrations issued by the Licensing Unit

3.1 Licensing Act 2003 applications

- 13 New premises licences
- 97 Variations to existing premises licences
- 20 Applications to transfer existing licences
- 66 New personal licences
- 37 Amendments to personal licences
- 305 Temporary Event Notices

3.2 Gambling Act 2005

- 11 Betting shops
- 1 Bingo premises
- 4 Adult Gaming Centres
- 1 Family Entertainment Centre
- 22 Licensed premises gaming machine permits (3 to 5 machines)
- 83 Licensed premises gaming machine notification (up to 2 machines)
- 143 Small Society Lottery Registrations

3.3 Taxi Licensing

- 380 Vehicle Licences (private hire and hackney carriages)
- 148 Dual Driver Licences
- 4 Private Hire Operator Licences

3.4 Animal Welfare Licensing

- 6 Boarding dogs in kennels
- 14 Catteries
- 21 Home boarding for dogs
- 3 Dog day care
- 5 Dog breeders
- 6 Selling animals as pets
- 5 Hiring horses
- 1 Exhibiting animals

3.5 Miscellaneous Licensing/Permitting

- 12 Street Trading Consents
- 3 Skin Piercing Registrations
- 1 Tattoo Artist Registration
- 1 Campsite Licence
- 17 House to House Collection Permits
- 39 Street Collection Permits

4. Licensing Activity

4.1 Licensing Act 2003

- 4.1.1** Annual fee payments continue to be closely monitored by licensing officers and where Premises Licence holders fail to pay their annual fees, licensing officers suspend licences until such time as the fees are paid. Generally such suspensions are very short lived, and in many cases are lifted on the same day.

At the time of writing, eleven premises licences are under suspension. None of these businesses are trading at the moment but until the licence holders surrender their licences they will

continue to attract an annual fee.

- 4.1.2** At the conclusion of an investigation into the unlawful supply of alcohol one individual has been issued with a Simple Caution for selling alcohol to a licensing officer outside the hours permitted by their licence.
- 4.1.3** There are two active Pubwatch groups in the Borough. Poulton meet on a monthly basis and Garstang meets quarterly. Both of these voluntary trade groups are supported by the licensing enforcement officer, who regularly attends the meetings.

4.2 Gambling Act 2005

- 4.2.1** Over the Easter period licensing officers worked with colleagues from the Gambling Commission, Police and Trading Standards on a test purchase operation. Unlike traditional gambling test purchasing where child volunteers attempt to place a bet in high street betting shops, this operation involved sending a fifteen year old into licensed public houses with adults, to see if the child was able to play on category C gaming machines unchallenged.

This is the first time that any work has been done in Wyre to assess the level of compliance in pubs and clubs in respect of gaming machines and the results were poor with six of the eight premises visited failing to challenge the child volunteer.

The public house that had successfully applied earlier in year to increase the number of gaming machines they were permitted to have challenged the child volunteer as soon as he tried to insert a coin into the machine.

The Gambling Commission confirmed that in recent months, gaming machine tests like this one, across the North West, had seen similar failure levels with a number of operations having 100% failure rates.

Follow up work has been undertaken with each of the premises that failed to raise awareness of the need to actively monitor the use of gaming machines in their premises and provide refresher training for all staff.

4.3 Hackney Carriage and Private Hire Regulation

- 4.3.1** The final report from CTS Traffic and Transportation, who were commissioned to undertake the tri-annual unmet demand survey over the summer of 2018, was considered by the Committee in January 2019. The Committee resolved to retain the existing limit of 160 Hackney Carriage Licences.

The report concluded that whilst there was no significant unmet demand for Hackney Carriage services within the Borough, there appears to be a reduction in the numbers of drivers willing to service the early hours of Sunday morning, when Poulton in particular, is seeing an increased demand for hackney carriages from people enjoying the variety of night time venues that the town has to offer.

Anecdotal evidence from licensed drivers highlighted concerns for their safety, particularly late at night at the weekend.

- 4.3.2** In the run up to the Christmas 2018 period, licensing officers worked closely with the town's Pubwatch and were able to encourage them to collectively fund and employ taxi marshals to oversee the safe dispersal of people from the town centre during the festive season.
- 4.3.3** Five drivers have had their licences suspended by licensing officers as a result of information in each case that the driver's health had deteriorated to the point that they were no longer able to meet the Group 2 standard of fitness required of Wyre licensed drivers.
- 4.3.4** A vehicle proprietor who was late submitting an application to renew his vehicle licence and yet continued to ply for hire in the Hackney Carriage for a number of days when it was unlicensed was issued with a Simple Caution for the offence.
- 4.3.5** A second vehicle proprietor who continued to use his vehicle to transport paying passengers, after being issued with a Stop Notice that suspended the vehicle licence, was reported to Magistrates for the offence of using an unlicensed vehicle using the single justice procedure. He pleaded guilty to the offence and was ordered to pay a total of £274 in fines and costs.
- 4.3.6** Stop Notices have been issued in respect of thirty three vehicles which were deemed to be unfit to be used for public or private hire on inspection by authorised officers. Two vehicles were replaced and the remaining thirty one were repaired and re-presented in an acceptable condition and so the licences were restored.
- 4.3.7** A summary of all of the regulatory sanctions issued in respect of the Hackney Carriage and Private Hire trade during the reporting period is attached as **Appendix 1**.

4.4 Animal Welfare Licensing

4.4.1 The Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018 came into force on 1 October 2018. Implementing and embedding the requirements of the new regulations was a time consuming and resource intensive task. Officers from the Council's Environmental Health Service have received training to enable them to undertake the comprehensive inspections required under the new regulations.

4.4.2 Of the sixty one licensable activities authorised during the reporting period, twenty one were awarded the highest five star rating, six were awarded four stars, twenty were awarded three stars, four were awarded two stars and nine were awarded one star. The exhibiting animals licence is not subject to the star rating system.

5. General

5.1 Licensing officers have responded to one subject access request and thirty requests for information from members of the public and pressure groups submitted under the Freedom of Information Act.

There have been ten requests relating to animal welfare, nine relating to taxi and private hire regulation, six about alcohol and entertainment licensing, three about beauty treatments, one about street trading and one about sexual entertainment licensing.

Financial and legal implications	
Finance	No financial implications arising from this report.
Legal	No legal implications arising from this report.

Other risks/implications: checklist

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

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

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

Processing Personal Data

In addition to considering data protection along with the other risks/ implications, the report author will need to decide if a 'privacy impact assessment (PIA)' is also required. If the decision(s) recommended in this report will result in the collection and processing of personal data for the first time (i.e. purchase of a new system, a new working arrangement with a 3rd party) a PIA will need to have been completed and signed off by Data Protection Officer before the decision is taken in compliance with the Data Protection Act 2018.

report author	telephone no.	email	date
Niky Barrett	01253 887236	Niky.barrett@wyre.gov.uk	15/10/2019

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

List of appendices

Appendix 1 – Summary of enforcement sanctions

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Taxi Licensing - Formal Sanctions / Enforcement Log

APPENDIX 1

<i>Date</i>	<i>Licence</i>		<i>Decision</i>	<i>Details</i>	<i>Sanction lifted/outcome</i>
30.8.18	WDL---	GLC	Refused to grant	Convictions for dishonesty	Appeal dismissed B'pool Mags 2.1.19
29.11.18	WDL0597	GLC	Revoked	Conduct issues	N/A
19.12.18	WDL438	GLC	Suspended 1 mth	Conduct issues	Appeal upheld B'pool Mags 27.3.19
28.3.19	WDL0650	GLC	Revoked	Conduct issues	N/A
28.3.19	WDL---	GLC	Refused to grant	Convictions for dishonesty and violence	N/A
29.8.19	WDL0284	GLC	Revoked	Conduct issues	N/A
14.8.19	PHV1261	Officer	Written warning	Vehicle livery non-compliant	N/A
27.9.18	WDL0240	Officer	Suspended	Fail to meet Group 2 standard	3.12.18
2.10.18	HCV070	Officer	Suspended	S.68 Stop Notice issued by MOT tester	4.10.18
9.10.18	WDL0353	Officer	Written warning	Inappropriate comments to female PHO staff	N/A
2.11.18	WDL0227	Officer	Written warning	Dangerous Parking outside a primary School	N/A
10.11.18	PHV780	Officer	Suspended	S.68 Stop Notice issued by MOT tester	Replaced vehicle
5.11.18	PHV686	Officer	Suspended	S.68 Stop Notice issued by MOT tester	5.11.18
8.11.18	PHV1447	Officer	Suspended	S.68 Stop Notice issued by MOT tester	12.11.18
9.11.18	WDL0768	Officer	Written warning	Failure to disclose points for motoring offence	N/A
19.11.18	HCV137	Officer	Suspended	S.68 Stop Notice issued by MOT tester	19.11.18
30.11.18	WDL0197	Officer	Written warning	Failure to disclose points for motoring offence	N/A
13.12.18	HCV052	Officer	Suspended	S.68 Stop Notice issued by MOT tester	13.12.18
18.12.18	WDL0378	Officer	Suspended	Fail to meet Group 2 standard	29.1.19
14.1.19	HCV145	Officer	Suspended	S.68 Stop Notice issued by MOT tester	15.1.19
25.1.19	PHV1336	Officer	Suspended	S.68 Stop Notice issued by MOT tester	5.2.19
28.1.19	WDL0035	Officer	Suspended	Fail to meet Group 2 standard	
28.1.19	WDL0416	Officer	Suspended	Fail to meet Group 2 standard	16.7.19
4.3.19	PHV1227	Officer	Suspended	S.68 Stop Notice issued by MOT tester	Replaced vehicle
5.3.19	WDL0284	Officer	Written warning	Left HCV unattended on Ball Street rank	N/A
7.3.19	PHV1651	Officer	Suspended	S.68 Stop Notice issued by MOT tester	7.3.19
15.3.19	WDL0988	Officer	Written warning	Unlawful parking in Knott End	N/A
25.3.19	PHV1391	Officer	Suspended	S.68 Stop Notice issued by MOT tester	25.3.19

Date	Licence		Decision	Details	Sanction lifted/outcome
16.4.19	PHV1662	Officer	Suspended	S.68 Stop Notice issued by MOT tester	17.4.19
10.5.19	PHV1376	Officer	Suspended	S.68 Stop Notice issued by MOT tester	14.5.19
24.5.19	HCV159	Officer	Suspended	S.68 Stop Notice issued by MOT tester	25.5.19
6.6.19	HCV052	Officer	Suspended	S.68 Stop Notice issued by MOT tester	7.6.19
6.6.19	PHV738	Officer	Suspended	S.68 Stop Notice issued by MOT tester	10.6.19
7.6.19	PHV1526	Officer	Suspended	S.68 Stop Notice issued by MOT tester	11.6.19
7.6.19	WDL0714	Officer	Simple Caution	Continued to ply for hire after HCV expired	N/A
7.6.19	PHV726	Officer	Suspended	S.68 Stop Notice issued by MOT tester	10.6.19
19.6.19	HCV067	Officer	Suspended	S.68 Stop Notice issued by MOT tester	19.6.19
20.6.19	PHV1685	Officer	Suspended	S.68 Stop Notice issued by MOT tester	3.7.19
17.7.19	PHV1401	Officer	Suspended	S.68 Stop Notice issued by MOT tester	18.7.19
24.7.19	PHV1261	Officer	Suspended	S.68 Stop Notice issued by MOT tester	26.7.19
24.7.19	PHV1513	Officer	Suspended	S.68 Stop Notice issued by MOT tester	29.7.19
6.8.19	PHV1336	Officer	Suspended	S.68 Stop Notice issued by LO	6.8.19
8.8.19	PHV1147	Officer	Suspended	S.68 Stop Notice issued by MOT tester	9.8.19
9.8.19	PHV1374	Officer	Suspended	S.68 Stop Notice issued by MOT tester	9.8.19
19.8.19	PHV1322	Officer	Suspended	S.68 Stop Notice issued by MOT tester	22.8.19
20.8.19	PHV1282	Officer	Suspended	S.68 Stop Notice issued by MOT tester	22.8.19
20.8.19	WDL0407	Court	Prosecution	Drove passengers in PHV under Stop Notice	£76 fine, £30 vic surcharge, £168 cost
21.8.19	WDL0402	Officer	Written warning	Complaints about aggressive behaviour	N/A
23.8.19	HCV120	Officer	Suspended	S.68 Stop Notice issued by MOT tester	23.8.19
3.9.19	WDL0568	Officer	Suspended	Unable to meet Group 2 standard	
10.9.19	HCV140	Officer	Suspended	S.68 Stop Notice issued by MOT tester	12.9.19
10.9.19	PHV1573	Officer	Suspended	S.68 Stop Notice issued by MOT tester	11.9.19
13.9.19	WDL0453	Officer	Suspended	DVLA Licence expired 07/09/19	24.9.19
25.9.19	PHV1430	Officer	Suspended	S.68 Stop Notice issued by MOT tester	26.9.19
25.9.19	PHV1496	Officer	Suspended	S.68 Stop Notice issued by MOT tester	25.9.19
30.9.19	PHV1495	Officer	Suspended	S.68 Stop Notice issued by MOT tester	30.9.19

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Report of:	Meeting	Date
Councillor Henderson, Leader of the Council and Garry Payne, Chief Executive	Council	14 November 2019

Constitution Review

1. Purpose of report

- 1.1 To enable Wyre's Constitution to be updated following an external review by independent consultants.

2. Outcomes

- 2.1 More up to date and effective governance arrangements.

3. Recommendations

- 3.1 That the amendments to the Constitution set out as track-changes in Appendix 1 be approved and adopted with immediate effect.

- (a) Responsibilities for Council Functions (Part 3.02);
- (b) Responsibilities for Executive Functions (Part 3.03);
- (c) Council Procedure Rules (Part 4.01);
- (d) Access to Information Procedure Rules (Part 4.02);
- (e) Budget and Policy Framework Procedure Rules (Part 4.03);
- (f) Cabinet Procedure Rules (Part 4.04);
- (g) Overview and Scrutiny procedure Rules (Part 4.05)

- 3.2 That no change be made to the current delegation of authority to the Audit Committee to review and approve changes to the Council's Financial Regulations and Financial Procedure Rules.

- 3.3** That the comments on the effectiveness of the current Procedure Rules relating to “points of order” and “points of personal explanation” (referred to in paragraphs 5.10 and 5.11 below) be noted, but that no changes be made to those Procedure Rules at this stage.
- 3.4** That the comments of the consultants on the interpretation of the political balance rules when making appointments to committees (referred to in paragraph 5.12 and 5.13 below) be noted, but no changes be made to the Constitution relating to appointments to committees and that such appointments continue to be made by the Council on the basis of advice submitted on each occasion by the Council’s officers.
- 3.5** That the intention to submit a further report to the February Council meeting on changes which will be required to the Scheme of Delegation to Officers as a consequence of decisions to be made at this Council meeting on the appointment of Corporate Directors be noted.
- 3.6** That the intention of the Council’s officers to now also undertake a quick internal review of the Parts of the Constitution not included in the current review and to make recommendations on any further changes which may be necessary to be consistent with the decisions made at this meeting, be noted.

4. Background

- 4.1** The Local Government Act 2000 requires all local councils to have a written constitution. Most still very closely follow a national model drawn up when the 2000 Act was implemented. Reports are submitted by the Chief Executive on a regular basis to enable the Council to approve changes to the Constitution to take account of new legislation, changes to functions, structures, roles or responsibilities or procedures.
- 4.2** To ensure that the Constitution is as accurate, up to date and as easy to use as possible it was decided to commission an external review. ADSO Consultants were appointed to undertake the review, which was undertaken by John Austin and John Lynch, two former senior local government officers with extensive experience of constitutional and governance issues.

5. Key issues and proposals

General comments

- 5.1** The overall view of the external consultants is that Wyre’s current constitution is fairly clear and up to date and is better than many around the country. The specific changes they have proposed are set out as track-changes in Appendix 1, and are recommended for approval in paragraph 3.1 of this report. Many of the suggested changes in Appendix 1 are straightforward, or very minor amendments, to improve clarity and consistency. The reasons for any significant recommendations they have

made, which mostly relate to the Procedure Rules for Council meetings, are set out in the following paragraphs. The reasons for rejecting other possible changes identified by, or put to the consultants for consideration, are also referred to below.

- 5.2** The Consultants also submitted proposed changes to update the Scheme of Delegation to Officers in Part 7 of the Constitution. However, they are not included in this report because further more extensive changes will be needed to reflect changes to structures and responsibilities following the decisions to be made at this Council meeting on the appointment of Corporate Directors.
- 5.3** The Responsibilities for Executives Functions (Part 3.03), which were last adjusted following changes to Portfolio Holder titles and responsibilities reported to the Annual Council Meeting on 10 May 2018, and to which only minor changes are now recommended in Appendix 1(b), will also be looked at again when the Scheme of Delegation to Officers is reviewed.

Process for review of Financial Regulations and Contract Procedure Rules
(Article 7 in Part 2 and Responsibility of Council Functions in Part 3.02)

- 5.4** The ADSO consultants identified that the Terms of Reference of Wyre's Audit Committee (Article 7 in Part 2) include authority:

"To maintain and make changes to the Council's Financial Regulations and Financial Procedure Rules (without reference to full Council)"

They said this was unusual and queried in their initial feedback why these changes were not approved by full Council. They said that they understand the wish for the Audit Committee to undertake the detailed review, but felt that, as both the Financial Regulations and Procedure Rules are contained within the Council's Constitution (Part 4.06), any changes to those regulations and rules should be recommended to the full Council for approval.

- 5.5** However, the current review carried out each year by the Audit Committee in accordance with CIPFA guidance is considered by the Head Of Finance (Section 151 Officer), the Head of Governance and the Corporate Management Team to be clear, effective, sufficiently transparent and more rigorous than would be possible for the full Council. This delegation has operated successfully for many years and although not the norm it is compliant with legislation. Therefore, notwithstanding the view of the consultants, this specific delegation of responsibility by the Council to the Audit Committee is considered to be reasonable and it is proposed that no change be made (recommendation 3.2 above).

Programme of Council Meetings (Paragraph 2 of Council Procedure Rules, in Part 4.01)

- 5.6** The consultants noted that the Constitution currently states that ordinary meetings of the Council will take place in accordance with a programme published by the Chief Executive, following consultation with the Group Leaders. They were made aware of concerns that were raised by the Leader of the Labour Group about the way in which the consultation on the 2019/20 programme of meetings was carried out. They stated that it is common practice at most councils for Party Groups/Leaders/Whips to be consulted on the dates of Council meetings. They pointed out that they are the only meetings where all councillors have the opportunity to debate issues together on a political platform. They are an important part of the Council calendar and in their view, the frequency and timing should be discussed with Group Leaders, although they acknowledged that the political reality was that if there was a disagreement, the view of the majority group is likely to prevail. In recognition of this position, and to avoid unrealistic expectations the suggestion in Appendix 1 and included in Recommendation 3.1 is that the word “consultation” be replaced with “discussion”.

Notice of Statements and Questions by members of the public to Council meetings (Paragraph 9.3 of Council Procedure Rules, in Part 4.01)

- 5.7** Currently, Section 9 of Wyre’s Council Procedure Rules allow members of the public to make a statement or ask a questions to the Leader of the Council or a member of the Cabinet at a Council meeting, provided that they give notice in writing or by email by noon on the Friday before a Council meeting. When this provision was introduced the assumption was made that this would potentially enable a member of the public to ask a question about an item on the agenda for the meeting, which will have been published on the previous Wednesday. In practice, any statements which are made usually relate to a general issue of concern, rather than a specific agenda item. The external consultants identified Wyre’s practice as being unusual in this regard and recognised the administrative difficulties it gives rise to.
- 5.8** Their suggested amendment, as set out in Appendix 1 (and included in Recommendation 3.1) is that the deadline for the receipt of questions and statements be brought forward to noon on the Monday prior to the day of agenda dispatch. They have stated that this will serve two purposes. *“Firstly, it will enable the Proper Officer to give due consideration to the content of the questions and statements and to resolve any queries. Secondly, it will improve transparency and public notice/access by enabling both to be published with the Council agenda.”*

Written Questions “On-Notice” by Councillors Council meetings
(Paragraph 12.2 of Council Procedure Rules, in Part 4.01)

- 5.9** The current deadline for any Councillor to ask a question “on-notice” to the Mayor, a Member of the cabinet or the Chairman of a Committee or Sub-Committee on *“any matter in relation to which the Council has powers or duties, or which affects the area”*, is also noon on the Friday before a Council meeting. This has the same disadvantages as the current deadline for public questions, but is even less logical, because Councillors also have an opportunity at each meeting to ask questions without notice to the Leader of the Council and Portfolio Holders on their Executive Reports and to Chairmen of Committees when they submit periodic reports. They can obviously also speak during debates on any reports for decisions. The consultants have therefore suggested that the deadline for questions “on-notice” should also be brought forward to 12 noon two calendar days prior to the day of agenda dispatch, as set in Appendix 1 and included in Recommendation 3.1.

Officers speaking at full Council Meetings (Paragraph 11.5 of Council Procedure Rules, in Part 4.01)

- 5.10** The consultants queried the provision in paragraph 11.5 (d) of the Council Procedure Rules enabling a relevant officer to *“answer a question or part of a question addressed to a Cabinet member, provided that it is non-political in nature (e.g. requiring specialist, technical or expert knowledge or the provision of professional or legal advice)”*. They stated that, in their experience, such a provision was unusual. However, following an explanation of the fairly rare circumstances in which it has been used, they understood the value of this option being available at Wyre and have not recommended any changes.

Scope of Notices of Motion at full Council meetings (Paragraph 14.3, in Part 4.01)

- 5.11** The consultants have expressed the view that Wyre’s current requirement on the “scope” of a Notice of Motion, i.e. simply that: *“it must be about matters for which the Council has a responsibility or which affect the area”*, is perfectly acceptable.

However, they have advised that some authorities spell out in more detail the criteria on which motions can be ruled out. They have suggested, in order to provide greater clarity for Members when submitting a Notice of Motion and the Chief Executive when deciding whether such a motion is valid, that the following wording be added to Paragraph 14.3 of the Council Procedure Rules.

The Proper Officer may reject a motion if it:

(i) is not about a matter for which the Borough Council has a responsibility or is not about a matter of regional or national policy which affects the Borough disproportionately;

(ii) is defamatory, frivolous or offensive and in the case of the latter, which names, or clearly identifies a member of staff or other individual;

(iii) is substantially the same as a motion which has been put at a meeting of the Council in the past six months;

(iv) requires the disclosure of confidential or exempt information;

or

(v) is either unlawful or incapable of having practical effect

Such Motions submitted will be dealt with by the Proper Officer and the proposer of the Motion will be given advice accordingly in line with these criteria.

These additional words are included in Appendix 1 and are therefore recommended for approval in Recommendation 3.1 above

To provide time for such considerations and discussions to take place, the consultants have also recommended that the deadline for submission be brought forward to 12 noon on the Monday prior to the day of agenda publication (in line with the revised deadlines recommended for written questions). This proposal is also included in Appendix 1 and in recommendation 3.1 of this report.

Points of Order at full Council meetings (paragraph 16.12 of Council Procedure Rules in Part 4.01)

- 5.12** The Council's officers discussed with the consultants the effectiveness of the current provisions in Procedure Rule 16.12 enabling any councillor to raise a "*point of order*", noting that the requirement to specify which Procedure Rule or law has been broken is rarely followed. The consultants confirmed that the current wording in Paragraph 16.12 of Wyre's Procedure Rules is fairly standard. They also stated that, in their experience, handling points of order was difficult at many councils across the country with a balance having to be struck between giving individual members the opportunity to make legitimate challenges, but avoiding frequent interruptions to the flow of debates. The conclusion reached was that no changes would be recommended to Procedure Rule 16.12 in this report, but that the Mayor would be encouraged to make sure that members gave proper reasons when making a point of order.

Points of Personal Explanation at full Council meetings (paragraph 16.13 of Council Procedure Rules in Part 4.01)

- 5.13** Similar discussions took place about the effectiveness of the current provisions for “*Points of Personal Explanation*” in Paragraph 16.13 of the Council Procedure Rules although they are not frequently used at Wyre. The Consultants said that, if it was felt necessary to reduce the potential for interruptions to debates, wording could be added to specify that a councillor may only raise a point of personal explanation at the end of the speech to which it relates, rather than before or during the speech. However, it was again concluded that no changes would be recommended to Paragraph 16.13 as part of this review.

The interpretation of political balance rules and appointments to Committees

- 5.14** The consultants were made aware of the suggestion made by the Leader of the Labour Group that a section should be added to the Council’s Constitution setting out principles on how the political balance rules are interpreted when appointments are made to committees. He has proposed, in particular, that the allocation of seats on committees should be calculated on the basis of fractions rather than percentages.

- 5.15** The response from the consultants was as follows.

- *“The rules for the allocation of seats are set out in Sections 15 and 16 of the Local Government and Housing Act 1989 and the Local Government (Committees and Political Groups Regulations) 1990.*
- *The regulations do not prescribe the method by which the allocation must take place. The duty on Councils is to reflect the overall Council membership in the allocation to its committees. Our experience is that most Councils do it on a percentage basis (as in your own report to Annual Council in May) and we struggle to see what difference it would make by applying fractions. At the end of the day, Councils will inevitably end up with odd numbers which have to be rounded up or down to fill the allocations to each committee and a certain amount of bartering may take place between the respective whips. Part of that process can involve the majority party deciding on the extra places. Their majority status gives them that right.*
- *In our experience, Councils do not generally spell out the detailed process in their Constitutions, just the requirements of the Act and regulations. You have set this out in detail however in your report to Council. Whether you include this in your Constitution is really a matter for local choice.”*

On the basis of this opinion, no additional provisions to the Constitution are being recommended.

Financial and legal implications	
Finance	ADSO Consultants fees for carrying out the review are £3,950 plus VAT and expenses and these will be reflected in the Revised Estimates. There will be no additional costs arising from the implementation of the recommendations in this report.
Legal	Approval of the changes recommended in this report will ensure that the Council's Constitution is up to date, is in line with best practice and complies with the Local Government Act 2000 and subsequent Regulations.

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
ICT	x
data protection	x

Processing Personal Data

In addition to considering data protection along with the other risks/ implications, the report author will need to decide if a 'privacy impact assessment (PIA)' is also required. If the decision(s) recommended in this report will result in the collection and processing of personal data for the first time (i.e. purchase of a new system, a new working arrangement with a third party) a PIA will need to have been completed and signed off by Data Protection Officer before the decision is taken in compliance with the Data Protection Act 2018.

report author	telephone no.	email	date
Roy Saunders	01253 887481	Roy.saunders@wyre.gov.uk	05/03/2019

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

List of appendices

Appendix 1: Amendments to Parts the Constitution, recommended by ADSO
Consultants, shown as track changes

dem/cou/cr/19/1411 Item 12

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Responsibility for Council Functions

[Appendix 1\(a\)](#)

The Full Council

Only the Council will exercise the following functions (as set out in Article 4 in Part 2):

- (a) Adopting and changing the Constitution (except for the Financial Regulations and Financial Procedure Rules in Part 4.06, which can be amended by the Audit Committee
- (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 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 the Members' Allowances Scheme
- (h) Changing the name of an 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;
- ~~(a)~~(l) All other matters which, by law, must be reserved to Council.

Committee:

Planning Committee

Membership:

(14) Members of the Authority

Delegation of Functions:

See Scheme of Delegation (Part 7)

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, enforcement and completion 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.

The approval of Section 106 Notices

Committee: **Licensing Committee**

Membership: (14) Members of the Authority

Delegation of Functions: See Scheme of Delegation (Part 7)

Functions : Taxi, gaming, entertainment, food, scrap metal, and miscellaneous licensing.

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

To undertake the following functions in respect of the licensing of sex establishments under the provisions of Part II and Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 in accordance with the Council's Policy:

(a) Determining applications for grant, renewal, transfer or variation of a licence where no relevant objections have been received;

(b) Cancellation of licence;

(c) Enforcement of the provisions of Part II and Schedule 3 (relating to sex establishments);

Committee: **Employment and Appeals Committee**

Membership: (10) Members of the Authority

Delegation of Functions: See Scheme of Delegation (Part 7)

Functions: See terms of reference at Article 8

Committee: **Standards Committee**

Membership: 6 Members of the Council.

Delegation of Functions: See Scheme of Delegation (Part 7)

Functions: See terms of reference at Article ~~44~~14

Committee:	Audit Committee
Membership:	14 Members of the Authority
Delegation of Functions:	See Scheme of Delegation (Part 7)
Functions:	See terms of reference at Article 7

Committee: Senior Officer Appointments Committee

Membership: 4 Members of the Authority appointed by the Council (this must include at least 1 member of the Cabinet by law and opposition representation in accordance with political proportionality arrangements agreed by the Council).

Delegation of Functions: See Scheme of Delegation (Part 7).

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

Leader Members of Neighbourhood Engagement

~~Appointed to be the Lead contact person/Member co-ordinator for neighbourhood engagement activities as set out in the document agreed by the Council on 26 April 2012, for each of the following geographical areas:~~

~~Fleetwood
Cleveleys
Thornton
Poulton
Rural East
Rural West~~

Committee Senior Officer Disciplinary Committee

Membership 4 members. Appointed separately from the Senior Officer Appointments Committee at Annual Council meeting

Appendix 1(b)

Responsibilities for Executive Functions

The following arrangements will apply in respect of the exercise of Executive Functions. Unless the context indicates otherwise, it is intended that the Cabinet, or the particular individual member of it identified below, will have decision making powers in respect of the matters set out under “Functions”. In exercising any such powers, regard must be had to the provisions of the Scheme of Delegation to Officers. The Cabinet, or individual members of the Cabinet will not normally seek to exercise those of their powers set out below which are delegated to an Officer of the Council. Nothing in this Constitution shall operate so as to authorise the exercise by the Cabinet, or any member(s) of it, of any power which is precluded statutorily from being exercised in such manner. Consequently, for example, executive decisions under these arrangements may not be made where they are contrary to, or not wholly in accordance with, the Council’s budget, the Council’s plan or strategy in relation to borrowing or capital expenditure, or a Council approved strategy, plan or policy.

Decision Making Body Cabinet

Membership: Currently 6 Members of the Authority – statutory minimum of 2 plus the Leader and statutory maximum of 9 plus the Leader

Delegation of Functions: See Scheme of Delegation (Part 7)

Functions:

- To consider any matter of importance affecting more than one of the Cabinet portfolios.
- To consider matters of importance which involve the Council’s external relations.
- To ensure the delivery of corporate performance targets
- In accordance with the provisions of the Constitution to transact any business which, in the opinion of the Cabinet, is urgent and requires immediate action.
- To submit any evidence or to report on behalf of the Council to any Commission, Committee or similar body where it is not expedient for the matter to be referred to the Council.
- To consider matters relating to national or regional planning policy guidance including urban capacity and similar studies.
- To have oversight on all matters relating to financial borrowing, lending or leasing by the Council, the management of internal funds and the supervision of the investment of monies, including consideration of the Treasury Management Strategy (for the coming year) and the Treasury Management Annual Report (for the previous year).

To consider reports and recommendations from the Council's Overview and Scrutiny Committee.

Matters where the Cabinet is required to make recommendations to the Council

The formulation of the Council's overall policy objectives.

The allocation and use of resources within the overall budget to achieve the Council's policies and priorities.

The Council's delegation scheme.

The Council's management and departmental structure, including arrangements for the appointment of the Chief Executive and Directors.

Matters relating to Development Planning Documents or the Local Development Scheme.

Capital and revenue estimates, the expenditure level to be used in the calculation of the Council Tax.

The levy of the Council Tax.

Expenditure on capital items where there is no provision in approved budgets or where the quotation cost exceeds provision in approved budgets by more than 10 per cent.

Expenditure on capital items where final expenditure exceeds the approved contract sum by either 10 per cent or £20,000 whichever is the lesser.

Increased expenditure for which no provision has been made in approved estimates and which cannot be covered by virement between budgets in accordance with the Council's Financial Regulations and Financial Procedure Rules.

Matters arising from the Council's duty to consult with business ratepayers.

Terms of Reference and Delegated Powers of the Leader

To act as the focus for the strategic leadership of the Council.

To appoint Cabinet members and allocate their executive functions

To act as the Council's representative and spokesperson on strategic partnerships at a regional, county and local level.

To consider all aspects of matters relating to public relations and the Council's reputation.

Terms of Reference and Delegated Powers of the Resources Cabinet Member

To consider arrangements for a strategic approach for the Council's procurement of goods and services.

To consider departures from Rules relating to financial and contractual matters if appropriate.

To consider the Council's strategic direction in relation to asset management including

- (a) any matters relating to the sale, lease or tenancy of land or buildings, or the grant of any other right over land, beyond the powers delegated to the Head of the Built Environment.
- (b) To consider the management, repair, maintenance and use of the Council's land and buildings.
- (c) To consider the assembly and purchase of land for development, redevelopment and in advance of requirements.
- (d) To consider the reclamation of derelict land.

To approve the transfer of funds (in accordance with Financial Procedure Rules) within the approved estimates insofar as they are within the Council's budget and policy framework and subject to any limitations set by the Council within the budget framework.

To deal with the collection and enforcement of debts due except where specific responsibility has been allocated elsewhere.

To determine requests relating to the release or modification of covenants affecting land of which the Council has the benefit where the Head of Built Environment does not have delegated power to deal with such requests.

To prepare and review as necessary a standing list of approved tenderers for use where selected tenderers are to be invited to submit tenders to the Council.

To consider progress reports on the implementation of the Council's Human Resources Strategy.

To consider the Council's strategic policy in relation to Value for Money.

To consider progress on the implementation of the Council's ICT digital strategy.

To consider proposals relating to the Council's strategic approach to delivering excellent customer services.

To consider civic and ceremonial issues.

To consider any equality and diversity issues relevant to the Council which relate to executive functions (ie. excluding issues relating to the terms and conditions appointment or dismissal of employees which are not executive functions).

To consider emergency planning and business continuity issues.

To determine payment of grants to outside bodies within ~~any scheme approved by Council and the allocated~~ any budgets.

To consider National Non-domestic Rating and Council Tax matters.

To consider applications for hardship and discretionary rate relief under the Council's schemes.

To consider proposals for the exercise of powers under Section 137 of the Local Government Act 1972 (ie. the power of local authorities to incur expenditure for certain purposes not otherwise authorised).

To determine charges or fees for any relevant services operated within the Portfolio.

Terms of Reference and Delegated Powers of the Street Scene, Parks and Open Spaces Cabinet Member

To consider issues relating to the development and co-ordination of the Council's approach to "street scene".

To consider matters relating to the provision and management of public conveniences.

To consider arrangements for the design and provision of services for refuse collection, street cleansing, and litter control (including beach and foreshore cleaning).

To monitor the delivery of Street Scene Services

To consider any matters relating to the monitoring and enforcement of street scene related issues including litter, graffiti, fly tipping, fly posting dog fouling, and abandoned vehicles.

To consider any matters relating to dog control.

To evaluate and prioritise proposed environmental improvement and enhancement schemes and to devise an agreed programme for such schemes within the financial provision allocated.

To consider matters relating to parks, gardens, open spaces, playing fields, playgrounds and allotments.

To determine charges or fees for any relevant services operated within the Portfolio.

Terms of Reference and Delegated Powers of the Neighbourhood Services and Community Safety Cabinet Member

To consider options and proposals to improve, preserve and maintain those neighbourhoods and places which local people consider valuable for conservation, commerce and daily living.

To consider any matter relating to the Council's responsibilities for land drainage, water courses or the prevention of flooding.

To consider any matter relating to the Council's responsibilities for coast protection or the provision and maintenance of sea defences.

To exercise all powers in relation to the provision and operation of off-street car parks which are not ancillary to another Council building the management of which is undertaken by another portfolio holder.

To consider the housing needs of the Borough in respect of the supply of housing accommodation and advice services including arrangements for the inspection of the condition of all dwellings within the Borough, to secure satisfactory standards and improvement of housing.

To consider issues relating to actions necessary to secure the improvement or demolition of unsatisfactory dwellings or dwellings with an unsatisfactory environment.

To consider arrangements for enabling the provision of housing accommodation through the erection of houses or through the conversion, alteration, improvement or use of properties acquired by the Council, or by any other agency.

To consider and make recommendations on the Council's policy on housing advances, including the provision of grants.

To consider matters relating to homeless people and vulnerable people in the Borough.

To consider arrangements for the provision of the Care and Repair Service and the Handy Person Service.

To consider the duties relating to the Home Energy Conservation Act, 1995.

To consider the duties relating to the Housing Act, 1996 and the Housing Grants and Construction Regeneration Act, 1996 and other relevant housing legislation.

To consider arrangements for the delivery of Benefits services.

To exercise powers contained in legislation for improving landlord and tenant relations in private dwellings.

To consider issues relating to the provision of a housing advisory service.

To consider issues relating to the provision or management, either directly or otherwise of temporary accommodation in accordance with the provisions of Part III of the Housing Act, 1985, as amended.

To consider ways of working with others to make Wyre a safer place to live, work and visit by helping to reduce crime and the fear of crime in the local community.

To consider matters relating to the Council's Crime and Disorder Strategy.

To drive initiatives which affect the Council in relation to the enhancement of community safety throughout Wyre and to seek to create a safe and secure environment for the whole community through the reduction of crime and fear of crime.

To determine charges or fees for any relevant services operated within the Portfolio.

~~Terms of Reference and Delegated Powers of the Leisure and Culture Cabinet Member~~

~~To consider options and proposals to improve, preserve and maintain those neighbourhoods and places which local people consider valuable for recreation and daily living.~~

~~To consider the management, conservation, protection and provision of access to Wyre's countryside through the implementation of a Countryside Management Programme.~~

~~To consider matters relating to sport and recreation, including sports facilities (apart from playing fields), swimming centres, riverside and marine facilities for leisure pursuits and other leisure and cultural services.~~

~~To formulate and make recommendations on strategies and programmes to encourage the development of sport, leisure and cultural pursuits, including arts development and promotion.~~

~~To consider arrangements for the provision and management of cemeteries and burial grounds.~~

~~To consider arrangements for the promotion of the Borough for tourism purposes and to liaise with all other bodies with a similar purpose either in relation to the Borough, part of the Borough or a wider area.~~

~~To develop and sustain the Council's strategy for encouraging the growth and diversity of tourism within the Borough.~~

~~To monitor and encourage the development of Tourism through market research and advice and to assist the Wyre Tourism Association.~~

~~To deal with the promotion of the Borough or any part of it for countryside, leisure and cultural services purposes and to encourage private sector initiatives and joint funded activities.~~

~~To consider arrangements for the provision and development of Tourist Information Centres, promotions and other visitor services.~~

~~To consider any matters relating to the arrangements for the Council's community centres.~~

~~To consider matters relating to theatres and their associated events programmes.~~

~~To determine charges or fees for any relevant services operated within the portfolio.~~

Terms of Reference and Delegated Powers of the Planning and Economic Development Cabinet Member

To consider options and proposals to improve, preserve and maintain those neighbourhoods and places which local people consider valuable for conservation, commerce and daily living.

To consider matters relating to the Local Development Scheme, Supplementary Planning Documents and other planning guidance.

To consider proposals for the conservation or enhancement of the physical environment of the Borough.

To consider arrangements for the provision of housing.

To consider and make recommendations on the Council's policy on regeneration and improvement.

To facilitate the provision of social housing by external organisations.

To consider issues and exercise powers and duties relating to the Council's Building Control functions.

To make decisions on behalf of the Council, in regard to its role and responsibilities in the establishment, operation, monitoring and review of partnership development, so far as economic development, regeneration, social enterprise and community development are concerned.

To deal with issues related to the function of the Council as the Accountable Body or leading agency, for the management, administration or reporting arrangements of organisations promoting or delivering economic development or regeneration projects.

To consider and keep under review, the state of employment and unemployment, social and economic indices and industrial, commercial and service industry development, in the Borough, including matters relating to the assessment of future requirements for industrial, commercial and development land and property, and advising on the allocation, assembly, transferability and disposal of land for those purposes.

To consider arrangements for the promotion of the Borough for all purposes associated with inward investment, retention of the economic base of the district, the expansion of all commercial enterprise and the development of opportunity for new ventures, and to liaise with all other bodies with similar or supportive purposes, in relation to the Borough or part of the Borough or a wider area, e.g. the Blackpool, Fylde and Wyre Economic Development Committee.

To act as co-ordinator in any measures designed to increase the prosperity of the Borough by developing and maintaining relationships with public and private bodies concerned with any activities which seek to create or maintain employment.

To encourage both public and private investment within the Borough which may lead to increased employment opportunities.

To consider arrangements for direct Council investment in the provision of facilities which will protect or promote employment opportunities.

To consider arrangements for the formulation of any scheme for direct financial assistance to industry or commerce and to consider any requests for assistance.

To consider arrangements for and participate in any special initiatives with the purpose of job creation, work experience or training with a view to enhancing employment opportunities.

To consider arrangements for the formulation of any existing scheme for any direct financial assistance to commerce, industry or enterprise, including the establishment, development and review of the Local Authority Business Growth Incentive Scheme, its criteria, guidance and application, within the Borough.

To seek recognition by government, the EU or any other relevant agency or body of the special needs of any part of the Borough or the local economy.

To consider arrangements for the operation of an advisory service to business and commerce either through agencies or directly to those who might benefit.

To consider arrangements for the promotion of the Borough for rural development, agricultural and farming diversity, development opportunities and the retention of employment capacity, commensurate with the sustainability of a rural economy.

To consider matters relating to the operation of public markets.

To exercise any powers in relation to the operation of the Fleetwood/Knott End Ferry Service.

To make representations to public transport operators, the County Council and other bodies on any matters relating to the provision of public transport services.

To consider any operational matters relating to the provision of bus stations.

To consider any matters relating to the Council's responsibilities for highways and highway-related infrastructure including bus shelters.

To determine charges or fees for any relevant services operated within the portfolio.

To consider matters relating to member development and support.

Terms of Reference and Delegated Powers of the [Leisure, Health and Community Engagement Cabinet Member](#)

[To consider options and proposals to improve, preserve and maintain those neighbourhoods and places which local people consider valuable for recreation and daily living.](#)

[To consider the management, conservation, protection and provision of access to Wyre's countryside through the implementation of a Countryside Management Programme.](#)

To consider matters relating to sport and recreation, including sports facilities (apart from playing fields), swimming centres, riverside and marine facilities for leisure pursuits and other leisure and cultural services.

To formulate and make recommendations on strategies and programmes to encourage the development of sport, leisure and cultural pursuits, including arts development and promotion.

To consider arrangements for the provision and management of cemeteries and burial grounds.

To consider arrangements for the promotion of the Borough for tourism purposes and to liaise with all other bodies with a similar purpose either in relation to the Borough, part of the Borough or a wider area.

To develop and sustain the Council's strategy for encouraging the growth and diversity of tourism within the Borough.

To monitor and encourage the development of Tourism through market research and advice and to assist the Wyre Tourism Association.

To deal with the promotion of the Borough or any part of it for countryside, leisure and cultural services purposes and to encourage private sector initiatives and joint funded activities.

To consider arrangements for the provision and development of Tourist Information Centres, promotions and other visitor services.

~~To consider any matters relating to the arrangements for the Council's community centres.~~

To consider matters relating to theatres and their associated events programmes.

To determine charges or fees for any relevant services operated within the portfolio.

To oversee the delivery of customer-focussed services in an efficient and effective manner through continual improvement, regular challenge and by listening to local people.

~~To consider proposals relating to the Council's strategic approach to delivering excellent customer services.~~

To consider issues relating to environmental health functions in accordance with the Council's policy in relation to the Council's powers and duties under the provisions of the Public Health Acts and other statutory provisions as relate to public health and hygiene, food, animal welfare, public safety, home safety and

shops except functions listed in Schedule 1 of the Local Authorities (Functions and Responsibilities) England Regulations 2000.

To consider matters relating to private sewers, drains and cesspools.

To secure arrangements for proper standards of food hygiene.

To exercise the powers and duties of the Council in respect of the welfare and working conditions of workpeople, except those under Part 1 of the Health and Safety at Work, etc. Act 1974.

To exercise the powers and duties of the Council as Port Health Authority.

To exercise powers and duties in relation to safety at fairgrounds and circuses.

To exercise the powers and duties for the Council with respect to the control of pollution and noise.

To exercise the Council's powers and duties under the Public Health (Control of Disease) Act 1984 in relation to environmental services.

To determine charges or fees for any relevant services operated within the Portfolio.

Functions of Lead Members (Supporting the Cabinet)

Functions:

In relation to a Portfolio of functions and/or matters assigned to them by the Executive Leader, Lead Members where they are appointed, are assigned special responsibilities as set out below. In exercising these responsibilities, they do not have executive decision-making powers.

1. maintaining knowledge and awareness of those functions or matters and of current activities and developments in relation to them;
2. liaising with the corresponding Executive members and the responsible Officer;
3. communicating and representing to the Executive the views of non-Executive Councillors on all matters relating to their role;
4. assisting the Executive **M**member in promoting the efficient and effective delivery of the relevant services and the achievement of all relevant Council policy objectives in compliance with the approved budgets and providing all such other assistance, advice and support as the Executive Member may from time to time require;
5. responding to and assisting the Overview and Scrutiny Committee or an overview and scrutiny task group as required;
6. If requested by the Executive **M**member, leading for the Council politically and publicly in external dealings and relationships, including with the media.

Lead Members are currently appointed for the following functions:

Older People's Issues
Young People's Issues

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Appendix 1(c)

Council Procedure Rules

Contents

Rule

1. Annual meeting of the Council
2. Ordinary meetings
3. Extraordinary meetings
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5. Notice of and summons to meetings
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7. Quorum
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9. Questions and statements by members of the public
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12. Written Questions “on notice” by Councillors
13. Reports from Chairmen of the Overview and Scrutiny, Audit, Licensing, Planning and Standards Committees
14. Motions on notice
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Rule

- 22. Members' conduct
- 23. Disturbance by public
- 24. Suspension and amendment of Council Procedure Rules
- 25. Application to Committees and Sub-Committees

Note: All of these Council procedure rules apply to meetings of the Council. None of the rules apply to meetings of the Executive. Only Rules 4-8, 15, 16, 18, 19.1, 21, 22.3, 22.4, 22.5 and 23 apply to meetings of Committees and Sub-Committees and have been marked with an *

1. **Annual Meeting of the Council**

1.1 **Timing and Business**

In a year when there is an ordinary election of Councillors, the Annual Meeting will take place within 21 days of the retirement of the outgoing Councillors. In any other year, the annual meeting will take place in March, April or May.

The Annual Meeting will:

- (i) elect a Councillor to preside if the Mayor is not present;
- (ii) elect the Mayor;
- (iii) elect the Deputy Mayor;
- (iv) approve the Minutes of the last meeting;
- (v) receive any announcements from the Mayor and/or the Chief Executive;
- (vi) in an election year, elect the Leader;
- (vii) note the decision of the Leader as to the number of members of the Executive; who he or she has appointed to those roles; the scope of their respective portfolios and the terms of delegation to them and officers (see also Part 4.04/1 – paragraph 1.2).
- (viii) appoint at least one Overview and Scrutiny Committee, a Standards Committee and such other Committees as the Council considers appropriate to deal with matters which are neither reserved to the Council nor are Executive functions (as set out in Part 3 of this Constitution);
- (ix) consider any proposed changes to the Council's scheme of delegation
- (x) consider any business set out in the notice convening the meeting.

1.2 **Selection of Councillors on Committees and Outside Bodies**

At the Annual Meeting, the Council meeting will:

- (i) decide which Committees to establish for the Municipal Year;
- (ii) decide the size and terms of reference for those Committees;
- (iii) decide the allocation of seats to political groups in accordance with the political balance rules;

- (iv) receive nominations of Councillors to serve on each Committee and outside body; and
- (v) at the Annual Council Meeting following each Wyre Council election appoint to those outside bodies, except where appointment to those bodies has been delegated by the Council or are Executive appointments.

2. **Ordinary Meetings**

Ordinary meetings of the Council will take place in accordance with a programme published by the Chief Executive following [discussion consultation](#) with Group Leaders. Ordinary meetings will:

- (i) elect a Councillor to preside if neither the Mayor or the Deputy Mayor are present;
- (ii) approve the Minutes of the last meeting;
- (iii) receive any declarations of interest from Members;
- (iv) receive any announcements from the Mayor, Leader, Members of the Cabinet, a Chairman of a Committee or the Chief Executive;
- (v) receive questions and/or statements from, and provide answers to, members of the public;
- (vi) receive a petition (if the requirements of the Petitions Scheme in Part 5.08 of the Constitution have been met);
- (vii) deal with any business adjourned from the last Council meeting;
- (viii) receive written questions “on-notice” from Councillors and hear responses from the Portfolio Holders to whom they are addressed;
- (ix) consider items for decision by the Council, including any recommendations from the Cabinet or Portfolio Holders that involve changes to the budget, or Policy Framework or officer reports on procedural issues, or relating to Council functions listed in Part 3 of the Constitution;
- (x) receive Executive Reports from the Leader and each Portfolio Holder and deal with questions and answers on any of those reports;
- (xi) receive periodic reports from Chairmen of Committees and deal with questions and answers on those reports;
- (xii) consider any Notices of Motion;
- (xiii) consider any other business specified in the summons to the meeting.

3. **Extraordinary Meetings**

3.1 Calling Extraordinary Meetings

Those listed below may request the Chief Executive to call Council meetings in addition to ordinary meetings:

- (i) the Council by resolution;
- (ii) the Mayor;
- (iii) any five Members of the Council if they have signed a requisition presented to the Mayor and he/she has refused to call a meeting or has failed to call a meeting within seven days of the presentation of the requisition.

3.2 Business

Only the business specified in the summons may be transacted at an extraordinary meeting.

***4. Time and Place of Meetings**

The time and place of meetings will be determined by the Chief Executive and notified in the summons.

***5. Notice of and Summons to Meetings**

The Chief Executive will give notice to the public of the time and place of any meeting in accordance with the Access to Information Rules. At least five clear working days before a meeting, the Chief Executive will send a summons, signed by him or her, to every Member of the Council or leave it at their usual place of residence. The summons will give the date, time and place of each meeting and specify the business to be transacted, and will be accompanied by such reports as are available.

***6. Chairing a Meeting**

The person presiding at the meeting may exercise any power or duty of the Mayor. Where these rules apply to Committee and Sub-Committee meetings, references to the Mayor also include the Chairman of a Committees or a Sub-Committee.

***7. Quorum**

The quorum of a meeting will be one quarter of the whole number of Members (13 for full Council meetings). During any meeting, if the Mayor counts the number of Members present and declares there is not a quorum present, then the meeting will adjourn immediately. Remaining business will be considered at a time and date fixed by the Mayor. If he/she does not fix a date, the remaining business will be considered at the next ordinary meeting.

(The quorum of the Standards Committee shall be 3 Members—~~as specified in Article 141, in Part 2 of the Constitution~~).

***8. Duration of Meeting**

Unless the majority of Members present vote for the meeting to continue, any meeting that has lasted for 4 hours will adjourn immediately. Remaining business will be considered at a time and date fixed by the Mayor or person presiding. If he/she does not fix a date (at the conclusion of the adjourned meeting or subsequently), the remaining business will be considered at the next ordinary meeting.

9. Questions and Statements by Members of the Public

9.1 General

Members of the public who live in the Borough may ask questions of Members of the Cabinet or make representations in the form of a statement or present a petition about any issue affecting the Borough at ordinary meetings of the Council. The period of time allocated for such questions and statements shall not normally exceed 30 minutes. No person may speak for longer than 5 minutes.

9.2 Order of Questions, Statements and Petitions

Questions will be asked, statements will be made and petitions presented in the order notice of them was received, except that the Mayor or person presiding may group together similar questions or statements, on issues which relate to the same topic.

9.3 Notice of Questions and Statements

A question may only be asked, or a statement be made, if notice has been given by delivering the question or statement in writing or by electronic mail to the Chief Executive no later than 12 noon mid-day on the Monday two calendar days prior to the day of agenda dispatch. mid-day four working days before the day of the meeting (i.e. normally the Friday before a meeting on the following Thursday). Each question must give the name and address of the questioner and name the Member of the Cabinet to whom it is put.

9.4 Supplementary Questions

Any questioner who has asked a question in person may ask one supplementary question, without notice, to the Cabinet Member who answered the original question. The supplementary question must arise directly from the original question or the reply given. The Mayor may reject a supplementary question if it does not arise directly from the original question or the reply given.

Unless the Mayor agrees otherwise, a member of the public making a statement will not be permitted to comment further following a response from the Leader or a Portfolio Holder.

9.5 Scope of Questions and Representations

The Chief Executive may reject a question or refuse to allow a statement if it:

- is not about a matter for which the local authority has a responsibility or which does not affect the Borough;
- is defamatory, frivolous or offensive;
- is substantially the same as a question or statement which has been put at a meeting of the Council in the past six months; or
- requires the disclosure of confidential or exempt information.

9.6 Circulation of Questions ~~and Responses~~

Copies of all valid questions ~~and responses~~ will be published on the Council agenda's website, ~~will be circulated to all Members and will be made available to the public attending the meeting.~~

9.7 Asking the Question at the Meeting

If a questioner is not present at the Council meeting the Mayor will request that a written response from the relevant Portfolio holder be sent to the questioner and the contents of the response will be recorded in the minutes.

If a questioner is present, the Mayor will either invite them to read their question or, if it has been published and copies have been circulated to all those present, he may ask Council to agree that it be taken as read and ask the relevant Portfolio Holder to respond.

9.8 Written Answers

Any question which cannot be dealt with during public question time, either because of lack of time or any other reason, will be dealt with by a written answer.

9.9 Reference of a Question or a Statement to the Cabinet or a Committee

No discussion will take place on any question or statement, but any Member may move that a matter raised by a question or statement be referred either to the Cabinet or to the appropriate Committee or Sub-Committee. Once seconded, such a motion will be voted on without discussion.

9.10 Responses to Questions and Statements

A summary of the response made to each question asked or statement made by a member of the public will be included in the Minutes and a copy will be sent to the questioner.

10. Presentation of Petitions

- 10.1** If the criteria set out in the Petitions Scheme in Part 5.08 of the Constitution have been met, the organiser of a petition (or their representative) will be invited by the Mayor to present their petition to the Leader of the Council. The petition organiser (or their representative) will then be able to ask a

question to the Leader of the Council or the relevant Portfolio Holder about the topic of the petition. They will have up to 5 minutes to do so.

10.2 The Mayor will invite the Leader of the Council, or the relevant Portfolio Holder to respond. They will have up to 5 minutes to do so.

10.3 There will be no opportunity for a supplementary question or a general discussion or debate on the topic of the petition.

11. Executive Member Reports

11.1 Content of Reports

At each ordinary meeting of the Council, the Leader and each Portfolio Holder will present a report to the Council. These reports will cover recent activities, current and forthcoming issues within their respective remits, achievements and progress on key objectives.

11.2 Presentation of Reports

The Leader and each Portfolio Holder will each have a maximum of three minutes to present their report to Council.

11.3 Questions and Comments on Executive Reports

Any Non-Executive Member of Council may ask a question or make a comment to the Leader or the relevant Portfolio Holder on the contents of their report or on any issue which falls within their area of responsibility. A maximum of ten minutes will be allocated for questions or comments to and responses by each Member of the Executive (Cabinet). At the end of these proceedings a further ten minutes in total will be allowed for the Executive Members to ask a question or make a comment on their respective fellow Executive Members reports/areas of responsibility.

11.4 Time Limit for Questions and Comments

There shall be no limit on the number of questions or comments from each Councillor, although there will be a maximum of three minutes per question or comment. (The Mayor will seek to ensure that as many different Members as possible are able to ask a question or make a comment within the time allocated).

11.5 Responses to Questions and Comments

After each question or comment, the Leader or Portfolio Holder will respond. He or she will have a maximum of three minutes to do so.

Responses may take the form of:

- (a) a direct oral answer;

- (b) where the desired information is in a publication of the Council or other published work, a reference to that publication;
- (c) where the reply cannot conveniently be given orally, a written answer circulated later to the questioner;
- (d) a request that a Member of the Corporate Management Team or the relevant officer, answer the question, or part of the question, provided that it is non-political in nature (e.g. requiring specialist, technical or expert knowledge or the provision of professional or legal advice).

The Mayor will decide whether or not a question, or part of a question, is “political”.

In the absence of a Portfolio Holder the Leader will respond or nominate another Portfolio Holder to respond.

12. Written Questions “On-Notice” By Councillors

12.1 Questions on Notice at Council

Subject to Rule 12.2 a Member of the Council may ask:

- the Mayor;
- a Member of the Cabinet;
- the Chairman of any Committee or Sub-Committee

a question on any matter in relation to which the Council has powers or duties, or which affects the area.

12.2 Notice of Questions

A Member may only ask a question under Rule 12.1 if either:

- (a) they have delivered the question in writing or by e-mail to the Chief Executive not later than 12 noon on the Monday two calendar days prior to the day of agenda dispatch week publication.
- (b) the question relates to urgent matters, they have the consent of the Mayor to whom the question is to be put and the content of the question is given to the Chief Executive by 10.30 a.m. on the day of the meeting. Urgent matters will be those that could not have been anticipated by the deadline for questions set out in 12.2 (a) above and/or they cannot await the next meeting of the Council.

12.3 Response

An answer may take the form of:

- (a) a direct oral answer;
- (b) where the desired information is in a publication of the Council or other published work, a reference to that publication;
- (c) where the reply cannot conveniently be given orally, a written answer circulated later to the questioner;
- (d) a request that a Member of the Corporate Management Team or the relevant officer answer the question, or part of the question, provided that it is non-political in nature (e.g. requiring specialist, technical or expert knowledge or the provision of professional or legal advice).
The Mayor will decide whether or not a question or part of a question, is “political”

12.4 Supplementary Question

A Member asking a question under Rule 12.1 may ask one supplementary question without notice of the Cabinet Member to whom the first question was asked. The supplementary question must arise directly out of the original question or the reply.

13. Reports from Chairmen of the Overview & Scrutiny, Audit, Licensing, Planning Applications and Standards Committees

13.1 Frequency of Reports

The Chairman of ~~one of~~ the Overview and Scrutiny, Audit, Licensing, Planning ~~and or~~ Standards Committees will each submit a report to an Ordinary Council meeting at least once in a municipal year. The sequence of reporting will be ~~decided~~ agreed by the Chief Executive.

13.2 Content of Reports

The reports will cover topical issues, achievements since the previous report, any significant issues expected to be dealt with prior to the next report or, the Committee’s work generally.

13.3 Presentation of Reports

The Chairman of the reporting Committee will have a maximum of three minutes to present his or her report.

13.4 Questions and Comments

Any Member of Council may ask a question or make a comment to the Chairman of the reporting Committee on the contents of his or her report or on any issue which falls within their area of responsibility. A maximum of 10 minutes will be allocated for questions to and responses by the Chairman of the Committee submitting a report.

13.5 Time Limit for Questions and Comments

There will be no limit on the number of questions or comments from each Councillor, although there will be a maximum of three minutes per question or comment. (The Mayor will seek to ensure that as many different Members as possible are able to ask a question or make a comment within the time allocated).

13.6 Responses to Questions and Comments

After each question or comment the Chairman will respond. He or she will have three minutes to do so.

Responses may take the form of:

- (a) a direct oral answer;
- (b) where the desired information is in a publication of the Council or other published work, a reference to that publication;
- (c) where the reply cannot conveniently be given orally, a written answer circulated later to the questioner;
- (d) a request that a Member of the Corporate Management Team or the relevant officer, answer the question, or part of the question, provided that it is non-political in nature (e.g. requiring specialist, technical or expert knowledge or the provision of professional or legal advice).

In the absence of the Chairman, the Deputy Chairman will respond.

14. Motions On Notice

14.1 Notice

Except for motions which can be moved without notice under Rule 15 written notice of every motion, signed by at least 4 Members, must be delivered to the Chief Executive not later than 12 noon mid-day on the Monday two calendar days prior to the day of agenda dispatch publication.

14.2 Motions Set Out on the Agenda

Motions for which notice has been given will be listed on the Agenda in the order in which notice was received, unless the Member giving notice states, in writing, that they propose to move it to a later meeting or withdraw it.

14.3 Scope

Motions must be about matters for which the Council has a responsibility or which affect the Borough.

The Proper Officer may reject a motion if it:

- (i) is not about a matter for which the Borough Council has a responsibility or is not about a matter of regional or national policy which affects the Borough disproportionately;
- (ii)- is defamatory, frivolous or offensive and in the case of the latter, which names, or clearly identifies a member of staff or other individual;
- (iii) ~~is~~ is substantially the same as a motion which has been put at a meeting of the Council in the past six months;
- (iv) requires the disclosure of confidential or exempt information;
and-or
- (v) is either unlawful or incapable of having practical effect.

Such Motions submitted will be dealt with by the Proper Officer and the proposer of the Motion will be given advice accordingly in line with this criteria.

*15. Motions without Notice

The following motions may be moved without notice:

- (a) to appoint a Chairman of the meeting at which the motion is moved;
- (b) in relation to the accuracy of the Minutes;
- (c) to change the order of business in the Agenda;
- (d) to refer an issue to an appropriate body or individual;
- (e) to appoint a Committee or Member arising from an item on the summons for the meeting;
- (f) to receive reports or the adoption of recommendations of Committees or Officers and any resolutions following from them;
- (g) to withdraw a motion;
- (h) to amend a motion;
- (i) to proceed to the next business;

- (j) that the question be now put (provided that a minimum period of 20 minutes has elapsed or at least two Members have spoken in favour of the motion and at least two Members spoken against the motion);
- (k) to adjourn a debate;
- (l) to adjourn a meeting;
- (m) that the meeting continue beyond 4 hours in duration;
- (n) to suspend a particular Council Procedure Rule;
- (o) to exclude the public and press in accordance with the Access to Information Rules;
- (p) to not hear further a Member named under Rule 22.3 or to exclude them from the meeting under Rule 22.4;
- (q) to give the consent of the Council where its consent is required by this Constitution; and
- (r) suspend time limit on speeches.

***16. Rules of Debate**

*** 16.1 No Speeches Until Motion is Moved and Seconded**

If a motion set out in the agenda is not moved and seconded, either by a councillor who gave the notice or by some other councillor, it shall, unless postponed by consent of the Council, be treated as withdrawn and shall not be considered again without fresh notice.

*** 16.2 Right to Require Motion in Writing**

Unless notice of the motion has already been given, the Mayor may require it to be written down and handed to him/her before it is discussed.

*** 16.3 Seconders' Speech**

When seconding a motion or amendment, a Member may reserve their speech until later in the debate.

*** 16.4 Content and Length of Speeches**

Speeches must be directed to the question under discussion or to a personal explanation or point of order. No speech may exceed 5 minutes without the consent of the Mayor.

*** 16.5 When a Member May Speak Again**

A Member who has spoken on a motion may not speak again whilst it is the subject of debate, except:

- (a) to speak once on an amendment moved by another Member;
- (b) to move a further amendment if the motion has been amended since he/she last spoke;
- (c) if his/her first speech was on an amendment moved by another Member, to speak on the main issue (whether or not the amendment on which he/she spoke was carried);
- (d) in exercise of a right of reply;
- (e) on a point of order; and
- (f) by way of personal explanation.

* **16.6** Amendments to Motions

- (a) An amendment to a motion must be relevant to the motion and will either be:
 - (i) to refer the matter to an appropriate body or individual for consideration or reconsideration;
 - (ii) to leave out words and/or insert or add othersas long as the effect of (ii) is not to negate the motion.
- (b) Only one amendment may be moved and discussed at any one time. No further amendment may be moved until the amendment under discussion has been disposed of.
- (c) If an amendment is not carried, other amendments to the original motion may be moved.
- (d) If an amendment is carried, the motion as amended takes the place of the original motion. This becomes the substantive motion to which any further amendments are moved.
- (e) After an amendment has been carried, the Mayor will read out the amended motion before accepting any further amendments, or if there are none, put it to the vote.

* **16.7** Alteration of Motion

- (a) A Member may alter a motion of which he/she has given notice with the consent of the meeting. The meeting's consent will be signified without discussion.
- (b) A Member may alter a motion which he/she has moved without notice with the consent of both the meeting and the seconder. The meeting's consent will be signified without discussion.

- (c) Only alterations which could be made as an amendment may be made.

* **16.8** Withdrawal of Motion

A Member may withdraw a motion which he/she has moved with the consent of both the meeting and the seconder. The meeting's consent will be signified without discussion. No Member may speak on the motion after the mover has asked permission to withdraw it unless permission is refused.

* **16.9** Right of Reply

- (a) The mover of a motion has a right to reply at the end of the debate on the motion, immediately before it is put to the vote.
- (b) If an amendment is moved, the mover of the original motion has the right of reply at the close of the debate on the amendment, but may not otherwise speak on it.
- (c) The mover of the amendment has no right of reply to the debate on his or her amendment.

* **16.10** Motions Which May be Moved During Debate

- (a) to withdraw a motion;
- (b) to amend a motion;
- (c) to proceed to the next business;
- (d) that the question be now put;
- (e) to adjourn a debate;
- (f) to adjourn a meeting;
- (g) that the meeting continue beyond 4 hours in duration;
- (h) to exclude the public and press in accordance with the Access to Information Rules; and
- (i) to not hear further a Member named under Rule 22.3 or to exclude them from the meeting under Rule 22.4.

* **16.11** Closure Motions

- (a) A Member may move, without comment, the following motions at the end of a speech of another Member:
 - (i) to proceed to the next business;
 - (ii) that the question be now put;

- (iii) to adjourn a debate; or
 - (iv) to adjourn a meeting.
- (b) If a motion to proceed to next business is seconded and the Mayor thinks the item has been sufficiently discussed, he/she will give the mover of the original motion a right of reply and then put the procedural motion to the vote.
- (c) If a motion that the question be now put is seconded and the Mayor thinks the item has been sufficiently discussed, he/she will put the procedural motion to the vote. If it is passed he/she will give the mover of the original motion a right of reply before putting his/her motion to the vote.
- (d) If a motion to adjourn the debate or to adjourn the meeting is seconded and the Mayor thinks the item has not been sufficiently discussed and cannot reasonably be so discussed on that occasion, he/she will put the procedural motion to the vote without giving the mover of the original motion the right of reply.

* **16.12** Point of Order

A Member may raise a point of order at any time. The Mayor will hear them immediately. A point of order may only relate to an alleged breach of these Council Rules of Procedure or the law. The Member must indicate the rule or law and the way in which he/she considers it has been broken. The ruling of the Mayor on the matter will be final.

* **16.13** Personal Explanation

A Member may make a personal explanation at any time. A personal explanation may only relate to some material part of an earlier speech by the Member which may appear to have been misunderstood in the present debate. The ruling of the Mayor on the admissibility of a personal explanation will be final.

17. **Previous Decisions And Motions**

17.1 Motion to Rescind a Previous Decision

A motion or amendment to rescind a decision made at a meeting of Council within the past six months cannot be moved unless the notice of motion is signed by at least 15 Members.

17.2 Motion Similar to One Previously Rejected

A motion or amendment in similar terms to one that has been rejected at a meeting of Council in the past six months cannot be moved unless the notice of motion or amendment is signed by at least 15 Members. Once the motion or amendment is dealt with, no one can propose a similar motion or amendment for six months.

18. Voting** 18.1 Majority**

Unless this Constitution provides otherwise, any matter will be decided by a simple majority of those Members voting and present in the room at the time the question was put.

*** 18.2 Mayor's Casting Vote**

If there are equal numbers of votes for and against, the Mayor will have a second or casting vote. There will be no restriction on how the Mayor chooses to exercise a casting vote.

*** 18.3 Show of Hands**

Unless a recorded vote is demanded under Rule 18.4, the Mayor will take the vote by show of hands, or if there is no dissent, by the affirmation of the meeting.

*** 18.4 Recorded Vote**

If four Members present at the meeting demand it, the names for and against the motion or amendment or abstaining from voting will be taken down in writing and entered into the Minutes.

*** 18.5 Recorded votes at budget meetings**

For all decisions at budget meetings of the Council relating to the setting of the Council's budget and the Council Tax, including any proposed amendments, the names of councillors voting for and against a motion or abstaining from voting will be taken down in writing and recorded in the minutes.

(Budget meetings are defined in paragraph 11 of the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014 as "*a meeting of the Council at which it makes a calculation (whether originally or by way of substitute) in accordance with any of sections 31A, 31B, 34 to 36A, 42A, 42B, 45 to 49, 52ZF, 52ZJ of the Local Government Finance Act 1992*").

*** 18.6 Right to Require Individual Vote to be Recorded**

Where any Member requests it immediately after the vote is taken, their vote will be so recorded in the Minutes to show whether they voted for or against the motion or abstained from voting.

*** 18.7 Voting on Appointments**

If there are more than two people nominated for any position to be filled and there is not a clear majority of votes in favour of one person, then the name

of the person with the least number of votes will be taken off the list and a new vote taken. The process will continue until there is a majority of votes for one person.

***19. Minutes**

*** 19.1 Confirming the Previous Minutes**

The Mayor will move that the Minutes of the previous meeting be confirmed as a correct record. The only part of the Minutes that can be discussed is their accuracy.

19.2 Form of Minutes

Minutes will be written in a concise style referring only to the documents considered and the decisions taken. A footnote will be included in each set of minutes providing a link to the audio reading of the meeting on the Council's website.

20. Record of Attendance

All Members present during the whole or part of a meeting must sign their names on the attendance sheets before the conclusion of every meeting to assist with the record of attendance.

***21. Exclusion of Public**

Members of the public and press may only be excluded either in accordance with the Access to Information Rules in Part 4 of this Constitution or Rule 23 (Disturbance by Public).

22. Members' Conduct

22.1 Standing to Speak

Unless the Mayor indicates otherwise, when a Member speaks at the Council they must stand and address the meeting through the Mayor. If more than one Member stands, the Mayor will ask one to speak and the others must sit. Other Members must remain seated whilst a Member is speaking unless they wish to make a point of order or a point of personal explanation.

22.2 Mayor Standing

When the Mayor stands during a debate, any Member speaking at the time must stop and sit down. The meeting must be silent.

*** 22.3 Member Not to be Heard Further**

If a Member persistently disregards the ruling of the Mayor by behaving improperly or offensively or deliberately obstructs business, the Mayor may move that the Member be not heard further. If seconded, the motion will be voted on without discussion.

* **22.4 Member to Leave the Meeting**

If the Member continues to behave improperly after such a motion is carried, the Mayor may move that either the Member leaves the meeting or that the meeting is adjourned for a specified period. If seconded, the motion will be voted on without discussion.

* **22.5 General Disturbance**

If there is a general disturbance making orderly business impossible, the Mayor may adjourn the meeting for as long as he/she thinks necessary.

***23. Disturbance By Public**

* **23.1 Removal of Member of the Public**

If a member of the public interrupts proceedings, the Mayor will warn the person concerned. If they continue to interrupt, the Mayor will order their removal from the meeting room.

* **23.2 Clearance of Part of Meeting Room**

If there is a general disturbance in any part of the meeting room open to the public, the Mayor may call for that part to be cleared.

24. Suspension and Amendment of Council Procedure Rules

24.1 Suspension

All of these Council Rules of Procedure except Rule 18.6 (Right to Require Individual Vote to be Recorded) and 19.1 (Confirming the Previous Minutes) may be suspended by motion on notice or without notice if at least one half of the whole number of Members of the Council are present. Suspension can only be for the duration of the meeting.

24.2 Amendment

Any motion to add to, vary or revoke these Council Rules of Procedure will, when proposed and seconded, stand adjourned without discussion, to allow time to properly consider its effect, to the next ordinary meeting of the Council.

25. Application to Committees and Sub-Committees

All of these Council Procedure Rules apply to meetings of the Council. None of the rules apply to meetings of the Executive. Only Rules 4-8, 15 and 16, 18, 19.1, 21, 22.3, 22.4, 22.5 and 23 apply to meetings of Committees and Sub-Committees and are marked with an *.

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Appendix 1(d)

Access to Information Procedure Rules

1. Scope

Unless specifically stated, these Rules apply to all meetings of the full Council, any Committees appointed by the Council, including the Overview and Scrutiny Committee, the Standards Committee, the Audit Committee, the Planning Committee, the Licensing Committee (including licensing hearings but excluding deliberations), the Employment and Appeals Committee and all meetings of the Cabinet (together called 'meetings').

They do not apply to meetings of Task and Finish Groups appointed by the Overview and Scrutiny Committee, or to the Management Board.

2. Additional Rights to Information

These rules do not affect any more specific rights to information contained elsewhere in this Constitution or the law.

3. Rights to Attend Meetings

Members of the public may attend all meetings, subject only to the exceptions in these rules.

4. Notice of Meeting

The Council will give at least 28 calendar days notice of Cabinet meetings. (See also paragraph 15 of these Procedure Rules.)

The Council will give at least five clear working days notice of any other meetings.

Details of each meeting will be published on the Council's website and posted at the Civic Centre, Breck Road, Poulton-le-Fylde.

5. Access to Agendas and Reports before Meetings

The Council will publish on its website copies of all Agendas to which these Rules apply and all reports open to the public at least five clear working days before the meeting. Copies will also be made available for inspection at the Civic Centre within the same timescale. If an item is added to the Agenda later, the revised Agenda will be published on the website and open to inspection from the time the item is added to the Agenda. Where reports are prepared after the summons has been sent out, the designated officer shall make each such report available to the public as soon as the report is completed and sent to Councillors.

~~The Council will, on request, supply paper copies of any Agenda and report which are open to public inspection and if the Chief Executive thinks fit, any other documents supplied to Councillors in connection with an item to any person on payment of a charge for postage and any other costs incurred in providing them.~~

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 11) are expressly excluded from the definition of Background Papers.

6.2 **Inspection and Publication 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, each of the documents on the list of background papers. ~~This does not include any information relating to published works or those which disclose exempt or confidential information (as defined in Rule 11)~~

7. **Record of decisions made at Meetings**

Records of all decisions taken will be published as soon as possible after each meeting. The Council will make available copies of the following for at least six years after a meeting:

- (a) the Minutes of the meeting or records of decisions taken (including reasons for all meetings of the Cabinet) excluding any part of the Minutes of proceedings when the meeting was not open to the public or which disclose exempt or confidential information;
- (b) a summary of any proceedings not open to the public where the Minutes open to inspection would not provide a reasonably fair and coherent record;
- (c) the Agenda for the meeting; and
- (d) reports relating to items when the meeting was open to the public.

All these documents are published on the Council’s website.

8. Records of Executive Decisions Taken by individual Members of the Cabinet

A report will be published on the Council's website and made available for inspection at the Civic Centre at least five clear working days before a decision is to be made by an individual member of the Cabinet setting out the issues to be considered.

As soon as reasonably practicable after such an executive decision has been made by an individual member of the Cabinet, a Decision Notice will be published on the Council's website, ~~and be made available for inspection at the Civic Centre.~~ The decision notice will include:

- a record of the decision taken;
- the title of the decision maker;
- the date on which the decision was taken;
- a statement of the reasons for the decision;
- any alternative options considered and rejected.
- a record of any conflict of interest relating to the matter decided which is declared by any member who made the decision; and;
- in respect of any declared conflict of interest, a note of any dispensation granted.

This does not require the disclosure of exempt or confidential information.

9. Records of Officer decisions

A record of decisions made by the Council's officers under powers delegated to them by the Cabinet, the Council or any of its Committees to which either the Local Authorities (Executive Regulations) (Meetings and Access to Information) (England) Regulations 2012 or the Openness of Local Government Bodies Regulations 2014 apply will be published as soon as practicable on the Council's website. Copies will be available, on request, for a period of up to six years after the record is made. Copies of any background papers referred to in a record of such a decision made by an officer will be made available, on request, for a period of four years after the record is made.

10. Summary of Public's Rights

A written summary of the public's rights to attend meetings and to inspect and copy documents, as set out in these Procedure Rules, will be kept at and available to the public at the Civic Centre, Breck Road, Poulton-le-Fylde.

11. Exclusion of Access by the Public to Meetings

11.1 Confidential Information - Requirement to Exclude Public

The public must be excluded from meetings whenever it is likely in view of the nature of the business to be transacted or the nature of the proceedings that confidential information would be disclosed.

11.2 Exempt Information - Discretion to Exclude Public

The public may be excluded from meetings whenever it is likely in view of the nature of the business to be transacted or the nature of the proceedings that exempt information would be disclosed.

Where the meeting will determine any person's civil rights or obligations, or adversely affect their possessions, Article 6 of the Human Rights Act, 1998 establishes a presumption that the meeting will be held in public unless a private hearing is necessary for one of the reasons specified in Article 6.

11.3 Meaning of Confidential Information

Confidential information means information given to the Council by a Government Department on terms which forbid its public disclosure or information which cannot be publicly disclosed by Court Order.

11.4 Meaning of Exempt Information

Exempt information means information falling within the following 7 categories subject to any qualifications set out in Paragraph B below.

A. Categories	
1. Information relating to any individual.	
2. Information which is likely to reveal the identity of an individual.	
3. Information relating to the financial or business affairs of any particular person (including the authority holding that information).	
4. Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority.	
5. Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.	
6. Information which reveals that the authority proposes: a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or b) to make an order or direction under any enactment.	
7. Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.	

B. Qualifications
<p>1. Information relating to the financial or business affairs of any particular person or the Council (category 3) is not exempt if it is required to be registered under:</p> <ul style="list-style-type: none"> a) the Companies Act 1985, as defined in Section 2 of the Companies Act 2006; b) the Friendly Societies Act 1974; c) the Friendly Societies Act 1992; d) the Co-operative and Community Benefit Societies and Credit Union Acts 1965 to 1978; e) the Building Societies Act 1986; or f) the Charities Act 2011.
<p>2. Information is not exempt information:</p> <ul style="list-style-type: none"> • if it relates to a proposed development for which the Council as local planning authority may grant itself planning permission pursuant to regulation 3 of the Town and County Planning General Regulations 1992.
<p>3. Information which falls within any of the 7 categories listed above (and is not prevented from being exempt by virtue of the qualifications in paragraphs (1) and (2) above) is exempt information only if and so long as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.</p>

NOTE: These categories and exemptions are set out in Schedule 12A of the Local Government Act, 1972.

12. Exclusion of Access by the Public to Reports

If the Chief Executive thinks fit, the Council may exclude access by the public and media representatives to reports which in his or her opinion relate to items during which, in accordance with Rule 11, the meeting is likely not to be open to the public. Such reports will be marked “Not for publication” together with the category of information likely to be disclosed.

13. Application of Rules to the Cabinet and Portfolio Holders

Rules 14-22~~5~~ apply to the Cabinet and its Committees. If the Cabinet or its Committees meet to take a key decision then it must also comply with Rules 1-12 unless Rule 16 (general exception) or Rule 17 (special urgency) apply. A key decision is as defined in Article 17~~4~~.03 of this Constitution.

14. **Procedure Before Taking Key Decisions**

Subject to Rule 16 (general exception) and Rule 17 (special urgency), a key decision may not be taken unless notice of the intention to make a decision has been given in the Schedule of Executive Decisions at least 28 calendar days prior to the decision being made.

15. **Schedule of Executive Decisions**

The “Schedule of Executive Decisions” will contain a list of all known forthcoming key decisions (as defined in Article 176.03 (b) of this Constitution) to be taken by Cabinet or individual Portfolio Holders.

It will also include any items which are likely to involve the consideration of “confidential” or “exempt” information as defined in paragraph 11.94 of these Procedure Rules and for which the public and press are likely to be excluded from the meeting, together with the reasons for their exclusion. Details of how to make representations to request that an item is considered in public will also be made available.

The Schedule of Executive Decisions will be published as the Council’s website, will cover a minimum period of 28 calendar days and will fulfil the required minimum 28 calendar days’ notice of the intention to make a key decision as set out in Rule 14 above. The Schedule will be updated and republished whenever new information becomes available.

Providing that full details are available, the Schedule of Executive Decisions will contain the following information:

- (a) the subject or matter in respect of which a decision is to be made;
- (b) the name and title, if any, of the decision taker (if he/she is an individual), and where the decision taker is a body, its name and details of membership;
- (c) the date on which, or the period within which, it is expected that the decision will be taken.
- (d) Where any matter involves the consideration of exempt information (as defined in paragraph 11.4 above), confidential information (as defined by paragraph 11.3 above) a summary of the matter shall be included in the notice but the exempt or confidential information or the advice, as the case may be, need not be included.

16. General Exception

If a matter which is likely to be a key decision has not been included in the Schedule of Executive Decisions, then, subject to Rule 17 (special urgency), the decision may still be taken if:

- (a) the decision must be taken by such a date that it is impracticable to defer the decision for 28 calendar days ;
- (b) the Chief Executive has informed the Chair of the Overview and Scrutiny Committee, or if there is no such person, each Member of that Committee in writing of the matter on which the decision is to be made, including reasons why compliance with the requirement to provide at least 28 calendar days notice was not practicable;
- (c) the Chief Executive has made copies of that notice available to the public at the offices of the Council; and
- (d) at least three clear working days have elapsed since the Chief Executive complied with (a) and (b).

Where such a decision is taken collectively, it must be taken in public.

The decision will still be subject to a call in period unless by virtue of Paragraph 14 of Part 4.05 (Overview and Scrutiny Procedure Rules) the Mayor agrees to the decision being treated as a matter of urgency.

17. Special Urgency

If by virtue of the date by which a decision must be taken Rule 16 (general exception) cannot be followed, then the decision can only be taken if the decision taker (if an individual) or the Chairman of the body making the decision, obtains the agreement of the Chairman of the Overview and Scrutiny Committee that the taking of the decision cannot be reasonably deferred. If there is no Chairman of the Overview and Scrutiny Committee, or if the Chairman of the Overview and Scrutiny Committee is unable to act, then the agreement of the Mayor, or in his/her absence the Deputy Mayor, will suffice. A report will be submitted at least annually to the Council listing any Cabinet decisions taken in the circumstances set out in Rule 17 (special urgency). The report will include the number of decisions so taken and a summary of the matters in respect of which those decisions were taken.

18. Key Decisions – Contraventions**18.1 When the Overview and Scrutiny Committee Can Require a Report**

If the Overview and Scrutiny Committee thinks that a key decision has been taken which was not:

- a) included in the Schedule of Executive Decisions; or
- b) the subject of a general exception procedure; or

- c) the subject of an agreement with a relevant Overview and Scrutiny Committee Chair, or the Mayor/Deputy Mayor under Rule 17;

the Committee may require the Cabinet to report to the Council within such reasonable time as the Committee specifies. The power to require a report rests with the Committee, but is also delegated to the Proper Officer, who shall require such a report on behalf of the Committee when so requested (by the Chairman or any five Members). Alternatively, the requirement may be raised by resolution passed at a meeting of the relevant Overview and Scrutiny Committee.

18.2 Cabinet's Report to Council

The Cabinet will prepare a report for submission to the next available meeting of the Council. However, if the next meeting of the Council is within seven calendar days of receipt of the written notice, or the resolution of the Committee, then the report may be submitted to the meeting after that. The report to Council will set out particulars of the decision, the individual or body making the decision, and if the Leader is of the opinion that it was not a key decision the reasons for that opinion.

19. Notice of Private Meeting of the Cabinet

Where the Cabinet is likely to consider an item that contains exempt or confidential information and will require the public to be excluded from the meeting to prevent disclosure of that information, it must include that item in the Schedule of Executive Decisions at least 28 calendar days prior to the meeting, together with the reasons for considering it in private and how representations can be made requesting that it be considered in public.

If any such representations are received they will be published on the Council's web site, together with the response of the Executive, 5 clear working days before the meeting. If the item is still to be considered in private, the reasons for excluding the press and public will be re-stated on the agenda.

20. Overview and Scrutiny Committees Access to Documents

20.1 Rights to Copies

Subject to Rule 20.2 below, the Overview and Scrutiny Committee (including its Sub-Committees) will be entitled to copies of any document which is in the possession or control of the Cabinet or its Committees and which contains material relating to

- (a) any business transacted at a public or private meeting of the Executive (or its Committees).
- (b) any decision taken by an individual Member of the Cabinet.

Such documents must be provided as soon as practicable but no later than 10 working days after the request is received.

20.2 Limit on Rights

The Overview and Scrutiny Committee will not be entitled to:

- (a) any document that is in draft form;
- (b) any part of a document that contains exempt or confidential information, unless that information is relevant to an action or decision they are reviewing or scrutinising or intend to scrutinise; or
- (c) the advice of a political adviser.

If the Executive determines that a member of a scrutiny committee is not entitled to a copy of a document or part of a document it must provide the scrutiny committee with a written statement setting out its reasons for that decision.

21. Additional Rights of Access for Members**21.1 Material Relating to Previous Business**

All Members will be entitled to inspect any document which is in the possession or under the control of the Cabinet or its Committees and contains material relating to any business previously transacted at a private meeting unless either (a) or (b) below applies.

- (a) it contains exempt information falling within paragraphs 1 to 7 of the categories of exempt information; or
- (b) it contains the advice of a political adviser.

21.2 Material Relating to Key Decisions

All Members of the Council will be entitled to inspect any document (except those available only in draft form) in the possession or under the control of the Cabinet or its Committees which relates to any key decision unless paragraph (a) or (b) above applies.

21.3 Nature of Rights

These rights of a Member are additional to any other right he/she may have.

22. Filming, recording and commentating on Meetings.

22.1 Members of the public and media representatives are able to film, photograph, audio record (for either live or subsequent broadcast) and report by means of social media (such as Twitter, Facebook and blogs) on any meetings which are open to the public. So far as is reasonably practicable, facilities, will be provided for them to do so. However, to avoid any disruption to the meeting and to respect the wishes of other people attending the protocols set out will be followed.

22.2 Whilst there is no requirement to give advance notice of the intention to film, audio record or photograph all or part of a meeting, as a matter of courtesy, members of the public and media are requested to do so to enable practical arrangements to be made and to enable the chairman to inform everyone present that it is taking place.

22.3 Any filming or recording must be overt, i.e. clearly visible to anyone at the meeting.

22.4 The right to film and record is limited to the duration of the meeting. Recording must not start until the meeting is called to order, and must cease when the Chairman closes the meeting.

22.5 Filming or recording equipment cannot be left running in the meeting room at times when the public is excluded (for example because confidential or exempt information is being discussed).

- 22.6** Intrusive filming of a specific individual or individuals will not be permitted.
- 22.7** Some members of the public attending the meeting may object to being filmed, photographed or recorded. The Council will ask those filming, photographing or recording the meeting to respect their wishes, and will expect these to be complied with. People sitting in the public gallery will not be filmed except when they are actively participating in the meeting.
- 22.8** The Council expects that film or audio recordings will not be edited before transmission in a way that misrepresents what occurred.
- 22.9** Filming or recording is not permitted if the effect would be to interrupt or disturb the proceedings. This means that, for example:
- (a) Oral commentary is not permitted.
 - (b) Equipment which needs setting up must be in place when the meeting starts.
 - (c) Excessive noise, intrusive lighting, and extensive use of flash photography are not permitted.
 - (d) Speakers must not be asked to repeat statements for the purpose of recording.
- 22.10** The chairman of the meeting has discretion to terminate or suspend any filming, recording or commentating activities if in his/her opinion continuing to do so would prejudice proceedings at the meeting. The circumstances in which termination or suspension might occur, could include:
- public disturbance or suspension of the meeting;
 - the meeting agreeing to formally exclude the press and public from the meeting due to the confidential nature of the business being discussed;
 - where it is considered that continued recording/photography/filming/webcasting might infringe the rights of any individual; and
 - when the Chair considers that a defamatory statement has been made.

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[Appendix 1\(e\)](#)

Budget and Policy Framework Procedure Rules

1. The Framework for Executive Decisions

The Council will be responsible for the adoption of its budget and policy framework as set out in Article 4. The Cabinet has overall responsibility for preparing draft Budgets and Policy frameworks for submission to the Council. Once a budget or a policy framework is in place, it will be the responsibility of the Cabinet to implement it.

2. The process by which the budget and policy framework shall be developed is:

Any member of the Council may at any time put forward proposals to the Cabinet with regard to existing or future Budgets or Policy Frameworks or the development of policy for inclusion in a Policy Framework.

The Cabinet will draw up initial proposals in relation to any plans, strategy or budget that is intended to form part of the Council's Budget or Policy Framework, taking into account any relevant proposals put forward by members of the Council.

When initial proposals have been drawn up by the Cabinet the Overview and Scrutiny Committee may wish to respond to Cabinet as part of the consultation process. As the Overview and Scrutiny Committee has responsibility for agreeing its own work programme, it is open to the Overview and Scrutiny Committee to investigate, research or report in detail with policy recommendations before the end of the consultation period.

The Cabinet will take any response from the Overview and Scrutiny Committee into account in drawing up firm proposals for submission to Council and its report to Council will reflect the comments made by Overview and Scrutiny and the Cabinet's response.

The Council will consider the proposals of the Cabinet and may approve or adopt them, amend them, refer them back to the Cabinet for further consideration, or substitute its own proposals in their place.

If it accepts the recommendation of the Cabinet without amendment, the Council may make a decision which has immediate effect. Otherwise, it may only make an in-principle decision. In either case, the decision will be made on the basis of a simple majority of votes cast at the meeting.

The decision will be published and a copy shall be given to the Leader.

An in-principle decision will automatically become effective 5 -working7 days from the date of the Council's decision, unless the Leader informs the Chief Executive in writing within 5 working 7-days that he/she objects to the decision becoming effective and provides reasons.

In that case, the Chief Executive will call a Council meeting within a further 10 working days. The Council will be required to re-consider its decision and the Leader's written submission within 10 working days. The Council may:

- (i) approve the Cabinet's recommendation by a simple majority of votes cast at the meeting; or
 - (ii) approve a different decision which does not accord with the recommendation of the Cabinet by a simple majority.
- (i) The decision shall then be made public in accordance with Article 4, and shall be implemented immediately;
- (j) The Mayor will mediate any differences of view between the Council and the Cabinet on setting the budget or adopting a strategy or plan.

3. Decisions Outside the Budget and Policy Framework

- (a) Subject to the provisions of paragraph 5 (virement) the Cabinet, Committees of the Cabinet, individual members of the Cabinet and any Officers or joint arrangements discharging Executive functions may only take decisions which are in line with the budget and policy framework. If any of these bodies or persons wishes to make a decision which is contrary to the policy framework, or contrary to or not wholly in accordance with the budget approved by the Council, then that decision may only be taken by the Council, subject to 4 below.
- (b) If the Cabinet, Committees of the Cabinet, individual Members of the Cabinet and any Officers or joint arrangements discharging Executive functions want to make such a decision, they shall take advice from the Monitoring Officer and/or the Chief Financial Officer as to whether the decision they want to make would be contrary to the policy framework, or contrary to or not wholly in accordance with the budget. If the advice of either of those officers is that the decision would not be in line with the existing budget and/or policy framework, then the decision must be referred by that body or person to the Council for decision, unless the decision is a matter of urgency, in which case the provisions in paragraph 4 (urgent decisions outside the budget and policy framework) shall apply.

4. Urgent Decisions Outside the Budget or Policy Framework

- (a) The Cabinet, a Committee of the Cabinet, an individual Member of the Cabinet or Officers or joint arrangements discharging Executive functions may take a decision which is contrary to the Council's policy framework or contrary to or not wholly in accordance with the budget approved by the Council if the decision is a matter of urgency. However, the decision may only be taken:
- (i) if it is not practical to convene a quorate meeting of the Council; and
 - (ii) if the Chairman of a relevant Overview and Scrutiny Committee agrees that the decision is a matter of urgency.

The reasons why it is not practical to convene a quorate meeting of the Council and the Chairman, or in his/her absence the Vice-Chairman, of the Overview and Scrutiny Committee's consent to the decision being taken as a matter of urgency must be noted on the record of the decision. In the absence of the Chairman and Vice-Chairman of the Overview and Scrutiny Committee the consent of the Mayor and, in their absence, the Deputy Mayor will be sufficient.

- (b) Following the decision, the decision taker will provide a full report to the next available Council meeting explaining the decision, the reasons for it and why the decision was treated as a matter of urgency.

5. Virement

- (a) The Council shall have budget heads in a form to be approved from time to time, being in accordance with the relevant CIPFA Code of Practice.
- (b) Steps taken by the Cabinet, a Committee of the Cabinet, an individual member of the Cabinet or Officers, or joint arrangements discharging Executive functions to implement Council policy shall not exceed those budgets allocated to each budget head. However, such bodies or individuals shall be entitled to vire across budget heads in accordance with the Council's Financial Regulations and Financial Procedure Rules. The Audit Committee is responsible for maintaining and making changes to the Financial Regulations and Financial Procedure Rules (without reference to the full Council).

6. In-Year Change to Policy Framework

The responsibility for agreeing the budget and policy framework lies with the Council, and decisions by the Cabinet, a Committee of the Cabinet, an individual member of the Cabinet or Officers, or joint arrangements discharging Executive functions must be in line with it. No changes to any policy and strategy which make up the policy framework may be made by those bodies or individuals except those changes:

- (a) which will result in the closure or discontinuance of a service or part of service to meet a budgetary constraint;
- (b) necessary to ensure compliance with the law, ministerial direction or government guidance;
- (c) in relation to the policy framework in respect of a policy which would normally be agreed annually by the Council following consultation, but where the existing policy document is silent on the matter under consideration.

7. Call-in Decisions Outside the Budget or Policy Framework

- (a) Where the Overview and Scrutiny Committee is of the opinion that a Cabinet decision is, or if made would be, contrary to the policy framework, or contrary to or not wholly in accordance with the Council's budget then it shall

seek advice from the Monitoring Officer and/or Chief Finance Officer.

- (b) In respect of functions which are the responsibility of the Cabinet, the Monitoring Officer's report and/or Chief Finance Officer's report shall be to the Cabinet with a copy to every Member of the Council. Regardless of whether the decision is delegated or not, the Cabinet must meet to decide what action to take in respect of the Monitoring Officer's and/or Chief Finance Officer's report and to prepare a report to Council in the event that the Monitoring Officer or the Chief Finance Officer conclude that the decision was a departure, and to the Overview and Scrutiny Committee if the Monitoring Officer or the Chief Finance Officer conclude that the decision was not a departure.
- (c) If the decision has yet to be made, or has been made but not yet implemented, and the advice from the Monitoring Officer and/or the Chief Finance Officer is that the decision is or would be contrary to the policy framework or contrary to or not wholly in accordance with the budget, the Overview and Scrutiny Committee may refer the matter to Council. In such cases, no further action will be taken in respect of the decision or its implementation until the Council has met and considered the matter. The Council shall meet within 10 calendar days of the request by the Overview and Scrutiny Committee. At the meeting it will receive a report of the decision or proposals and the advice of the Monitoring Officer and/or the Chief Finance Officer. The Council may either:
 - (i) endorse a decision or proposal of the Cabinet decision taker as falling within the existing budget and policy framework. In this case no further action is required, save that the decision of the Council be minuted and circulated to all Councillors in the normal way; or
 - (ii) amend the Budget or Policy framework so as to encompass the decision or proposal of the body or individual responsible for that Executive function and agree to the decision with immediate effect. In this case, no further action is required save that the decision of the Council be minuted and circulated to all Councillors in the normal way; or
 - (iii) where the Council accepts that the decision or proposal is contrary to the policy framework or contrary to or not wholly in accordance with the budget, and does not amend the existing framework to accommodate it, require the Cabinet to reconsider the matter in accordance with the advice of either the Monitoring Officer and/or Chief Finance Officer.

[Appendix 1\(f\)](#)

Cabinet Procedure Rules

1. How Does the Cabinet Operate?

1.1 Who May Make Executive Decisions?

The arrangements for the discharge of Executive functions are set out in Part 3.03 Responsibility for Executive Functions adopted by the Council. Executive functions can be discharged by:

- (i) the Cabinet as a whole;
- (ii) a Committee of the Cabinet;
- (iii) an individual Member of the Cabinet;
- (iv) an Officer;
- (v) joint arrangements; or
- (vi) another local authority.

1.2 At the Annual Meeting of the Council, the Leader will present to the Council a written record of the responsibilities allocated by him/her together with the names of the people appointed to the Cabinet which will be reflected in the Council's Responsibility for Functions at Part 3 to this Constitution. The Leader will also specify in Part 3.

- (i) the extent of any authority delegated to Cabinet Members individually, including details of the limitation on their authority;
- (ii) the terms of reference and constitution of any Cabinet Committees the Leader appoints and the names of Cabinet Members appointed to them;
- (iii) the nature and extent of any delegation of Executive functions to any other Authority or any joint arrangements and the names of those Cabinet Members appointed to any joint Committee for the coming year; and
- (iv) the nature and extent of any delegation to Officers, with details of any limitation on that delegation, and the title of the Officer to whom the delegation is made.

1.3 Sub-Delegation of Executive Functions

- (a) Where the Cabinet, a Committee of the Cabinet or an individual Member of the Cabinet is responsible for an Executive function, they may delegate further to joint arrangements or an Officer.

- (b) Unless the Leader directs otherwise, a Committee of the Cabinet to whom functions have been delegated by the Leader may delegate further to an Officer.
- (c) Even where Executive functions have been delegated, that fact does not prevent the discharge of delegated functions by the person or body who delegated.

1.4 Delegation of Executive Functions

- (a) Subject to (b) below the delegation of Executive Functions will be subject to adoption by the Council and may only be amended by the Council.
- (b) If the Leader is able to decide whether to delegate Executive functions, he/she may amend them at any time during the year. To do so, the Leader must give written notice to the Chief Executive and to the person, body or Committee concerned. The notice must set out the extent of the amendment, and whether it entails the withdrawal of delegation from any person, body, Committee or the Cabinet as a whole. The Chief Executive will present a report to the next ordinary meeting of the Council setting out the changes made by the Leader.
- (c) Where the Leader seeks to withdraw delegation from a Committee, notice will be deemed to be served on that Committee when he/she has served it on its chair.

1.5 Conflicts of Interest

- (a) Where the Leader has a conflict of interest this should be dealt with as set out in the Council's Code of Conduct for Members in Part 5 of this Constitution.
- (b) If every Member of the Cabinet has a conflict of interest this should be dealt with as set out in the Council's Code of Conduct for Members in Part 5 of this Constitution.
- (c) If the exercise of an Executive function has been delegated to a Committee of the Cabinet, an individual Member or an Officer, and should a conflict of interest arise, then the function will be exercised in the first instance by the person or body by whom the delegation was made and otherwise as set out in the Council's Code of Conduct for Members in Part 5 of this Constitution.

1.6 Cabinet Meetings - When and Where?

The Cabinet will be scheduled to meet at least 78 times per year at times to be agreed by the Leader. The Cabinet shall meet at the Council's main offices or another location to be agreed by the Leader.

1.7 Public or Private Meetings of the Cabinet?

The Access to Information Rules in Part 4 of this Constitution set out the requirements covering public and private meetings.

1.8 Quorum

1.8.1 In the Leader and Cabinet form of Executive, it is important that the Leader should be present when the Cabinet, or a Committee of the Cabinet, meets to make a decision or decisions. Consequently, the quorum for a decision making meeting of the Cabinet, or a Committee of it, shall be 3 including the Leader. However, if the Leader shall have indicated in writing to the Chief Executive that the Leader agrees to a decision making meeting of the Cabinet being held in her/his absence, the quorum for any such meeting shall be any 3 members including the Deputy Leader.

1.8.2 In the event of a meeting of the Cabinet being called to make an urgent decision at such notice that the Leader is unable to be present at the meeting, the quorum for any such meeting shall be any 3 members including the Deputy Leader.

1.9 How Are Decisions to be Taken by the Cabinet?

- (a) Cabinet decisions which have been delegated to the Cabinet as a whole will be taken at a meeting convened in accordance with the Access to Information Procedure Rules in Part 4 of the Constitution.
- (b) Where Cabinet decisions are delegated to a Committee of the Cabinet, the rules applying to decisions taken by them shall be the same as those applying to those taken by the Cabinet as a whole.

2. How are Cabinet Meetings Conducted?**2.1 Who Presides?**

The Leader will preside at any meeting of the Cabinet or its Committees at which he/she is present, or may appoint another person to do so.

2.2 Who May Attend?

These details are set out in the Access to Information Rules in Part 4 of this Constitution.

2.3 What Business?

At each meeting of the Cabinet the following business will be conducted:

- (i) consideration of the Minutes of the last meeting;
- (ii) declarations of interest, if any;

- (iii) questions from members of the public, in accordance with Cabinet Procedure Rules 3.1 to 3.9.
- (iv) matters referred to the Cabinet (whether by the Overview and Scrutiny Committee or by the Council) for reconsideration by the Cabinet in accordance with the provisions contained in the Overview and Scrutiny Procedure Rules or the Budget and Policy Framework Procedures Rules set out in Part 4 of this Constitution;
- (v) consideration of reports from the Overview and Scrutiny Committee;
- (vi) matters set out in the Agenda for the meeting, and which shall indicate which are key decisions and which are not in accordance with the Access to Information Procedure Rules set out in Part 4 of this Constitution.

2.4 Consultation

Consultation will be carried out on proposals in reports to the Cabinet from any member of the Cabinet or an Officer to the extent necessary to comply with legislation and the Council's duty to consult.

2.5 Who Can Put Items on the Cabinet Agenda?

The Leader will decide upon the schedule for the meetings of the Cabinet. The Leader or any member of the Cabinet may put on the Agenda of a Cabinet meeting any matter which he/she wishes, whether or not authority has been delegated to the Cabinet, a Committee of it or any member or Officer in respect of that matter.

Any Member of the Council may ask the Leader to put an item on the Agenda of a Cabinet meeting for consideration, and if the Leader agrees the item will be considered at the next available meeting of the Cabinet. The notice of the meeting will give the name of the Councillor who asked for the item to be considered. However, there may only be up to one such item per Cabinet meeting.

The Monitoring Officer and/or the Chief Finance Officer may include an item for consideration on the Agenda of a Cabinet meeting and may require that a meeting is called in pursuance of their statutory duties. In other circumstances, where any two of the Head of Paid Service, Chief Finance Officer and Monitoring Officer are of the opinion that a meeting of the Cabinet needs to be called to consider a matter that requires a decision, they may jointly include an item on the Agenda of a Cabinet meeting. If there is no meeting of the Cabinet soon enough to deal with the issue in question, then the person(s) entitled to include an item on the Agenda may also require that a meeting be convened at which the matter will be considered.

2.6 Right of non-Executive Councillors to speak at Cabinet meetings.

Any Member of the Council shall be permitted to speak at a Cabinet meeting subject to notice being given [to the Leader of the Council or a member of the](#)

Democratic Services Team before the start of the meeting.

2.7 Member's Choice Debates

- (a) That, in addition to the provision in Procedure Rule 2.5 for any Member of Council to ask the Leader to put an item on the agenda of a Cabinet meeting for consideration, any Member of Council can specify an issue to be the subject of a "Member's Choice Debate". Any Member wishing to initiate such a debate shall notify the Chief Executive by 5.00 pm on the day of a Cabinet meeting of his or her wish to lead a debate on that subject at the following Cabinet meeting. Only one such debate shall be held at each Cabinet meeting.
- (b) The Member wishing to initiate the debate shall, by the above deadline, specify in writing (or by e-mail) the subject of the issue for debate. The subject can be any issue affecting the whole, or the majority of the Borough or an issue affecting the wellbeing of a significant proportion of the local community.
- (c) The subject for debate must be framed in the form of a recommendation to the Cabinet.
- (d) On receipt of a valid request, the Member's Choice Debate will be included as the final item on the agenda for the next Cabinet meeting and all Members of Council will be invited to attend and to participate in the debate.
- (e) At the meeting, the Leader will invite all Members present to contribute to a debate on the issue raised. Each Member will be permitted to speak for up to 3 minutes. At the conclusion of the debate the Leader will ask the Members present to indicate whether or not they support the recommendation or any amended version of it. However, it will then be for the Cabinet to make a formal decision as follows:
 - if it relates to an Executive function, either to accept, vary, reject, or defer the recommendation or to refer it to an officer for further consideration;
 - if it relates to a non-executive or Council function, to agree to make a formal recommendation to a future Council meeting or to refer it to a relevant Committee for further consideration.

3. Questions by the Public

3.1 General

Members of the public who live in the Borough may ask questions of members of the Cabinet at ordinary meetings of the Cabinet. The period of time allocated for such questions shall not normally exceed 30 minutes.

3.2 Order of Questions

Questions will be asked in the order notice of them was received, except that the Leader or person presiding may group together similar questions, on issues which relate to the same topic.

3.3 Notice of Questions

A question may only be asked if notice has been given by delivering it in writing or by electronic mail to the Chief Executive no later than midday four working days before the day of the meeting (i.e. normally the Thursday before a meeting on the following Wednesday). Each question must give the name and address of the questioner and must name the Member of the Cabinet to whom it is to be put.

3.4 Supplementary Questions

Any questioner who has asked a question in person may ask one supplementary question without notice of the person who answered the original question. The supplementary question must arise directly from the original question or the reply given. The Leader may reject a supplementary question if it does not arise directly from the original question or the reply given. A member of the public making a statement will not normally be permitted to comment further following a response from the Leader or a Portfolio Holder.

3.5 Scope of Questions

The Chief Executive may reject a question if it:

- is not about a matter for which the local authority has a responsibility or which does not affect the Borough;
- is defamatory, frivolous or offensive;
- is substantially the same as a question which has been put at a meeting of the Council or the Cabinet in the past six months; or
- requires the disclosure of confidential or exempt information.

3.6 Circulation of Questions

Copies of all questions will be circulated to all Members and will be made available to the public attending the meeting.

3.7 Asking the Question at the Meeting

If a questioner is not present at the Cabinet meeting the Leader will read the question on his or her behalf or rule that a written reply be given.

3.8 Written Answers

Any question which cannot be dealt with during public question time, either because of lack of time or because of the non-attendance of the Cabinet Member to whom it was to be put, or any other reason, will be dealt with by a written answer.

3.9 Responses to Questions

A summary of the response made to each question asked by a member of the public will be included in the Minutes. A written answer will also be sent to the questioner.

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Appendix 1(g)

Overview and Scrutiny Procedure Rules

1. **Appointment of the Overview and Scrutiny Committee and Task and Finish Groups**
 - 1.1 The Council will appoint an Overview and Scrutiny Committee with the Terms of Reference set out in Article [10.6](#).
 - 1.2 The Committee may appoint Task and Finish Groups to consider in detail a specific issue, or to review the effectiveness of a policy or delivery of a service within its Terms of Reference.
2. **Membership of the Overview and Scrutiny Committee and Task and Finish Groups**
 - 2.1 The Overview and Scrutiny Committee will comprise 14 members who will be appointed in accordance with the political balance rules.
 - 2.2 All Councillors, except members of the Cabinet, may be members of the Overview and Scrutiny Committee. However, no Member may be involved in scrutinising a decision in which he/she has been directly involved.
 - 2.3 The number of members on a Task and Finish Group will be decided by the Overview and Scrutiny Committee, but will not normally be less than 5 or more than 10.
 - 2.4 All non-executive Councillors will normally be invited to express an interest in being a member of a Task and Finish Group. The membership of each Task and Finish Group will then be decided either by the Overview and Scrutiny Committee or by a mechanism agreed by the Committee. There is no requirement for Task and Finish Groups to be politically balanced.
 - 2.5 There is an expectation that most Task and Finish Groups will complete their work and submit a report to Cabinet within 3 to 6 months. There will not, normally, be more than 3 Task and Finish Groups active at any one time. In view of financial constraints and capacity issues, it is expected that around 6 Task and Finish reviews will be undertaken each year.
3. **Meetings of the Overview and Scrutiny Committee and Task and Finish Groups**
 - 3.1 Ordinary meetings of the Overview and Scrutiny Committee will be programmed to take place at approximately ~~monthly~~ [6-weekly](#) intervals. Dates will be published by the Democratic Service and Scrutiny Manager at the beginning of each Council Year.
 - 3.2 An additional Overview and Scrutiny Committee meeting may be called by the Chairman, by any 4 members of the Committee or by the Democratic Services and Scrutiny Manager.

- 3.3** If necessary or appropriate, a meeting of an Overview and Scrutiny Committee may be cancelled or re-arranged by the Democratic Services and Scrutiny Manager, in consultation with the Chairman.
- 3.4** Meetings of each Task and Finish Group will be convened by the Democratic Services and Scrutiny Manager in consultation with the Chairman of that Group. Task and Finish Groups will meet as frequently as necessary to complete their designated task within the proposed timescale.
- 3.5** Each Task and Finish Group will decide whether its meetings will be held in public or in private. Final reports and, if necessary, interim reports will be submitted to the Overview and Scrutiny Committee and, unless they contain exempt or confidential information as specified in the Access to Information Procedure Rules, will be made public at that stage.

4. Quorum

- 4.1** The quorum for meetings of the Overview and Scrutiny Committee shall be four members.
- 4.2** The minimum number for a meeting of a Task and Finish Group shall be three members.

5. Chairman of the Overview and Scrutiny Committee

- 5.1** The Chairman and Vice-Chairman of the Overview and Scrutiny Committee will be elected at the first meeting in each Council year, from among the members of the Committee with reappointments being made annually.

6. Chairmen of Task and Finish Groups

- 6.1** The Chairman of each Task and Finish Group will be ~~appointed~~[elected at the first meeting of the Group](#) by the Overview and Scrutiny Committee, and may be from any political party.

7. Work Programme

- 7.1** A work programme, including both proposed Task and Finish Group reviews and key issues for consideration by the Committee, will be approved by the Overview and Scrutiny Committee. The programme will be developed after taking into account the views of the Cabinet, the Management Team, members of the Committee and following consultation with all Councillors.
- 7.2** When considering items for inclusion in the work programme, the Overview and Scrutiny Committee will have regard to any criteria currently in place for choosing such items.

8. Agenda Items

- 8.1** Any Councillor shall be entitled to give notice to the Democratic Services and Scrutiny Manager that he/she wishes an item relevant to the functions of an Overview and Scrutiny to be included on the agenda for the next

available meeting of the Committee. On receipt of such a request, the Democratic Services and Scrutiny Manager will consult with the Chairman (or in his/her absence the Vice-Chairman) who will decide whether or not the item will be included on an Agenda for a meeting of the Committee. If an item is included on the agenda, the Councillor requesting it will be entitled to speak at that meeting.

- 8.2** The Overview and Scrutiny Committee will monitor and manage its work programme to ensure a suitable response can be made to unforeseen activities or requests to carry out additional items of work. Where required to do so, the Overview and Scrutiny Committee shall report its findings and any recommendations on such activities to the Cabinet and/or Council.

9. Conduct of Reviews

- 9.1** The Overview and Scrutiny Committee or Task and Finish groups appointed by it may hold hearings and investigate available options. They may go on site visits, conduct public surveys, hold public meetings, commission research and do all other things that they reasonably consider necessary to inform their deliberations. They may ask witnesses to attend to address them on any matter under consideration and may pay any advisers, assessors and witnesses a reasonable fee and expenses for doing so.

- 9.2** Where the Overview and Scrutiny Committee or a Task Group asks people to attend to give evidence the meeting should be conducted in accordance with the following principles:

- (a) all members of the Committee will be given the opportunity to ask questions of attendees, and to contribute and speak; and
- (b) those assisting the Committee by giving evidence will be treated with respect and courtesy.

10. Reports from Task and Finish Groups to the Overview and Scrutiny Committee

- 10.1** When a Task and Finish Group has completed a review, a report describing the method of the review, and setting out its findings, conclusions and recommendations, will be submitted to the Overview and Scrutiny Committee. If agreement on a final report cannot be reached, one minority report may be proposed and submitted to the Overview and Scrutiny Committee. Prior to consideration by the Committee of the report(s) the Council's Corporate Management Team will be given an opportunity to comment on any proposals or recommendations made, particularly on any legal or financial implications.

11. Report From the Overview and Scrutiny Committee to the Cabinet

- 11.1** When it has considered the report(s) of a Task and Finish Group the Committee will forward the report(s) to the Cabinet, with its endorsement of the recommendations made or any other comment it wishes to make.
- 11.2** The Committee may also submit recommendations to the Cabinet on issues

considered by the Committee itself, without a review by a Task Group.

- 11.3 Reports will be submitted to the Cabinet under the name of both the Chairman of the Overview and Scrutiny Committee and, if relevant, the Chairman of the Task Group which has undertaken a review and they will be permitted to present the report to the Cabinet.
- 11.4 The Cabinet's response to each of the recommendations made will be reported by the Democratic Services and Scrutiny Manager to the next meeting of the Overview and Scrutiny Committee.
- 11.5 Any recommendations of the Overview and Scrutiny Committee which would have an impact on the budget or policy framework, which are accepted by the Cabinet will be submitted to the Council for consideration before any changes are implemented.
- 11.6 The Chairman of the Overview and Scrutiny Committee will submit periodic reports on its activities to the Council.

12. **Attendance by Members and Officers to Provide Information and Answer Questions**

- 12.1 The Overview and Scrutiny Committee can ask any member of the Cabinet, the Chief Executive and/or any other senior Officer (Director/ Head of Service/Service Manager or an appropriate senior manager nominated by the Head of Service) to attend before it to explain in relation to matters within their remit;

- (a) any particular decision or series of decisions;
- (b) the extent to which the actions taken implement Council policy; and/or
- (c) their performance

and, it is the duty of those persons to attend, if so required.

- 12.2 Where, in exceptional circumstances, the relevant Member or Officer is unable to attend on the required date, then the Overview and Scrutiny Committee shall, in consultation with the Member or Officer, arrange an alternative date for attendance to take place as soon as possible.
- 12.3 In addition to the provisions in paragraph 12.1 one member of the Cabinet will normally be invited to attend each ordinary meeting of the Overview and Scrutiny Committee, on a rota basis, to report progress on key objectives within their portfolio, to provide information on any forthcoming decisions within their area of responsibility (including those listed in the Schedule of Executive Decisions) and to answer questions from Members of the Committee.

13. **Call-In of Executive Decisions**

- 13.1 When a decision is made by the Cabinet, or an individual member of the

Cabinet, or a key decision is made by an Officer with delegated authority from the Cabinet, the decision shall be published, normally within two working days of being made. All members of Council will be sent copies, usually by email, of the records of all such decisions.

- 13.2** That notice will include the date on which it is published and will specify that the decision will come into force, and may then be implemented, on the expiry of 5 working days after the publication of the decision, unless any fourthree Members of the Council request that it be called in.
- 13.3** During that period, the Democratic Services and Scrutiny Manager shall call in a decision for scrutiny by the Overview and Scrutiny Committee, if so requested by any fourthree Members of the Council, and shall then notify the decision-maker of the call-in.
- 13.4** The call-in request shall be submitted on a Call-In Request Form (attached as an Appendix to these procedure Rules), which shall be completed and received by the Democratic Services and Scrutiny Manager, in hard copy or by email, within the timescale specified in paragraph 13.2 above. The Call-In Request Form must include the names of the minimum of fourthree supporters of the call-in, the councillor nominated as the spokesperson, the reasons for the call-in, the issues to be considered by the Overview and Scrutiny Committee and the desired outcomes. Any documents to be referred to at the meeting of the Overview and Scrutiny Committee should where possible be submitted to the Democratic Services and Scrutiny Manager in advance of the meeting.
- 13.5** A meeting of the Overview and Scrutiny Committee will be called after consultation with the Chairman of the Committee, and if possible within ten days of the call-in being received, unless there is a scheduled meeting of the Overview and Scrutiny Committee within a reasonable timescale.

The Call-In meeting

- 13.6** While the call-in meeting is a meeting that is open to the public to attend (unless a resolution is passed excluding the press and public under Part 1 of Schedule 12(a) of the Local Government Act, 1972, as amended by the Local Government (Access to Information) Variation Order 2006), there is no provision for public representation or public speaking.
- 13.7** The spokesperson shall be invited to present the reasons for the call in as documented on the call-in form and any suggested actions to be taken by the committee.
- 13.8** The Portfolio Holder shall be invited to respond to the call in by addressing the points raised by the spokesperson as documented on the call-in form.
- 13.9** The members of the Overview and Scrutiny Committee shall be given the opportunity to ask questions of the spokesperson and the Portfolio Holder. The spokesperson and the Portfolio Holder will have the opportunity to make any points of clarification.
- 13.10** When they have done so, the spokesperson and the Portfolio Holder will be

informed by the chairman that they will have no further opportunity to make comments or ask questions and they will be asked to vacate their place at the meeting table. ~~withdraw from the meeting.~~

- 13.11** Unless a resolution is passed to exclude the public and press because of the need to avoid the disclosure of exempt or confidential information for one of the reasons specified in Schedule 12A of the Local Government Act 1972 the committee will discuss the call in and decide what action to take in public.
- 13.12** The committee shall either support or not support the call in and shall state reasons for the decision.
- 13.13** If the Overview and Scrutiny Committee has agreed to support the call in it may refer the decision back to the decision making person or body for reconsideration setting out in writing the reasons for the committee's decision based on the evidence presented. The circumstances in which a call in will be reported to the Council and the process to be followed, if that occurs, are set out in the Budget and Policy Framework Procedure Rules. The decision maker shall then reconsider the matter within a further five working days, amending the decision or not, before adopting a final decision.
- 13.14** If, following consideration of an objection to a decision, the Overview and Scrutiny Committee does not refer the matter back to the decision making person or body, the decision shall take effect on the date of the Overview and Scrutiny meeting.

14. Urgent Decisions

- 14.1** The call-in procedure set out above shall not apply where the decision being taken by the Cabinet or a Portfolio Holder is urgent. See Part 4.02, paragraph 16, General Exception and paragraph 17, special urgency. A decision will be urgent if any delay likely to be caused by the call-in process would seriously prejudice the Council's or the public's interest. The record of the decision, and notice by which it is made public, shall state whether in the opinion of the decision making person or body, the decision is an urgent one, and therefore not subject to call-in. The Mayor must agree both that the decision proposed is reasonable in all circumstances and to it being treated as a matter of urgency. In the absence of the Mayor, the Deputy Mayor's consent shall be required. In the absence of both the Mayor and the Deputy Mayor, the Chief Executive's or his/her nominee's consent shall be required. Decisions taken as a matter of urgency must be reported to the next available meeting of the Council, together with the reasons for urgency.

15. The Party Whip

- 15.1** It is generally accepted good practice, that "the party whip" should be suspended in relation to the deliberations of all overview and scrutiny committees.
- 15.2** However, if a member of the Overview and Scrutiny Committee is subject to the party whip on any issue, the member must declare the existence of the

whip, and the nature of it, before the commencement of the Committee's deliberations on the matter. The declaration and the detail of the whip imposed shall be recorded in the Minutes.

Appendix



1. CALL-IN REQUEST

Please complete this form to register a request for a decision of the Executive to be called-in for consideration by the Overview and Scrutiny Committee, in accordance with the Council's Constitution (Part 4.05 - *Overview and Scrutiny Procedure Rules* – paragraph 13).

Contact details

Name:
Address:
Daytime telephone number:
Email address:
Date call-in sent:

Details of the decision to be called-in

Decision title:
Decision reference number:
Date the decision was taken:

Reasons for call-in and issues to be considered

(This will assist officers to ensure that the relevant issues are addressed during the Overview and Scrutiny Committee's consideration of the decision. Please use an additional sheet if necessary.)

- 1 Reasons for call-in (please give details):

- 2 What issues would you like the Overview and Scrutiny Committee to consider? (please list):

3 What outcomes are you seeking to achieve by calling-in the decision and/or what alternative actions do you wish the decision maker(s) to take?

Would you like to make a statement or representation in respect of your objection at the meeting that considers the call-in?

Yes ☐

No ☐

Names of objectors

1.(Spokesperson)

2.

3.

4.

5.

Please note that any request to call-in a decision must be supported by at least ~~four~~ **three** members of the Council.

If you wish to refer to any documents (apart from the Portfolio Holder/Cabinet report and the Cabinet Minute/Portfolio Holder Decision Notice) when the call-in is considered by the Overview and Scrutiny Committee you should, where possible, submit any such document(s) to the Democratic Services Team before the day of the meeting.

Please email this completed form to Roy.Saunders@wyre.gov.uk. Alternatively, you can return the form to the Democratic Services and Scrutiny Manager, Civic Centre, Breck Road, Poulton-le-Fylde, Lancashire, FY6 7PU.

If you have any queries or difficulties regarding completion of the form, please contact the Scrutiny Officer on 01253 887606 or 887481.

For internal use only

Date request received:

Date committee meeting called:

Date of meeting:

Signature of the 'Proper Officer':

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Report of:	Meeting	Date
Councillor David Henderson, Leader of the Council and Marianne Hesketh, Service Director Performance and Innovation	Council	14 November 2019

**Councillor Development Strategy 2019/23
and Councillor Development Programme 2019/23**

1. Purpose of report

- 1.1 To seek approval of the proposed Councillor Development Strategy for 2019/23 (the Strategy) at Appendix 1.
- 1.2 To seek approval of the proposed Councillor Development Programme for 2019/23 (the Programme) at Appendix 2.

2. Outcomes

- 2.1 Councillors who are equipped with the competencies they need to carry out their various roles as an elected member effectively and confidently.
- 2.2 The council's positive and proactive approach to councillor development will be maintained.
- 2.3 A continuing process to identify on a regular basis the individual and collective development requirements of councillors.
- 2.4 A flexible system which ensures that opportunities for development are made available to fully support and satisfy the needs identified and to provide timely briefings in the event of any changes in legislation or processes.
- 2.5 The council will continue to meet and to exceed the requirements of the Charter for Elected Member Development.
- 2.6 Training and development opportunities will be available for all councillors irrespective of age, gender, sexuality, marital status, disability, race, religion, ethnic background or political affiliation.

3. Recommendations

- 3.1** That the proposed Strategy be approved and the relevant Director continue to make appropriate arrangements for the provision of development opportunities for all councillors within the agreed budget.
- 3.2** That the proposed Programme be approved and that the four stages of development as set out within the Programme be endorsed as a credible expected “career pattern”.
- 3.3** That the leaders of each political group continue to allocate a suitable number of senior councillors of their group to act as mentors to newly elected councillors as described on pages 10-11 of the Programme.
- 3.4** That the Strengths and Development Record (SDR) 2019 questionnaire (pages 15-20 of the Programme), which replaces the previous Development Needs Analysis be approved.
- 3.5** That, to ensure that development opportunities are relevant and available to all councillors, the political group leaders actively encourage all elected members within their group to participate fully in completion of the Strengths and Development Record questionnaires as outlined on pages 12-20 of the Programme and review their SDR annually.
- 3.6** That responsibility for making appropriate arrangements for ongoing training and development opportunities for councillors using the collated development needs identified through completion of the SDRs remain with the relevant Director.
- 3.7** That the updated Wyre Councillor Skills Framework included as the Appendix to the Programme be noted and endorsed.
- 3.8** That the updated criteria agreed by the Councillor Development Group (CDG) for attendance at external training and other events on page 8 of the Programme be approved.

4. Background

4.1 Adoption of the North West Charter for Elected Member Development

In recognition that training and development was essential to enable councillors to contribute effectively, the council signed up to the principles of the North West Charter for Elected Member Development back in 2000 and we have continued to follow these principles to date.

4.2 Wyre's vision

Wyre has appointed a Councillor Development Officer (CDO), who in consultation with the cross-party CDG, has developed and kept refreshed a Programme specifically tailored for Wyre. The Programme includes:

- **self-assessment questionnaires** to assess councillors' individual and collective training needs - this information is used to prepare development events for councillors for subsequent years.
- **mentoring**, in which the political group leaders allocate a suitable number of senior councillors of their group to act as mentors to newly elected councillors.
- **Wyre Councillor Skills Framework**, setting out the numerous skills that councillors need to carry out all the different roles within the council, including community leadership, scrutiny, communication skills, etc.
- **A four stage development programme**, following the crucial stages of a councillor's "career path" following their initial election.

In the Programme for 2019/23 these stages are:

1. the basics – for the newly elected councillor
2. competence – councillors who have the essential knowledge and skills
3. accomplishment – the experienced councillor
4. grandmaster – the very advanced councillor

4.4 Members' Library

The council has purchased numerous books and open learning materials while others have been donated by councillors and officers. Materials continue to be added to the Members' Library inventory, which is available on request from the Democratic Services team.

Any councillor is welcome to borrow items from the Library providing that they inform a member of the Democratic Services team when they do so.

4.5 E-Learning and distance learning materials

Any councillor e-learning and distance learning opportunities will be kept under review by the CDO and any new options that become available will be brought to the attention of councillors and the CDG.

The Local Government Association (LGA) has produced a series of distance learning materials covering a number of topics, in the form of workbooks and e-learning modules and these are available free of

charge. Both resources are aimed at all councillors and will be particularly useful to new councillors.

The LGA now has a dedicated elearning platform to assist councillors with their development. To receive access to the site for the first time, councillors can simply email elarning@local.gov.uk to receive a user name and password and will then be able to access the site.

The council is also a member of the Local Government Information Unit (LGIU). To receive information briefings and/or the Daily News, local government news email, councillors simply need to register on the LGIU website <https://lgiu.org/membership> and set their preferences.

4.6 Achievements

Wyre was judged to have reached the standards of the Charter for Elected Member Development in 2008 and in 2010 was awarded the Charter Level 2 Exemplar standard for Elected Member Development.

This remains the highest accolade for councillor development and very few councils nationwide have achieved this level.

The 2019-23 updates of the Strategy and Programme will ensure that the council continues to maintain the high standard of councillor development opportunities consistent with Level 2 of the Charter.

5. Key issues and proposals

- 5.1** The CDO, in consultation with other council officers, the Cabinet member with responsibility for councillor development (currently the Leader of the Council) and the cross-party CDG will continue to review and monitor the provision of development opportunities to councillors.
- 5.2** The CDO will continue to research and identify best practice and implement any innovations and improvements as appropriate. The CDG will be involved in the ongoing prioritisation of training and development activities and sessions and will agree any changes that might be necessary to the Strategy and Programme for subsequent years in the period covered by the Strategy and Programme.
- 5.3** Any councillor development requirements identified in respect of the issues listed under risks/implications below will continue to be met as appropriate.
- 5.4** The proposals in this report comply with the principles advocated in the Charter for Elected Member Development and will ensure that the council continues to achieve the standards commensurate with the Charter.

Financial and legal implications	
Finance	An annual councillor development budget of £6,000 has been allocated. Added to this, £5,020 was slipped from underspends in 2018/19 to increase the 2019/20 training budget for new members in particular. Training and development facilitators will be chosen from a variety of sources as appropriate. This will include in-house training and briefing sessions, cost-sharing with neighbouring authorities as well as external providers. It is intended that all costs will be met from the overall training budget and it is not envisaged that costs will exceed the budget provided. Should essential training be required that incurs any costs over and above the budget allocated, these will have to be met from savings to be identified elsewhere. Any such issues will be fed into the process for the formulation of future budgets.
Legal	The provision of effective training will minimise the risks of illegal or ill-considered decision making.

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	✓
sustainability	x
health and safety	x

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

Processing Personal Data

In addition to considering data protection along with the other risks/ implications, the report author will need to decide if a 'privacy impact assessment (PIA)' is also required. If the decision(s) recommended in this report will result in the collection and processing of personal data for the first time (i.e. purchase of a new system, a new working arrangement with a third party) a PIA will need to have been completed and signed off by Data Protection Officer before the decision is taken in compliance with the Data Protection Act 2018.

report author	telephone no.	email	date
Duncan Jowitt	01253 887608	duncan.jowitt@wyre.gov.uk	31 October 2019

List of background papers:		
name of document	date	where available for inspection

List of appendices

Appendix 1 – Councillor Development Programme 2019/23

Appendix 2 - Councillor Development Strategy 2019/23

dem/cou/cr/19/1411 Item 13



LEARNING

TO BUILD

EXCELLENCE

IN WYRE

2019 TO 2023

Councillor Development Strategy 2019/23

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Councillor Development Strategy 2019/23



Council values

1. The purpose: why we have a Strategy

The Strategy sets out our objectives for councillor learning and development and how we intend to achieve those objectives. This updated Strategy refreshes and reiterates our commitment. The council first adopted a strategy in 2003 at the same time that we signed up to the principles of the North West Charter for Elected Member Development. The Charter laid the foundation on which we have been building ever since to support and develop our councillors.

Wyre achieved and has maintained the requirements of the Charter and has gone on to be awarded Charter Level 2 - the Exemplar standard for Elected Member Development - an accolade that has been given to only a handful of councils.

We have continued to update the Strategy to ensure that the council continues to maintain the exceptionally high standard of councillor development opportunities consistent with Level 2 of the Charter. This latest 2019 update of the Strategy shows that our commitment to learning to build excellence remains undiminished.

The adoption of a newly refreshed Strategy in 2019 founded upon **Learning to Build Excellence in Wyre** will continue to build upon the foundation of Wyre's previous mission statement of **Learning to Develop Excellence in our Councillors**.

2. Our vision and aims: “learning to build excellence” for all

Equality of opportunity and access to learning and development opportunities for all our councillors is central to our philosophy. This means that appropriate opportunities will be made available to all councillors irrespective of their political allegiance or independence, age, gender, sexuality, marital status, disability, race, nationality, religious belief, ethnic background, etc.

Our goal is to build excellence for all and ensure that all councillors can improve themselves and perform to the highest possible standard.

As well as opportunities for elected councillors, we may sometimes provide training sessions and briefings for candidates in the run up to a local election. When this happens, all candidates will be informed of the event to ensure that independent candidates have the opportunity to attend the sessions in the same way as the candidates of all political parties.

Councillors will have differing needs and the identification of those needs will continue to take place in an atmosphere of confidentiality. All councillors are thus able to freely inform us of any areas in which they would like to improve their skills and knowledge.

The Strategy aims to provide a framework for a training and development programme that continues to be innovative and for identifying and appropriating best practice. This is to make certain that we are aware of the finest examples of training and development for councillors in other councils nationally and internationally. This will ensure that we have:

- skilled councillors who are highly motivated in their roles
- an undeviating ambition towards excellence in councillor development
- opportunities that will build excellence in all our elected members
- councillors who are confident and well-equipped to carry out their roles effectively.

3. Our objectives

Councillor learning and development events will be provided on an ongoing basis as part of the Councillor Development Programme, which reflects the values and principles set out in the Council's Business Plan and will equip members with the skills and knowledge necessary to deliver high quality and best value services to residents.

The council encourages a corporate culture in which continuous councillor development is recognised as vital to the council's success and has appointed a Councillor Development Officer (CDO) to coordinate councillor development. Full Council has established a cross party Councillor Development Group (CDG) to maintain a member forum that ensures that the ongoing development programme remains councillor-led with professional advice provided by the councillor development officer.

The CDG, in conjunction with the CDO will ensure that the following objectives are met:

- The Wyre Councillor Skills Framework setting out the roles and responsibilities of specific councillor positions will be maintained and updated and remain relevant.
- All councillors' skills and knowledge will be developed to a level that is fully appropriate to their roles and responsibilities.
- Councillors will be given all the development support that they need to fulfil their executive, scrutiny, regulatory and other committee roles and their roles as community representatives and Cabinet support as appropriate.
- All councillors irrespective of seniority, number of years' service as a councillor or political affiliation will be encouraged to take advantage of learning and development opportunities.
- Councillors will take personal responsibility to ensure their continuous professional personal development and to develop their knowledge and skills as a councillor.
- A range of development activities will be delivered.
- Continuous improvements will be made to the new councillors' induction process.
- Political groups will ensure that mentoring from experienced councillors is available to newer councillors within their groups.
- External mentoring opportunities will be sought as appropriate.
- Regular in-house training events will be provided as will opportunities to attend external events where appropriate and affordable.
- The learning and development programme will contain sufficient flexibility to ensure that it covers current requirements and can respond to new issues as they arise.

4. Our priorities

Wyre Council recognises that councillors have a crucial role in improving services and identifying and delivering better value for money. To achieve this, elected members must have the necessary skills and knowledge to take crucial decisions that affect the lives and well-being of the residents of Wyre, the private and other employers who are based in Wyre and the visitors to Wyre.

Newly elected councillors will continue to be provided with a full programme of induction training, including a mandatory briefing on the council's Code of Conduct.

Members of the regulatory bodies of the council whether new to the committees or experience, will be required to attend appropriate training sessions or otherwise demonstrate that they have the necessary knowledge in order to participate in hearings, inquiries or decisions that will affect the rights of any individual.

A thorough review of development needs will be undertaken in the months following the May 2019 election to assess the training and development requirements of the new intake of councillors and those re-elected.

The CDO will identify councillors' individual development requirements through completion of a Strengths and Development Record 2019 questionnaire which will be reviewed regularly.

Overall training and development priorities for members will be identified following the completion of the Strengths and Development Record 2019 process.

Learning and development opportunities will be provided in line with the priorities identified during the process and within the resources available.

All elected members will be expected to review their individual Strengths and Development Record regularly to promote a lifelong learning culture throughout the council.

Regular advice and information about learning opportunities will continue to be available to councillors from the CDO, the CDG, the weekly email Bulletin Board, mail outs, posters and email.

Councillors will be provided with support in the use of IT systems will ensure that councillors have access to all necessary information, are able to participate in paperless meetings and can communicate effectively using electronic media in line with developing technology.

5. Implementing the Strategy

Individual Councillors

Attendance at the majority of learning and development events will be entirely voluntary with the exception of Code of Conduct training or other training that may become necessary and that provided for Regulatory bodies of the council. Each individual councillor will be expected to take personal responsibility for his or her own learning and self-development.

Compulsory training for Councillors on Regulatory Committees

As decisions could be subject to a legal challenge on the grounds that adequate training has not been provided or received, it is essential that Councillors are fully briefed and have

received any necessary training before conducting hearings and inquiries and/or making decisions of a regulatory or quasi-judicial nature.

Members appointed to any of the regulatory bodies listed below must be able to either demonstrate that they have the necessary knowledge and/or attend the appropriate briefing and learning sessions provided before they may participate in any hearing, inquiry or decision that will affect the rights of an individual.

In that respect, the regulatory bodies of the council are the **Standards Committee, Planning Committee, Licensing Committee** and any **Appeals Panel** arranged to hear an appeal from an employee of the council under Stage 3 of the Grievance Procedure. It is no longer a requirement that membership of an Appeals Panel is confined to members of the Employment and Appeals Committee.

Councillor Development Group (CDG)

The CDG will represent the views of members in all aspects of development for councillors and will contribute to the preparation of councillor development strategies and programmes.

The CDG will support and encourage councillors in the identification of development needs and the take up of learning opportunities. Whenever conflicting demands arise involving the prioritisation and allocation of the training budget, the CDG or, if no meeting can be held within any necessary timescales, the Chairman of the CDG, will be consulted.

The CDG will meet quarterly or more often if required to monitor and evaluate the quality, implementation and take-up of councillor development activities.

Democratic Services Team

The CDO along with other members of the Democratic Services team will support councillor learning and development by:

- co-ordinating development opportunities for councillors
- ensuring that all councillors are made aware of learning and development opportunities
- devising and delivering in consultation with the CDG, a programme of induction training for new councillors
- identifying and assessing needs through Strengths and Development Records,
- devising a comprehensive learning and development programme for councillors, based on needs identified in Strengths and Development Records and other essential requirements

Mentors

The council encourages experienced councillors to share their expertise with new members or those taking up new roles and responsibilities whatever their political affiliation and encourages councillors to take advantage of any mentoring arrangements offered by others both inside and outside the council (for example an experienced chairman in another authority may be willing to mentor a new chairman in Wyre). Where possible, mentoring will be provided to individual councillors within political groups by their peers.

6. Council values

Working Collaboratively

Wherever possible, the CDO will work in partnership with neighbouring and other local authorities and other relevant organisations to share best practice and share the cost of councillor development.

The CDO will regularly attend meetings of the North West Councillor Development Network which are held every 3-4 months. Interested councillors are also welcome to attend these meetings and should contact the CDO for advice on meeting dates and to arrange travel to the meetings, which are hosted by different authorities each time.

One Team... One Council...

Wyre Council aims to ensure that all our councillors are equipped with the knowledge and skills they need to fulfil their important and often complex role in representing the wider community, influencing council policy and working together with council officers to achieve shared goals.

The Councillor Development Programme is integral to and supports the Strategy and ensures that all councillors have the opportunities they need to develop the skills to fulfil their roles. We are committed to continuous improvement, innovation and best value and want to encourage councillors and council employees to develop themselves to their full potential.

Although no formal qualifications are required to become a councillor, the employees of Wyre council are ultimately employed by those councillors. Councillors have responsibility for decisions on how the council budgets will be spent. Those decisions have major impacts on many thousands of residents, companies based in the borough and visitors to the area.

The council recognises that our elected members must be given every opportunity to acquire the necessary skills to help them provide the best possible services for the people of Wyre. It is essential that we continue to support and develop our councillors and, where possible, retain those councillors who have taken advantage of the development opportunities offered.

Technology and legislation continues to change at a rapid pace and continuous development is vital and we must do everything in our power to ensure that councillors and officers update their knowledge and learn the new skills that they will need to enable them to play an effective role in local government in the 21st century.

Work Smart

An ongoing annual budget of £6,000 has been allocated for councillor development for 2019/23. The CDO will manage the allocation of funds in consultation with the CDG if necessary. It is envisaged that wherever possible the majority of training sessions will be provided in house.

Wyre Council recognises the need for a value for money approach to councillor development and will endeavour to use the most suitable and best value facilitators for learning sessions. Facilitators will be chosen from a variety of sources. Wherever possible we will use any officers who can provide in-house expertise and cost-sharing with neighbouring authorities.

Some sessions will require outside providers to share their expertise and the best possible providers will be procured within the budget available.

The council recognises that individuals learn in very different ways and that some councillors' development needs may be better served through open learning methods such as books, DVDs, the Internet and e-Learning. Attendance at briefings and courses will not suit everyone.

Where appropriate the CDO may also offer places on in-house courses to councillors from other authorities on a reciprocal basis.

The CDO will maintain a database of suitable training providers and, where possible, procure any appropriate literature required for the members' library.

7. Delivery: measuring success and monitoring progress



It is clear that maintaining a skilled and well-informed body of elected members will continue to benefit Wyre for years to come. To achieve this, the assessment of needs and the meeting of the development needs that are identified, will be implemented through a supportive, flexible and multi-option approach.

Short term measures of success will include

- high levels of councillor attendance at learning events,
- councillor feedback that the available resources are suitable,
- councillor feedback that individual events are a useful and rewarding experience.

In the medium term, where needs have been identified, improvements in councillors' skills and knowledge should be evident whenever annual reviews of Strengths and Development Records take place.

The long term intent of this Strategy is to continue to bring improvements in services and value for money for the residents of Wyre. We are confident that such improvements will have been achieved with the help of increased knowledge and skills of our councillors.

The CDG has been consulted in developing and delivering this Strategy and will be involved in reviewing the Councillor Development Strategy and Programme and determining priorities for future years.

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L E A R N I N G

T O B U I L D














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Councillor Development Programme 2019/23

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Introduction from the Leader and the Chief Executive



Wyre Council is fully committed to continuous improvement, innovation and the best possible value in the services we provide. We encourage every councillor and all council employees to make every effort to develop themselves to their full potential. To ensure our elected members have the skills they need to help them provide the best possible services for the people of Wyre, we provide a programme to support and develop our councillors.

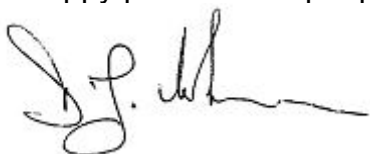
Any profession where you will be responsible for allocating a multi-million pound budget, would usually require something like a Master's Degree just to get an interview. By contrast, you do not need any formal qualification whatsoever to become a councillor. Anyone who is eligible can stand for election and if elected will become responsible, as the temporary employers of hundreds of people who carry out the council's work on its behalf, for hugely important decisions on how the council's budget is spent.

These decisions have a massive impact, affecting more than 100,000 Wyre residents, hundreds of companies that are based in the borough and all the tourists and businesses that we hope to attract to Wyre. They directly affect people's lives and the purpose of the Councillor Development Programme is to help councillors increase their knowledge and give them all the professional skills they need to carry out their role effectively.

Learning and development opportunities are available to all councillors, whether newly elected or with vast years of experience. It is essential to have wide range of knowledge *and* the skills to apply it and in the fast-changing world we find ourselves in, it is vital that councillors constantly update their knowledge and learn the new skills necessary to enable them to play an effective role in local government in the 21st century.

Wyre's **Exemplar** rated **Councillor Development Programme** is widely acknowledged as one of the finest in the country and all councillors who choose to engage fully with it and take advantage of the many opportunities that we offer, will be provided with everything they need to help them to improve the lives of the people they represent.

Wyre Council is proud to be learning to build excellence in our councillors making Wyre a healthy and happy place where people want to live, work, invest and visit.



Councillor David Henderson,
Leader of the Council



Garry Payne, Chief Executive

Our Statement of Intent

Wyre Council signed up to the Charter for Elected Member Development in 2000 and the Charter remains the benchmark against which our councillor development programme and those of all local authorities are measured. Wyre's Leader and Chief Executive fully support our continued intent to meet and exceed the Charter standards.

Wyre achieved the standards of the Charter for Elected Member Development in 2008. In 2010 we became one of the first councils in the country to be presented with a new higher level of the Charter - the Exemplar Standard (Charter Level 2), which remains the highest award available for councillor development.

This is a restatement of our continued intention to offer and where possible exceed the standards of councillor development opportunities appropriate to Charter Level 2.

Our Declaration of Commitment

Wyre Council is committed to the development of our elected members and fully understand the need for continuous improvement to satisfy the needs of our community.

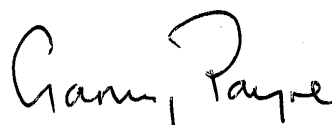
To help councillors play their vital role in the modernisation of local government we will continue to support our councillors by providing opportunities for ongoing learning and improvement in line with best practice and new developments.

By signing up to the principles of the Charter for Elected Member Development, we commit the authority to continue to implement the six key points of the Charter as remodelled below:

- 📖 to have a Statement of Intent (reproduced above),
- 📖 to have a strategy to meet the training and development needs of elected members,
- 📖 to implement the strategy locally through the Councillor Development Programme,
- 📖 to have a process to identify individual development needs with members (Strengths and Development Records),
- 📖 to have an Councillor Development Officer to assist councillors and committees in identifying their needs and to provide resources and information, and
- 📖 to ensure that all councillors are kept informed of available training and development opportunities.



**Councillor David Henderson,
Leader of the Council**



Garry Payne, Chief Executive



L E A R N I N G

T O B U I L D

E X C E L L E N C E

I N W Y R E

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Councillor Development Programme 2019/23

About this programme

About our Councillor Development Programme

What is the purpose of the Councillor Development Programme?

All of the key roles you could have as a Wyre councillor are set out in the Wyre Councillor Skills Framework appended to this programme. It describes the relevant skills and knowledge that councillors who have held all those roles in the past consider you will need to be effective in those roles. The Councillor Development Programme sets out how we can help you to acquire the necessary skills and knowledge. You will see that it is not just a series of classroom style training sessions, briefings and workshops and, however you prefer to learn, we have something that will help you to improve.

How does the programme work?

The programme is split into four stages beginning with Stage 1 - help for newly-elected and inexperienced councillors - and progressing to the most experienced councillors (Stage 4). This reflects how, as you gain more experience and perhaps assume different roles within the council, you will need to acquire other competencies and skills. Newly elected councillors are expected to pass through the first three stages during a full four year term of office and many will reach Stage 4.

The programme covers the following stages:

1. the basics – for the newly elected councillor
2. competence – councillors who have the essential knowledge and skills
3. accomplishment – the experienced councillor
4. grandmaster – the very advanced councillor

Although the subjects covered in Stages 1 and 2 are aimed at newer councillors, all members can attend any event at any stage. The programme is flexible so that you can choose whatever suits your individual needs, preferences, knowledge and experience at any time. For example, many advanced councillors (“grandmasters”) still find it useful to refresh their knowledge by attending Stage 1 and 2 events.

When and where will learning sessions be held?

Whenever possible, we try to hold most of our development sessions in the evenings on weekdays to give all councillors, including those who work, the opportunity to attend.

Occasionally, a crucial training facilitator may not be able to provide sessions in the evenings or a course might take half a day or more to complete so sometimes there is no alternative other than to hold the event during standard working hours. Some (usually external) courses last a full day or more but are often worth the effort if you are able to attend them. If a course is being run externally then we may not have any say at all in when it is held. In those instances, we will always strive to give sufficient notice of the event so that if you have other commitments and would like to attend, you will have the opportunity to make suitable arrangements with your employer to take time off.

Events that we organise are almost always held at the Civic Centre. Where it is a neighbouring authority or another organisation offering places to Wyre councillors at their events, the venues will vary.

How will I find out about training?

Every week, you will receive a “Bulletin” email with details of the sessions you are able to attend in the next few weeks and details of external courses. The CDO will also email invitations and posters for internal events are displayed along the Civic Suite corridor.

Do I have to attend all the events in the programme?

Not at all. In fact no-one is likely to be able to attend every session we offer and not everyone will wish to attend all of the events. The development opportunities we offer cover pretty much all of the possible responsibilities that you could be given and it is very unlikely that any councillor would require all of the training that will be available.

Does the programme list every learning opportunity that is available?

No. There will be plenty of other development opportunities that are not covered by this programme that you can take up. These could include:

briefing sessions

We hold regular briefings for councillors on topical subjects, often held immediately before Full Council meetings to make it easier for you to attend. You will hear about them with plenty of advance notice through the weekly Bulletin email, occasional flyers and emails and make sure you keep an eye out for posters along the Civic Suite.

officer training

The council holds training sessions for employees (officers) on relevant topics and you will be welcome to attend if there are spare places. If you hear about a course for council staff that you would like to attend, contact the CDO who will confirm with the organiser whether there are any places available.

courses run by outside organisations

We regularly get invitations for councillors to attend external courses and seminars run by external organisations such as neighbouring authorities, North West Employers, Local Government Association (LGA), etc. Where attendance is free and local, all councillors will receive invitations. If there is a cost to attend or travel outside the NW is involved, it may be subject to your role, the budget and other considerations.

role-specific training

Specific training and briefings will be provided for any particular roles you have in Planning, Licensing, Appeals, Standards, Scrutiny, etc. or, if you are a Portfolio Holder or Lead Member supporting the Cabinet, your individual portfolio.

external courses, books, DVDs, online courses

If you come across an external course or a book, DVD, CD or online e-learning course that you feel would help you as a councillor, contact the CDO to find out whether we can fund your attendance and if it would be of benefit to other councillors, purchase it or if it is a course, run it in house. Each request will be treated on its own merits, subject to budgetary considerations and the criteria set out on the next page.

Get in touch! If there are any other learning or development needs that are not covered by the programme, the CDO will be happy to talk to you about it.

Equality of opportunity

Wyre Council is committed to equality of opportunity and access to training and development for all councillors. This means that you will receive equal treatment whatever your age, gender, sexuality, marital status, disability, race, religion, ethnic background or political affiliation.

Who will decide which courses I can go on?

What you can attend will depend on what would be appropriate to you and the overall cost (including travel and accommodation if appropriate). There are no criteria that will apply in all circumstances and in many cases the CDO will simply make an informed decision based on the individual merits of each request, taking into account the remaining budget and the guidelines set out below about the overall cost of attending.

Cost and distance

Unless places are limited and another councillor for whom it would be more appropriate (e.g. a relevant portfolio holder) would be prevented from attending, if you wish to attend a course in the north west that is free or at a reasonable cost (£150 or less), then the CDO will most likely approve your request. Preference must be given at all times to the councillors for whom an event is most relevant. Where a large number of councillors express an interest in attending an event, we would consider whether it would be more cost-effective to have the provider present the event in house at the Civic Centre instead.




Councillors are notified of LGA programmes and events via the weekly “Bulletin” email and many of those courses are appropriate to councillors who are NOT in “leadership” roles. The LGA also provide a six day Leadership Academy, which is costly but provides excellent value for money for councillors who are in a “leadership” position (generally Leader, Leader of the Opposition, portfolio holder, chairman or lead member). Councillors who are not in “leadership” positions are not eligible to attend the Leadership Academy (unless they are “in line for promotion”). Other places at *subject specific* LGA Leadership events are often appropriate to other councillors such as the Young Councillors Weekender, etc. You may be sent a targeted email if you are eligible for one of these.

Unless no local alternatives are available, e.g. Parliamentary Scrutiny Seminars, Scrutiny Chairmanship and Leadership Academy events, we usually avoid courses outside the northwest because of the associated travel and accommodation costs.

If an event concerns a more specialised subject, the CDO may need to discuss any training request with the relevant director or another specialist officer with expertise in the area. In some cases, the CDO may also ask the Councillor Development Group (CDG) to take a decision or if timescales do not permit, seek the advice of the Chairman of the CDG.

Sharing the knowledge

We rarely ask attendees to disseminate to other councillors what they have learned at courses, conferences or seminars because

-  councillors will often have been given the opportunity to attend the event themselves and chose not to,
-  councillors may be less inclined to attend a briefing given by another councillor, particularly if they belong to a different political party,
-  there is no guarantee that information delivered by a councillor after attending an event will be as it was intended by the event facilitator.

If we do feel that it is appropriate for you to share what you have learned, we will arrange for an appropriate council officer to help you to facilitate the presentation.

Councillor Development Group

The cross-party Councillor Development Group (CDG) meets about four times a year to discuss councillor development issues and may schedule additional meetings if necessary to talk about specific concerns that may arise.

If you have any suggestions for improvements to Wyre's Development Programme, you can pass them to the CDO or one of the members of the CDG for discussion at a meeting or you are welcome to attend and contribute to discussions at the meetings.











Who sits on the CDG?

The CDG is non-political and cross-party and is only subject to statutory political balance rules for the purposes of assigning members. CDG meetings are not open to the public and agendas and notes of the meeting are not publicly available on the council's website however any councillor is welcome to attend.

Members are nominated and appointed to the CDG at the council's Annual Meeting and at least one member of the CDG will be on the Cabinet, currently the Leader. The full membership was agreed by Council at the 2019 Annual Meeting and is listed on page 46.

What does the CDG do?

The CDG has agreed the following terms of reference.

-  To maintain an understanding of councillor training and development needs
-  To review the strategy annually and update it to meet the training and development needs of councillors when necessary.
-  To maintain an awareness amongst all members of the council of the training and learning opportunities available.
-  To establish a culture whereby councillor development is seen as a key component to the success of the council and to gain a commitment from all councillors to their continued development.
-  To encourage all councillors to complete and maintain individual Strengths and Development Records.
-  To ensure that the development opportunities we offer continue to maintain the high standards commensurate with Level Two (Exemplar) of the North West Charter on Elected Member Development.
-  To review and evaluate the effectiveness of councillor training.
-  To ensure that a comprehensive and effective new councillors' induction programme is kept up to date and that all new councillors are taken through the induction process.
-  To ensure that councillor training and development is focussed on helping the council deliver its corporate objectives and if necessary, to express a view on the prioritisation of training provisions.
-  To make recommendations, if appropriate, on the above issues to the CDO, the Service Director Performance and Innovation or the relevant Portfolio Holder.

Mentors - our darling buddies of May (or whatever month someone new gets elected)



When you start any new role, you do not want to be simply thrown in at the deep end so having a mentor or “buddy” can make a huge difference to how quickly and easily you settle in. Mentoring is informal and complements the induction programme of training and briefing sessions that the council provides to help new councillors.

What is mentoring?

Mentoring is where an experienced councillor acts as a “buddy” to one or more new councillors and helps them to get a grip on their new role in their early days of office.

Why do we need mentors?

Combined with the events on the Induction Timetable, mentors can ensure that new councillors are confident to carry out their duties and responsibilities as councillors more quickly.

Who can be a mentor?

In Wyre, the leaders of the political groups have agreed to allocate mentors to newly elected councillors within their group and potentially, to independent councillors or members of minority parties. Mentors should be experienced councillors who have confirmed that they have the time and willingness to take on the role and who the group leader believes would be good at mentoring. All mentors should

- have sufficient knowledge and experience to help new members,
- be approachable, reliable, friendly, patient and tolerant and a good listener,

What is a mentor expected to do?

The mentor should

- 📖 talk to the new councillor to discover the level of his or her knowledge,
- 📖 provide useful information about how the council works and introduce the new councillor to useful contacts,
- 📖 provide encouragement and support,
- 📖 discuss the issues affecting different parts of Wyre,
- 📖 keep things simple and avoid overloading the new councillor!



What subjects will the mentor be expected to cover?

It will all depend on how much help each new councillor needs and the time available. Some new members might only need to have a friendly voice on the other end of the telephone to talk to every once in a while. There is no predefined schedule to keep to or particular subjects that we expect to be covered during mentoring.

Some helpful suggestions...

Make sure the new councillor gets to meet the people they will need most often.

Take the new councillor around the Civic Centre and show them where senior officers and democratic services staff work. Meet with the party whip to go through party procedure

Accompany the new councillor to an early meeting of one of their committees

If possible, take them through previous agendas and minutes, show them how to find agendas, reports and minutes online and how to access archived papers on the Intranet. Encourage them to read previous papers for the committees they sit on and look at the council's other committees to get a broader picture of what the council does.

Explain the procedures and protocol at Full Council meetings

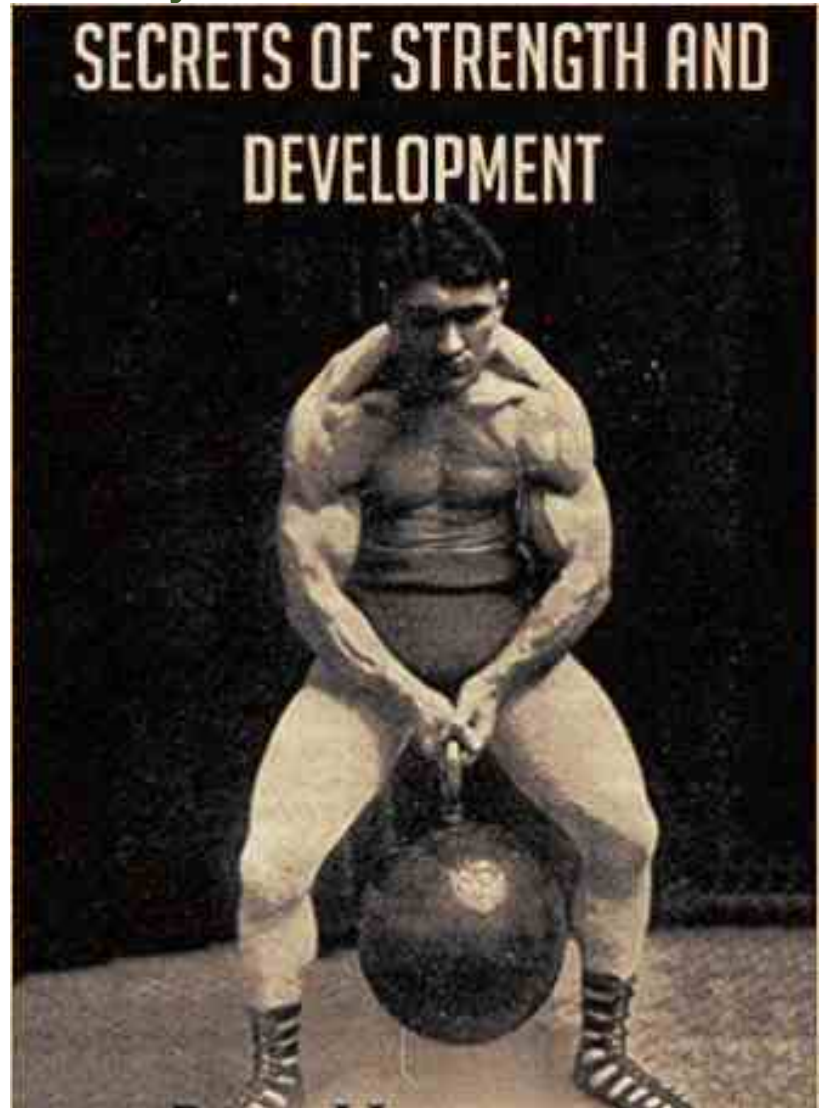
Have a quick read of the procedure rules first to ensure that you know them yourself!

Surgery and casework

- If you hold surgeries, get the new member to come along to one.
- Talk the new councillor through a recent case you have dealt with.
- Encourage them to talk to other councillors about how they make themselves available for their residents to speak to.

Tell your mentee about the “obvious” stuff like filling in the travel and subsistence claim forms and how to submit apologies for meetings!

Your Strengths and Development Record and the Wyre Councillor Skills Framework



The CDO will ask you to complete a Strengths and Development Record (SDR) questionnaire a few months after you were elected. It will help you discover areas where you may have knowledge gaps or may highlight skills that you wish to develop further. When every councillor has completed a SDR, we can make sure that development events are organised around the needs that have been most identified and ensure that the opportunities available will satisfy those needs.

You can probably fill in the questionnaire on your own but if you want to talk to someone while you fill it in, you can do (see next page). Both the discussion and your completed SDR will be strictly confidential and will be seen only by the officers responsible for your development as a councillor. If you want your political group leader to have a copy of your SDR to help them to match your skills to particular roles within the council, talk to the CDO about how you want this to be done.

What is my SDR?

Your SDR will help you to identify your existing strengths and reveal areas that you might like to develop and improve further. Knowing about any common development needs also helps the CDO to target the development programme in order to try to fulfil the majority of councillors' training needs.

It can also set out what it is that you would like to achieve over the coming months and years. This will help you decide whether you need any additional skills and knowledge to achieve your objectives and it will help you to plan your personal development in line with your responsibilities as a councillor.

An example of a blank SDR questionnaire is on pages 15-20.

The Wyre Councillor Skills framework



What is the Wyre Councillor Skills Framework?

While the main role of a councillor is to represent your local residents, you also have many other responsibilities and roles to play. The Wyre Councillor Skills Framework sets out the different skills and knowledge you need for each council committee and official role within the council (see Appendix).

Look at the parts of the framework that apply to your current committee(s) and council roles while you fill in your questionnaires and it will highlight the knowledge and skills you need to fulfil those roles effectively and the areas that you might want to develop.

Reviewing your SDR






You should review your SDR every 12 months or so to make sure that you are getting the opportunities to develop yourself that you identified when you filled it in. Annual reviews may be instigated by your political group if you belong to one or the CDO may remind you when it's time to review your SDR.

Strengths and Development Record Discussions and Reviews

The questionnaires have been designed so that you can fill them in easily on your own. We do not expect you to talk about your political and other ambitions you have over the coming months and years or discuss your development needs with anyone else if you do not wish to.

If you do want to talk about your SDR self-assessment questionnaire while you fill it in and identify any training needs and how you might satisfy them, you can either discuss it with a senior councillor from your own political group or talk to the CDO.

If you decide you want to discuss your SDR, you might want to talk about:

-  what you feel you have achieved or have helped to achieve in your ward and in the wider community so far,
-  whether you benefited from training and development sessions in the last 12 months,
-  your self assessment against the Wyre Councillor Skills Framework,
-  what you hope to achieve over the next year or more,
-  training and development activities that will help you in your various councillor roles.

Before the discussion you may want to make a note of things that you've done as a councillor that you feel have gone particularly well or not so well. This may not apply if you are a new councillor and it is your first SDR.

After the discussion, your interviewer should help you to finalise the SDR and give you a copy to keep for your own records and you should give a copy to the CDO to retain on file.

Confidentiality

Any discussion about your self-assessment of skills and any development needs that you talk about with your interviewer should be in complete confidence. Your completed SDR will be kept securely within Democratic Services and only the officers responsible for your development as a councillor will have access to it to use the information for organising training and development sessions.

Training as a result of your SDR

When discussing how your development needs can best be met, the council has to take the annual training budget and overall councillor needs into account and in some cases it may not be possible to justify funding some individual development activities. The information from all individual SDR questionnaires will be collated and the most commonly identified needs will be given priority when providing development events.

Reviews and evaluation

Things change... and you should review your SDR annually. It will help you to see any development needs that were identified in your last SDR and assess whether your needs have been catered for and may also identify any new requirements. It is important for your own personal benefit and that of the council that you regularly assess your development needs. Regular reviews will also help the council to evaluate its investment in councillor training.



EXAMPLE

L E A R N I N G

T O B U I L D

E X C E L L E N C E

I N W Y R E

2 0 1 9 T O 2 0 2 3

Your Strengths and Development Record

Instructions

Fill in the Strengths and Development Record (SDR) questionnaire and identify any skills you would like to develop further and any knowledge or skills that you need or wish to improve. You can talk to a senior councillor or the Councillor Development Officer about it if you wish to.

The information from your completed questionnaire will then be used to establish the priority needs identified by the largest numbers of councillors. This forms the basis of future Councillor Development Programmes.

Your completed SDR will also be used to help satisfy any individual development needs that you have identified, provided that we can do so within the limited budget available.

No-one other than yourself and officers responsible for your development as a councillor will see your SDR. If you want your political group leader to have a copy to help them to match skills to roles within the council, you need to tell the CDO in writing.

What is my SDR?

Your SDR will help you to set out what it is that you would like to achieve over the coming months and years. You will then be able to decide whether you need any additional skills and knowledge to achieve those objectives and it will help you to plan your personal development in line with your responsibilities as a councillor. It will identify your existing strengths and reveal areas that you might like to develop and improve.

What is the Wyre Councillor Skills Framework and why is it important?

While the main role of a councillor is to represent your local residents, you also have many other responsibilities and roles to play. The Wyre Councillor Skills Framework sets out the different skills and knowledge you need for each council committee and official role within the council (see Appendix).

If you look at the parts of the framework that apply to your current committee(s) and council roles while you fill in your questionnaires, it will highlight the knowledge and skills you need to fulfil those roles effectively and the areas that you might want to develop.

Reviews and evaluation

You should review your SDR every 12 months or so to make sure that you are getting the opportunities to develop yourself that you identified when you filled it in. Annual reviews may be instigated by your political group if you belong to one or the CDO may remind you when it's time to review your SDR.

Equality of opportunity

Wyre Council is committed to equality of opportunity and access to training and development for all councillors. This means that you will receive equal treatment whatever your age, gender, sexuality, marital status, disability, race, religion, ethnic background or political affiliation. That is why all councillors are encouraged to complete a Strengths and Development Record.



Strengths and Development Record 2019

This is for self-assessment, personal development and to help the council to identify common learning and development needs.

Only the council officers responsible for development will see this.

Name
Ward

How long have you been a councillor?

Less than
A year

☐

1-4 years

☐

more than
4 years

☐

What is your current work time commitment?

You may tick more than one option.

full time

☐

part-time
set hours

☐

part-time
variable

☐

self-
employed

☐

retired/
not working

☐

carer/
other

☐

Excluding your role as a councillor, please describe in not more than 12 words your main vocation, activities or interests in life.

Are there any regular times when you are unavailable due to your work or other life commitments? If so, please give details.

Do you hold any qualifications relevant to your councillor role?

Please list and describe below

- any training and development you have had that would be transferable to your councillor role (other than provided by the council),
- any experiences, achievements and skills from outside the council (e.g. on outside bodies, with other organisations and in everyday life) that are valuable in your role as a councillor.

What are your personal aspirations for the future as a councillor (e.g. committee chairman, portfolio holder, Leader of the Council, etc.)?

Best times to attend events

What time of day is best for you to undertake learning and development activities (you can tick more than one box)?

Morning

☐

Evening

☐

Afternoon

☐

Don't mind

☐

E-learning

If courses were available online and could be completed at a time that was more convenient for you, would you be interested in taking them?

Yes

☐

No

☐

Possibly

☐

Strengths and sharing audit

Please tick the areas where you would like some support and development and any skills or knowledge that you have that you would be willing and able to share with other councillors. If you have identified any skills or knowledge that you could pass on, we will have a follow up conversation to discuss how this could best be used to benefit other councillors.

foundation skills	I would welcome support or development	I could contribute to helping other councillors	comments
being an effective ward councillor			
handling casework and helping residents			
time management			
The Council's Business Plan			
understanding how the council works			
community engagement / knowing your community			
council finance, budgeting and auditing			
meetings procedures and the Council's Constitution			
code of conduct, standards and ethics			
equality and diversity			
the planning process			
computer and ICT skills			
personal safety			
overview and scrutiny and its relationship with the executive			

Councillor Development Programme 2019/23

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Published November 2019

policy and local government	I would welcome support or development	I could contribute to helping other councillors	comments
planning policy			
health and well-being			
economic development			
housing issues			
transport issues			
transformation			
safeguarding			
practical skills			
chairing skills and participating in meetings			
speed reading			
dealing with the press and other media			
public speaking and presentation skills			
connective skills			
partnership working			
influencing			
negotiating			
coaching and mentoring			
social media			
reflective skills			
dealing with conflict			
emotional intelligence			
identifying and managing stress			

You may wish to provide additional information and comments or specify other subjects to help in your role as a councillor here:

Please return to Duncan Jowitt, Councillor Development Officer when complete.



LEARNING

TO BUILD

EXCELLENCE

IN WYRE

2019 TO 2023








Councillor Development Programme 2019/23

**Stage One: the basics
for the newly elected councillor**











Stage One: the basics – for the newly elected councillor

The programme is split into four stages beginning with Stage 1 - help for newly-elected and inexperienced councillors - and progressing to the most advanced (Stage 4). This reflects how as you gain more experience and perhaps assume different roles within the council, you will need to acquire other competencies and skills.

Stage One is **the basics for the newly elected councillor**. This covers the basic skills and knowledge that all new councillors will need to acquire within the first six months or so of being elected. When you have completed Stage One, you will:

-  show commitment to and act in accordance with the Member's Code of Conduct by maintaining high standards of ethics and probity,
-  be committed to equality and diversity and represent all members of the community impartially and equally,
-  understand the role and purpose of overview and scrutiny,
-  have knowledge of Wyre Council's policies, plans and priorities (Business Plan, Local Plan, etc).
-  be aware of the main features of the Wyre area (demographic, geographic, environmental, social, economic and political).
-  Be familiar with the council's computer systems.
-  know the format and rules of debate for full council and other meetings.

New Councillor Induction may include the following events and briefings:

-  Induction Day
-  Meet Your Mentor (usually at a political group meeting following election)
-  Role of Overview and Scrutiny
-  Code of Conduct
-  Equality and Diversity
-  Introduction to IT systems (following issue of tablet device)
-  Time Management Skills
-  Guided Tour of the borough
-  Golden Gavel Constitution Quiz
-  Communication Skills

Strengths and Development Record

All new councillors will also be asked to complete a Strengths and Development Record questionnaire. This will be used to structure individual training needs and develop the overall Councillor Development Programme.

Mentor

All new councillors should be offered a Mentor – an experienced councillor (usually from their own political group) who will guide the new councillor and help them to deal with the challenges they will face in office.

Councillor Development Programme Stage One – the basics for the newly elected councillor

Purpose of session	How to be delivered	Timescale	Duration
<p>To provide an introduction to:</p> <ul style="list-style-type: none"> Wyre Borough Council, the role of the council and its strategic plans and priorities the role of a councillor and the Member Code of Conduct the Council's organisational and committee structure 	<p>Induction Day – Welcome to Wyre</p> <p>A series of short briefing talks by Corporate Management Team and Democratic Services to cover:</p> <ul style="list-style-type: none"> role of councillors and officers committee and decision-making structure organisational structure strategies, plans and priorities member code of conduct and declarations of interest democratic services, councillor development members' allowances 	Within one week of election	Evening Session (alternative arrangements will be made if elected as a result of by election)
<p>To help the councillor manage their casework and surgeries and make them aware of meeting protocol, etc.</p>	<p>Meet Your Mentor</p> <p>A mentor will be made available by the new councillor's political group to help guide them in their early days of office</p>	ASAP following election. To be organised by political groups	N/A - Ongoing
<p>Understanding of the role and purpose of overview and scrutiny</p> <p>Awareness of the purpose of 'call in'</p> <p>Understanding of the need for political neutrality in the overview and scrutiny process</p>	<p>The Role of Overview and Scrutiny</p> <p>Briefing session delivered by Democratic Services and Scrutiny Manager and Scrutiny Officer covering</p> <ul style="list-style-type: none"> work programmes call in procedure critical friend challenge 	Within one month of election	Two hours

Purpose of session	How to be delivered	Timescale	Duration
Understanding of the Member's Code of Conduct, when it is necessary to declare an interest and awareness of the Register of Interests and gifts/hospitality	Code of Conduct Mandatory briefing session delivered by the Monitoring Officer and the senior officer in Legal Services covering <ul style="list-style-type: none"> the ethical framework, codes of conduct, personal and prejudicial interests 	Within one month of election	Two hours
Identify strengths and areas for development and feed results into ongoing development events programme	Strengths and Development Record Completion of Strengths and Development Record questionnaires to assess strengths and development needs	Where possible, within six months of election	One-Two hours
To instil commitment to equality and enable councillors to represent all groups within the electorate impartially	Equality and Diversity Briefing session or information pack	Where possible, within six months of election	One hour
<p>To be able to use the council's intranet and web site to retrieve agendas, reports and minutes, etc</p> <p>To be able to use the computer to communicate effectively with the council and community</p>	Welcome to the Machines... An Introduction to IT Systems Practical hands-on training covering: <ul style="list-style-type: none"> using the Wyre web site and intranet Modern.gov app for paperless meetings Basic word processing Sending and receiving emails The use and dangers of social media 	Following issue of tablet devices allowing access to council ICT systems	Evenings / half day sessions ongoing

Purpose of session	How to be delivered	Timescale	Duration
To gain an increased knowledge of the borough, the council buildings and an insight into the issues affecting the different areas within the borough.	<p>Now Here is Know Wyre... A Guided Tour of the Borough</p> <p>A guided bus tour of the whole of Wyre borough visiting major development sites, B-MAC, council facilities, Copse Road Depot and other areas of particular interest.</p>	Within six months of election	Half day
Knowledge and greater understanding of the rules of debate, council meeting protocol, how to table amendments, etc. and the contents of the council's Constitution	<p>Golden Gavel Constitution Quiz - The Rules of Engagement</p> <p>Briefing and Quiz delivered by the Democratic Services and Scrutiny Manager and Councillor Development Officer to develop knowledge of rules of procedure and protocol of council meetings.</p> <p>To include:</p> <ul style="list-style-type: none"> • proposing and seconding a motion • tabling amendments • Closure motions • Points of order • Right of reply • Personal explanations 	Within 12 months of election	Two hours
To learn about the role of the media in championing local government and ways to get the Wyre message across.	<p>Meet the Comms Team</p> <p>How to make the media work for you.</p> <p>An interactive drop in session delivered by the Communications Team.</p>	Within six months of election	Two hours



LEARNING

TO BUILD

EXCELLENCE

IN WYRE

2019 TO 2023

Councillor Development Programme 2019/23






**Stage Two: competence
the essential knowledge and skills**

Stage Two: competence – the essential knowledge and skills

The programme is split into four stages beginning with Stage 1 - help for newly-elected and inexperienced councillors - and progressing to the most advanced (Stage 4). This reflects how as you gain more experience and perhaps assume different roles within the council, you will need to acquire other competencies and skills.

Stage Two of the programme is **competence – councillors who have the essential knowledge and skills**. This stage of training covers the essential skills and knowledge that all new councillors should acquire during the first twelve months or so following their election.







When they have completed Stage Two, the new councillor will:

-  have an appreciation of the council's budgetary constraints, Medium Term Financial Plan and Annual Budget
-  be an effective participant at council and other meetings
-  act in accordance with the Member's Code of Conduct and ethical standards
-  be able to hold surgeries for your constituents and deal effectively with casework
-  have practical time-management skills

Relationship with Officers

In the first twelve months following the election, the new councillor will have built up professional relationships with appropriate council officers in various service areas.

The **Essentials Stage** may include the following workshops and briefings:

-  Front Line Councillor Workshop
-  Local Government Finance
-  Meetings Workshop
-  Speed Reading
-  Govern-It leadership and strategy simulation
-  IT training

Mentoring may continue dependent upon the needs of the councillor.

Councillor Development Programme Stage Two - competence – councillors who have the essential knowledge and skills			
Purpose of session	How to be delivered	Timescale	Duration
Where identified as a development need. To develop time management skills, learn to plan activities, prioritise objectives and make the best use of your time and resources.	Time Management Skills Workshop session in which councillors can explore and develop time management skills using practical exercises and case studies. <i>Councillors who identify this as a priority may be offered the opportunity to attend a course from an external provider.</i>	At any time after election	Half day
Understanding of the difficulties involved in having to operate within a set budget and the reasons for establishing tight budgetary controls.	Local Government Finance Briefing sessions on the Budget and Medium Term Financial Plan delivered by the Chief Finance Officer (S151 Officer)	Within 12 months of election	Various sessions - ongoing
Leadership and strategy development skills. Better understanding of officer roles and partnership working, making efficiency savings, best value services and risk management.	Govern-IT Govern-IT uses a computer simulation to model running a local authority. Participants are put into teams of Cabinet members, heads of services, corporate management and external partners. They must come together and negotiate and improve the borough over 3 rounds representing 3 years in office to get re-elected.	Within 12 months of election	Full day

Purpose of session	How to be delivered	Timescale	Duration
<p>To instil the confidence to chair, participate and contribute effectively at a meeting.</p> <p>An understanding of the differences between types of meetings.</p>	<p>Meetings workshop</p> <p>Interactive workshop session using John Cleese “Meeting Bloody Meetings” DVD including</p> <ul style="list-style-type: none"> • holding an effective meeting • role of the chairman • following the agenda • making your point with confidence and clarity • handling differences of opinion and avoiding conflict 	<p>Within 12 months of election</p>	<p>Three hours</p>
<p>To learn how to read information more quickly and hold more of it in short term memory, learn to skim documents quickly and extract only the essential facts. Avoid information overload.</p>	<p>Speed Reading</p> <p>Short information leaflet including</p> <ul style="list-style-type: none"> • knowing what information you want from a document before you start reading it • how to skim excessively detailed documents and ignore irrelevant detail • how to use a pointer to smooth the way your eyes move and reduce skip-back. 	<p>At any time after election</p>	<p>N/A</p>
<p>To make effective use of tablet device, etc.</p>	<p>IT training</p> <p>Practical hands-on training covering:</p> <ul style="list-style-type: none"> • File management, email, internet, word processing • Use of tablet devices for paperless meetings 	<p>Within 12 months of election and ongoing</p>	<p>As necessary</p>



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Councillor Development Programme 2019/23

**Stage Two: competence
the essential knowledge and skills**



LEARNING

TO BUILD

EXCELLENCE

IN WYRE

2019 TO 2023

Councillor Development Programme 2019/23







**Stage Three: accomplishment
the experienced councillor**

Stage Three: accomplishment – the experienced councillor










The programme is split into four stages beginning with Stage 1 - help for newly-elected and inexperienced councillors - and progressing to the most advanced (Stage 4). This reflects how as you gain more experience and perhaps assume different roles within the council, you will need to acquire other competencies and skills.

Stage Three is **accomplishment – the experienced councillor**. This stage of training covers the skills and knowledge that all councillors should have acquired during the first two years following the election.

When you have completed Stage Three, you will:

-  be an effective public speaker with good presentation skills
-  understand performance and risk management, the efficiency agenda and the council's priorities
-  develop decision-making and change management skills
-  develop questioning techniques for use in Overview and Scrutiny
-  develop basic counselling skills
-  develop assertiveness.

The **experienced councillor stage** might consist of any or all of the following workshops and briefings:

-  Questioning Techniques
-  Public Speaking
-  Change and Conflict Management
-  Risk Management
-  Presentation Skills
-  Assertiveness
-  Effective Decision Making
-  Introduction to Basic Counselling Skills
-  Continuous improvement and Performance Management

A targeted programme of sessions and events will continue to be developed using information from Strengths and Development Record questionnaires and in the wake of new initiatives.

Mentoring may continue if required and a Strengths and Development Record review will be done annually.



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**Stage Four: grandmaster / grandmistress
the very advanced councillor**

Stage Four: grandmaster – the very advanced councillor








The programme is split into four stages beginning with Stage 1 - help for newly-elected and inexperienced councillors - and progressing to the most advanced (Stage 4). This reflects how as you gain more experience and perhaps assume different roles within the council, you will need to acquire other competencies and skills.

Stage Four is the Grandmaster or Grandmistress. This stage of training covers the essential skills and knowledge that all councillors might acquire from the second half of your term of office.

When you have completed Stage Four, you will be able to:

-  provide leadership & direction
-  as a chairman, ensure meetings progress effectively, encourage contributions and discourage time wasting.
-  provide community leadership and work persuasively in partnerships
-  develop the skills to become a Mentor
-  have an understanding of the project planning process

The **Advanced Stage** may be made up of the following workshops and briefings:

-  Chairing Skills
-  Leadership
-  Influencing and Partnership Skills
-  Project Management
-  360 Degree Feedback
-  Mentoring Skills
-  Succession Planning

A targeted programme of sessions and events will continue to be developed using information from SDR reviews and in the wake of new initiatives.

Your SDR will be reviewed. The results of any 360-degree feedback can be incorporated into the SDR.



LEARNING

TO BUILD

EXCELLENCE

IN WYRE

2019 TO 2023

Councillor Development Programme 2019/23

Training Materials, Resources & Contacts

Training Materials and Resources

Flexible Learning






We plan most councillor development events to take place in the evening to allow councillors who work during the day to attend. However, it is not always possible to do this and some councillors may also have commitments that make it equally difficult to regularly attend training sessions in the evening. In those circumstances, we will be happy to look into suitable alternatives.

These might range from online eCourses to books, DVDs and CD-ROM courses, which, if purchase is agreed, would then be available as a resource for other councillors to use.







Contact the Councillor Development Officer if you would like more information.

The sort of courses that could be covered include:

Business and Management skills, such as




-  Communication Skills
-  Meetings
-  Interpersonal skills
-  Negotiating and Persuading
-  Project Management

Home and Office IT courses, such as

-  The Internet and Email
-  Word Processing
-  Databases
-  Spreadsheets
-  Presentations
-  Desk-Top Publishing

Members' Library


























A selection of reading material of interest to councillors is kept in the Members' Library across the corridor from the Council Chamber. This includes:

-  the latest local weekly newspapers, and other relevant magazines, periodicals and publications
-  the council's Constitution and current council policy and consultation documents
-  books and manuals, covering subjects such as Local Government Finance, Speech Writing and Quotations, Speed Reading, Emotional Intelligence, Assertiveness, Self-improvement, etc. There is an inventory of books, etc on the following pages

Books in the Members' Library

A full inventory of books in the Members Library is available on request from the Democratic Services team

Subjects covered include:

-  Skills
-  Knowledge
-  Assertiveness
-  Body Language
-  Debating,
-  Speeches / Public Speaking,
-  Quotations
-  Speechwriting
-  Presentations, etc.
-  Emotional Intelligence
-  Mental Power and Lateral Thinking
-  Linguistics
-  Memory
-  Miscellaneous Skills and Self Improvement
-  Psychology, Personality & Philosophy
-  Training, Coaching, Learning, Mentoring
-  Politics and Politicians
-  Local Government, Economics, Marketing and Finance
-  History, Global Affairs, etc
-  Travel
-  Humour (to spice up speeches or simply to while away an idle 5 minutes before a meeting)
-  Religion, Myth, Magic and Superstition
-  IT & Computing
-  Novels
-  Reference / Miscellaneous

Any councillor is welcome to borrow items from the Library providing that they inform a member of the Democratic Services team when they do so.

E-learning and distance learning

E-Learning is particularly suitable for councillors who are IT literate and can be extremely useful for those who may find it difficult to attend more traditional briefing and training sessions.

Distance learning can cover a number of different approaches, such as workbooks.

Both can also be a useful supplement to learning from other types of courses and workshops.

Local Government Association (LGA) have a number of distance learning workbooks on a variety of subjects at <https://www.local.gov.uk/councillor-workbooks>. Just visit the page and download any workbook(s) of interest to you. The service is free.

The LGA has also produced a series of e-learning modules to assist councillors with their development and these are available free of charge. To receive access to the LGA's dedicated e-learning platform for the first time, councillors can simply email elarning@local.gov.uk to receive a user name and password and will then be able to access the site.

While the distance learning workbooks and e-learning platform resources are aimed at all councillors, they will be particularly useful to new councillors.

Local Government Information Unit (LGIU). The council is also a member of the LGIU. To receive their information briefings and/or the Daily News local government news email, all councillors need to do is register on the LGIU website <https://lgiu.org/membership> and set their preferences for what they would like to receive.

Modern Councillor - This commercial website offers many courses / modules reflecting initiatives and challenges that face councillors today. If a substantial number of our councillors are willing to make a commitment to complete all the Modern Councillor modules, the CDG will consider taking out a subscription to their service.

Their web site www.moderncouncillor.com allows free access to one of the modules so that councillors can assess the standard of materials available. Access to all the modules will only be made available if there is a significant interest from councillors in making a commitment to e-Learning.

Contacts

Who should I contact if I need advice about my training and development?

If you need to know anything about councillor development or have an idea about the training programme, there are a number of people who may be able to help.

Duncan Jowitt, Councillor Development Officer, Democratic Services

Phone: (01253) 887608

Email: duncan.jowitt@wyre.gov.uk

Peter Foulsham, Scrutiny Officer, Democratic Services

Phone: (01253) 887606

Email: peter.foulsham@wyre.gov.uk

Emma Keaney, Governance Trainee

Phone: (01253) 887476

Email: emma.keaney@wyre.gov.uk

Any member of the Councillor Development Group

At the time of writing, the members of the CDG are:

Councillor Ian Amos
Councillor Colette Birch
Councillor Andrew Cropper
Councillor Paul Ellison
Councillor David Gerrard
Councillor David Henderson
Councillor Graham Holden
Councillor Andrea Kay
Councillor Cheryl Raynor
Councillor Holly Swales
Councillor Shaun Turner (Chairman)
Councillor Lynn Walmsley (Vice Chairman)



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Councillor Development Programme 2019/23

Appendix

Wyre Councillor Skills Framework

Wyre Councillor Skills Framework

Elected Member Roles and Responsibilities

This is a set of descriptions of the responsibilities and roles that elected members are expected to undertake and the essential skills and knowledge that you will need to perform them effectively.

The first set applies to **all councillors**. It sets out the **regular activities** that every elected member will perform and the particular qualities and skills you need.

The rest of the descriptions, detail any **additional knowledge and skills** that you will need to carry out the responsibilities of **specific positions** that you might be selected for.

You should use these to **identify the skills and knowledge that you need to develop** to carry out each role.

All of the following additional roles are included within the Framework:

- Scrutiny Committee member
- Regulatory (Planning or Licensing Committee) member
- Scrutiny Chairman and Vice Chairman (& Task Group Chairman)
- Regulatory (Planning or Licensing Committee) Chairman
- Chairman of other committees (i.e. NOT Scrutiny or Regulatory)
- Standards Committee member
- Audit Committee member
- Employment and Appeals Committee member
- Employment Appeals Panel member
- Cabinet / Executive member
- Lead Member Supporting the Cabinet
- Leader and Deputy Leader
- Mayor and Deputy Mayor

Roles and responsibilities of all councillors

Representing and supporting communities

You are **expected to**

- represent the interests of the borough and your neighbourhood locally, regionally and nationally as an advocate for both your ward and Wyre as a whole.
- regularly attend any parish council and other community meetings that take place in your ward and provide a regular line of communication with the council for local people, including those who do not actively participate in community groups.
- inform residents and community groups about current and upcoming consultation exercises, encourage them to take part and tell them about the outcomes.
- represent the council within the community by talking to residents about the council's strategies, policies, services and procedures.
- undertake casework on behalf of residents and local organisations within your ward to resolve collective and individual concerns.
- provide the community with a voice by conveying your residents' needs to the council via the appropriate officers, Cabinet members, lead members and/or other councillors.
- provide community leadership locally by supporting and promoting active citizenship and encouraging people to take part in local groups and community action.
- promote community cohesion and tolerance and serve all your local community fairly and equally.

Making decisions, scrutinising council performance and representing the council on outside bodies

You are **expected to**

- contribute to debate and discussions at Full Council meetings so that councillors are able to make informed and balanced decisions in the interests of all Wyre residents.
- participate fully in all committees, groups and panels to which you might be appointed to help ensure that decisions taken are responsible and sound.
- support and present your political group's policies if you are a member of a political party, whilst adhering to the principles of democracy and collective responsibility in decision-making.
- scrutinise the performance of council services and other public services to ensure that they are efficient and effective and provide good value for money for residents.
- and if you are appointed by council, act as its representative and advocate
 - on local outside bodies.
 - on local partnership bodies, promoting common interest and co-operation for mutual benefit.
 - on national bodies and at national events.

Values - internal governance, ethical standards and relationships

You are **expected to**

- understand and promote the council's core values as set out in the Business Plan,
- encourage and support good governance of the council and its affairs,
- commit to and endorse the principle of open and transparent government,
- engage in respectful, appropriate and effective working relationships with council officers,
- maintain the highest standards of behaviour in public office by adhering to the Members' Code of Conduct, the Protocol for Officer-Member Relations and commitment to the following "principles of high standards in public life":
 - selflessness – honesty and integrity – openness
 - objectivity – accountability – leadership

You **will need to**

- develop and maintain a comprehensive knowledge of the local area,
- know about currently active community groups, organisations and local issues,
- have good communication, advocacy and interpersonal skills,
- be aware of the different roles of officers, councillors and outside agencies,
- build constructive relationships with residents, officers, partners and other councillors,
- have respect for, and a desire to work with, a variety of groups and individuals,
- be capable of presenting relevant and well-reasoned arguments to persuade others,
- set aside your personal and political views when necessary and act impartially,
- be competent when speaking in public and have suitable presentation skills,
- have effective listening and questioning skills.
- abide by the procedure rules for meetings set out in Part 4 of the council's constitution,
- understand the strategic, policy, financial and service contexts of decisions,
- have an awareness of the contents of the council's Business Plan
- access the council's IT systems regularly and read and respond to e-mails and other enquiries from residents within 48 hours,
- follow the Code of Conduct and the Protocol for Officer-Member Relations,
- understand and abide by the principles of high standards in public life.

Your personal development as a councillor

You will be **expected to** take part in appropriate briefings, training sessions and other learning opportunities to gain and improve any skills and knowledge you need to undertake your roles in order to increase your effectiveness as a councillor.

You **will need**

- to be able to assess your own development needs as a councillor,
- the desire to develop yourself in your councillor roles,
- effective time management skills.

Overview and Scrutiny Committee and / or Task Group member

As a member of the Overview and Scrutiny (O&S) Committee, you will be expected to

- participate constructively in meetings of the committee,
- identify topics for and help deliver the Scrutiny Work Programme ,
- challenge and question to ensure the council delivers effective services for all its residents,
- participate in associated task groups to which you are able to commit your time.

Any non-Executive councillor may

- participate in task groups,
- undertake other scrutiny work, such as attending meetings of the O&S Committee and participate actively,
- suggest items for consideration by O&S.

Reviewing and developing policy

You will be **expected to**

- assist in the creation, development, improvement and refinement of council policy,
- act objectively and on the basis of evidence rather than simply adhering to the strictures of legislation or political priorities,
- assess and be prepared to challenge the impact of the policies currently being pursued.

Promoting the work of scrutiny

You will be **expected to**

- promote the role of scrutiny within and outside the council, developing effective internal and external relationships,
- demonstrate an objective and evidence-based approach to scrutiny,
- add value to the decision-making and service provision of the authority through effective and challenging scrutiny.

Hold the Executive to account

You will be **expected to**

- scrutinise decisions taken and proposed by the Cabinet, individual Portfolio Holders and officers under delegated powers,
- review the Schedule of Executive Decisions on a regular basis,
- when necessary, request that a Portfolio Holder attend a meeting to answer questions or even consider the option of “call-in” of a decision.

Monitoring performance and service delivery

You will be **expected to**

- monitor the performance of internal and external service providers against standards, targets and best value criteria,
- contribute to the identification and mitigation of risk,
- investigate and address the causes of poor performance,
- undertake detailed reviews of specific activities or services.

Community leadership

You will be **expected to**

- Use scrutiny as a means to address community issues and engage the public,
- Encourage stakeholders to participate in the work of the authority,
- Develop locally viable and acceptable policy solutions,
- Build a dialogue around priorities, objectives and performance, among communities and stakeholders,
- Consider and propose responses to national and local consultations.

You will need a reasonable knowledge and understanding of

- the scrutiny remit and role,
- the council's overview and scrutiny practices and procedures,
- the concepts of best practice and value for money,
- national and local legislation and policy,
- arrangements for call in and for questioning executive members,
- the principles and practice of performance management,
- the council's performance management arrangements and systems,
- an understanding of the community leadership role,
- the individuals and organisations that make up the community, especially those who do not regularly engage with the council.

You will need the following skills

- ability to interpret information and data from a range of sources,
- very good listening and questioning skills,
- ability to evaluate and challenge existing policies,
- be prepared to challenge ideas and contribute positively to policy development,
- ability to analyse data and monitor performance and delivery of the Business Plan,
- ability to work with all members of the community and council officers and build understanding and ownership of scrutiny.

Scrutiny Chairman (and Vice Chairman)

You will be **expected to**

- promote the role of scrutiny both within and outside the council and liaise effectively within the council and externally with the council's partners,
- identify relevant community based issues for scrutiny and develop a balanced scrutiny work programme in conjunction with the scrutiny officer,
- ensure the work programme takes account of relevant factors such as the council's strategic priorities and risks, and issues of community concern,
- demonstrate an objective and evidence based approach to scrutiny,
- evaluate the impact and added value of scrutiny activity and identify areas for improvement,
- inspire and enthuse the Overview and Scrutiny Committee and encourage high performance from all committee members in both committee work and task groups,
- assess individual and collective performance within the committee, identify any training and development needs and procure appropriate learning and development opportunities,
- manage the progress of business at meetings, ensuring that meeting objectives are met, and the code of conduct, standing orders and other constitutional requirements are adhered to,
- ensure that all participants have an opportunity to make an appropriate contribution,
- liaise with officers, other members and community representatives to resource and deliver the work programme,
- act as a focus for liaison between the council, community and external bodies in relation to scrutiny and build understanding and ownership of the scrutiny function within the community,
- fully involve external stakeholders for example, service users, expert witnesses and partners in scrutiny activity,
- submit periodic progress reports to council and respond to questions and comments, in accordance with the council procedure rules,
- ensure that the work programme is delivered.

You **will need** in depth knowledge and understanding of

- the council role and functions,
- the role of scrutiny, the role and terms of reference of the committee, the role of the chairman and other aspects of the democratic arrangements,
- the role of the scrutiny officer,
- the council's priorities and risks,
- local issues, community issues and expectations,
- meeting protocols, code of conduct, standing orders and other constitutional requirements and the ability to apply them effectively,
- the community leadership role,
- the individuals and organisations that make up the community, especially those who do not regularly engage with the council.

You will need the following skills and abilities

- development of work programmes,
- project management,
- pre-meeting preparation and organisation,
- management of people and resources,
- objectivity,
- prioritising,
- chairmanship,
- ability to follow the agenda, progress business effectively and facilitate effective discussions,
- negotiation and consensus-building,
- good communication skills and ability to report to different groups in a style appropriate to the audience,
- sound listening and questioning skills.

You will need

- to build effective relationships with council officers, other councillors and members of the community, based on mutual trust and promote a wider understanding and ownership of scrutiny,
- a constructive and 'critical friend' relationship with the Executive,

If you take on the time-limited role of a Task Group Chairman, you will also require most of the skills and abilities listed above.

Member of a regulatory committee (Licensing and Planning Committees)

As a member of a regulatory committee, you will be expected to

- participate effectively in meetings of the committee, ensuring that both local considerations and policy recommendations are balanced to contribute to effective decision making,
- make informed and balanced decisions, within the terms of reference of the committee, which accord with legal, constitutional and policy requirements.
- ensure the integrity of the committee's decision making and of your own role by adhering to the Code of Conduct and other constitutional and legal requirements.

You will need a knowledge and understanding of

- law, policy and procedures for planning or licensing as appropriate,
- sufficient technical, legal and procedural knowledge to contribute fairly and correctly to the function of the committee
- the quasi-judicial nature of regulatory committee decision making,
- the respective roles of members, officers and external parties operating within the regulatory committee's area of responsibility.

You will need the following skills and abilities

- integrity and the ability to set aside own views and act impartially,
- to listen and to consider and respect the views of other contributors,
- to be thorough and objective when receiving and responding to professional advice in the conduct of meetings and individual cases/applications before the committee,
- Objectivity and judgement

Chairman of a Regulatory committee (Licensing and Planning)

You will be expected to

- provide confident and effective management of meetings to facilitate inclusivity, participation and clear decision making.
- ensure that applicants and other interested parties are satisfied as to the transparency of the regulatory process.
- demonstrate integrity and impartiality in decision making in accordance with legal, constitutional and policy requirements.
- act within technical, legal and procedural requirements to oversee the functions of the committee fairly and correctly
- ensure thoroughness and objectivity in the committee, receiving and responding to professional advice in the conduct of meetings and in considering individual cases/applications.
- act as an ambassador for the regulatory committees, facilitating understanding of the role

You will need in depth knowledge and understanding of

- the council's regulatory role,
- local issues,
- the regulatory framework,
- the relevant code of conduct and protocols and the ability to champion them,
- licensing or planning policy as appropriate.

You will need the following skills and abilities

- to be able to inspire and enthuse committee members for the work of the committee,
- to observe and assess the performance of the committee, identify any training and development needs and arrange for suitable development opportunities to be provided,
- excellent communication skills,
- to conduct meetings in such a manner that participants feel that they have been dealt with fairly and fully even if the committee's decision has gone against them,
- to manage the committee and ensure that stake holders are aware of its role.

Standards Committee member

You will be expected to

- promote and maintain high standards of conduct by councillors and co-opted members,
- monitor and advise members on the observation of the Members' Code of Conduct,
- monitor and review the effectiveness of the Member/Officer and other relevant protocols,
- consider reports from the council's Monitoring Officer on allegations of breaches of the council's Code of Conduct,
- conduct hearings into complaints against councillors where an initial investigation has found a hearing to be warranted,
- carry out the above roles in relation to Parish Councils in the Borough,
- maintain an overview of the council's Whistleblowing Policy,
- demonstrate leadership on governance and ethical standards issues and have exemplary personal behaviour.

You will need a knowledge and understanding of

- the role and terms of reference of the committee,
- the Members' Code of Conduct and relevant member protocols,
- regulations and procedures relating to the conduct of hearings of complaints against individual councillors,
- parish councillor roles and responsibilities.

You will need to be able to

- understand and interpret complex regulation and procedures,
- act objectively on the basis of evidence.

Audit Committee member

You will be expected to

- review the effectiveness of the council's internal audit procedures,.
- oversee arrangements for both internal and external audit of the council's accounts and records,
- ensure that effective and transparent governance arrangements are in place and that resources are used effectively,
- review the council's Risk Management Policy and contribute to the committee's role in ensuring that adequate controls are in place to mitigate risks,
- approve policies in relation to compliance with the Data Protection Act and Regulations made under the Act,
- consider any specific matters which have been the subject of an audit report.
- review the council's Financial Regulations and Financial Procedure Rules.
- monitor the council's Anti- Fraud, Corruption and Bribery, Whistleblowing, Gifts and Hospitality and Registering Interests and Anti- Money Laundering policies.
- consider key audit documents and systems, including:
 - the council's Annual Internal Audit Plan and progress reports
 - Management Representation Letter, Annual Audit Letter and any other statutory report of the external auditor
 - the council's Annual Governance Statement
 - the council's Statement of Accounts,
 - any internal audit report referred to the committee
 - the effectiveness and adequacy of any response by an elected member or officer of the council to an internal or external audit
 - the council's systems of control and arrangements to prevent fraud and corruption.

You will need a knowledge and understanding of

- the role and terms of reference of the committee,
- risk management principles, including the identification and minimisation of risks.
- audit principles and good practice,
- the council's audit processes and control systems,
- the council's audit planning process,
- local government finance and the council's financial and accounting systems,
- current guidance issued by the Audit Commission, the Chartered Institute of Public Finance and Accountancy and any other appropriate regulatory body.

You will need to be able to

- act objectively on the basis of evidence,
- understand and interpret complex financial and other information and data.

Employment and Appeals Committee member

You will be expected to

- review the suitability and fairness of proposed changes to the council's human resource policies and working arrangements and the introduction of new policies,
- consider and make decisions on any matters relating to additions and amendments to the council's human resource policies,
- consider and, if necessary, make recommendations to the council on policies that affect the terms and conditions of employment for council officers.
- consider and, where appropriate, make recommendations to the council on matters relating to pensions and gratuities and retirement pay policy,
- attend the relevant training courses that will permit you to participate in the consideration of appeals against dismissal, grading and grievances by employees.

You will need a reasonable knowledge and understanding of

- the role and terms of reference of the committee,
- employment best practice and employee relations,
- the organisational needs of the council,
- the wide range of roles of the workers employed by the council,
- the statutory rights and entitlements of council employees,
- the Local Government Pension Scheme.

You will need to

- act impartially and objectively on the basis of guidance provided by the council's advisors on human resources,
- consider matters from a non-partisan / non-political viewpoint,
- take into consideration the operational needs of the council.

Employment Appeals Panel member and chairman

The chairman will need a knowledge and understanding of the council's Grievance Procedure and the procedures to be followed at the appeal hearing.

All panel members will need

- to have attended relevant training courses which permit you to participate in the consideration of appeals against dismissal, grading and grievances by employees
- good questioning skills,
- the ability to weigh the evidence submitted by the council's management representative(s) and appellant objectively and impartially on the basis of the guidance provided by the advisor on human resources and arrive at a considered decision.

Chairman of other committees (NOT Scrutiny or Regulatory)

You will be **expected to**

- provide confident and effective management of meetings to facilitate inclusivity, participation and clear decision making.

You **will need** the following skills and abilities:

- pre-meeting preparation and organisation,
- objectivity,
- chairmanship,
- ability to follow the agenda, progress business effectively and facilitate effective discussions,
- good communication skills,
- sound listening and questioning skills.

You **will need** a knowledge and understanding of

- the role and terms of reference of the committee

Cabinet member

You will be expected to

- be the principal political spokesperson for the council on the activities within the portfolio
- give political direction on the areas of activity included within the portfolio
- gain the respect of relevant officers and to provide support to officers in the implementation of programmes within the portfolio
- provide leadership on activities included within the portfolio
- be accountable for choices and performance in the portfolio
- have an overview of the performance management, efficiency and effectiveness on services and activities covered by the portfolio
- make executive decisions within the portfolio
- work with officers to formulate policy documents both strategic and statutory. ensure that the political will of the majority is carried to and through the Cabinet.
- provide assistance in working up and carrying through a strategic work programme both political and statutory.
- carry out consultations with stakeholders as required.
- submit a progress report to each ordinary meeting of the full Council and respond, in accordance with the Council Procedure Rules, to questions and comments.
- report as appropriate to the Leader, Cabinet, appropriate Overview and Scrutiny committees, regulatory bodies and the media.
- be the principal political spokesperson for the portfolio.
- provide information to and attend meetings of Overview and Scrutiny Committees or Task Groups, if requested.
- to show an interest in and support for the portfolios of other Cabinet members
- to recognise and contribute to issues which cut across portfolios or are issues of collective responsibility
- to give leadership to local partners in the pursuit of common aims and priorities
- to negotiate and broker in cases of differing priorities and disagreement
- to act as a leader of the local community by showing vision and foresight

You will need a knowledge and understanding of

- the law, national policy framework, and current issues relating to the services and activities included within the portfolio
- the council's strategy, policies, priorities, operations and activities
- relevant issues and who to involve in decision making
- Knowledge of council and national objectives

You will need

- leadership skills
- public speaking skills
- good presentation skills
- high level communication and reporting skills
- the ability to persuade others
- to be able to present to others
- to exercise strategic awareness and judgement
- to constructively challenge decisions and suggest alternatives
- confidence and ability to contribute to discussion and resolution of cross cutting and collective issues
- Inter-personal skills and teamwork
- adaptive leadership skills
- negotiation and brokerage skills
- creative and lateral thinking skills
- forward planning skills

**Lead Member supporting the Cabinet
with portfolios (special responsibilities) as appointed by the Leader**

You will be expected to

- maintain knowledge and awareness of current activities and developments in relation to your portfolio,
- liaise with Cabinet and the responsible officer contact in the implementation of programmes within the portfolio,
- communicate and represent to Cabinet, the views of non-Executive Councillors on all matters relating to your portfolio,
- assist Cabinet in promoting the efficient and effective delivery of the relevant services within the approved budgets,
- provide any other assistance, advice and support members of the Executive may from time to time require,
- respond to and assist the Overview and Scrutiny Committee or task groups as required,
- submit progress reports to ordinary meetings of the Full Council in rotation with other Lead Members and respond to questions and comments.
- report to the Executive when required,
- if requested by the Executive, lead for the council politically and publicly on your portfolio in external dealings and relationships, including with the media.

Leader of the Council (and Deputy)

You will be expected to

- be a political figurehead for the Council and to be the principal political spokesperson for the Council.
- provide leadership in building a political consensus around council policies
- form a vision for the Council and community
- provide strong, clear leadership in the co-ordination of policies, strategies and service delivery
- allocate Cabinet members to Portfolio roles
- designate the Deputy Leader
- maintain a list setting out responsibilities for Executive functions
- represent the Authority to a high standard.
- be a strong, competent and eloquent figure to represent the Council both within the Borough, the County and at external bodies.
- provide leadership and support to local partnerships and organisations.
- represent the Council in regional and national bodies as appropriate.
- ensure the effective running of the Cabinet
- ensure the work of the Cabinet meets national policy objectives.
- advise and mentor other Cabinet members in their work.
- chair meetings of the Cabinet in line with the Constitution.
- work closely with other Cabinet members to ensure the development of effective council policies, the budgetary framework for the Council, and the delivery of high quality services to local people.
- accept collective responsibility and support decisions made by the Cabinet once they have been made.
- Liaise with the Chief Executive, Corporate Directors, and other appropriate officers, on a regular basis.
- chair meetings of the Management Board
- Work with employees of the Council in relation to the strategic vision and direction of the Council, the management roles of officers and the development of policy issues.
- give leadership to local partners in the pursuit of common aims and priorities
- negotiate and broker solutions in cases of differing priorities and disagreement
- act as a leader of the local community by showing vision and foresight

Deputy Leader

- To fulfil the duties of the Leader in his or her absence
- To assist the Leader in specific duties as required

You will need

- knowledge of community strengths, areas of improvement and key issues.
- an understanding of the relationship between national and local politics
- a good strategic awareness of issues facing the Council
- An understanding of the Council's strategy, policies and operations
- Good inter-personal, communication skills and leadership skills
- an understanding of the provisions in the Constitution for the allocation of responsibilities to Cabinet Members
- an ability to promote and develop team working
- to appraise, guide and mentor senior members
- high level communication skills to communicate to the media, local community and wider audience.
- good public speaking skills
- an understanding of the Cabinet Procedure Rules
- chairing skills, including encouraging participation from all members.
- a knowledge and understanding of national policy objectives
- an overview of the work being carried out by Cabinet members
- the ability to constructively challenge decisions and suggest alternatives
- an understanding of the roles and responsibilities of the Managing Director and other officers.
- commitment to partnership working
- adaptive leadership skills
- negotiation and brokerage skills
- creative and lateral thinking skills
- forward planning skills.

Mayor (and Deputy Mayor)

You will be expected to

- as the ceremonial head of the Council, to be non-political and uphold the democratic values of the Council
- represent the Council at civic and ceremonial functions
- attend local community events and engagements in response to invitations
- help organise and to attend fund raising events in support of a nominated charity.
- represent the Authority to a high standard at local, county, regional and national events.
- preside over local meetings which are chaired by the Mayor.
- preside over meetings of the Council, so that its business can be carried out efficiently, effectively and fairly
- ensure the Council conducts its meetings in line with the Council Procedure Rules in Part 4 of the Council's Constitution
- ensure that the Constitution is adhered to and, if necessary seek the advice of the Chief Executive, the Monitoring Officers and/or the Chief Financial Officer and to rule on the interpretation of the Constitution

Deputy Mayor

- To fulfil the duties of the Mayor in his or her absence
- To assist the Mayor in specific duties as required

NOTE: The Council's current convention is that the longest serving Councillor who has not previously served in the role will be elected as Mayor.

The Mayor nominates who he/she would like to serve as Deputy Mayor.

You will need

- Good inter-personal skills
- Good public speaking skills
- an in-depth understanding of the role of the Mayor
- chairing skills, to ensure business is carried out efficiently, effectively and fairly
- an understanding of the Council Procedure Rules
- an understanding of the Council's Constitution
- an understanding of when to seek the advice of Chief Executive, the Monitoring Officer and/or the Chief Financial Officer on issues relating to the Constitution
- an understanding of the roles of officers, members and different agencies
- respect for, and desire to work with, different groups and individuals
- knowledge and understanding of the members Code of Conduct and the member/officer Protocol
- knowledge and commitment to the principles of high standards in public life



Report of:	Meeting	Date
Councillor Henderson, Leader of the Council and Marianne Hesketh, Service Director, Performance and Innovation	Council	14 November 2019

Independent Remuneration Panel Membership

1. Purpose of report

- 1.1 To appoint a new member to the Panel.

2. Outcomes

- 2.1 An effective process for ensuring that the Council's Members Allowances Scheme appropriately reflects elected members' current roles, duties and responsibilities.

3. Recommendations

- 3.1 That Mr Ryan Hyde and Rev John Squires be appointed as members of the Independent Remuneration Panel.

4. Background

- 4.1 The Council is required under the Local Authorities (Members Allowances) (England) Regulations to 2003 to appoint an Independent Remuneration Panel of at least three members to review and advise the Council on its scheme of allowance payments to Councillors. Members of the Panel must not be an elected member of the Council, a close friend or relative of a Wyre Councillor, an adjudged bankrupt or have been sentenced to imprisonment for three months or more within the last five years. The Council is required under the Regulations to have regard to any recommendations made by the Panel when considering any changes to the Scheme.

- 4.2 The Panel conducts a full review of the Members Allowances Scheme every four years, when a number of meetings are held between September and December and a report is submitted to the Council at their January meeting. The last such report was submitted to Council in

January 2015. In intervening years, a lighter touch review, usually involving just one or two meetings, is held, to consider any particular issues which have arisen since the previous review. A full review will be undertaken next year.

5. Key issues and proposals

- 5.1** Since the resignation of Mr David Blight, there have only been two members of the Panel, Mr Ron Matthews (the current Chairman), who was appointed in December 2008 and Mr Michael Collins, who was appointed in April 2013.
- 5.2** It is therefore necessary to appoint at least one an additional member to the Panel. Two people who fully meet the criteria for the role have been identified and have indicated that they are willing to take it on. They are Mr Ryan Hyde, a Governance Contracts Officer for the English Football League and Rev John Squires a former Financial Consultant at Wyre.

Financial and legal implications	
Finance	None arising directly from this report.
Legal	Set out in paragraph 4.1.

Other risks/implications: checklist

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

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

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

Processing Personal Data

In addition to considering data protection along with the other risks/ implications, the report author will need to decide if a 'privacy impact assessment (PIA)' is also required. If the decision(s) recommended in this report will result in the collection and processing of personal data for the first time (i.e. purchase of a new system, a new working arrangement with a third party) a PIA will need to have been completed

and signed off by Data Protection Officer before the decision is taken in compliance with the Data Protection Act 2018.

report author	telephone no.	email	date
Roy Saunders	01253 887481	roy.saunders@wyre.gov.uk	28/10/2019

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

List of appendices

None

dem/cou/cr/19/1411 Item 14

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