

PART 2 - ARTICLES OF THE CONSTITUTION	
Effective from 24-9 May 2023 30-May-2015	Approved by Council on x 2023 30-March-2015

Article 1 – The Constitution**1.01 Powers of the Council**

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

1.02 Purpose of the Constitution

The purpose of this Constitution is to:

- (a) enable the Council to provide clear leadership to the local community in partnership with citizens, businesses and other organisations;
- (b) support the active involvement of citizens in the process of local authority decision-making;
- (c) help Councillors represent their constituents more effectively;
- (d) enable decisions to be taken efficiently and effectively;
- (e) create an effective means of holding decision-makers to public account;
- (f) ensure that no-one will review or scrutinise a decision in which they are directly involved;
- (g) ensure that those responsible for decision-making are clearly identifiable to local people and that they explain the reasons for decisions; and
- (h) provide a means of improving the delivery of services to the community.

1.03 Application and Review of the Constitution

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

The Council will monitor and evaluate the operation of the Constitution as set out in Article 13 .

Article 2 – Members of the Council

2.01 Composition and eligibility

- (a) **Composition.** The Council comprises ~~37~~⁵¹ Councillors. One or more Councillors are elected by the voters of each ward, in accordance with a scheme governing the Council's electoral arrangements drawn up by the Local Government Boundary Commission and approved by ~~the Secretary of State~~^{Parliament}.
- (b) **Eligibility.** Only registered voters of the Borough of Fylde or other persons living or working there or those who own land in the Borough will be eligible to be Councillors.

2.02 Election and terms of office of Councillors

The ordinary election of all Councillors is held on the first Thursday in May in every fourth year beginning in ~~2011~~²⁰²³. The terms of office of Councillors will ~~will~~^{normally} start on the fourth day after being elected and ~~will~~ finish on the fourth day after the date of the next regular election.

2.03 Roles and functions of all Councillors

(a) Key roles.

All Councillors will:

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

(b) Rights and duties

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

- (iii) For these purposes, “confidential” and “exempt” information are defined in the Access to Information Rules in Part 4 of this Constitution.
- (iv) Any member can, by notifying the [Head of Paid Service, Director of Resources](#), require that a local crime and disorder matter (as defined in the Police and Justice Act 2006) be placed on the agenda of the [Community Focus Scrutiny Committee](#) [Environment, Health and Housing Committee](#), which is the council’s crime and disorder committee.

2.04 Conduct

Councillors must follow the Code of Conduct for Members and the Protocol on Member/Officer Relations set out in Part 5 of this Constitution.

2.05 Allowances

Councillors are entitled to receive allowances under the Members’ Allowances Scheme set out in Part 6 of this Constitution.

Article 3 – Citizens and the Council

3.01 Citizens' Rights

Citizens have the following rights. Their rights to information and to participate are explained in more detail in Part 4 of the constitution:

(a) **Voting and petitions.**

~~—~~ Citizens may ~~also~~:

(+) if they are on the electoral roll for the Borough, and after any statutory moratorium period, sign a petition to request a referendum for an Elected Mayor form of Constitution and to vote in any such election.

(b) **Information.**

Citizens have the right to:

- (i) attend meetings of the Council and its Committees except where confidential or exempt information is likely to be disclosed, and the meeting is therefore held in private;
- (ii) see reports, background papers and minutes; and
- (iii) during the annual audit of the Council's accounts, inspect the Council's accounts and make their views known to the external auditor.

(c) **Participation.**

Citizens may participate in committee meetings if permitted by the council procedure rules (see Article 15 for further information).

(d) **Complaints.**

Citizens have the right to complain to:

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

3.02 Citizens' responsibilities

Citizens must not be violent, abusive, threatening, frivolous or vexatious in their dealings or communications with Councillors or Officers and must not wilfully harm any property of the Council, Councillors or Officers.

Article 4 – The Full Council

4.01 Functions of the full Council

The Council will exercise the functions described in Section 1 of Part 3 of the Constitution.

4.02 Meetings of the Council

There are three types of Council meeting:

- (a) ~~the~~ Annual Meeting;
- (b) Ordinary Meetings (incorporating budget meetings); and
- (c) ~~S~~pecial ~~M~~meetings

The Council Procedure Rules in Part 4 of the Constitution apply to all meetings of the council.

Article 5 – Chairing the Council

The Mayor, and in ~~his/her~~their absence the Deputy Mayor, will have the following roles and functions:

5.01 Chairing the Council meeting role

As the person presiding at meetings of the Council, the Mayor has the following responsibilities:

- (a) Upholding and promoting the purposes of this Constitution interpreting its provisions and giving rulings on points of order as and when necessary;
- (b) Ensuring that meetings of the Council carry out business efficiently and with regard to the rights of all Councillors and the interests of the community; and
- (c) Ensuring that the Council meeting is a forum for debating matters of concern to the local community.

5.02 Ceremonial role

The Mayor will undertake the civil and ceremonial duties of the Council in accordance with the Policy on the Operation of the Mayoralty. The Deputy Mayor will support and deputise for the Mayor in this role.

The Policy on the Operation of the Mayoralty can be found on the Council's website at <https://new.fylde.gov.uk/wp-content/uploads/2019/08/Operation-of-the-mayorality-May-2019-pdf.pdf>

5.03 Election of the Mayor

The Council will elect the Mayor and Deputy Mayor every year, at the Annual Meeting of the Council.

Article 6 – Leader of the Council

6.01 Leader

The Leader is a Councillor who is elected to the position by a meeting of the council. The Leader holds office for a term of 4 years, or for the balance of ~~his/her~~their term of office as a Councillor if shorter, or until ~~he or she~~they:

- (a) resigns from office; or
- (b) ceases to be a Councillor; or
- (c) ~~is~~are removed from office by resolution of the Council

whichever first occurs.

A Leader will in all cases cease to hold office on the 4th day following the District Council elections. A Leader will be appointed for the ensuing 4 year term, subject to these rules, at the first Council meeting following that date.

In the event of a casual vacancy in the office of Leader, the Council shall fill the vacancy as soon as reasonably practicable and the person elected shall hold office in accordance with the provisions of this article.

6.02 Deputy Leader

The council may appoint a Deputy Leader who will be a Councillor and will have all the powers of the Leader in ~~his/her~~their absence. The Deputy Leader holds office for the duration of their term of office as a Councillor or until ~~he or she~~they:

- (a) resigns from office; or
- (b) ceases to be a Councillor; or
- (c) ~~is~~are removed from office by resolution of the Council

whichever first occurs.

Article 7 –Committees

7.01 Committees

The Council has appointed the Committees set out in Sections 2 and 3 of Part 3 of this Constitution to discharge the functions described in relation to each of those committees.

In addition to the exercise of the functions specified in Section 3 of Part 3, the functions of the Planning Committee also include making recommendations to the Council on any applications or other matters that are excepted from the Committee's delegated powers.

Article 8 – The Audit and ~~Standards-Governance~~ Committee

8.01 Audit and ~~Standards-Governance~~ Committee

In line with recognised good practice, the Council has established a committee for the purposes set out in this article.

8.02 Composition

The Council determines the composition of the Audit and ~~Standards-Governance~~ Committee each year in accordance with the requirements of political balance in the Local Government and Housing Act 1989.

8.03 Purposes

~~The purposes of the Audit and Standards Committee are (1) to provide independent assurance of the adequacy of the risk management framework and the associated control environment, independent scrutiny of the authority's financial and non-financial performance to the extent that it affects Fylde Borough Council's exposure to risk and weakens the control environment and, and to oversee the financial reporting process and (2) to oversee the council's arrangements for ensuring high standards of conduct by its members.~~

~~Section 2 of Part 3 of this Constitution gives more detail relating to the areas of responsibility of the Audit Committee.~~

General

The committee's overarching purpose is to provide an independent and high-level focus on the adequacy of governance, risk and control arrangements. Its role in ensuring there is sufficient assurance over governance, risk and control gives greater confidence to all those charged with governance that those arrangements are effective.

The committee has oversight of both internal and external audit, together with the financial and governance reports, helping to ensure there are adequate arrangements in place for both internal challenge and public accountability.

The following paragraphs set out specific functions of the committee grouped under thematic headings

Governance, risk and control

Reviewing the council's corporate governance arrangements against the good governance framework, including the ethical framework, and considering the local code of governance.

Maintaining an overview of the council's constitution and advising on changes to the constitution

Monitoring the effective development and operation of risk management in the council.

Monitoring progress in addressing risk-related issues reported to the committee.

Considering reports on the effectiveness of internal controls and monitoring the implementation of agreed actions.

Considering reports on the effectiveness of financial management arrangements, including compliance with CIPFA's Financial Management Code.

Considering the council's arrangements to secure value for money and reviewing assurances and assessments on the effectiveness of these arrangements.

Reviewing the assessment of fraud risks and potential harm to the council from fraud and corruption.

Monitoring the counter fraud strategy, actions and resources.

Reviewing the governance and assurance arrangements for significant partnerships or collaborations.

Governance reporting

Reviewing the AGS prior to approval and considering whether it properly reflects the risk environment and supporting assurances, including the head of internal audit's annual opinion.

Considering whether the annual evaluation for the AGS fairly concludes that governance arrangements are fit for purpose, supporting the achievement of the authority's objectives.

Financial reporting

Monitoring the arrangements and preparations for financial reporting to ensure that statutory requirements and professional standards can be met.

Reviewing the annual statement of accounts. Specifically, considering whether appropriate accounting policies have been followed and whether there are concerns arising from the financial statements or from the audit that need to be brought to the attention of the council.

Considering the external auditor's report to those charged with governance on issues arising from the audit of the accounts.

Arrangements for audit and assurance

Considering the council's framework of assurance and ensuring that it adequately addresses the risks and priorities of the council.

External audit

Supporting the independence of external audit through consideration of the external auditor's annual assessment of its independence and review of any issues raised by PSAA or the authority's auditor panel as appropriate.

Considering the external auditor's annual letter, relevant reports and the report to those charged with governance.

Considering specific reports as agreed with the external auditor.

Commenting on the scope and depth of external audit work and ensuring it gives value for money.

Considering additional commissions of work from external audit.

Advising and making recommendations on the effectiveness of relationships between external and internal audit and other inspection agencies or relevant bodies.

Providing free and unfettered access to the audit committee chairman for the auditors, including the opportunity for a private meeting with the committee.

Internal audit

Approving the internal audit charter.

Reviewing proposals made in relation to the appointment of external providers of internal audit services and making recommendations.

Approving the risk-based internal audit plan, including internal audit's resource requirements, the approach to using other sources of assurance and any work required to place reliance upon those other sources.

Approving significant interim changes to the risk-based internal audit plan and resource requirements.

Making appropriate enquiries of both management and the head of internal audit to determine if there are any inappropriate scope or resource limitations.

Considering any impairments to the independence or objectivity of the head of internal audit arising from additional roles or responsibilities outside of internal auditing and approving and periodically reviewing safeguards to limit such impairments.

Considering reports from the head of internal audit on internal audit's performance during the year, including the performance of external providers of internal audit services. These will include:

- updates on the work of internal audit, including key findings, issues of concern and action in hand as a result of internal audit work
- regular reports on the results of the Quality Assurance and Improvement Programme (QAIP)
- reports on instances where the internal audit function does not conform to the Public Sector Internal Audit Standards (PSIAS) and Local Government Application Note (LGAN) , considering whether the non-conformance is significant enough that it must be included in the AGS.

Considering the head of internal audit's annual report, including:

- the statement of the level of conformance with the PSIAS and LGAN and the results of the QAIP that support the statement (these will indicate the reliability of the conclusions of internal audit)
- the opinion on the overall adequacy and effectiveness of the council's framework of governance, risk management and control, together with the summary of the work supporting the opinion (these will assist the committee in reviewing the AGS).

Considering summaries of specific internal audit reports as requested.

Receiving reports outlining the action taken where the head of internal audit has concluded that management has accepted a level of risk that may be unacceptable to the authority or there are concerns about progress with the implementation of agreed actions.

Contributing to the QAIP and in particular to the external quality assessment of internal audit that takes place at least once every five years.

• To consider a report on the effectiveness of internal audit to support the AGS where required to do so by the accounts and audit regulations.

Providing free and unfettered access to the audit committee chair for the head of internal audit, including the opportunity for a private meeting with the committee.

Accountability arrangements

Reporting to those charged with governance on the committee's findings, conclusions and recommendations concerning the adequacy and effectiveness of their governance, risk management and internal control frameworks, financial reporting arrangements and internal and external audit functions.

Reporting to full council on a regular basis on the committee's performance in relation to the terms of reference and the effectiveness of the committee in meeting its purpose.

Publishing an annual report on the work of the committee, including a conclusion on the compliance with the CIPFA Position Statement.

Article 9 – Joint arrangements

9.01 Arrangements to promote well being

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

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

9.02 Joint arrangements

- (a) The Council may establish joint arrangements with one or more local authorities and/or their executives to exercise functions in any of the participating authorities, or advise the Council. Such arrangements may involve appointing a joint committee with these other local authorities.
- (b) Details of any joint arrangements including any delegations to joint committees will be found in the Council's scheme of delegations in Part 3 of this Constitution.

9.03 Access to information

- (a) The Access to Information Rules in Part 4e of this Constitution apply.
- (b) If the joint committee contains members who are not on the executive of any participating authority then the access to information rules in Part VA of the Local Government Act 1972 will apply.

9.04 Delegation to and from other local authorities

- (a) The Council may delegate functions to another local authority or, in certain circumstances, the executive of another local authority and may accept delegation from another local authority; and
- (b) The decision whether or not to delegate functions to another local authority or to accept such delegation from another local authority is reserved to the Council meeting.

9.05 Contracting out

The Council may contract certain functions out to another body or organisation, provided there is no delegation of the Council's discretionary decision making. These are functions which may be exercised by an officer and which are subject to an order under section 70 of the Deregulation and Contracting Out Act 1994, or under contracting arrangements where the contractor acts as the Council's agent under usual contracting principles.

Article 10 – Officers**10.01 Management structure**

The authority's senior management structure is described in Part 7 of the Constitution

- (a) **General.** The Council as an organisation may engage such staff (sometimes referred to as Officers) as are necessary for it to carry out its functions.
- (b) **Chief Officers.** The Council has established the following senior posts, the holders of which are designated as Chief Officers:
 - Chief Executive
 - [Deputy Chief Executive](#)~~Director of Resources~~
 - [Chief Financial Officer](#)~~Director of Development Services~~

10.02 Statutory Roles

The Council is required to designate Officers for certain specific statutory purposes. The Council has designated Officers as shown below:

- (a) Head of Paid Service – Chief Executive
- (b) Monitoring Officer – [Deputy Chief Executive](#)~~Director of Resources~~
- (c) Statutory Finance Officer (Section 151 Officer) - Chief Financial Officer

10.03 Functions of the Head of Paid Service

The statutory functions of the Chief Executive as Head of Paid Service are to report to the Council on:

- (a) the manner in which the discharge of the Council's functions is co-ordinated;
- (b) the number and grade of staff required for the discharge of the Council's functions; and
- (c) the organisation and proper management of those staff.

Restrictions on Functions. The Head of Paid Service may not be the Monitoring Officer but may hold the post of Statutory Finance Officer if a qualified accountant.

10.04 Functions of the Monitoring Officer

- (a) **Maintaining the Constitution.** The Monitoring Officer will maintain an up-to-date version of the Constitution and will ensure that it is widely available for consultation by Members, staff and the public.
- (b) **Ensuring Lawfulness and Proper Administration.** After consulting with the Head of Paid Service and Chief Financial Officer (Section 151 Officer), the Monitoring Officer will report to the full Council if he or she considers that any proposal, decision or omission would give rise to unlawfulness or if any decision or omission has given rise to maladministration. Such a report will have the effect of stopping the proposal or decision being implemented until the report has been considered.
- (c) **Supporting the [Audit and Standards Committee](#).** The Monitoring Officer will contribute to the promotion and maintenance of high standards of conduct through provision of support to the [Audit and Standards Committee](#).
- (d) **Conducting Investigations.** The Monitoring Officer will consider allegations of misconduct and if appropriate, refer the same for formal independent investigation and report the outcomes of such investigation to the [Audit and Standards Committee](#).
- (e) **Providing advice.** The Monitoring Officer will provide advice on the scope of the powers and authority to take decisions, maladministration, financial impropriety, probity and budget and policy framework issues to all Councillors and will support and advise Councillors and Officers in their respective roles.
- (f) **Restrictions on posts.** The Monitoring Officer cannot be the Statutory Finance Officer or the Head of Paid Service.

Part 5e of this Constitution gives more detail relating to the areas of responsibility of the Monitoring Officer.

10.05 Functions of the Chief Financial Officer (Section 151 Officer)

- (a) **Ensuring lawfulness and financial prudence of decision-making.** After consulting with the Head of Paid Service and the Monitoring Officer, the Chief Financial Officer will report to the full Council and the Council's external auditor if ~~he or she~~they considers that any proposal, decision or course of action will involve incurring unlawful expenditure, or is lawful and is likely to cause a loss or deficiency or if the Council is about to enter an item of account unlawfully.
- (b) **Administration of financial affairs.** The Chief Financial Officer will have responsibility for the administration of the financial affairs of the Council.
- (c) **Contributing to corporate management.** The Chief Financial Officer will contribute to the corporate management of the Council, in particular through the provision of professional financial advice.
- (d) **Providing advice.** The Chief Financial Officer will provide advice on the scope of the powers and authority to take decisions, maladministration, financial impropriety, probity and budget and policy framework issues to all Councillors and will support and advise Councillors and Officers in their respective roles.
- (e) **Give financial information.** The Chief Financial Officer will provide financial information to the media, members of the public and the community.

10.06 Duty to provide sufficient Resources to the Monitoring Officer and Chief Financial Officer

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

10.07 Conduct

Officers must comply with the Officers' Code of Conduct and the Protocol on Member/Officer Relations set out in Parts 5b and 5c of this Constitution.

10.08 Employment

The recruitment, selection and dismissal of all officers or staff is governed by the Officer Employment Procedure Rules set out in Part 4a of this Constitution.

Article 11 – Decision making

11.01 Responsibility for decision making

Details of the persons or bodies within the Council's organisation that have responsibility for particular decisions are set out in Part 3 of this Constitution.

11.02 Principles of decision making

All decisions of the Council will follow these principles:

- (a) proportionality (i.e. the solution reasonably fits the problem);
- (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.

11.03 Rules of decision making

Decisions will be made in accordance with any relevant Procedure Rules set out in Part 4 of this Constitution and, as appropriate, in accordance with the rules of natural justice.

11.04 Decision making by Committees and Sub-committees of the Council

Some of the Council Procedure Rules set out in Part 4 of this Constitution also apply to committees and sub-committees of the Council. The rules in question are specified in Council Procedure Rule 1.

11.05 Human Rights

Sometimes the Council, or a person or body within its organisation, has to determine or consider the civil rights and obligations or the criminal responsibility of a person. In these cases, the Council and any relevant person or body within its organisation must follow proper procedures that accord with the requirements of natural justice and the right to a fair trial contained in Article 6 of the European Convention on Human Rights.

Article 12 – Finance, Contracts and Legal Matters

12.01 Financial Administration and Management

The administration and management of the Council's financial affairs is governed by the Financial Regulations set out in Part 4d of this Constitution.

12.02 Contracts

Every contract made by the Council will comply with the Contract Procedure Rules set out in Part 4b of this Constitution

12.03 Legal Proceedings

The Head of Governance is authorised to begin or take part in any legal proceedings to give effect to decisions of the Council or if ~~he~~they considers it necessary to protect the Council.

12.04 Authentication of Documents

Where any document is necessary in any legal proceedings involving the Council, it may (unless the law says otherwise) be signed by the Head of Governance or someone else authorised by ~~him~~them.

12.05 Common Seal of the Council

The Common Seal of the Council must be kept in a safe place by the Head of Governance. A decision of the Council, or of any part of it, will be sufficient authority for sealing any document necessary to give effect to the decision. The Common Seal will be affixed to those documents which in the opinion of the Head of Governance should be sealed. The fixing of the Common Seal will be attested by the Head of Governance or the Chief Executive.

Article 13 – Review and Revision of the Constitution

13.01 Maintaining the Constitution

The Monitoring Officer has responsibility to maintain an up-to-date version of this Constitution, incorporating all alterations and amendments, and to ensure that it is available for consultation by Councillors, staff and the public.

13.02 Monitoring and Review

The Monitoring Officer will monitor and review the operation of this Constitution with a view to the aims and principles of the Constitution being given full effect, and may make recommendations to the Council for amendments or revisions to it.

13.03 Protocol for monitoring and review of constitution by monitoring officer

The Monitoring Officer must be aware of the strengths and weaknesses of the Constitution adopted by the Council, and may recommend ways in which it could be amended in order better to achieve the purposes set out in Article 1. In undertaking this task, the Monitoring Officer may:

- (a) observe meetings of different parts of the member and officer structure;
- (b) undertake audit trails of sample decisions;
- (c) record and analyse issues raised with ~~him/her~~them by members, officers, the public and other relevant stakeholders; and
- (d) compare practices in this authority with those in other comparable authorities, or national examples of best practice.

13.04 Constitution Review

The Monitoring Officer will review the Constitution ~~the year prior to the next local election~~every three years and seek its formal readoption by the Council. In the intervening period, the Monitoring Officer has a duty to keep the Constitution under review and has delegated authority to amend the Constitution where there has been a change in law, job titles, structures, re-arrangement of job responsibilities. Such changes will be notified to members and the published Constitution will be amended.

13.05 Amendments and Alterations Generally

Except for alterations made by the Monitoring Officer under Article 13.04, changes to the constitution will only be approved by the full Council after consideration of a recommendation from the Audit ~~and Standards~~ Committee or a proposal from the Chief Executive or the Monitoring Officer, or by way of members proposing a notice of motion in accordance with the Council's Procedure Rules subject to Section 101(2) of the Local Government Act 1972 applying which allows any committee of the council to arrange for any of its functions to be discharged by an officer of the authority.

Article 14 – Suspension and Interpretation of the Constitution

14.01 Suspension of the Constitution

- (a) **Limit to suspension.** The Articles of this Constitution may not be suspended.
- (b) **Procedure to suspend.** A motion to suspend any Part 4 Procedure Rules will not be moved without notice unless at least half of the whole number of members of the Council, committee or sub-committee are present. (For example, for a committee to which 9 members had been appointed, 5 would need to be present.) The extent and duration of suspension will be proportionate to the result to be achieved, taking account of the purposes of the Constitution set out in Article 1.

14.02 Interpretation

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

14.03 Publication

The Monitoring Officer will ensure that the council's website contains an easily accessible and up to date copy of the constitution.

Article 15 – Public Speaking at meetings of the Council and its Committees

15.019 Questions from Members of the Public at Full Council Meetings

~~15.01(a)~~ Any resident of the Council's district may, subject to 15.02, submit a question to be asked at an ordinary meeting of the council.

~~15.02(b)~~ Questions will only be asked under ~~(a)15.01~~ if:

- (i) the question has been given in writing to the proper officer before 4.30 p.m. on the fourth working day before the meeting (this means that if the meeting is to be held on a Monday, the question must be given before 4.30 p.m. on the Tuesday before);
- (ii) the question will take no longer than two minutes to ask;
- (iii) the maximum number of questions is not exceeded; and
- (iv) The Head of Governance is satisfied that the question as submitted does not take the form of, or substantially comprise, recitations of fact or expressions of opinion, instead of a question.

~~(c) 15.03~~ The 'proper officer' means the Chief Executive, the Deputy Chief Executive or any officer in the governance team.

~~15.04(d)~~ The maximum number of questions at each meeting is four.

~~(e) 15.05~~ The Leader of the Council will be given at least 24 hours' notice of any questions to be asked under this rule.

~~(f) 15.06~~ The question will be put at the meeting by the Chief Executive or another senior officer and will be answered by the Leader of the Council or any other member nominated by them, so long as that member has consented before the meeting.

~~(g) 15.08~~ No debate will be allowed arising out of a question asked or answer given under this rule.

~~(h) 15.09~~ No person may ask more than one question under this rule- at any meeting.

~~Article 15 – Public Speaking at meetings of the Council and its Committees~~

~~15.0 Questions from Members of the Public at Full Council Meetings~~

~~15.03 – Any resident of the Council's district may, subject to 15.02, may ask a question at an ordinary meeting of the council.~~

~~15.04 – Questions will only be asked be asked under 15.01 if:~~

~~(i) – the person who wants to ask the question has given it in writing to the Director of Resources before 4.30 p.m. on the fourth working day before the meeting (this means that if the meeting is to be held on a Monday, the question must be given before 4.30pm on the Tuesday before);~~

~~(ii) – the question will take no longer than two minutes to ask; and~~

~~(iii) – A maximum of five questions can be added under this rule at the meeting concerned and should be notified to the Chief Executive, Director of Resources or a member of the Governance Team.~~

~~15.02 Public Platform 15.03 – THE LEADER OF THE COUNCIL WILL BE GIVEN AT LEAST 24 HOURS' NOTICE OF ANY QUESTIONS TO BE ASKED UNDER THIS RULE.~~

~~15.04 THE QUESTION WILL BE ANSWERED BY THE LEADER OF THE COUNCIL OR ANY OTHER MEMBER NOMINATED BY THEM, SO LONG AS THAT MEMBER HAS CONSENTED BEFORE THE MEETING.~~

~~15.05 THE PERSON 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 THE MEMBER WHO ANSWERED THE ORIGINAL QUESTION MUST ANSWER THE SUPPLEMENTARY QUESTION.~~

~~15.06 NO DEBATE WILL BE ALLOWED ARISING OUT OF A QUESTION ASKED OR ANSWER GIVEN UNDER THIS RULE.~~

~~15.07 NO PERSON MAY ASK MORE THAN ONE QUESTION UNDER THIS RULE (EXCLUDING SUPPLEMENTARY QUESTIONS UNDER 15.05) AT ANY MEETING.~~

~~15.08 IF A PERSON WHO HAS GIVEN A QUESTION TO THE DIRECTOR OF RESOURCES AS PROVIDED UNDER 15.02 IS UNABLE TO ATTEND THE COUNCIL MEETING TO ASK IT, THE LEADER OF THE COUNCIL MUST ARRANGE FOR A WRITTEN ANSWER TO THE QUESTION TO BE GIVEN TO THE PERSON WHO HAS SUBMITTED IT.~~

~~15.1 PUBLIC PLATFORM~~

Public Platform is an opportunity for people who live or work in the Council's district to put their point of view to a committee about matters within its terms of reference. The first fifteen minutes of [the Policy Executive Committee each meeting of each programme committee](#), will be available for Public Platform. Public Platform will be conducted as set out below.

- (a) The Chairman will begin the meeting by inviting any person (other than a councillor) who is present at a meeting and lives or works in the Council's district to address the committee about any matter [contained within the committee papers agenda for the meeting in question](#) ~~within the committee's terms of reference.~~
- ~~(b) If he/she considers that Public Platform may be oversubscribed, the Chairman will give priority to members of the public who wish to speak about items on the agenda of the meeting.~~
- ~~(c)~~ (b) No person may address the meeting for longer than three minutes.
- ~~(d)~~ (c) The committee will listen to a speaker in silence and; ~~if the matter raised by the speaker relates to an item on the agenda for that meeting,~~ may address any point raised by a speaker when the item to which it relates is discussed.
- ~~(e)~~ (d) The Chairman may require a person addressing the meeting to stop speaking if ~~he~~ [they](#) considers that the speaker is behaving in a manner that is insulting, offensive or inflammatory.
- ~~(f)~~ (e) The Chairman may extend the time allocated for Public Platform if ~~he~~ [they](#) considers that doing so would assist the committee in its deliberations.

15.2 15.03 Planning Committee

- ~~1.~~(a) Speakers **must** apply in advance of the meeting, no later than 12.30pm on the Monday prior to the meeting. This can be done in writing (or email to democracy@fylde.gov.uk) or by telephone to Democratic Services (tel: 01253 658658).
- ~~2.~~(b) When registering, speakers must specify which planning application they wish to speak about and whether they are in support or against the application.
- ~~3.~~(c) No speaking is permitted in support of an application, where an application is recommended by officers for approval.
- ~~4.~~(d) An applicant has an automatic right of reply where a public speaker has registered to speak in objection to the application.
- ~~5.~~(e) Only one speaker per household is permitted.
- ~~6.~~(f) All public speakers will be heard at the start of the meeting regardless of where the application is on the agenda.
- ~~7.~~(g) Public speaking is limited to no more than 3 minutes per person.
- ~~8.~~(h) Repetitious statements will not be permitted.
- ~~9.~~(i) If there are a number of people interested in speaking about an application, speakers are encouraged to appoint a spokesperson or ask their ward councillor(s) to represent them.
- ~~10.~~(j) Town, Parish and County Councillors wishing to speak at committee, on behalf of their residents, need to pre-register as above and are limited to three minutes.
- ~~11.~~(k) Ward Councillors should indicate prior to the meeting whether they wish to address the committee and are not limited to three minutes. Ward Councillors are reminded that where they are directly affected by the planning application, this would be considered as having a prejudicial interest and in these cases, they would be limited to three minutes. Members who are unsure whether they have an interest should discuss the matter with the Monitoring Officer at least 24 hours prior to the meeting.

Please note – If, having spoken on an application, the committee decides to defer the application for further information or amendment, speakers will not be permitted to speak again on the application [when it returns to committee] unless it has been significantly amended. In that case, any further opportunity to speak is limited to the amended detail, and not to the application generally.

15.04**15.1 Public speaking at the Licensing Committee**

The Licensing Act 2003 dictates who can address Licensing Committee and public speaking is limited to those members of the public who have made representations within the prescribed timeframe in regards to a specific license.

Please contact the licensing team for further details licensing@fylde.gov.uk