



FYLDE BOROUGH COUNCIL

## Meeting Agenda

**Special Policy & Service Review  
Community Forum  
Council Offices, Derby Road,  
Wesham  
19 January 2006, 7:00pm**

# **POLICY & SERVICE REVIEW COMMUNITY FORUM MEMBERSHIP**

CHAIRMAN – Councillor Simon Renwick  
VICE-CHAIRMAN – Councillor John Prestwich

## **Councillors**

Stephen Carpenter	Martin Taylor
Peter Collins	Keith Wright
Raymond Norsworthy	

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## **CORPORATE OBJECTIVES**

The Council's investment and activities are focused on achieving our five key objectives which aim to :

- Conserve, protect and enhance the quality of the Fylde natural and built environment
- Work with partners to help maintain safe communities in which individuals and businesses can thrive
- Stimulate strong economic prosperity and regeneration within a diverse and vibrant economic environment
- Improve access to good quality local housing and promote the health and wellbeing and equality of opportunity of all people in the Borough
- Ensure we are an efficient and effective council.

## **CORE VALUES**

In striving to achieve these objectives we have adopted a number of key values which underpin everything we do :

- Provide equal access to services whether you live in town, village or countryside,
- Provide effective leadership for the community,
- Value our staff and create a 'can do' culture,
- Work effectively through partnerships,
- Strive to achieve 'more with less'.



## AGENDA

ITEM	PAGE
<b>1. DECLARATIONS OF INTEREST:</b> <i>In accordance with the Council's Code of Conduct, members are reminded that any personal/prejudicial interests should be declared as required by the Council's Code of Conduct adopted in accordance with the Local Government Act 2000.</i>	4
<b>2. CONFIRMATION OF MINUTES:</b> <i>To confirm as a correct record the Minutes of the Policy &amp; Service Review Community Forum held on 1 December 2005.</i>	4
<b>3. SUBSTITUTE MEMBERS:</b> <i>Details of any substitute members notified in accordance with council procedure rule 26.3</i>	4
<b>4. FINAL CONSTITUTION REVISIONS</b>	5

# REPORT



REPORT OF	MEETING	DATE	ITEM NO
LEGAL AND DEMOCRATIC BUSINESS UNIT MANAGER	SPECIAL POLICY AND SERVICE REVIEW COMMUNITY FORUM	19 <sup>TH</sup> JANUARY 2006	4

## FINAL CONSTITUTION REVISIONS

### Public/Exempt item

This item is for consideration in the public part of the meeting.

### Summary

The Policy and Service Review Community Forum has led the process of reviewing the Constitution during the period where there was a proposed move to a Leader and Cabinet model of Governance. The Full Council has since agreed to move towards a Leader and Cabinet model of Governance and as such there are now areas of the Constitution require greater clarity from the Forum before the whole Constitution is passed onto the Full Council.

### Recommendation/s

1. That members go through the relevant sections highlighted in Appendix 'A' and make recommendations as they see fit.

### Executive brief

The item falls within the following executive brief: Quality Services (Councillor John Coombes)

## **Report**

1. Contained within Appendix 'A' are sections of the Constitution which require further debate to be undertaken (issues are in bold). Within each section there is an element of guidance required from the Policy and Service Review Community Forum as detailed below.
2. The recommendations flowing from the Forum will be adopted into the Constitution and presented to a Full Council meeting.

## **Sections**

### **3. Section 1- Overview and Scrutiny**

This section requires agreement from members that they feel a fourth Overview and Scrutiny Committee is required. Members should go through the terms of reference if they consider a fourth is required to ensure that it will serve a beneficial purpose. Members should also take into consideration of alternate ways in which a group could be set up to look into planning policy.

### **4. Section 2 - Audit Sub-Committee**

Members should consider if the New Terms of Reference and the procedures behind the Audit Sub-Committee are acceptable to them and the Full Council.

### **5. Section 3 - Decision Making**

Within this section there has been an extra term added to one of the principles of decision making, members should give their views as to the appropriateness of this addition (in bold).

### **6. Section 4 – Questions**

Section 5 seeks to limit debates arising out of questions asked on certain issues, this statement has been added in an effort to keep debates clearly focused on the matter in hand, members should give their views on the appropriateness of this addition to the Constitution.

IMPLICATIONS	
Finance	No further implications arising from the report.
Legal	Any changes to the Constitution must be agreed by the Full Council.
Community Safety	No further implications arising from the report.
Human Rights and Equalities	No further implications arising from the report.
Sustainability	No further implications arising from the report.
Health & Safety and Risk Management	No further implications arising from the report.

REPORT AUTHOR	TEL	DATE	DOC ID
Oliver Shimell	01253 658423	5 <sup>th</sup> January 2006	Constitution Revisions Report

LIST OF BACKGROUND PAPERS		
NAME OF DOCUMENT	DATE	WHERE AVAILABLE FOR INSPECTION
None	N/A	N/A

### Attached documents

Appendix 'A' – Constitutions Revisions

## Constitution Revisions

### Section 1

#### Overview and Scrutiny

There are **FOUR** overview and scrutiny committees, called Scrutiny committees, which support the work of the executive and the Council as a whole. They allow citizens to have a greater say in Council matters by holding public inquiries into matters of local concern. These can lead to reports and recommendations that advise the executive and the Council as a whole on its policies, budget and service delivery.

#### Terms of Reference

COMMITTEE	MATTER
Performance Improvement	<ul style="list-style-type: none"> <li>Monitoring the Corporate Plan, Best Value Performance Plan, Financial and Asset Management Plan, Communications Strategy, Risk Management Strategy, E-Government Strategy and CPA Improvement Plan together with any other key strategic plans for the authority</li> <li>Considering internal audit reports</li> <li>Considering Audit Commission reports and best practice reports</li> <li>Considering ombudsman reports</li> <li>Contributing to monitoring the CPA Improvement Plan process and monitoring the service delivery improvements and corporate improvements which should flow from CPA</li> </ul>
Policy and Service Review	<ul style="list-style-type: none"> <li>Contributing to the development of policies, plans and strategies</li> <li>Reviewing policies, plans, strategies, services and processes</li> <li>Considering Best Value Reviews at key stages such as initial scoping stage</li> <li>Contributing to the development of the Best Value review programme together with its implementation and review</li> <li>Scrutiny of decisions of the Executive and call-in powers</li> </ul>



Community Outlook	<ul style="list-style-type: none"> <li>• Monitoring the Performance of the Local Strategic Partnership</li> <li>• Scrutiny of partnerships</li> <li>• Scrutiny of external organisations</li> <li>• Considering issues of local concern</li> <li>• Contributing to scrutiny of the powers held by Lancashire County Council</li> <li>• Responsibility for monitoring emerging government policy</li> </ul>
Planning Policy	<ul style="list-style-type: none"> <li>• <b>Contributing to the development of the council's local development scheme and any development plan document</b></li> <li>• <b>Monitoring the effectiveness and appropriateness of the development plan, including any regional spatial strategy, structure plan, local plan or development plan document, whether or not the document is the direct responsibility of the council</b></li> <li>• <b>Allowing the views of members of the Development Control Committee to be taken into account in the above functions</b></li> </ul>

## Section 2

### 6.06 Audit Sub-Committee

#### (a) New Terms of reference.

The Audit Sub-Committee is a standing sub-committee of the Performance Improvement Scrutiny Committee. The terms of reference for the sub-committee are:

- i) Approving (but not directing) internal audit's strategy, plan and performance.
- ii) Reviewing summary internal audit reports and the main issues arising, and seek assurance that action has been taken where necessary.
- iii) Considering reports of external audit and inspection agencies.
- iv) Considering the effectiveness of the authority's risk management arrangements, the control environment and associated anti fraud and anti corruption arrangements. Seeking assurances that action is being taken on risk related issues identified by auditors and inspectors.

- v) Being satisfied on the authority's assurance statements, including the Statement of Internal Control, properly reflect the risk environment and any actions required to improve it
- vi) Ensuring that there are effective relationships between external and internal audit, inspection agencies and relevant bodies, and that the value of the audit process is actively promoted
- vii) Reviewing the financial statements, external auditors opinion and reports to members, and monitor management action in response to the issues raised by external audit.

(b) Procedures

In relation to its Internal Audit functions the sub-Committee will

- i) meet a minimum of four times per year, (timetable to be agreed), to receive reports from the Head of Internal Audit who may report directly to the Chairman of the Committee if deemed necessary; and have the authority to require the attendance of any elected Member or Officer of the Authority.

### Section 3

#### Decision Making

##### 12.02 Principles of Decision-making

All decisions of the Council will be follow these principles:

- (a) proportionality (i.e. the act must be proportionate to the desired outcome);
- (b) due consultation and the taking of professional advice from officers;
- (c) respect for human rights and **equality of opportunity**
- (d) a presumption in favour of openness;
- (e) clarity of aims and desired outcomes; and
- (f) the rule of law.

### Section 4

#### Questions

##### 1 QUESTIONS FROM MEMBERS OF THE COUNCIL

- 1.1 The councillor who has asked the question may then ask one supplementary question, which must arise out of the answer given to the original question and take no longer than two minutes to ask and answer, and the member who answered the original question must answer the supplementary question.
- 1.2 **No debate will be allowed arising out of a question asked or answer given under this rule.**

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