

filled. She advised that these were Conservative vacancies for the purposes of political balance.

Councillor Fazackerley requested that Council confirmed the appointment of Councillor Cheryl Little to the Police Crime Commissioner Panel, and Councillor Albert Pounder to the Three Tier Forum.

Councillor Thomas Threlfall seconded the proposal and following a show of hands it was RESOLVED that;

1. Councillor Cheryl Little be appointed to the Lancashire Police Crime Commissioner Panel for the remainder of the municipal year 2014/2015; and
2. Councillor Albert Pounder be appointed to the Three Tier Forum for the remainder of the municipal year 2014/2015.

9. Governance Arrangements

Councillor Fazackerley introduced the report detailing the changes required to enable the move to a committee system of governance. In introducing the report she made reference to the work of the cross-party working group under the chairmanship of the independent Local Government Association peer member Councillor Glenn Sanderson.

Councillor Fazackerley commented that she was particularly heartened by the spirit of partnership and amicable nature of the meetings as the group worked hard to reach a consensus or where that was not possible to put forward alternative options or a statement of guiding principal.

In proposing the report, Councillor Fazackerley advised that the recommendations were as stated with the exception of two amendments, firstly that the name of the Health and Housing Committee be amended to Environment, Health and Housing Committee; and secondly that in regards to arrangements for substitutes that the Council adopt Option 2 as set out in Appendix 4 of the report. 

She concluded by thanking the group for their wisdom and commitment and thanked the officers for their work and support.

Councillor Buckley seconded the proposals.

Councillor Elizabeth Oades proposed an amendment to the motion, seconded by Councillor David Chedd, that in regards to arrangements for substitutes the Council adopt Option 1 as set out in Appendix 4 of the report.

Following a lengthy discussion regarding the merits of each option, there was a show of hands and the amendment was lost.

Returning to the substantive motion, there was further debate including comments regarding committee size, and following a show of hands it was RESOLVED;

1. that the terms of reference of the new programme committees be as set out in Appendix 1 to the report with the exception of title of the Health and Housing Committee, which be amended to Environment, Health and Housing Committee;
2. that the role of the Leader of the Council be as set out in paragraph 15 of the report;
3. to adopt the revised protocols and procedures for setting and monitoring the council's budget, incorporating the revised schedule of meetings, set out in Appendix 2 to the report;

4. to adopt the rules for referral and recovery set out in Appendix 3 to the report;
5. to agree to the arrangements for taking urgent decisions set out in paragraph 21 of the report;
6. that in regards to arrangements for substitutes under the committee system option 2 as outlined in Appendix 4 to the report be adopted;
7. Mandate the Director of Resources to produce an amended version of the constitution incorporating the changes set out in resolutions 1-6 above and such further technical or administrative changes as are necessary or appropriate for the council's transition to a committee system; and
8. Request the Director of Resources to bring a report to the meeting of the council on March 30th 2015 requesting that the council adopt its new constitution with effect from its 2015 annual meeting.

10. Dispensation to Allow Town and Parish Councillors to Participate in Council Tax Reduction Scheme Item

The Mayor presented a report regarding dispensation to allow Town and Parish councillors to participate in the Council Tax Reduction Scheme item. He informed members that the purpose of the report was to ensure that councillors who were also Town and Parish councillors could participate in the discussion about and vote on the item in relation to the Council Tax Reduction Scheme, with reference to the allocation of a grant to Town and Parish Councils.

Tracy Morrison, Monitoring Officer, advised that Councillors E Nash, K Henshaw, Ford, Chew, Jacques, Silverwood, Little, Nulty, Singleton, Hodgson, Akeroyd, Willder, Beckett, Chedd, Clayton, Dr Fiddler, Oades, Pounder, Prestwich, Threlfall, Rigby, Hayhurst and Hardy had all applied for dispensation prior to the Council meeting.

The Mayor proposed, and the Deputy Mayor seconded the recommendation in the report.

Following a show of hands in favour of the proposal, it was RESOLVED:

That dispensations are given to councillors who have requested the same in relation to the Council Tax Reduction Scheme item contained later on the agenda for Council meeting of 1 December 2014 in so far as the allocation of a grant to Town and Parish Councils was concerned.

11. Review of Council Tax Discounts and Premiums

Councillor Fabian Craig-Wilson introduced a report regarding a review of the Council Tax Discounts and Premiums chargeable by the Council. The report set out the issues to be considered and the options available to the Council for its Charging Policy from April 2015.

Councillor Craig-Wilson explained that each of the recommendations were consistent with the resolutions of the Policy Development Scrutiny Committee, who considered the matter at its meeting on 13 November 2014.

Councillor Fabian Craig-Wilson proposed the recommendations in the report, which were seconded by Councillor John Singleton.

Following a show of hands in favour of the proposals, it was RESOLVED that with effect from 1 April 2015:

1. To continue the current Council Tax discounts and premiums regime for 2015/16.

REPORT



REPORT OF	MEETING	DATE
RESOURCES DIRECTORATE	COUNCIL	1 DECEMBER 2014

GOVERNANCE ARRANGEMENTS

PUBLIC ITEM

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

SUMMARY

Following the referendum in May 2014, which resulted in a vote for a return to a committee system, the Council is required to implement the proposals agreed at the Full Council meeting in February 2014 for operating a committee based system of governance. It is intended that the new system will operate from the annual council meeting at the start of the municipal year 2015-16.

The Full Council appointed a cross party Governance Working Group with a remit to consider the constitutional and governance arrangements that would need to be included in a committee system at Fylde. The arrangements must be within the principles of the committee system agreed prior to the referendum at the meeting in February 2014.

The Working Group has met on a number of occasions and has made recommendations, which are set out in this report. The recommendations (if accepted), along with other technical and administrative changes, will be incorporated in a revised version of the constitution which will be presented to the council for adoption in March 2015.

The report sets out the recommendations from the Working Group in respect of the terms of reference for the new programme committees, the role of the Leader of the council, protocols and procedures for budget setting and monitoring, referral and recovery and taking urgent decisions.

The Working Group discussed arrangements for substitute members and the appropriate number of members for each committee under the new system, neither of which is required to be determined as part of the change of governance and would be within the remit of the new Council from May 2015 to determine. The outcomes from the discussions in the Working Group are included in the report.

RECOMMENDATIONS

1. Endorse the following recommendations of the Governance Working Group:

- a. that the terms of reference for the new programme committees be as set out in Appendix 1 to the report
- b. that the role of the Leader of the Council be as set out in paragraph 15 of the report
- c. to adopt the revised protocols and procedures for setting and monitoring the council's budget, incorporating the revised schedule of meetings, set out in Appendix 2 to the

report

- d. to adopt the rules for referral and recovery set out in Appendix 3 to the report
 - e. to agree to the arrangements for taking urgent decisions set out in paragraph 21 of the report
 - f. to consider whether arrangements for substitutes under the committee system should be proposed at this stage in line with one of the options outlined in Appendix 4 to the report
2. Mandate the Director of Resources to produce an amended version of the constitution incorporating the changes set out in the recommendations above and such further technical or administrative changes as are necessary or appropriate for the council's transition to a committee system
 3. Request the Director of Resources to bring a report to the meeting of the council on March 30th 2015 requesting that the council adopt its new constitution with effect from its 2015 annual meeting

CABINET PORTFOLIO

This item falls within the following cabinet portfolio(s):

Finance and Resources:

Councillor Karen Buckley

SUMMARY OF PREVIOUS DECISIONS

On February 24th 2014 the Council agreed the key principles for the operation of a committee system in the event of the referendum voting in favour of a governance change.

On 27th July 2014 the Council established a cross-party group of members to give consider the constitutional and governance issues necessary for the change to a committee system or which could conveniently be considered alongside it. Council also agreed to receive recommendations direct from the Governance Working Group, as opposed to the Audit Committee, on the governance changes because of the limited time available to complete the work.

REPORT

BACKGROUND

THE REFERENDUM

1. On 29th October 2012, the Council received a valid petition under the Local Authorities (Referendums) (Petitions) (England) Regulations 2011. The petition sought to change the form of governance of the authority from executive arrangements consisting of a leader and cabinet executive (England) to a committee system.
2. In February 2014, as required by the Local Authorities (Conduct of Referendums) (England) Regulations 2012, the Council resolved to adopt the following proposals for the operation of a committee system in the event of the referendum delivering a vote favour of it:

Full council would have power to set policy parameters within which each committees is to operate

Within such parameters, functions (except planning policy) that are now executive functions would be divided between four committees whose broad remits would be defined around: (1) Tourism and Leisure, (2) Operational Management, (3) Health and Housing and (4) Finance.

The following existing committees would continue with the same remits as now, except as noted below: (1) Audit Committee, (2) Chief Officers Employment Committee, (3) Development Management, (4) Licensing and (5) Public Protection.

Matters presently within the terms of reference of the Standards Committee would fall within the remit of the Audit Committee. Formulation of planning policy would fall within the remit of the Development Management Committee. Final adoption of the local plan would remain, as required by law, a matter for full council.

There would be no arrangements for scrutiny within the governance framework.

Each committee would have full delegated authority to make decisions within the parameters set by full council.

There would be a mechanism under which a committee would be barred from exercising delegated authority in a particular matter (i.e. would only be permitted to make a recommendation to council, rather than take a decision) under procedure rules to be developed. There would be a separate mechanism within the same procedure rules under which decisions made by committees could be referred to the council for reconsideration.

There will be the ability for full council to take any function it has delegated to a Committee, in place of that Committee: and a Committee may refer or recommend a decision in respect of a delegated function to be taken by full Council.

Delegations to officers would be the same as in current constitution.

There would continue to be a Leader of the Council, appointed and removable by a vote of the full council.

3. The referendum took place on 22nd May 2014, with 57.8 % of votes in favour of changing to a committee system. The Council is required to operate the committee system from May 2015 in accordance with the proposals adopted in February 2014.

GOVERNANCE WORKING GROUP

4. The change to the council's system of governance requires a root and branch review of the Council's constitution. As well as detailed technical changes to facilitate the committee system, the need for a review brings an opportunity for members to consider the structures and procedures of the Council.
5. At its meeting on July 27th 2014, Council appointed a cross-party Working Group to consider possible constitutional and governance changes and report to Full Council with recommendations. The working group consisted of five councillors from the majority Conservative group and five councillors drawn from opposition groups. Meetings of the Working Group were facilitated by Councillor Glen Sanderson, Regional Peer Lead Member from the Local Government Association and supported by appropriate officers.

6. The working group met on six occasions between August and November 2014 to consider in detail a range of constitutional and governance matters informed by responses to consultation from key stakeholders, including the organisers of the petition.
7. The group worked to find consensus on each issue where possible. Where it was not possible to find consensus, the group identified alternative options or stated principles for the council to consider.

WORKING GROUP RECOMMENDATIONS

GENERAL

8. The report sets out the matters considered by the working group. Where the group made a consensus recommendation, Council is invited to endorse the recommendation. Where the group did not reach a consensus, the report sets out the options or principles agreed by the group, but does not make a recommendation.
9. The following terms are used in this report and its appendices:

“Programme Committees” means the new committees to be established by the council, as set out in the proposals adopted in February 2014; that is, Finance and Democracy Committee, Tourism and Leisure Committee, Operational Management Committee and Health and Housing Committee.

“Main Committees” means the programme committees together with Development Management Committee.

TERMS OF REFERENCE

10. The principles adopted in February 2014 allocated the current Executive functions between four programme committees with the formulation of planning policy, regeneration and economic development falling within the remit of the Development Management Committee.
11. The Working Group examined the detailed distribution of business between the programme committees and recommended that they have the activities and areas of responsibility that are set out in **Appendix 1** to this report:
12. The terms of reference as set out in the appendix would be contained in part 3 of the constitution. Part 3 will also contain revised supporting text to reflect the change to a committee system, terms of reference for the Audit and Standards Committee (combining the terms of reference for the two previous separate committees), and revised terms of reference for the Development Management Committee to take account of that committee’s new responsibility for the development of planning policy, regeneration and economic development.

LEADER OF THE COUNCIL

13. In the Leader and Cabinet (England) form of Executive arrangements currently operated by the Council, the leader of the Council has a range of formal powers. These include appointing and removing Cabinet members and taking decisions relating to any Executive function. The Leader can also determine the extent to which decision-making powers are given to the cabinet and individual cabinet members.
14. Those formal powers do not exist in a committee system. The formal powers of the Leader would be limited to matters including which member of the council should answer questions at

a Council meeting. The Leaders role in the committee system was considered by the Working Group.

15. The working group, following consultation with the member development steering group, recommended that the role of the Leader should be as follows:

- To act as principal spokesman for the Council
- To take political responsibility for proposing and directing corporate strategy, the budget, and policy
- To facilitate effective communication with all those engaged in the decision making process of the Council and provide feedback to all members, with suggestions for effective communication and information sharing such as via a weekly email update; group leaders briefing or statement at each Council.
- To work effectively with the Chair on each of the Council's Committees
- To promote the democratic working of the Council, in accordance with the Council's Constitution with due regard for any statutory provisions set out in legislation
- To promote and uphold the 10 principles of public life in the Code of Conduct for Members
- As the principal community leader, promote the Council's vision for Fylde and lead the Council and its partners to achieve that vision

16. The Working Group felt strongly that it should be understood that the personal development of the Council's members ought to be regarded as a priority by the Leader of the council.

BUDGET SETTING AND MONITORING

17. The present protocols and procedures for setting and monitoring the council's budget are structured around the Cabinet and the scrutiny committees. The move to a committee system means that those protocols and procedures need to be redesigned. The Working Group considered and adopted proposals for budget setting and monitoring put forward by the council's section 151 officer. The proposed protocols and procedures are intended to continue the robust and effective financial management presently in place, and to take into account the advice and experience of other authorities operating a committee system and are set out in **Appendix 2**, including a proposed schedule of meetings for 2015-16 as proposed by the Governance Working Group.

REFERRAL AND RECOVERY

18. The proposals adopted at the February 2014 council meeting required that there is a mechanism under which a committee would be barred from exercising delegated authority in a particular matter and a separate mechanism within the same procedure rules under which decisions made by committees could be referred to the Council for reconsideration.

19. After discussion at a number of meetings, the Working Group approved rules for referral and recovery. "Referral" gives the ability for ten or more members to require a decision to be dealt with as a recommendation to Full Council, rather than under a committee's delegated powers. "Recovery" is the ability for ten or more members to require that a decision already taken by a committee stand referred to the Full Council for reconsideration. Exemptions and time limits would apply to both referral and recovery. The detailed rules, which would form section 5 of part 3 of the constitution (responsibility for functions) are set out as **Appendix 3** to this report.

URGENT BUSINESS

20. Under the present Executive arrangements, urgent decisions can be taken by the Leader of the council or appropriate portfolio holders. The move to a committee system made it appropriate to consider the arrangements for taking urgent decisions where a committee could not be practicably convened.
21. The Working Group considered that where emergency action was required, that is action that was deemed to be critical and where a decision was needed to be made within 24 hours, power to take such a decision should be delegated to the Chief Executive, in consultation with at least two of the following named members of the Council: the Leader of the Council, the deputy Leader, the Leader of the Opposition or the Chairman of the relevant committee, with every effort made to contact all the above named members.

SUBSTITUTES

22. Changes to the arrangements for substitutes is not a requirement to enable the change to a committee system, but the group felt it appropriate to discuss the issue in tandem with the wider changes. The Working Group was not able to reach a consensus on a single recommendation, but agreed on the two alternative options that are set out for members' consideration in **Appendix 4**.

COMMITTEE SIZE

23. The number of members on the programme and other committees of the Council is a matter that will be decided after the May 2015 council elections by the newly elected council. It is not a requirement to determine the number of seats on each committee as part of the change of governance to a committee system. The distribution of seats between political groups represented on the council will also be a matter for the new council, in accordance with the wishes of political groups under the rules of political balance¹.
24. The Working Group did feel that it was appropriate to put forward the following statement of principle for consideration by the Council:

"The working group has considered a number of options on committee size and recommends, as a guiding principle, that the number of seats on each programme committee should be such as would provide maximum opportunity for each member to have a seat on one of the four programme committees."

IMPLICATIONS	
Finance	
Legal	The council is obliged to implement a committee system in accordance with the proposals that it adopted at the meeting of February 24 2014.
Community Safety	The Health and Housing Committee would be designated as the Council's Crime and Disorder Committee for the purposes of section 17 of the Crime and Policing Act 2006.

¹ Local Government and Housing Act 199, sections 15-17; Local Government (Committees and Political Groups) Regulations 1989

Human Rights and Equalities	No implications
Sustainability and Environmental Impact	
Health & Safety and Risk Management	

REPORT AUTHOR	TEL	DATE	DOC ID
Ian Curtis	01253 658506	Date of report	

LIST OF BACKGROUND PAPERS		
Name of document	Date	Where available for inspection
Notes of meetings of the Governance Working Group	7 September 2015, 2 October 2015, 22 October 2015, 3 November 2015, 10 November 2015	Town Hall, Lytham St Annes
Governance Working Group discussion papers	Undated, discussed at the above meetings	Town Hall, Lytham St Annes

Attached Documents

Appendix 1: Terms of reference for programme committees

Appendix 2: Protocols and procedures for budget setting and monitoring, including the schedule of meetings

Appendix 3: Rules for referral and recovery

Appendix 4: Options for substitutes

APPENDIX 1

Tourism and Leisure Committee

1. *To consider and scrutinise reports relating to performance of services under the remit of the committee*
2. *To consider and scrutinise periodic revenue and capital budget monitoring reports on areas under the committee's remit*
3. *Considering reports, reviewing, and formulating where necessary, policies relating to leisure management and community development*
4. *Considering reports, reviewing, and formulating where necessary policies in relation to recreation including parks and open spaces development and grounds maintenance in relation to areas under the jurisdiction of the council*
5. *Considering reports, reviewing, and formulating where necessary policies relating to arts, culture and heritage*
6. *Considering reports, reviewing, and formulating where necessary policies relating to sand dunes management*
7. *Considering reports, reviewing, and formulating where necessary, policies relating to tourism and events promotion*
8. *Considering reports, reviewing, and formulating where necessary policies relating to beach management*
9. *To review, and formulate where necessary, policies relating to coast and countryside*
10. *To deal with issues arising in relation to the Trust set up to manage Lowther Pavilion and Gardens*
11. *To consider swimming provision and deal with partnership issues arising in relation to the operation of swimming pools*
12. *To keep under review income generating activity and subsequent contractual arrangements with respect to parks and open spaces*
13. *To consider any management issues arising in relation to land or property within the remit of the committee*
14. *To keep the Council's sports development programme under review*
15. *To interface with partners involved in the work of the committee as necessary*
16. *To establish any Working Group to consider, and make recommendations, on any issues within the remit of the committee's terms of reference*

Operational Management Committee

1. *To consider and scrutinise reports relating to performance of services under the remit of the committee*
2. *To consider and scrutinise periodic revenue and capital budget monitoring reports on areas under the committee's remit*
3. *To keep under review arrangements regarding depot arrangements with respect to operational services and consider issues relating to the Council's Vehicle Replacement Programme*
4. *Considering reports, reviewing, and formulating where necessary policies relating to waste management and recycling*
5. *Considering reports, reviewing, and formulating where necessary policies relating to public toilet provision*

6. *Considering reports, reviewing, and formulating where necessary policies relating to amenity cleaning*
7. *Considering reports, reviewing, and formulating where necessary policies relating to car parking*
8. *Considering reports, reviewing, and formulating where necessary policies relating to customer access, ICT and website*
9. *Considering reports, reviewing, and formulating where necessary policies relating to coastal defences*
10. *Considering reports, reviewing, and formulating where necessary policies relating to dog Control*
11. *Considering reports, reviewing, and formulating where necessary policies relating to Emergency Planning*
12. *To consider and review provision in relation to footway lighting and bus shelters*
13. *To consider any management issues arising in relation to land or property within the remit of the committee*
14. *To interface with partners involved in the work of the committee as necessary*
15. *To establish any Working Group to consider, and make recommendations, on any issues within the remit of the committee's terms of reference*

Health and Housing Committee

1. *To consider and scrutinise reports relating to performance of services under the remit of the committee*
2. *To consider and scrutinise periodic revenue and capital budget monitoring reports on areas under the committee's remit*
3. *Considering reports, reviewing, and formulating where necessary, policies relating to housing, homelessness and housing advice*
4. *To consider any matters arising in relation to health development and promotion including matters relating to the Health and Wellbeing Board*
5. *To keep under review matters relating to disabled facilities grants, housing standards and energy efficiency*
6. *Considering reports, reviewing, and formulating where necessary policies relating to community safety including CCTV provision*
7. *To fulfil the statutory overview and scrutiny role in terms of the Crime and Disorder Reduction Partnership*
8. *Considering reports, reviewing, and formulating where necessary policies relating to environmental health, protection and sustainability*
9. *Considering reports, reviewing, and formulating where necessary policies relating to cemetery and crematorium*
10. *Considering reports, reviewing, and formulating where necessary policies relating to Fylde Coast Bathing Waters*
11. *Considering reports, reviewing, and formulating where necessary , policies relating to Food hygiene*
12. *Considering reports, reviewing, and formulating where necessary , policies relating to Pest Control*
13. *Considering reports, reviewing, and formulating where necessary, policies relating to the Children's Trust, Working Together for Families partnership and the Health and Well-Being Partnerships*

14. *To receive reports from partners who receive community grants from the council and to interface with partners involved in the work of the Committee including Fylde CAB, Age Concern, Care and Repair and Face to Face*
15. *To establish any Working Group to consider, and make recommendations, on any issues within the remit of the committee's terms of reference*

Finance and Democracy Committee

1. *To consider and scrutinise reports relating to performance of services under the remit of the committee*
2. *To consider and scrutinise periodic revenue and capital budget monitoring reports on areas under the committee's remit*
3. *To lead the budget setting process, in consultation with the other programme committees, and to put forward a draft budget package to the Council for approval*
4. *To receive financial forecast updates and provide guidance and commentary to other committees as necessary*
5. *To consider reports from the Head of the Shared Service as necessary in relation to revenues and benefits service related matters including business debt write offs*
6. *To keep under review the Council tax reduction scheme review and make recommendations to the Council on the same*
7. *To review the Pay Policy annually and make recommendations to the Council on the same*
8. *To consider any matters arising in relation to Strategic Procurement*
9. *To keep under review matters relating to the Council's Community projects fund*
10. *To consider any matters arising in relation to the mayoralty, civic functions and civic ceremonial*
11. *To monitor and evaluate progress towards achieving the objectives by the council within the Corporate Plan*
12. *Considering reports, reviewing, and formulating where necessary policies relating to public relations and communications*
13. *To manage any land and property owned by the council and not specifically held for the purposes of another committee*
14. *To consider any community assets nominations*
15. *All of the Council's functions relating to elections, as set out in Schedule 1 to the Local Authorities (Functions and Responsibilities) (England) Regulations 2000*
16. *To interface with partners involved in the work of the committee as necessary*
17. *To establish any Working Group to consider, and make recommendations, on any issues within the remit of the committee's terms of reference*

APPENDIX 2

In regards to in year budget monitoring and the revenue budget, the existing revenue budget book would be re-cast from the current Directorate-based breakdown to a Committee-based analysis whereby each cost centre would be allocated to one of the five main committees (i.e. the four new programme committees together with the Development Management Committee) in line with the responsibilities for functions. Many of the cost centres fell logically into relevant committees based on the functions of the committees, but where allocation was less straightforward (i.e. for cross-cutting or strategic cost centres such as the Chief Executive, Directors, The Accommodation project) those would be allocated to the Finance Committee.

Quarterly budget monitoring reports at cost centre level would be posted on the intranet for all Members to access on a self-service basis budget holders would respond directly to any resultant Member enquiries relating to in-year spending, and that all Councillors would be sent a link to alert them that the reports had been posted to the web.

This would be supplemented by periodic summary budget monitoring reports to main committees which would: i) identify variances against profiled budgets within the remit of the relevant committee, and ii) provide narrative to explain variances for Members to scrutinise.

In regards to the capital programme each of the capital schemes within the Council's approved Capital Programme would be allocated to one of the main committees, determined by the terms of reference, and periodic summary budget monitoring reports would be presented to programme committees which would: i) identify progress on delivery of capital schemes within the remit of the relevant programme committee, and ii) provide narrative to explain any variances for Members to scrutinise.

In regards to the capital programme, and specifically new schemes and scheme spend approval:

- a. With the exception of schemes as described in point b) below, Council would need to approve the addition of new capital schemes to the Capital Programme, and that would ordinarily be achieved through the budget setting process as set out in section 5 below;
- b. Provided that any ongoing revenue costs could be met from existing approved resources, main committees could approve the addition of new schemes to the Capital Programme up to the value of £250,000 during the financial year provided they were fully funded from new external funding (or from virements of resources from existing schemes - provided that the overall objectives of the new scheme remained consistent with those of the source scheme), with all schemes above this value or those without a virement or new external funding would require approval by Full Council for addition to the Capital Programme.
- c. Expenditure on any scheme within the approved Capital Programme would only commence once the relevant programme committee had received a detailed report setting out the cost breakdown of the scheme, ongoing revenue budget implications, the method of financing, relevant value for money issues, the procurement path and delegations if required, and detailed objectives, outputs and outcomes.

In regards to budget setting in order to provide continuing strong corporate strategic financial management of the Council the composition of the Finance Committee may, where political balance allowed, include the Chairs of the other 4 budget holding committees (including Development Management). The Finance Committee may also be chaired by the Council Leader, an approach which would further strengthen the corporate strategic role of the Finance committee.

The remit of the Finance Committee included dealing with requests for funded budget increases, together with virements above officer delegation levels, following consideration by the relevant programme committee. This would ensure that the Finance Committee retained a strategic overview of the finances of the Council which was essential if the existing financial strength of the Council was to be retained. All unfunded budget increase requests would be considered by Council, as was currently the case.

The Medium Term Financial Strategy (MTFS) would remain as the key financial strategy document for the Council, and would be presented to Full Council periodically during the financial year, with a final version in March in order to set the detailed budget and Council Tax levels for the coming year. In addition the same MTFS report would be presented to the Finance Committee along the same timeframes in order that the Finance Committee was cognisant of the overall financial position of the Council.

Finance Committee would appoint a Budget Working Group early in each financial year to co-ordinate and oversee the budget setting process and to provide a strategic steer to the main committees and the Council on key elements of the budget setting process such as the level of growth or savings required in light of the overall financial position of the Council, capital bid expectations, fees and charges levels etc.

Each of the main committees would receive a report during November which would set out potential capital bids for the forthcoming financial year for the committee to prioritise, with the lists from each committee to be considered by the Budget Working Group and tailored to fit within available resources/corporate priorities.

The existing budget rightsizing exercise would be continued each year.. The budget rightsizing exercise was primarily for officers, but chairmen of the programme committees could be involved.

Summary budgets would be presented to each of the main committees at the November cycle of meetings after the budget rightsizing exercise had been completed. Detailed budgets for each programme committee would be made available via the intranet for members to access on a self-service basis, as per the quarterly budget monitoring reports. Members would be alerted to the detailed budgets by email, with a link to the information sent to all members. The budgets would be prepared on a continuation basis – i.e. the budgets would represent the latest estimate of resources required to provide a continuation of the existing levels of service approved by the Council or its committees.

Each of the main committees would receive a report during the January meeting cycle, which would set out the fees and charges within its remit together with proposals for any changes to those fees and charges for the forthcoming financial year for consideration by the committee.

It would be within the remit of the Finance Committee to ultimately propose a final budget package to Council for consideration, informed by the deliberations of the programme committees and the Budget Working Group.

APPENDIX 3

(a) Referral

- (i) Referral should only be used where members of the council, after due deliberation, consider that it is in the interests of the inhabitants of the borough that a pending decision should be made at a meeting of the council rather than by a committee or sub-committee.
- (ii) If, during the referral period, referral of a pending decision is requested by any ten members of the council then, notwithstanding anything in the scheme of delegation or elsewhere in the constitution, no committee or sub-committee may exercise any delegated authority to make that decision, but may instead make a recommendation to a meeting of the council.
- (iii) In this rule:
 - “pending decision” means any decision that would otherwise be taken by a committee or sub-committee of the council except:
 - a. a decision to make a recommendation to a meeting of the council or to any committee or sub-committee of the council (including a joint committee);
 - b. a decision relating to the determining of any approval, consent, licence, permission or registration;
 - c. a decision in respect of which the Chief Executive, following consultation with the Leader of the Council, has, before the decision is referred, certified that any delay likely to be caused by the referral process would seriously prejudice the council’s or the public interest.

“referral period” means, in relation to a pending decision, the period commencing with the publication on the council’s website of the committee or sub-committee agenda at which it would be considered and ending at 16.00 on the day before the meeting.

(b) Recovery

- (i) Recovery should only be used where members of the council, after due deliberation, consider that a recoverable Decision is not in the interests of the inhabitants of the borough and ought to be reconsidered.
- (ii) During the recovery period, the Director of Resources shall recover a decision for consideration at a meeting of the council if so requested by any ten members of the council. She shall arrange for the decision to be placed on the agenda of the next available meeting of the council.
- (iii) Notwithstanding anything in the scheme of delegation or elsewhere in the constitution:
 - a. a recoverable decision may not be implemented during the recovery period; and
 - b. a decision that has been recovered under rule (b)(ii) will be treated for all purposes as though the decision had been a recommendation to a meeting of the council to take that decision
- (iv) In this rule:

The “next available” meeting means the first meeting falling more than ten working days after the Director of Resources receives the request for recovery, unless it is practicable to include the decision as an agenda item at an earlier meeting, in which case it means that earlier meeting.

“recoverable decision” means any decision taken by a committee or sub-committee of the council except:

- a. a decision to make a recommendation to a meeting of the council or to any committee or sub-committee of the council (including a joint committee);
- b. a decision relating to the determining of any approval, consent, licence, permission or registration;
- c. a decision relating to conduct or procedure at the meeting at which it was taken; or
- d. a decision in respect of which the Chief Executive, following consultation with Leader of the Council, has, before the decision is recovered, certified that any delay likely to be caused by the recovery process would seriously prejudice the council's or the public interest.

“recovery period” means, in relation to a decision, the period of six working days commencing with day of the meeting that made the decision. This means that, if the meeting was held on a Tuesday, the request for recovery would need to be made no later than the following Tuesday, unless there was a bank holiday in between.

Fylde Borough Council Schedule of Meetings

Draft Version 5.3

2015-2016

2015/16	May	CYCLE 1 June	July	August	CYCLE 2 September	October	CYCLE 3 November	December	CYCLE 4 January 2016 -	February	CYCLE 5 March	April	May	2015/16
Mo		1								1				Mo
Tu		2 Operational MGMT			1			1		2	1			Tu
We		3	1		2 Dev Mgmt			2		3	2 Budget Council			We
Th		4 Tourism and Leisure	2		3	1		3		4	3			Th
Fr	1	5	3		4	2		4	1 New Years Day	5	4	1		Fr
Sa	2	6	4	1	5	3		5	2	6	5	2		Sa
Su	3	7	5	2	6	4	1	6	3	7	6	3	1	Su
Mo	4 May Day	8	6 Council	3	7	5	2	7	4	8 Council	7	4	2 Bank Holiday	Mo
Tu	5	9 Health and Housing	7	4	8 Health and Housing	6	3	8	5 Health and Housing	9	8 Operational MGMT	5	3	Tu
We	6	10 Dev Mgmt (POLICY)	9 Dev Mgmt	5	9	7 Dev Mgmt	4 Dev Mgmt	9 Dev Mgmt	6 Dev Mgmt	10 Dev Mgmt	9 Dev Mgmt (POLICY)	6	4	We
Th	7 Election Day	11	9	6	10 Tourism and Leisure	8	5	10	7 Tourism and Leisure	11	10 Tourism and Leisure	7	5	Th
Fr	8	12	10	7	11	9	6	11	8	12	11	8	6	Fr
Sa	9	13	11	8	12	10	7	12	9	13	12	9	7	Sa
Su	10	14	12	9	13	11	8	13	10	14	13	10	8	Su
Mo	11	15	13	10	14	12 Council	9	14 Council	11	15	14	11 Council	9	Mo
Tu	12	16	14	11	15 Operational MGMT	13	10 Health and Housing	15	12 Operational MGMT	16	15	12	10	Tu
We	13	17 Dev Mgmt	15	12	16 Dev Mgmt (POLICY)	14	11	16	13	17	16 Dev Mgmt	13	11 Council AGM (14:00) ?	We
Th	14	18	16	13	17	15	12 Tourism and Leisure	17	14	18	17 Audit/Stand	14	12	Th
Fr	15	19	17	14	18	16	13	18	15	19	18	15	13	Fr
Sa	16	20	18	15	19	17	14	19	16	20	19	16	14	Sa
Su	17	21	19	16	20	18	15	20	17	21	20	17	15	Su
Mo	18	22 Finance and Democracy	20	17	21	19	16	21	18	22 Special Finance and Democracy - Budget	21 Finance and Democracy	18	16	Mo
Tu	19	23	21	18	22	20	17 Operational MGMT	22	18	23 Health and Housing	22	19	17	Tu
We	20 Council AGM (14:00)	24	22	19	23	21	18 Dev Mgmt (POLICY)	23	17 Dev Mgmt (POLICY)	24	23	20 Dev Mgmt	18	We
Th	21	25 Audit/Stand (18:00)	23	20	24 Audit/Stand	22	19	24	21 Audit/Stand	25	24	21	19	Th
Fr	22	26	24	21	25	23	20	25 Christmas Day	22	26	25 Good Friday	22	20	Fr
Sa	23	27	25	22	26	24	21	26	23	27	26	23	21	Sa
Su	24	28	26	23	27	25	22	27	24	28	27	24	22	Su
Mo	25 Spring Bank Hol	29	27	24	28 Finance and Democracy	26	23	28 Boxing Day	25 Finance and Democracy	29	28 Easter Monday	25	23	Mo
Tu	26	30	28	25	29	27	24	29	26		29	26	24	Tu
Wed	27		29 Dev Mgmt	26	30	28	25	30	27		30	27	25 Dev Mgmt	Wed
Th	28		30	27		29	26 Audit/Stand	31	28		31	28	26	Th
Fr	29		31	28		30	27		29			29	27	Fr
Sa	30			29		31	28		30			30	28	Sa
Su	31			30			29		31				29	Su
Mo				31 Summer Bank Hol			30 Finance and Democracy						30 Spring Bank Hol	Mo
Tu													31	Tu

KEY 2015/16 MEETINGS:

Council x 7	7	Mondays
Finance x 6	6	Mondays
Operational Mgmt x 5	5	Tuesdays
Health & Housing x 5	5	Tuesdays
Dev Mgmt x 12	12	Wednesdays
DM (POLICY) x 5	5	Wednesdays
Tourism & Leisure x 5	5	Thursdays
Audit/Stand x 5	5	Thursdays
TOTAL 2015/16 =	50	MEETINGS

LSAHS School Holidays

Additional Information

2014/15 Scheduled meetings

Council x 7	7
Dev Mgmt x 11	11
Standards x 2	2
Audit x 5	5
Cabinet x 7	7
CFSC x 7	7
PDSC x 6	6
Local Plan steering group	5
TOTAL 2014/15 =	50

Substitutions.

Option	Subs allowed	If yes, how?	Notification req'd?	How?	Notice period?	Notes
1. (As now)	Yes	Any member may sub except at DM where subs must be drawn from a trained pool of 6	Yes	Oral or written by absent member or political group	Before meeting	
2.	Yes	Any member may sub except if they have previously subbed three times at the relevant committee in the municipal year; at DM subs must additionally be drawn from a trained pool of 10	Yes	Oral or written by absent member or political group	No later than the day before the meeting	