

Summary and Explanation

The Council's Constitution

Wyre Borough Council has agreed a constitution which sets out how the Council operates, how decisions are made and the procedures which are followed to ensure that these are efficient, transparent and accountable to local people.

What's in the Constitution

The Constitution is divided into 7 parts. The first 4 parts set out the basic rules governing the Council's business, followed by Codes and protocols (Part 5), the Members' Allowances Scheme (Part 6) and the Council's Management Structure and Scheme of Delegation (Part 7).

How the Council Operates

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

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

All councillors meet together as the Council, which decides overall policies and sets the budget each year. Meetings of the Council are normally open to the public.

How Decisions are Made

The Executive

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

Overview and Scrutiny

There is an Overview and Scrutiny Committee which supports and scrutinises the work of the Cabinet and the Council. It conducts reviews and submits reports and recommendations which advise the Cabinet and the Council on its policies, budget and service delivery. The Overview and Scrutiny Committee also monitors the decisions of the Cabinet. Any three councillors can 'call-in' a decision which has been made by the Executive but not yet implemented. This allows the Overview and Scrutiny Committee to consider whether the

decision is appropriate and if necessary, recommend that the Cabinet or an individual Portfolio Holder or in limited circumstances the Council reconsider the decision. The Committee may also be asked by the Cabinet or the Council to undertake reviews or draw up responses to consultation documents. Members of the Cabinet cannot be Members of the Overview and Scrutiny Committee.

Regulatory Committees

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

The Council's Staff

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

Citizens' Rights

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

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

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