



FYLDE BOROUGH COUNCIL



## Meeting Agenda

**Council Meeting**  
**Our Lady Star of the Sea Social Centre,**  
**St Albans Road, St Annes**  
**26 September 2005, 7:00pm**

## Members of the Council

The Mayor - Councillor R.J. Wilson  
Deputy Mayor – Councillor P. Hardy

Councillors	C. E. Akeroyd T. Ashton E. G. Bamber J. B. Bennett H. Butler G. Caldwell S. Carpenter M. Chew E. D. Clarke E. Clarkson P. Collins J. L. Coombes J. A. Dolan R. K. Eastham S. M Fazackerley Dr T. J Fiddler P.A. Fieldhouse R. A Fulford- Brown P. Hardy P.J. Hayhurst H. Henshaw, A.D.K (Malaysia) K.M Henshaw J. P K. Hyde A. W Jealous N.P D. E Lancaster J. G. Longstaff	Councillors	S. L. Mason J.K. Mulholland R. J. Norsworthy L.J. Nulty E.A. Oades J.C. Owen B. Pagett A.G. Pounder D.S. Prestwich W.J. Prestwich S. P. Renwick L. Rigby P. Rigby R. S. Small H.A Speak M. K. Taylor W. Thompson T. Threlfall S.M. Wall C. Walton A.M. Whittaker F.C Wilson H .M. Wilson R.J. Wilson K Wright
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***Ken Lee – Chief Executive***



## **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'.



## A G E N D A

### PART I - MATTERS DELEGATED TO COUNCIL

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## PART I - MATTERS DELEGATED TO COUNCIL

### 1. DECLARATIONS OF INTEREST

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.

### 2. MAYOR'S ANNOUNCEMENTS

### 3. CHIEF EXECUTIVE'S COMMUNICATIONS

The Chief Executive to report receipt of any relevant communications that have been received subsequent to sending out this agenda.

# REPORT



REPORT OF	MEETING	DATE	ITEM NO
FINANCE	COUNCIL	26 SEPT	4

## FINAL ACCOUNTS REPORT – SAS 610

### Public/Exempt item

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

### Summary

To inform members of the receipt of the SAS 610 in relation to the 2004/05 final accounts.

### Recommendation/s

1. That the report and presentation to members by representatives of the Audit Commission be noted.

### Executive brief

The item falls within the following executive brief[s]: Quality Services (Councillor J Coombes).

### Report

1. The SAS 610 final report, in relation to the 2004/05 final accounts, from the Audit Commission is due to be received shortly and will be sent to members directly in good time for the Council meeting. At the meeting a representative from the Audit Commission will present the report to members and take any questions.

### IMPLICATIONS

Finance	As Above
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Legal	
Community Safety	
Human Rights and Equalities	
Sustainability	
Health & Safety and Risk Management	

REPORT AUTHOR	TEL	DATE	DOC ID
Brian White	(01253) 658566	15 September 2005	SAS 610

LIST OF BACKGROUND PAPERS		
NAME OF DOCUMENT	DATE	WHERE AVAILABLE FOR INSPECTION
SAS 610		Town Hall

### **Attached documents**

# **Report on the 2004/05 Financial Statements to the Full Council**

**Fylde Borough Council**

**Audit 2004/2005**



The Audit Commission is an independent body responsible for ensuring that public money is spent economically, efficiently and effectively, to achieve high quality local and national services for the public. Our remit covers around 13,000 bodies in England, which between them spend almost £230 billion of public money each year. Our work covers local government, health, housing, community safety and fire and rescue services.

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## Introduction

- 1 Professional auditing standards require auditors to report certain matters arising from the audit of the financial statements to 'those charged with governance':
  - expected modifications to the audit report;
  - unadjusted non-trifling misstatements;
  - material weaknesses in accounting and internal control systems;
  - qualitative aspects of accounting practice and financial reporting;
  - matters required by other auditing standards to be reported to those charged with governance; and
  - other matters that we wish to draw to your attention.
- 2 The Council is responsible for the preparation of financial statements that present fairly its financial position as at 31 March 2005 and its income and expenditure in the year then ended. We are responsible for undertaking an audit and reporting whether in our opinion the Council's financial statements do present fairly its financial position and income and expenditure.
- 3 The Council is responsible for the preparation of a Statement on Internal Control in accordance with the provisions of the Code of Practice on Local Authority Accounting in the United Kingdom: a Statement of Recommended Practice. We are required to report where we become aware in the course of our audit of inconsistencies with the disclosures made by the Council.
- 4 The Council submitted draft financial statements to us on 4 July and we have now substantially completed our audit of those statements. This report details key matters arising from our audit that we must communicate to those charged with governance prior to giving an opinion on those financial statements.
- 5 It should be noted that our audit does not seek either to obtain absolute assurance that the financial statements present fairly your financial position or assurance that they are accurate in every regard.
- 6 In this context, we adopt a concept of materiality. We seek, in planning and conducting our audit of the accounts, to identify material errors in your financial statements. Material errors are those which might be misleading to a reader of the financial statements.
- 7 We have agreed with the Authority that the communications required under these auditing standards would be with the full council. This report sets out for the matters arising from the audit of the financial statements for 2004/05.

## Status of the audit

- 8 Our work on the financial statements is now substantially complete. We anticipate being able to issue an unqualified opinion by 31 October.
- 9 We have the following matters to draw to your the attention.

### Material weaknesses in accounting and internal control systems

- 10 We have limited responsibilities to report to you weaknesses in accounting systems and systems of internal control identified in the course of our audit. SAS 610 provides:

*A material weakness in the accounting and internal control systems is a deficiency in design or operation which could adversely affect the entity's ability to record, process, summarise and report financial and other relevant data so as to result in a material misstatement in the financial statements. Auditors normally do not need to communicate information concerning a material weakness of which those charged with governance are aware and in respect of which, in the view of the auditors, appropriate corrective action has been taken, unless the weakness is symptomatic of broader weaknesses in the overall control environment and there is a risk that other material weaknesses may occur. Material weaknesses of which the auditors are aware are communicated where they have been corrected by management without the knowledge of those charged with governance.*

- 11 We have a duty to report adjusted errors in financial statements where they are relevant to your wider governance responsibilities.
- 12 In April 2005 the Authority increased its resource capacity with the appointment of an experienced accountant to the post of Accountancy Services Manager. This appointment significantly improved the preparation of this year's statements and led to a relatively straightforward final accounts audit. The additional resource capacity enabled the Authority to have its statements adopted by members one month earlier than the previous year. This had been achieved within a relatively short space of time and in line with the Government's requirements for earlier closedown of accounts.
- 13 Whilst the authority has again used external consultants to assist in the preparation of some of the final accounts tasks, this has been significantly less than in previous year. We understand that it is the intention of the Authority that 2004/05 will be the last year that external consultants will be used to help prepare the statements.

- 14 There does, however, remain a need for the authority to continue to explore all options for increasing resource capacity and experience within the accountancy section. This is essential to ensure that it continues to develop sufficient technical skills and capacity to further improve the financial statements preparation process in future years. This will be particularly important given that the deadline for preparing and approving next years statements will be brought forward by one month to June 2006.
- 15 This year's audit of the Council's accounts highlighted the following issues:
- the quality of the working papers provided by the Authority to support the financial statements had improved from a particularly low base last year. There does, however, remain a need to ensure that the working papers provided by all staff are of a consistently high standard and are prepared as part of the preparation of the statements, rather than as an exercise after the accounts have been produced. We did encounter some examples where key supporting documents had not been initially prepared at the start of the audit. However, this was on a much smaller scale than in previous years, and by the end of the audit all material figures had been agreed. The improvements allowed us to complete our work in line with the agreed fee and budget.
- 16 A number of the issues highlighted in the 2003/04 audit of the accounts had not been addressed, some of these were relatively minor but, weaknesses remain regarding the overall timeliness of bank reconciliations and the writing back of cheques over six months old. At the time of our audit the bank reconciliation was several months behind schedule.
- 17 You should be aware that we do not provide a comprehensive statement of all weaknesses that may exist in the accounting and internal control systems or of all improvements that may be made, but have addressed only those matters that have come to our attention as a result of the audit procedures performed.

### **Other matters that we wish to draw to your attention**

- 18 Service managers are still not responding in a prompt manner to recommendations made by Internal Audit. Last year we reported on the need for us to undertake additional testing of the payroll system in order to ascertain whether we could place reliance on the payroll system to produce a reliable basis for the employee costs reflected in the financial statements. This arose from a significant number of control weaknesses identified by Internal Audit in 2003/04 as part of their audit of the payroll system.
- 19 This year we again had to undertake more detailed testing of employee costs than would normally be considered necessary, given that there continued to be a number of Internal Audit's recommendations still outstanding.
- 20 The findings from our additional testing did, however, give us the level of assurance needed to be able to rely on the employee costs included within the accounts. It does however, remain as a matter of urgency that service managers act promptly to address recommendations made within audit reports.

## **Next steps**

- 21** We are drawing these matters to member's attention so that you can consider them before the financial statements are certified.

## **Independence and objectivity**

- 22** The SAS 610 also requires auditors to communicate annually to those charged with governance all relationships that may impact on the firm's independence and the objectivity of the audit.
- 23** We take this opportunity to confirm that we are not aware of any relationships that may impact on the independence of the audit team.

# REPORT

REPORT OF	MEETING	DATE	ITEM NO
POLICY AND SERVICE REVIEW COMMUNITY FORUM	POLICY AND SERVICE REVIEW COMMUNITY FORUM	15 <sup>TH</sup> SEPT 2005	5

## STRUCTURE REPORT

### Public/Exempt item

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

### Summary

Contained within the report are the recommendations of the Policy and Service Review Community Forum who conducted a large consultation task to look into a range of options as to how the Council could be restructured for the benefit of the public.

### Recommendation/s

1. That the Notice of Motion to go back to the Policy Committee structure is not upheld on the grounds that the evidence gathered did not support this action.
2. That the Forum recommends to the Full Council that the authority move towards an executive system on the leader and cabinet model.
3. The new system of governance should include area committees covering the whole district
4. That consultation required to move to a such a system is begun at the earliest opportunity.
5. Revise the constitution to reflect the principles set out in the report for discussion at a future meeting of the forum and adoption by a future meeting of the council

## **Executive brief**

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

## **Report**

1. The Policy and Service Review Community Forum were tasked by the Executive Committee to examine the feasibility of going back to a structure involving four policy committees and also to examine other possible structures as part of their research.
2. The Forum carried out the research by taking on board a range of information from various councils and other relevant sources, the information gathered is attached as appendices.
3. Throughout gathering the information the Forum's guiding force was what would be best for the public. Every individual who was interviewed was asked how they felt the public would benefit from the Council operating a Cabinet system rather than the current arrangements or returning to the Policy Committee system. The forum considered that the weight of the evidence clearly identified the leader and cabinet model of executive as the most efficient, transparent and accountable form of governance. The Cabinet system was considered to bring clarity to pinpointing who was responsible for each decision and made the process of understanding decision making far more comprehensible. The current system within the Council lacked that clarity of responsibility and returning to the previous Policy Committee system would further dilute the ability of the public to recognise who is making decisions that affect their lives.
4. Other benefits of moving towards a Cabinet included the fact that decision making could be a far quicker process, which has obvious benefits to the public both financially, and their confidence in their authority to act diligently with minimum bureaucracy.
5. It became evident to the majority of members on the Forum that the current system the Council operates is simply not able to compete in terms of benefits to the public that a Cabinet system would provide. The Forum recognised that a return to the previous Policy Committees could be seen as being more inclusive for elected members, as Councillors would be able to sit on more decision-making committees. However, the whole process was simply not about job creation for elected members. The object of the council's governance arrangements should be delivering a better service for the public and making councillors accountable to the people who have voted them in to represent them, which should be every Councillor's main concern.
6. From the evidence gathered the Cabinet system has clearly been highlighted as the most publicly responsible means of structuring a Council, this is given weight by the fact that most Council's throughout England operate this system. Although there are limited numbers of positions on a Cabinet, information gathered clearly demonstrates that with a robust Overview and Scrutiny function there are ample meaningful roles for other Councillors who wish to take them up. It should also be noted as part of the modernisation agenda, the role of elected members is not for their time to be taken up in Committees but their main responsibility is to be meeting with their constituents in their localities and trying to help where they are able.



IMPLICATIONS	
Finance	There are no direct financial implications arising from the report, however there will be a variety of financial implications when developing the detail of the recommendations if accepted.
Legal	There are legal implications as to what consultation requirement will be required if the recommendations are accepted.
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	16 <sup>th</sup> September 2005	Structure Report for Council

LIST OF BACKGROUND PAPERS		
NAME OF DOCUMENT	DATE	WHERE AVAILABLE FOR INSPECTION
None	N/A	Legal and Democratic Services Business Unit

### **Attached documents**

Appendix 'A'- Evidence gathered 26<sup>th</sup> July 2005

Appendix 'B' – Evidence gathered 24<sup>th</sup> August 2005

Appendix 'C' – Evidence gathered 7<sup>th</sup> September 2005

Appendix 'D' – Similar authority research

**Policy and Service Review Community Forum**  
**26<sup>th</sup> July 2005 13:00 – 21:00**  
**Reception room, St Annes Town Hall**

**Review of Political Arrangements**  
**Summary of Evidence**

**Attendance**

**Members:** Councillor Renwick (Chairman), Councillor Taylor (Vice Chairman), Councillor F. Wilson (sub Councillor Prestwich), Councillor Chew (sub Councillor Wright), Councillor Eastham (sub Councillor Carpenter), Councillor Norsworthy (Subbed by Councillor Pounder from 5pm)

**Officers:** Ian Lewis, Phil Woodward, Peter Welsh, Carolyn Whewell, Dave Joy

Time	Speaker
13.00	<p><b>Ian Curtis FBC Monitoring Officer- Presentation – Setting the scene &amp; legal framework.</b></p> <p>The Local Government Act 2000 provides that all principal area local authorities in England and Wales must operate new political management arrangements, to improve the efficiency, transparency and accountability of their decision-making processes. Three models are available:</p> <ul style="list-style-type: none"> <li>➤ The executive consists of a leader, elected by all Councillors and a small Cabinet consisting of Councillors. (Wyre, Chorley, Pendle)</li> <li>➤ The executive also has a Cabinet, but is headed by a directly elected mayor.(Doncaster, Hartlepool)</li> <li>➤ The executive consists of a directly elected mayor and a council manager appointed by the full council. (Stoke on Trent)</li> <li>➤ A fourth option, available to smaller councils with a population under 85,000, is to adopt a streamlined form of the committee system. (Shropshire)</li> </ul> <p>Fylde Borough Council currently operates under the alternative arrangements of the fourth option. We currently have 4 committees, a politically balanced Executive Committee that is responsible for setting the Policy framework and 3 overview and scrutiny committees where decisions are analysed. This arrangement was put in place in September 2004 for a trial period of 12 months.</p> <p>The main potential cost in moving towards a Cabinet system is the cost of public consultation however this cost remains if the decision is taken to continue with the Executive Committee System.</p> <p>Concerns were raised over the disenfranchisement of Councillors with the current arrangement and how this might be extended with the introduction of a Cabinet system.</p>

13.30	<p><b>Councillor J Coombes Questions and comments from the Council Leader.</b></p> <p>Councillor Coombes emphasised the importance of a “One Team” approach should the Council decide to move to a Cabinet structure. He noted that Councillors have raised concerns over disenfranchisement under the old structure <b>and</b> the current structure but this only demonstrates a lack of understanding of the Committee system. The potential for all Councillors to be a Member of an O&amp;S committee is there but unnecessary, as only a proportion of Members would attend on a regular basis. All Councillors are able to attend and speak at the Overview and Scrutiny (O&amp;S) Committees. There are currently vacancies on two of the O&amp;S committees but the leader is finding difficult to willing Members.</p> <p>Councillor Hayhurst questioned the leader on the implications of a Cabinet structure on the Rural/urban divide. The rural/urban split is parallel to the Political party split within the borough therefore Members from Lytham and St Annes would dominate a single party Cabinet structure. The Leader advised that a politically balanced Cabinet structure is preferred as this provides an inclusive structure with clear lines of responsibility and accountability</p>
14.00	<p><b>George Buckley IDeA Member Peer - Views and comments from a Conservative representative from IDeA.</b></p> <p>George Buckley is a Conservative Member from Rushcliffe Council. Rushcliffe has a population of 106,000 citizens represented by 50 Councillors. The Conservative Party runs a single party Cabinet consisting of 6 Members. The Conservative Party holds a total of 34 seats. A strong ruling party Cabinet is the only way to effectively operate in Rushcliffe. The Cabinet makes decisions collectively then the decision is passed down to Officers. Policy is developed at O&amp;S prior to Cabinet decision.</p> <p>There are 5 politically balanced O&amp;S panels covering Housing, Community and Leisure, Community Protection, Environment and Finance and Audit. The Cabinet and O&amp;S structure are changed on an annual basis reflecting that years priorities. Every Councillor is a Member of and O&amp;S panel. Those who do not attend are monitored and “Named and shamed”. The Cabinet does not have the power to enforce attendance.</p> <p>The opposition has a role on Committees (or Task and Finish groups). Membership is allocated on the basis of interest (e.g. Labour Party Member chaired and Affordable Housing Committee).</p> <p>Mr Buckley argued that the Council has not scarified democracy for efficiency as they are a performance driven council and all Members are involved in the evidence process.</p>

14.30	<p><b>Keith Whaley IDeA Member Peer - Views and comments from an Independent representative from IDeA.</b></p> <p>Keith Whaley is an Independent Member from West Lindsey Council. West Lindsey has a population of 78,000 citizens represented by 37 Councillors. There are 19 Conservative, 16 Liberal Democrat and 2 Independent Members. The area consists of one industrial town and a large rural area.</p> <p>The Council consists of a Leader and a Leaders Panel made up from the ruling party. The Council has five policy committees (Community Committee, Economic and Tourism Committee, Environmental Committee, Planning Services Committee and Resources Committee) which are responsible for most day to day decisions. These committees meet on a 6 weekly basis. There is one Overview and Scrutiny Committee chaired by the Conservative party that supports the work of the policy committees and the Council as a whole. It can “call-in” a decision that has been made by a policy committee but not yet implemented.</p> <p>There is a possibility that West Lindsey Council may merge with another council in the distant future.</p>
15.00	<p><b>(Deputy) Chief Exec - Views and comments relating to officer support.</b></p> <p>Phil Woodward, Deputy Chief Executive responded to questions from Members.</p> <p>Staffing resources is a neutral issue; the administration structure will shape itself to assist the serving political structure. It is possible more democratic support may be needed to serve Members efficiently.</p> <p>The restructure is CPA driven improvement following the Councils weak rating therefore it would be difficult to go back to the old structure. Concerns were raised that the current system has not had enough time to settle.</p> <p>Checks and Balances are provided by the O&amp;S function. Members are welcome to participate in O&amp;S Forums even though they do not sit on the Forum.</p> <p>Mr Woodward has previous experience of a Cabinet system from Derbyshire County Council and advised that this was an efficient model once stabilised.</p>
15.30	<p><b>Open session for Members of Council</b></p> <p>Councillor Hayhurst advised that a single party Cabinet system would expand the gap between Urban and Rural, as Conservative Party members were concentrated in the Lytham St Annes area. If a politically balanced Cabinet were in place, members could still be marginalised as the Ruling Party still has the power to change to single party.</p> <p>Councillor Oades agreed with this view and stated that if a Cabinet structure were to be approved then all parties would need to work together to ensure the needs of the rural population were met. The Executive Committee needs more time to establish itself to run efficiently.</p>

<b>17.00</b>	<b>BREAK</b>
<b>18.00</b>	<p><b>Chair of Fylde LSP (Michael Wren-Hilton) - Stakeholder views.</b></p> <p>Mr Wren-Hilton has been Chair of Fylde Vision since November 2004. The position is non-political. Fylde Vision LSP is funded partly by Fylde Borough Council and partly by Lancashire County council. There is one policy committee supported by several themed groups drawn from statutory authorities (e.g. employment, road safety). Councillor John Coombes is FBC representative on the Policy committee and member champions often attend the themed groups.</p> <p>The Executive Committee structure is an ideal arrangement for the LSP. One representative from FBC sits on the Policy Committee and every member has an equal say in decisions. In a Cabinet structure, FBC would potentially have 4/5 members sat on the committee marginalising other members including the police and Health authorities who only have one representative each.</p> <p>The Themed Groups carry out the bulk of work and the themes are always changing. FBC representation is more effective if the relevant member Champion attend the corresponding themed group by bringing specialist knowledge.</p> <p>Most notably, the LSP is not a political organisation and the success so far is contributed to political neutrality.</p>
<b>18.30</b>	<p><b>Mike Greenwood Director of Local Government Practice, ODPM - Views and comments of ODPM / GONW.</b></p> <p>Mike Greenwood is Director of Local Government Practice at Government Office Northwest. The position arose to work with Councils with a 'poor' or 'weak' CPA rating developing to assisting all councils with their overall improvement. Mr Greenwood is a member of Fylde's Voluntary Improvement Board.</p> <p>The ODPM literature does favour the cabinet model as it provides focus, clarity and accountability in decision making. Councils which operate under the Fourth option structure have the lowest proportion of 'good' and 'excellent' CPA ratings. It was felt that those authorities that opted for the fourth option did not want to change following the Local Government Act 2000. ODPM cannot put any legal pressures on authorities that decide remain fourth option as long as the decision is made through debate and consultation.</p> <p>The O&amp;S function is potentially very powerful and will allow all members to contribute to the decision making process.</p>

19.00	<p><b>Mrs J Hunter Chief Executive South Ribble BC - Experiences from a council rated as 'good' under the CPA process.</b></p> <p>South Ribble has a population of 107,00 represented by 55 councillors (18 Conservative, 17 Labour, 15 Liberal, 4 Idle Toads and 1 independent). The Cabinet consists of 4 Labour and 4 Liberal members. All members are members of the Cabinet, O&amp;S or regulatory committees.</p> <p>The cabinet has collective responsibility, meets monthly and upto 75% of agenda items are considered previously by Scrutiny. The council allows members of the public and other councillors to speak at Cabinet meetings but not vote. Cabinet members are also questioned systematically at Full Council meetings. Questions are not known prior to being asked.</p> <p>Informally, several other mechanisms are in place. Monthly Cabinet/Management Team meetings are held to plan ahead, particularly on sensitive issues. Workshops for all members are also held on sensitive issues. Cabinet members provide a monthly update in the member's bulletin to communicate issues.</p> <p>There are 3 O&amp;S committees covering Policy, Monitoring and Community Watchdog. The 2 internal committees are chaired by Conservatives. The O&amp;S committees can make recommendations to the Cabinet. 92% decisions are taken on board. Scrutiny also has the power to call in but this is rarely, if ever used.</p> <p>The Forward Plan is crucial to South Ribble. All future decisions are put in the forward plan. This does mean that they take longer to make decisions.</p> <p>There are 8 Area Committees with members of the district and Parish Councils. These committees have a small budget of approx. £1000 and can make decisions on localised issues. Parish councillors have the right to put anything on the agenda at these area committees. Upto 5000 members of the public attend these area meetings in the space of a year.</p> <p>The culture of co-operation and openness has been developed over the past 6 years with a lot of hard work between all members and officers. FBC members advised that they would like to visit South Ribble.</p>
20.00	<p><b>Open session for Members</b></p> <p>Councillor Rigby advised that he wishes the Executive to continue in its present form for 2-3 years then move over to a Cabinet system.</p> <p>Councillor Oades reiterated her preference for the Executive Committee to be allowed time to settle to run efficiently.</p> <p>Councillor Carpenter advised that changing the structure of the council would not solve the issues heard today. It is important to change the culture of the council and work together as one team.</p>

<b>21.00</b>	<p><b>‘Stocktake’</b></p> <p>All agreed that speakers today have tended to favour the Cabinet structure so we need to arrange another meeting with contrary evidence.</p> <p>Members of the Committee are to visit a South Ribble Cabinet meeting</p>
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### **Actions**

- Arrange visit to South Ribble
- Second meeting with broader evidence including a Labour member from a Fourth option council, An opposition view on cabinet Function and to be addressed by Ribble Valley
- A paper exercise consisting of about a dozen different political structures.
- A full transcript of the meeting to be made available to all Members

## Policy & Service Review Community Forum



Date	24 August 2005
Venue	Reception Room, Town Hall
Committee members	Simon Renwick (Chairman) John Prestwich (Vice-Chairman)  Stephen Carpenter, Raymond Norsworthy, Elizabeth Oades, Heather Speak, Martin Taylor.
Other Councillors	George Caldwell, Maxine Chew, Dr Trevor Fiddler, Karen Henshaw, Derek Lancaster, Barbara Pagett, Albert Pounder, Dawn Prestwich, Louis Rigby, Paul Rigby, Colin Walton, Fabian Wilson, Keith Wright
Officers	Ken Lee, Oliver Shimell, Peter Welsh
Others	<u>Ribble Valley Borough Council</u> John Hill - Leader David Morris - Chief Executive Paul Timson - Director Legal Services <u>Wyre Borough Council</u> Councillor Marlene Colby (opposition member) Councillor Penny Martin (opposition member)

### 1. Declarations of interest

Members were 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.

### 2. Confirmation of minutes

RESOLVED: To approve the minutes of the Policy & Service Review Community Forum meeting held on 26 July 2005 as correct records for signature by the chairman.

### 3. Substitute members

The following substitutions were reported.



Councillor Heather Speak for councillor Collins; councillor Elizabeth Oades for councillor Wright.

#### 4. The council's political structure

At the meeting of the Forum on 26<sup>th</sup> July it was resolved to undertake additional follow-up work to the evidence gathering, which the Forum Members had been asked to carry out on behalf of the Council.

This report introduces the parties invited on this occasion to participate in this follow-up work.

##### 1. Ribble Valley Borough Council

John Hill - Leader

David Morris - Chief Executive

Paul Timson - Director Legal Services

Ribble Valley has a population of 54,000 and is principally a rural area with Clitheroe and Longridge being the main centres of population. The political composition is 21 Conservatives, 15 Liberal Democrats, 3 Independent, and 1 Labour. The Council has 5 policy committees (with full delegation) comprising of - Community; Housing; Personnel, Planning and Development; Policy and Finance, in addition they have 1 Licensing committee 2 Overview and Scrutiny committees and a parish council liaison committee. Public participation is permitted at all policy and council meetings.

John Hill (Leader) indicated he would prefer the cabinet system because it provided a far more efficient service, however, it was acknowledged that all members had to be engaged and Overview & Scrutiny was a means to address this together with devolved powers to area committees. Under the current committee system every member was serving on a committee.

It was noted that the planning and development committee dealt with regulatory and policy issues however members were informed by the Chief Executive that the Office of the Deputy Prime Minister (ODPM) had advised that this would no longer be permitted under any re-structure.

##### 2. Wyre Borough Council

Councillor Marlene Colby (opposition member)

Councillor Penny Martin (opposition member)

Wyre has a population of 106,000 and is an urban and a rural area with Fleetwood, Cleveleys, Garstang and Poulton Le Fylde being the main centres of population. The political composition is 33 Conservatives, 21 Labour and 1 Independent. The Council operates a one party cabinet comprising of the leader and 5 cabinet members; in addition they have Licensing and Planning regulatory committees, 5 Overview and Scrutiny committees together with a number of 'Task Groups'. Public participation is permitted at cabinet and council meetings.

Councillors Colby & Martin stated that the Task Groups were used for specific issues and their recommendations were submitted to the Cabinet. The role of task groups was still evolving and their Council was looking at how other local authorities operated. Having recently visited South Ribble BC both councillors were of the opinion that the structure operated at South Ribble worked well and had full member involvement.

Councillors Colby & Martin also stated that in their view the committee structure previously operated at Wyre had been politically adverse and that a well run cabinet with member input from overview and scrutiny committees would be their preferred option

#### RESOLVED

1. That the Forum members note and consider the additional information provided by the various bodies attending the meeting.
2. That the members of the Forum convene a special meeting, after the proposed visit to the Cabinet meeting of South Ribble BC, to develop their recommendations for presentation to the Council
3. That the representatives who provided presentations to the Forum be thanked for their assistance and attendance at the meeting

## **Council Structure**

### **Policy and Service Review Community Forum's visit to South Ribble Cabinet**

**7<sup>th</sup> September 2005**

**Attendance:** Councillor Simon Renwick, Councillor John Prestwich, Councillor Stephen Carpenter, Councillor Ray Norsworthy, Councillor Martin Taylor, Councillor Fabian Wilson, Councillor Bill Thompson, Ken Lee, Oliver Shimell

## **Introduction**

During the visit to South Ribble, Fylde Borough Councillors were able to witness a Cabinet meeting. After the meeting there was a discussion between Fylde Councillors and the Cabinet members of South Ribble where members were able to question the Cabinet members about their current structure.

## **Points Discussed**

Area Committees were discussed at the opening of the discussion, members were informed that Area Committees consist of Borough Councillors meeting together in their areas often with two Parish Councillors from the same area and also with their local County Councillor. Often other individuals such as the local police officer and representatives of health agencies would also be in attendance. Public attendance varied at the meetings depending upon what item was discussed. Each Area Committee has £5,000 at their disposal.

Within the Area Committees questions can be asked by the public on a range of local issues and also if people do not have the time to attend the meeting or do not have the confidence to ask a question in the meeting arena, questions can be written and submitted. Often answers to the questions will also be published in the monthly Councillor newsletter.

Members asked if the South Ribble Councillors felt that members who were not involved on the Cabinet would consider themselves involved. The South Ribble Councillors explained to the group that there were many ways by which the other Councillors could have an impact. The Scrutiny Committees were highlighted as being of prime importance in this issue. The majority of items that go before the Cabinet go before the Scrutiny Committees ensuring that a large number of Councillors have the opportunity. Area Committees were also viewed as a beneficial way of members having an opportunity to input into decision making.

The Leader of the South Ribble Council stressed that there was competition for places on the Cabinet and for Chairmanships at Scrutiny level. The Leader felt this greatly improved the performance of those involved and as the Council were not afraid of refreshing the membership of the Cabinet and the Committees those Councillors with ambition and determination would often be promoted to the more sought after positions.

Fylde Borough Councillors asked if the Cabinet might be missing out on very able members due to some of the Councillors having full time employment and therefore unable to spare the time to be Cabinet members. It was explained to the group that this was rarely the case and that to enable Councillors who had full time employment to play a very active role for the Council a degree of flexibility was needed. This included frequent communication by email and over the phone. An example was given whereby a particular Cabinet member would have a two hour period during a week which he committed to coming into the Council, officers would set aside this time in their diary so they were able to meet him when they were needed.

### **Other notable Points**

Councillors on the whole presented their own reports which they had written with the assistance of officers in the meeting, Members appeared confident and knowledgeable about their subject and were able to answer a wide variety of questions without assistance from officers. It was also pointed out that members of the Cabinet would have often presented the same report to the Scrutiny Committees for their consideration and comments before hand.

There was excellent discipline within the meeting, Councillors concentrated on asking direct questions to better inform their knowledge on the subjects, they rarely made statements as it was evident that they felt this was not the point of the meeting.

There were nineteen items on the agenda but through good chairmanship and excellent working relationships the meeting ran quickly and smoothly and was genuinely good humoured.

## **Political Structures of some of Fylde Borough Council's statistical Neighbours**

### **Lewes District Council**

- 41 Councillors
- Liberal Democrat Majority
- Uses a Cabinet system, this consists of six members who are from the majority, each of the six has specific areas of responsibility, the three members who sit on the cabinet from the opposition have no specific responsibilities.
- One Scrutiny Committee but several smaller panels which each does Scrutiny style work, the committee is chaired by a member of the opposition
- CPA Rating: Good
- Population: 92,000
- Call-In Procedure: Any member can request a decision to be called in but must have the support of at least three of the Members who sit on the Scrutiny Committee.

### **Rother District Council**

- 38 Councillors
- Conservative Majority
- Uses a Cabinet system that consists of seven members all from the majority party.
- There are two Scrutiny Committees with ten members on one and twenty members on the other all Chairs and Vice Chairs also come from the leading party.
- CPA Rating: Fair
- Population: 85,000
- Call-In Procedure: The Chief Executive can call-in a decision for scrutiny by the appropriate Committee if so requested by the Chairman or any three members of the Committee.

### **Wyre Forest District Council**

- 42 Councillors
- Conservative Majority
- Uses a Cabinet system that consists of six members who are all from the majority party
- There are six Scrutiny Committees where all Chairmanships are given to the opposition and all Vice Chair positions are retained by the leading party
- CPA Rating: Fair
- Population: 97,000
- Call-In Procedure: The call-in procedure can be triggered by any three non-Cabinet Members and the Chairman of the relevant Policy and Scrutiny Panel or by any three Members of the Cabinet Scrutiny Committee/Panels and any member of the relevant Policy Panel by giving notice to the Head of Legal and Democratic Services.

### **Worthing Borough Council**

- 37 Councillors
- Conservative Majority
- Uses a Cabinet system that has five members from the majority party
- There is one Scrutiny Committee made up of sixteen members, both the Chair and Vice Chair are from the leading party
- CPA Rating: Fair
- Population: 98,000
- Call-In Procedure: Any three Members (other than Members of the Cabinet) may request in writing or electronically that one or more of the following matters be “called-in” for review or scrutiny

### **South Hams District Council**

- 40 Councillors
- Conservative Majority
- Uses an Cabinet system that has eight members all from the leading party.
- There is a Scrutiny Committee and three Policy Development Groups each with eight members, one Chairmanship is held by the opposition all other positions are controlled by the leading party.
- CPA Rating: Excellent
- Population: 82,000
- Call-In Procedure: The Head of Paid Service shall call-in a decision for scrutiny by Scrutiny if so requested by the Chairman or any three members of Scrutiny or 4 other councillors.

### **Purbeck District Council**

- 24 Councillors
- Conservative Majority
- Has a Policy Group which sits below the Full Council with seven members, all but one of the group are from the leading political group.
- It has one Scrutiny Committee with eleven members, the Chair is from the leading party with the Vice Chair position being given to the opposition.
- CPA Rating: Fair
- Population: 44,000
- Call-In Procedure: A Councillor may, with the support of not less than one third of the Councillors present at a meeting of Council, refer any decision made by that Council meeting to Overview and Scrutiny Group.

### **Christchurch Borough Council**

- 24 Councillors
- Conservative majority
- Has two Policy Committees that sit below the Full Council who are responsible for the majority of decisions – these are made up of representation from the different political parties but the Chair and Vice Chairs are from the leading political group.
- There is one Scrutiny Committee which is Chaired by a member from the leading political group with the position of Vice Chair given to the opposition.
- CPA Rating: Fair
- Population: 45,000
- Call-In Procedure: the Chairman or any three members of the Scrutiny Committee can make a request in writing to the Chief Executive and Town Clerk to call-in a decision.

### **Shepway District Council**

- 44 Councillors
- Conservative majority
- Cabinet system is used which is made up of five members from the leading political party and two members from the opposition.
- There are three Scrutiny Committees whose Chairs and Vice Chairs are shared out amongst the different political groups.
- CPA Rating: Weak
- Population: 96,000
- Call-In Procedure: Any three members of the Scrutiny Committee which concentrates on the activities of the Cabinet may call in a decision for review within 5 days from the date of its publication by giving notice in writing to the proper officer (The Chief Executive)

### **Sedgemoor District Council**

- 50 Councillors
- Conservative Majority
- Uses a Cabinet system consisting of ten members who are solely made up of members from the leading political party.
- There are three Scrutiny Committees whereby two have Chairs and Vice Chairs from the majority political party with the other committee being Chaired and Vice Chaired by the opposition.
- CPA Rating: Fair
- Population: 105,000
- Call-In Procedure: the proper officer shall call-in a decision for scrutiny by the Scrutiny Committee if so requested by the Chairman of that Committee or any five members of the Authority.

### **Carrick District Council**

- 47 Councillors
- Liberal Democrat majority
- Uses a Cabinet system which consists of six members who are all from the majority political party.
- There is a Scrutiny Committee and linked to it are two Policy Development Committees. The Scrutiny Committee has a Chair and Vice Chair from the opposition.
- CPA Rating: Good
- Population: 88,000
- Call-In Procedure: A Councillor may, with the support of not less than one third of the Councillors present at a meeting of Council, refer any decision made by that Council meeting to Overview and Scrutiny Group

### **Wyre Borough Council**

- 55 Councillors
- Conservative majority
- Uses a Cabinet system made up of six members who are all from the leading political party.
- There are five Overview and Scrutiny Committees all positions of Chairs and Vice Chairs are held by the leading political group.
- CPA Rating: Weak
- Population: 105,000
- Call-In Procedure: A request to call-in a decision has to be signed by at least four councillors within five working days of the publication of the original decision.

### **Derbyshire Dales District Council**

- 39 Councillors
- Conservative Majority
- Uses two Policy Committees which take the majority of all decisions, they are politically balanced with the leading party having both Chairmanships.
- There are two Scrutiny Committees where both Chairs are taken by the leading political group as is one of the Vice Chair positions – one is given to the opposition.
- CPA Rating: Excellent
- Population: 70,000
- Call-in Procedure: A request to call in a decision can be made by the Chairman of one of the Scrutiny Committees or any three Councillors upon written request.



# REPORT



REPORT OF	MEETING	DATE	ITEM NO
LEGAL AND DEMOCRATIC SERVICES	COUNCIL	26 SEPTEMBER 2005	6

## EXCLUSION OF THE PUBLIC

Members are invited to consider passing a resolution concerning the exclusion of the public from the meeting in accordance with the provisions of Section 100(A)(4) of the Local Government Act 1972 on the grounds that the business to be discussed is exempt information as defined in paragraph 9 of Part 1 of Schedule 12A of the Act.