



Meeting Agenda

**Special Council Meeting
Lowther Pavilion, Lytham
13 February 2006, 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 |
|-------------|--|-------------|---|



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

| ITEM No | PAGE Nos. |
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| 5. IMPLEMENTATION OF CABINET GOVERNANCE | 10 - 12 |

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 |
|-----------------------------|---------|--------------------------------------|---------|
| LEGAL & DEMOCRATIC SERVICES | COUNCIL | 13 TH FEBRUARY 2006 | 4 |

ALLOCATION OF COMMITTEE MEMBERSHIP

- **Public/Exempt item**

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

- **Summary**

The council has recently decided to move from alternative arrangements to a leader and cabinet form of executive governance. As a result, the former Executive Committee has been discontinued. At the same time, the council has decided to create a new overview and scrutiny committee, the Planning Policy Scrutiny Committee.

A member of the Truly Independent group left that group towards the end of last year and joined the Independent group.

Both of these changes trigger the need to carry out another review of the seats allocated to the political groups on the various committees.

- **Recommendation/s**

1. Allocate committee seats to each political group as follows in accordance with the principles of political balance.
2. Invite the political groups to express (within the statutory timetable of three weeks) their wishes about who is to be appointed to the seats on each committee that are allocated to that group, with a view to those appointments being confirmed at the next ordinary meeting of the council.
3. Continue the remaining committees as presently constituted in the meantime.

Continued....

- **Executive brief**

The item falls within the following executive brief[s]: No briefs yet allocated.

- **Report**

1. At the meeting on January 30, the council adopted a new constitution as part of its move to a leader and cabinet form of executive governance. Under that constitution, the following changes were made to the existing committee structure:

- The executive committee was discontinued
- A fourth overview and scrutiny committee, the planning policy overview and scrutiny committee, was created.
- An audit sub-committee, a sub-committee of the performance improvement scrutiny committee was provided for.

The cabinet is outside the rules of political balance and is not considered further in this report. The audit sub-committee will need to be formally appointed by its parent committee, and is similarly not considered further here.

2. During November last year, a member of the Truly Independent group on the council left that group and joined the Independent group.

3. Both of these changes trigger a requirement under the Local Government and Housing Act 1989 to re-calculate the membership of committees in accordance with the requirements of political balance set out in the act. The act also requires that the council give effect to those calculations by allocating seats in accordance with the wishes of the political groups to whom the seats have been allocated. The four principles of political balance can be summarised like this:

- All seats on a committee must not be allocated to the same group;
- The majority group must have the majority of seats on each committee;
- The total number of committee seats across the council must be allocated proportionately to the number of seats each group has on the full council; and
- The seats on each committee must be allocated in proportion to the number of seats of each group on the full council.

The four principles are in order of priority. This means that the second principle is applied subject to the first. Similarly, the third principle is applied subject to the first and the second, and so on.

4. The table below sets out a distribution of seats across committees that fulfils the requirement for political balance. Committees that are not required to be politically balanced are not included. The calculations are on the basis that all scrutiny committees will have nine members and the audit sub-committee will have four members. Figures in brackets indicate the existing number of members appointed.

5. Unless political groups are in a position to nominate members to fill their allocated seats tonight, I will report to the next available meeting of the council to invite the council to endorse the nominations of the political groups to their allocated seats and appoint chairmen and vice-chairmen of the newly-constituted committees.

| Committee | Conservative | Independent | Ratepayers | Truly Independent | Liberal Democrat |
|------------------------------------|--------------|-------------|------------|-------------------|------------------|
| Planning Policy Scrutiny | 5 | 2 | 1 | 1 | 0 |
| Community Outlook Scrutiny | 5 (5) | 2 (1) | 2 (1) | 0 (1) | 0 (1) |
| Policy and Service Review Scrutiny | 5 (4) | 3 (2) | 1 (1) | 0 (0) | 0 (0) |
| Performance Improvement Scrutiny | 5 (4) | 2 (2) | 1 (1) | 1 (0) | 0 (0) |
| Development Control | 9 (9) | 3 (3) | 2 (2) | 1 (1) | 1 (1) |
| Public Protection | 6 (6) | 2 (2) | 2 (2) | 0 (1) | 1 (0) |

6. The table above is a permutation that would meet the requirements for political balance. It is not the only possible permutation that would meet the requirements for political balance. The council is legally required to allocate committee seats on the basis of political balance “as soon as practicable” after the change in group membership.

| IMPLICATIONS | |
|-----------------------------|--|
| Finance | None |
| Legal | Political balance is a legal requirement for most committees of the council. |
| Community Safety | None |
| Human Rights and Equalities | None |

| | |
|-------------------------------------|------|
| Sustainability | None |
| Health & Safety and Risk Management | None |

| REPORT AUTHOR | TEL | DATE | DOC ID |
|---------------|----------------|-----------------|--------|
| Ian Curtis | (01253) 658506 | 6 February 2006 | |

| LIST OF BACKGROUND PAPERS | | |
|---------------------------|------|--------------------------------|
| NAME OF DOCUMENT | DATE | WHERE AVAILABLE FOR INSPECTION |
| None | | |

REPORT



| REPORT OF | MEETING | DATE | ITEM NO |
|-----------------------------|---------|--------------------------------|---------|
| LEGAL & DEMOCRATIC SERVICES | COUNCIL | 13 TH FEBRUARY 2006 | 5 |

IMPLEMENTATION OF CABINET GOVERNANCE

Public/Exempt item

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

Summary

The Council has resolved to implement a new constitution from 13th February 2006. As a consequence of this the council needs to formally elect its executive leader and agree a schedule of meetings. The leader must also appoint his or her cabinet and allocate portfolios.

Recommendation/s

1. Elect the leader of the council.
2. Note the appointments to the executive cabinet made by the newly-elected leader
3. Agree a schedule of meetings

Executive brief

The item falls within the following executive brief[s]: No briefs yet allocated.

Continued....

Report

Election of leader

1. The council voted to adopt a new constitution at its meeting on 30 January, incorporating a leader and cabinet form of governance. The new constitution comes into effect on the date of this meeting, February 13.
2. Under the new constitution the leader needs to be formally elected to that specific position by the council.
3. Councillor J Coombes was nominated as Leader Designate at the Council meeting on 30th January.
4. The Mayor will call for nominations for the post. If there are more than two nominations, council procedure rule 16.7 will govern the procedure:

Voting on appointments

If there are more than two people nominated for any position to be filled and there is not a clear majority of votes in favour of one person, then the name of the person with the least number of votes will be taken off the list and a new vote taken. The process will continue until there is a majority of votes for one person.

Nominations to cabinet

5. The leader of the council is automatically a member of the cabinet. The leader appoints the other members of the cabinet. The newly elected leader will be likely to wish to report to the council who he or she has appointed to the cabinet and any specific responsibilities to be assigned to those cabinet members.

Schedule of meetings

6. Members will be asked to agree a programme of meetings for the cabinet and the various committees for the ensuing year. Draft proposals will be circulated to all members prior to the 13th February.

| IMPLICATIONS | |
|-------------------------------------|---|
| Finance | No direct financial implications |
| Legal | No direct legal implications |
| Community Safety | No direct community safety implications |
| Human Rights and Equalities | No direct implications |
| Sustainability | No direct implications |
| Health & Safety and Risk Management | No direct implications |

| REPORT AUTHOR | TEL | DATE | DOC ID |
|-----------------------------|--------------------------------------|-----------------|--------|
| Phil Woodward andlan Curtis | (01253) 658600 and (01253) 658506 | 1 February 2006 | |

| LIST OF BACKGROUND PAPERS | | |
|--|-----------------|---|
| NAME OF DOCUMENT | DATE | WHERE AVAILABLE FOR INSPECTION |
| The council's constitution as adopted on 30 January 2006 | 30 January 2006 | Town Hall, St Annes or www.fylde.gov.uk |

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