

PROCEEDINGS

A meeting of the Lancaster City Council was held in the Town Hall, Morecambe, at 6.00 p.m. on Monday, 23 May 2011, when the following Members were present:-

Paul Woodruff (Mayor)	Keith Sowden (Deputy Mayor)
Paul Aitchison	Tony Anderson
June Ashworth	Josh Bancroft
Jon Barry	Mark Bevan
Eileen Blamire	Dave Brookes
Abbott Bryning	Keith Budden
Shirley Burns	Susie Charles
Chris Coates	Roger Dennison
Sheila Denwood	Jonathan Dixon
Melanie Forrest	Paul Gardner
Kathleen Graham	Mike Greenall
Tim Hamilton-Cox	Janet Hall
Janice Hanson	John Harrison
Helen Helme	Billy Hill
Joan Jackson	Alycia James
Tony Johnson	Andrew Kay
Tracey Kennedy	David Kerr
Geoff Knight	Karen Leytham
Roger Mace	Geoff Marsland
Terrie Metcalfe	Ceri Mumford
Richard Newman-Thompson	Jane Parkinson
Ian Pattison	Margaret Pattison
Pam Pickles	Vikki Price
Robert Redfern	Sylvia Rogerson
Ron Sands	Elizabeth Scott
Roger Sherlock	David Smith
Emma Smith	Susan Sykes
Joyce Taylor	Malcolm Thomas
David Whitaker	Peter Williamson

The Mayor welcomed all the new Elected Members to the Council.

9 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Val Histed and Richard Rollins.

10 MINUTES

The Minutes of the meeting held on 13 April 2011 were signed by the Mayor as a correct record.

11 DECLARATIONS OF INTEREST

There were no declarations of interest made at this stage.

12 CITY COUNCIL ELECTIONS - 5TH MAY 2011

Council noted the report of the Returning Officer setting out the results of the City Council Elections held on 5 May 2011.

13 SENIORITY OF MEMBERS

The Chief Executive submitted a report which set out the Seniority of Members on the City Council.

Council noted the report.

14 CONSTITUTION OF POLITICAL GROUPS

Members noted the report of the Chief Executive setting out the Political Groups constituted in accordance with Regulation 8 of the Local Government (Committees and Political Groups) Regulations 1990.

15 ALLOCATION OF SEATS TO POLITICAL GROUPS

The Chief Executive presented a report which set out the calculation in accordance with the provisions of Section 15 of the Local Government and Housing Act 1989 and Part 4 of the Local Government (Committees and Political Groups) Regulations 1990, which had been carried out following the protocol previously agreed by Council.

The recommendations set out in the report, including the grouping of committees and the confirmation of the constitution of those committees not required to be subject to political balance regulations, were moved by Councillor Greenall and seconded by Councillor Barry.

On being put to the vote the Mayor declared the proposition clearly carried.

Resolved:-

(1) That the constitution of the following Committees which are not required to be subject to the political balance requirements of the Local Government and Housing Act 1989 be confirmed as currently established:

- Standards Committee

- Licensing Act Committee
- (2) That in undertaking the PR calculations on the Council's Committees the Council's agreed protocol be confirmed, utilising the following groupings:
- Overview and Scrutiny (2 x 9)
 - Regulatory and timetabled Committees of Council (1 x 20 (Planning), 1 x 15 (Licensing Act) and 1 x 9 (Licensing Regulatory) and 2 x 7 (Personnel and Audit)
 - Remaining Standing and Joint Committees to be calculated separately and individually.
- (3) That pursuant to Section 15 of the Local Government and Housing Act, 1989, the City Council allocates the seats on Overview & Scrutiny, Regulatory, Standing and Joint Committees in accordance with the calculations set out in paragraph 5 of the report.
- (4) That Council notes that the allocation of seats referred to in (3) above is subject to review from time to time in accordance with Section 15 of the Local Government and Housing Act, 1989 and Part 4 of the Local Government (Committees and Political Groups) Regulations, 1990.

16 ELECTION OF LEADER OF THE CABINET/LEADER OF THE COUNCIL

The Mayor requested any nominations for election to the post of Leader of the Cabinet/Leader of the Council for 2011-2015 in accordance with Article 7.03 of the Council's Constitution.

Councillor Eileen Blamire was nominated by Councillor Bryning and seconded by Councillor Harrison.

A vote was taken and, with 33 Councillors voting for Councillor Blamire, the Mayor declared Councillor Blamire elected.

Councillor Blamire then named Councillor Janice Hanson as Deputy Leader of the Council and went on to name the Cabinet portfolio holders, as follows:

Councillor Blamire	Relationships with other Councils Communications Performance Management
Councillor Hanson	Economic Development Planning
Councillor Bryning	Finance Revenues and Benefits
Councillor Sands	Children and Young People Culture and Tourism
Councillor Leytham	Housing Environmental Health
Councillor David Smith	Community Safety Clean and Green

Councillor Barry	Markets Connecting with Communities Voluntary Sector Older People
Councillor Hamilton-Cox	Climate Change Property Services

Councillor Blamire informed Council that all Cabinet Members would have a responsibility for Community Leadership and working with external partners. Shared services would be led by the relevant Cabinet Member.

17 APPOINTMENT OF OVERVIEW AND SCRUTINY MEMBERS (Page 1)

Council was informed that a list of Members nominated by the groups for appointment to the Council's Overview and Scrutiny bodies, in line with the allocation of seats agreed at minute no. 15, had been circulated at the commencement of the meeting. Groups were also given the opportunity to put forward any further changes.

It was noted that Councillor Leytham, the Labour nomination for the Overview and Scrutiny Committee, had been appointed to Cabinet (minute 16 refers). Councillor Leytham was therefore no longer eligible to serve on the Committee and the Labour group agreed to submit a further nomination to the Head of Governance for approval at the next Council meeting.

It was further noted that the Free Independent group were yet to make a nomination for their seat on the Budget and Performance Panel.

The Mayor reminded Members that in accordance with the Council's Constitution Part 3, Sections 12 and 13, only non-Cabinet members were entitled to vote on this item.

Acceptance of the nominations put forward by the groups for appointment to the Overview and Scrutiny bodies (with one Labour and one Free Independent group nomination yet to be confirmed) was moved by Councillor Knight and seconded by Councillor Dennison.

On being put to the vote the Mayor declared the proposition clearly carried.

Resolved:

That the nominations put forward by the groups for appointment to the Overview and Scrutiny bodies be approved as set out in Appendix A to these minutes.

18 APPOINTMENT OF COMMITTEE MEMBERS (Pages 2 - 5)

Council was informed that a list of Members nominated by the groups for appointment to the Council's Committees and the Appraisal Panel, in accordance with the allocation of seats as agreed at minute no. 15, had been circulated at the commencement of the meeting.

A number of amendments to that list were submitted by group administrators.

It was moved by Councillor Knight and seconded by Councillor Greenall that the nominations put forward by the groups for appointments to Committees and the Appraisal Panel be accepted.

On being put to the vote, the Mayor declared the proposition clearly carried.

Resolved:

That the nominations put forward by the groups for appointments to Committees of Council and the Appraisal Panel be approved as set out in Appendix B to these minutes.

19 APPOINTMENT OF CHAIRMEN

The Mayor requested nominations for a Chairman for the Overview and Scrutiny bodies and for each of the Council's Regulatory and Standing Committees.

Members noted that the Chairman of the Standards Committee was one of the independent members of the Committee, who had been re-appointed by Council in November 2010.

The Mayor again reminded Members that in accordance with the Council's Constitution only non-Executive Members were entitled to vote on the Chairmen proposed for the Overview and Scrutiny Committee and Budget and Performance Panel.

In relation to the Overview and Scrutiny Committee, Councillor Histed was nominated by Councillor Rogerson and seconded by Councillor Helme and Councillor Kerr was nominated by Councillor Knight and seconded by Councillor Ashworth.

On being put to the vote 15 Members voted for Councillor Histed and 30 for Councillor Kerr whereupon the Mayor declared Councillor Kerr Chairman of the Overview and Scrutiny Committee.

In relation to the Budget and Performance Panel, Councillor Sykes was nominated by Councillor Rogerson and seconded by Councillor Helme.

There being no further nominations, Councillor Sykes was declared Chairman of the Budget and Performance Panel.

In relation to the Licensing Regulatory Committee, Councillor Greenall was nominated by Councillor Knight and seconded by Councillor Kerr, Councillor Johnson was nominated by Councillor Rogerson and seconded by Councillor Helme and Councillor Harrison was nominated by Councillor Price and seconded by Councillor Newman-Thompson.

On being put to the vote 13 Members voted for Councillor Greenall, 19 for Councillor Johnson and 24 for Councillor Harrison.

Since this did not represent a majority for the leading nomination the Mayor advised that, in accordance with Council Procedure Rule 19.4, a further vote would be taken, having discounted the nomination with the least votes, being Councillor Greenall. There were then 23 votes for Councillor Johnson and 27 for Councillor Harrison, whereupon the Mayor declared Councillor Harrison Chairman of the Licensing Regulatory Committee.

In relation to the Licensing Act Committee, Councillor Price was nominated by Councillor Ian Pattison and seconded by Councillor Denwood and Councillor Taylor was nominated by Councillor Knight and seconded by Councillor Greenall.

On being put to the vote 27 Members voted for Councillor Price and 29 for Councillor Taylor whereupon the Mayor declared Councillor Taylor Chairman of Licensing Act

Committee.

In relation to the Planning and Highways Regulatory Committee, Councillor Budden was nominated by Councillor Knight and seconded by Councillor Greenall, Councillor Helme was nominated by Councillor Rogerson and seconded by Councillor Charles and Councillor Sherlock was Councillor Price and seconded by Councillor Redfern.

On being put to the vote there were 18 votes for Councillor Budden, 15 votes for Councillor Helme and 24 for Councillor Sherlock.

Since this did not represent a majority for the leading nomination the Mayor advised that, in accordance with Council Procedure Rule 19.4, a further vote would be taken, having discounted the nomination with the least votes, being Councillor Helme. There were then 31 votes for Councillor Budden and 25 for Councillor Sherlock, whereupon the Mayor declared Councillor Budden Chairman of the Planning and Highways Regulatory Committee.

In relation to the Personnel Committee, Councillor Rogerson was nominated by Councillor Helme and seconded by Councillor Emma Smith. Councillor Forrest was nominated by Councillor Barry and seconded by Councillor Coates. Councillor Burns was nominated by Councillor Knight and seconded by Councillor Greenall. Councillor Gardner was nominated by Councillor Price and seconded by Councillor Redfern.

On being put to the vote there were 15 votes for Councillor Rogerson, 8 votes for Councillor Forrest, 10 votes for Councillor Burns and 24 votes for Councillor Gardner.

Since this did not represent a majority for the leading nomination the Mayor advised that, in accordance with Council Procedure Rule 19.4, a further vote would be taken, having discounted the nomination with the least votes, being Councillor Forrest. There were then 15 votes for Councillor Rogerson, 10 for Councillor Burns, and 31 for Councillor Gardner, whereupon the Mayor declared Councillor Gardner Chairman of the Personnel Committee.

In relation to the Appeals Committee, Councillor Denwood was nominated by Councillor Price and seconded by Councillor Redfern and Councillor Helme was nominated by Councillor Rogerson and seconded by Councillor Charles.

On being put to the vote 24 Members voted for Councillor Denwood and 29 for Councillor Helme whereupon the Mayor declared Councillor Helme Chairman of the Appeals Committee.,

In relation to the Audit Committee, Councillor Newman-Thompson was nominated by Councillor Price and seconded by Ian Pattison. Councillor Malcolm Thomas was nominated by Councillor Rogerson and seconded by Councillor Helme.

On being put to the vote 25 Members voted for Councillor Newman-Thompson and 32 for Councillor Thomas whereupon the Mayor declared Councillor Thomas Chairman of the Audit Committee.

In relation to the Council Business Committee, Councillor Ashworth was nominated by Councillor Knight and seconded by Councillor Greenall. Councillor Mace was nominated by Councillor Rogerson and seconded by Councillor Helme and Councillor Leytham was nominated by Councillor Price and seconded by Councillor Gardner.

On being put to the vote, 10 Members voted for Councillor Ashworth, 15 for Councillor Mace and 31 for Councillor Leytham whereupon the Mayor declared Councillor Leytham

Chairman of the Council Business Committee.

Resolved:-

That the following be appointed Chairmen of the undermentioned Committees for 2011/12:

Overview and Scrutiny Committee	Councillor Kerr
Budget and Performance Panel	Councillor Sykes
Licensing Regulatory Committee	Councillor Harrison
Licensing Act Committee	Councillor Taylor
Planning and Highways Regulatory Committee	Councillor Budden
Personnel Committee	Councillor Gardner
Appeals Committee	Councillor Helme
Audit Committee	Councillor Thomas
Council Business Committee	Councillor Leytham

20 APPOINTMENTS TO OUTSIDE BODIES (Pages 6 - 8)

The Head of Governance presented a report requesting Council to consider the basis and the procedure for making the necessary appointments to outside bodies, partnerships and boards and responded to questions from Members.

Regarding the basis for making the necessary appointments, Councillor Barry proposed, seconded by Councillor Leytham:

“That the appointments to be made in respect of the bodies listed in part (a) of the appendix to the report continue to be made by virtue of role or position and that those appointments listed in parts (b) and (c) of the appendix to the report be made by nomination.”

A vote was taken on the proposition which was clearly carried.

Regarding options for the procedure for appointing by nominations, Councillor Barry then proposed, seconded by Councillor Knight:

“That individual appointments be delegated to the Council Business Committee meeting on 30 June 2011, with nominations to be submitted to the Head of Governance in advance of that meeting and that any appointments where there is a single nomination be delegated to the Head of Governance.”

By way of amendment to the proposition, Councillor Leytham proposed:

“That Members submit nominations to the Head of Governance by 31 May 2011 to be voted on at the next Council meeting on 15 June 2011 and that any appointments where there is a single nomination be delegated to the Head of Governance.”

The amendment was put to the vote when, with 28 Members voting for and 24 against, the Mayor declared the amendment carried. A vote was then taken on the substantive motion and with 30 Members voting for, the Mayor declared the motion carried.

Councillor Barry then moved, seconded by Councillor Coates:

“That Council notes the discontinuation of the following appointments:

- Alfa Aesar
- Court of the University of Central Lancashire
- Lancaster Police and Community Forum
- North Lancashire Health and Well Being Group”

On being put to the vote, the Mayor declared the motion clearly carried.

The Mayor then asked Members whether there any known changes to the outside bodies as listed and it was noted that the Citizens Advice Bureau was now known as the North Lancashire Citizens Advice Bureau.

Councillors Ashworth and Greenall both declared a personal interest at this point in the meeting as members of the Board of the North Lancashire Citizens Advice Bureau.

Resolved:

- (1) That the appointments to be made in respect of the bodies listed in part (a) of the appendix to the report continue to be made by virtue of role or position and that those appointments listed in parts (b) and (c) of the appendix to the report be made by nomination. (Full lists of (a), (b) and (c) are shown at Appendix C to these minutes.)
- (2) That Members submit nominations to the Head of Governance by 31 May 2011 to be voted on at the next Council meeting on 15 June 2011 and that any appointments where there is a single nomination be delegated to the Head of Governance.
- (3) That Council notes the discontinuation of the following appointments:
 - Alfa Aesar
 - Court of the University of Central Lancashire
 - Lancaster Police and Community Forum
 - North Lancashire Health and Well Being Group.

21 CORPORATE PLAN AND RESOURCE MANAGEMENT FRAMEWORK 2011/14

The Deputy Chief Executive introduced a report presenting the draft 2011/14 Corporate Plan and the Medium Term Financial Strategy to Council and responded to questions from Councillors.

Councillor Blamire proposed, seconded by Councillor Bryning:

“That Council approves the Corporate Plan and Medium Term Financial Strategy, which form part of the Policy Framework and that Council notes the Medium Term Corporate Property Strategy, Human Resource Strategy and Information and Communications Technology Strategy, which do not.”

Councillor Ashworth then proposed by way of amendment, which was accepted as a friendly amendment by the mover and seconder of the original motion:

- “(1) That Council approves the Corporate Plan and Medium Term Financial Strategy, which form part of the Policy Framework, subject to the following revision to the words in Part 6 of the Corporate Plan under “Our Vision” for Morecambe, to read ‘In Morecambe this means a vital and vibrant seaside resort recognised for its tourism offer in an exceptional natural setting with a sustainable economy and a stable

resident community’.

- (2) That Council notes the Medium Term Corporate Property Strategy, Human Resource Strategy and Information and Communications Technology Strategy, which do not form part of the Policy Framework.”

Councillor Kerr seconded the amendment.

After debate, a vote was taken whereupon the Mayor declared the proposition carried.

Resolved:

- (1) That Council approves the Corporate Plan and Medium Term Financial Strategy, which form part of the Policy Framework, subject to the following revision to the words in Part 6 of the Corporate Plan under “Our Vision” for Morecambe, to read ‘In Morecambe this means a vital and vibrant seaside resort recognised for its tourism offer in an exceptional natural setting with a sustainable economy and a stable resident community’.
- (2) That Council notes the Medium Term Corporate Property Strategy, Human Resource Strategy and Information and Communications Technology Strategy, which do not form part of the Policy Framework.

22 SHARED SERVICE ARRANGEMENT WITH PRESTON CITY COUNCIL FOR THE REVENUES AND BENEFITS SERVICE (Pages 9 - 10)

Members considered a report asking Council to make the necessary amendments to the Constitution to confirm the governance arrangements recommended by Cabinet for the shared Revenues and Benefits service with Preston City Council.

The Head of Governance responded to several questions from Councillors.

Councillor Barry moved the recommendation as set out in the report, seconded by Councillor Bryning. The motion was then put to the vote, whereupon the Mayor declared it clearly carried.

Resolved:

- (1) That the Head of Governance, as Monitoring Officer, be authorised to amend the Council’s Constitution to reflect the establishment of a Joint Committee to carry out the Revenues and Benefits functions of this Council and Preston City Council, with the composition and terms of reference as set out in Appendix D to these minutes.

23 AMENDMENTS TO THE CABINET PROCEDURE RULES AND CONSIDERATION OF DELEGATION OF FUNCTIONS (Pages 11 - 17)

Council considered a report by the Monitoring Officer enabling changes to be made to the Cabinet Procedure Rules to reflect the new statutory provisions with regard to the Cabinet/Leader executive model. The report also asked Council to note that the delegation of executive functions was now the responsibility of the Leader and to ensure that the whole of the Scheme of Delegation was kept up to date, Committees exercising non-executive functions would in due course be requested to review their arrangements for the

delegation of functions.

The Head of Governance responded to several questions from Councillors.

Councillor Blamire moved the recommendations as set out in the report, seconded by Councillor Hanson. The proposition was then put to the vote, whereupon the Mayor declared it clearly carried.

Resolved:

- (1) That the Cabinet Procedure Rules in Part 4 Section 4 of the Council's Constitution be amended as appended to the report (shown at Appendix E to these minutes.)
- (2) That Council notes that in accordance with the revised Cabinet Procedure Rule 1.2, the Leader will report to the next Council meeting on the delegation of executive functions.
- (3) That Council notes that for the time being the Scheme of Delegation to Officers in Part 3, Section 15 of the Constitution remains effective, but that it will be for the Leader to confirm the arrangements for delegation of executive functions to officers, and that to ensure that the whole of the Scheme of Delegation is up to date, Committees exercising non-executive functions will in due course also be requested to update their arrangements for the delegation of functions.

Mayor

(The meeting finished at 7.40 p.m.)

**Any queries regarding these minutes,
please contact Debbie Chambers, Democratic Services - telephone (01524) 582057 or email
dchambers@lancaster.gov.uk**

Overview and ScrutinyOverview and Scrutiny Committee (9) (4:2:2:1:0)

Labour	Conservative	Independent	Green	Free Independents
David Whitaker	Val Histed	David Kerr	Ceri Mumford	
Ian Pattison	Emma Smith	Roger Dennison		
Mark Bevan				
To be confirmed				
Substitutes:				
Janet Hall	Alycia James	Mike Greenall	Dave Brookes	
Pam Pickles	Richard Rollins	June Ashworth		

Budget and Performance Panel (9) (4:2:2:1:0) 2 Seats surrendered (1 seat each from Lab and Independent), 1 seat gained (Con), 1 seat gained (FI)

Labour	Conservative	Independent	Green	Free Independents
Janet Hall	Susan Sykes	Tony Anderson	Dave Brookes	To be confirmed.
Elizabeth Scott	Richard Rollins			
Richard Newman-Thompson	Alycia James			
Substitutes:				
Roger Sherlock	Roger Mace	Mike Greenall	Chris Coates	
	Emma Smith			

APPENDIX B

Grouped Regulatory and Standing Committees of Council

Licensing Regulatory Committee (9) (4:2:2:1:0)

Labour	Conservative	Independent	Green	Free Independents
Robert Redfern	Tony Johnson	Mike Greenall	Chris Coates	
John Harrison	Billy Hill	Shirley Burns		
Sheila Denwood				
Johnathan Dixon				
Substitutes:				
Terrie Metcalfe	Susan Sykes	Roger Dennison	Tracey Kennedy	
Margaret Pattison	Joan Jackson	David Kerr		

Licensing Act Committee (15) (6:4:2:2:1) – no substitutes permitted 1 Seat surrendered (Lab), 1 seat gained (FI)

Labour	Conservative	Independent	Green	Free Independents
Vikki Price	Helen Helme	Joyce Taylor	Chris Coates	2 seats to be confirmed.
Margaret Pattison	Malcolm Thomas	Mike Greenall	Tracey Kennedy	
Josh Bancroft	Kath Graham			
Paul Aitchison	Susan Sykes			
Roger Sherlock				

Planning and Highways Regulatory Committee (20) (8:5:3:3:1)

Labour	Conservative	Independent	Green	Free Independents
Eileen Blamire	Helen Helme	Keith Budden	Chris Coates	To be confirmed.
Sheila Denwood	Sylvia Rogerson	Geoff Marsland	Dave Brookes	
Robert Redfern	Richard Rollins	Roger Dennison	Andrew Kay	
Roger Sherlock	Tony Johnson			
Vikki Price	Susan Sykes			
Margaret Pattison				
Abbott Bryning				
Ron Sands				
Substitutes:				
Janice Hanson	Malcolm Thomas	Mike Greenall	Tim Hamilton-Cox	
Dave Smith	Peter Williamson	June Ashworth		

Personnel Committee (7) (3:2:1:1:0)

Labour	Conservative	Independent	Green	Free Independents
Paul Gardner	Sylvia Rogerson	Shirley Burns	Melanie Forrest	
Dave Smith	Alycia James			
Johnathan Dixon				
Substitutes:				
Roger Sherlock	Kath Graham	Keith Budden	Ceri Mumford	
Janet Hall	Billy Hill	David Kerr		

Audit Committee (7) (3:2:1:1:0)

Labour	Conservative	Independent	Green	Free Independents
Richard Newman-Thompson	Malcolm Thomas	Geoff Knight	Jon Barry	
Ian Pattison	Peter Williamson			
Vikki Price				
Substitutes:				
David Whitaker	Susan Sykes	Geoff Marsland	Melanie Forrest	
	Sylvia Rogerson	Roger Dennison		

Other Standing Committees

Appeals Committee (7) (3:2:1:1:0)

Labour	Conservative	Independent	Green	Free Independents
Sheila Denwood	Helen Helme	Mike Greenall	Andrew Kay	
Karen Leytham	Kath Graham			
Janice Hanson				
Substitutes:				
Vikki Price	Sylvia Rogerson	June Ashworth	John Barry	
John Harrison	Billy Hill	David Kerr		

Standards Committee (7) (3:2:1:1:0)

Labour	Conservative	Independent	Green	Free Independents
Sheila Denwood	Roger Mace	Joyce Taylor	Chris Coates	
Roger Sherlock	Billy Hill			
John Harrison				
Substitutes:				
Paul Gardner	Peter Williamson	Roger Dennison	Andrew Kay	
	Kath Graham	Shirley Burns		
Independent Members				
Stephen Lamley (Chairman)	Margaret Davy	Sue McIntyre		Frank Senior
Tony James	David Jordison			

Council Business Committee (7) (3:2:1:1:0)

Labour	Conservative	Independent	Green	Free Independents
Karen Leytham	Roger Mace	June Ashworth	Melanie Forrest	
Janet Hall	Sylvia Rogerson			
David Whitaker				
Substitutes:				
Ian Pattison	Emma Smith	Geoff Knight	Tim Hamilton-Cox	
	Jane Parkinson	Tony Anderson		

PR Member Panel

Appraisal Panel (7) (3:2:1:1:0)

Labour	Conservative	Independent	Green	Free Independents
Dave Smith	Alycia James	David Kerr	Chris Coates	
Eileen Blamire	Kath Graham			
Paul Gardner				

**SCHEDULE OF APPOINTMENTS TO OUTSIDE BODIES,
PARTNERSHIPS AND BOARDS**

(a) APPOINTMENTS MADE BY VIRTUE OF ROLE/POSITION

APPOINTMENTS MADE BY CABINET

British Resorts Association
Children's Trust Partnership Lancaster District
Historic Towns Forum (formerly English Historic Towns forum)
Lancashire Leaders Meeting (Leader)
Lancashire Rural Affairs
Lancaster & District Vision Board (plus O/S Member)
LDLSP Management Group (Cabinet Member plus Cabinet reserve)
LDLSP Partnership Board (Cabinet Member plus Cabinet reserve)
LDLSP Children and Young People Thematic Group (Cabinet Member appointed to Children's Trust Partnership plus Cabinet reserve)
LDLSP Economy Thematic Group (Cabinet Member plus Cabinet reserve)
LDLSP Education Skills and Opportunities Thematic Group (Cabinet Member plus Cabinet reserve)
LDLSP Environment Thematic Group (Cabinet Member plus Cabinet reserve)
LDLSP Health and Wellbeing Thematic Group (Cabinet Member plus Cabinet reserve)
LDLSP Safety Thematic Group and Crime & Disorder Reduction Partnership (Cabinet Member plus Cabinet reserve)
LDLSP Valuing People Thematic Group (Cabinet Member plus Cabinet reserve)
LGA Coastal Issues Special Interest Group
LGA Executive (Leader)
LGA Rural Commission (plus one Member appointed by rotation - the Conservative Group for 2011/12)
Morecambe Bay Partnership
Museums Advisory Panel (+ member of O/S)
North and West Lancashire Priority 1 Action Plan Partnership Board
North Lancashire Local Action Group Executive Group (Cabinet member plus Cabinet reserve)
North West Rural Affairs Forum
Regional Leaders' Forum (formerly North West Regional Assembly) (Leader)
Storey Centre for Creative Industries
Lancashire Waste Partnership

APPOINTMENTS MADE BY OVERVIEW & SCRUTINY (one appointment unless otherwise stated)

Homelessness Forum
Lancaster & District Vision Board (+ Cabinet Member)
Lancaster and Morecambe Fairtrade District Steering Group
Museums Advisory Panel (+ Cabinet Member)

APPOINTMENTS MADE BY OTHER COMMITTEES (OR GROUPS BY ROTATION)

Organisation	Basis of Appointment
Crook O'Lune Advisory Committee	1 Representative of Planning Committee (and 1 Representative of each of the Halton and Lower Lune Valley Wards – see below)
LGA Rural Commission	One Member on rotation (Independent Group appointed for 2008/9, Labour Group appointed for 2009/10, Green Group appointed for 2010/11, Conservative Group to appoint 2011/12) (+ 1 Cabinet Member)
North West Local Authority Employers' Organisation	Chair of Personnel Committee (Vice Chair of Personnel Committee as substitute)

APPOINTMENTS HELD BY WARD COUNCILLORS

Organisation	Ward (All Ward Councillors unless otherwise stated)
Crook O'Lune Advisory Committee	Lower Lune Valley (one representative by nomination) and Halton (and a representative of the Planning Committee – see above)
Friendship Centre Management Committee	Dukes
Marsh Community Centre Management Committee	Castle (one representative by nomination)
Heysham Mossgate (Community Facilities) Company Limited	Heysham South (one representative by nomination)

(b) APPOINTMENTS ON PR

(The number in brackets denotes the number of representatives on each organisation).

Board of Trustees of Skerton Charities (4)
Board of Trustees of the Lancaster Charity (6)
Carnforth Station and Railway Trust Company Limited (1)
Court of the University of Lancaster (5)
Dukes Playhouse Board of Directors (4)
Folly Board of Trustees (1)
George Fox School Educational Charity (1)
Health Scrutiny Committee (1)
Heysham Nuclear Power Station Local Community Liaison Council (9)
Lancaster and District Multi-Agency Forum on Domestic Violence (1)
Lancaster and Skipton Rail User Group (1)
Lancaster District CVS (1)
Lancaster Ripley Church of England Education Trust (2)
Lancaster University Council (1)
Leeds-Morecambe and Settle-Carlisle Railway Development (1)
LGA Urban Commission (2)
Lune Park Children's Centre (1)
Lune Valley Transport Enterprise (2)
North West Home Safety Council (2)
Older People's Partnership Board (2)

Preston and Western Lancashire Racial Equality Council (1)
Rainbow Centre (formerly Age Concern, Morecambe and Heysham) (2)
Relate Lancashire – Lancaster District (1)
Reserve Forces and Cadets Association for the N. West of England and the Isle of Man (1)

(c) **APPOINTMENTS MADE BY NOMINATION TO COUNCIL – (one appointment unless otherwise stated)**

Barton Road Youth and Community Centre (nominations from relevant Wards (Scotforth East, Scotforth West and John of Gaunt only) (1)
Lancaster International Twinning Society (1)
North Lancashire Citizens Advice Bureaux Lancaster (1) Morecambe (1) and Rural (1)
Adult Social Care and Health Overview and Scrutiny Committee (nominations from non-executive members only) (1)
Lancaster Canal Restoration Partnership (1)
Arnsdale and Silverdale AONB Unit (1)
Forest of Bowland AONB Advisory Committee (1)
National Association of Areas of Outstanding Natural Beauty (1)

APPENDIX D

DRAFT TERMS OF REFERENCE FOR JOINT COMMITTEE FOR REVENUES AND
BENEFITS

Composition: Two members of Cabinet of Lancaster City Council (to be appointed by the Cabinet) and two Members of Cabinet of Preston City Council, with the remaining members of each Cabinet able to act as substitute members

The Joint Committee will be responsible for –

1. The delivery of those delegated functions relating to Revenues and Benefits set out below that Lancaster City Council and Preston City Council have agreed to be delivered through the Joint Committee within the budget and to the agreed standards;
2. Ensuring that Lancaster City Council and Preston City Council remain fully informed and engaged.

FUNCTIONS DELEGATED TO THE JOINT COMMITTEE

1. The following functions are delegated to the Joint Committee to be carried out on behalf of the Councils subject to the terms of the Shared Service Agreement between the Councils:
 - 1.1 Maintenance of databases in administering Revenues and Benefits
 - 1.2 Billing, collection and recovery of Council Tax and Non-Domestic Rates
 - 1.3 Administration, assessment and payment of Housing Benefit and Council Tax Benefit
 - 1.4 Securing the gateway to Benefits and the identification of fraud and error, including investigation and determination of sanctions save for prosecutions
 - 1.5 Recovery of arrears of repayment of Housing Benefit and Council Tax Benefit overpayment
 - 1.6 Compilations of returns to central Government relating to Revenues and Benefits (to be signed off by s151 officer)
 - 1.7 Provision of administration and support services relating to Revenues and Benefits when appropriate
 - 1.8 Approval of discretionary Housing Payments
 - 1.9 Approval of applications for mandatory relief, discretionary relief for Non-Domestic Rates and Council Tax, including hardship and partial occupation
 - 1.10 Recommendation and administration of any write-offs of bad debts within the scope of the write-off policies established by each Council
 - 1.11 Preparation of benefit subsidy claims
 - 1.12 Any additional functions that may be conducive to carrying out the shared service for Revenues and Benefits
 - 1.13 Responding to all requests for information in accordance with the Freedom of Information Act 2000 in respect of the functions delegated to the Joint Committee (whether such requests are addressed to the Joint Committee or any Partner Council)

2. The functions delegated to the Joint Committee shall be exercised subject to any proposed expenditure being contained in the annual Revenues and Benefits budget approved by the Councils and any proposed activities being within the Business Plan approved by the Councils provided that it complies with the relevant financial procedure rules of the Joint Committee

FUNCTIONS TO BE RETAINED BY EACH COUNCIL

The following functions and matters shall be reserved to and decided by each Council from time to time; all decisions and policies on such matters shall be notified to the Joint Committee as necessary as soon as reasonably practicable after any such decision is made and the Joint Committee shall give effect to all such policies and decisions of the Councils in the exercise of the functions delegated to it:

- 1.1 Approving and setting of Council Tax
- 1.2 Calculation of Council Tax Base
- 1.3 Collection fund accounting
- 1.4 Approval of benefit subsidy claims
- 1.5 Determination of policy for second and empty homes
- 1.6 Determination of policy for write off of bad debts and approval of any write-offs within the scope of that policy
- 1.7 Setting the level of and the receipt of enforcement fees
- 1.8 Approval of discretionary relief policies in relation to Non-Domestic Rates and Council Tax
- 1.9 Agreement of rating assessments for Council owned properties
- 1.10 Authorisation and prosecution of benefit fraud cases

Part 4, Section 4 Cabinet Procedure Rules

1. HOW THE CABINET OPERATES

1. How the Executive Operates

1.1 Who may make Executive Decisions

The Leader determines the arrangements for the discharge of executive functions. The arrangements may provide for executive functions to be discharged by:

- i) The Leader;
- ii) Cabinet as a whole;
- iii) Individual Cabinet Members;
- iv) a committee of the Cabinet;
- v) Officers of the Council;
- vi) if and when established - joint arrangements with other local authorities; or
- vii) another local authority;

1.2 Delegation by the Leader

- (a) At the annual meeting of the Council, the Leader will present to the Council the names of the people appointed to the Cabinet by the Leader (including the name of the Deputy Leader), and their portfolios.
- (b) At the annual meeting of the Council or as soon as practicable thereafter, the Leader will present to the Council a written record of :
 - (i) The detailed remits of the portfolios of the Cabinet Members.
 - (ii) Any delegations made by the Leader in respect of the discharge of the Council's executive functions. The document presented by the Leader will contain the following information about Executive functions in relation to the coming year:
 - The extent of authority of the Cabinet as a whole
 - The extent of any authority delegated to Cabinet Members individually, including details of the limitation on their authority;
 - the terms of reference and constitution of such Cabinet committees as the Leader appoints and the names of Cabinet Members appointed to them;
 - the nature and extent of any delegation of Executive functions to area committees, any other authority or any joint arrangements and the names of those Cabinet Members appointed to any joint committee for the coming year; and

- the nature and extent of any delegation to officers with details of any limitation on that delegation, and the title of the officer to whom the delegation is made.

and these shall then be included in the Council's Constitution.

1.3 Sub-Delegation of Executive functions

(a) Where the Leader delegates an executive function to the Cabinet, then unless the Leader directs otherwise, the Cabinet may delegate further to a committee of the Cabinet, a joint arrangement or to a Council officer.

(b) Where the Leader delegates an executive function to a committee of the Cabinet or to an individual member of the Executive then unless the leader directs otherwise, a committee of the Executive or an individual member of the Executive may delegate further to a Council officer.

(c) Even where executive functions have been delegated under (a) or (b) above, that fact does not prevent the discharge of delegated functions by the person or body who made the delegation.

1.4 The Executive's Scheme of Delegation

(a). Subject to (b) below the Executive's Scheme of Delegation will be reported to Council, It will contain the details required in Article 7 and set out in Part 3 of this Constitution.

(b) The Leader may amend the scheme of delegation relating to Executive functions at any time during the year. To do so, the Leader must give written notice to the Head of Governance and to the person, body or committee concerned. The notice must set out the extent of the amendment to the scheme of delegation, and whether it entails the withdrawal of delegation from any person, body, committee or the Executive as a whole. The Head of Governance will present a report to the next ordinary meeting of the Council setting out the changes made by the Leader.

(c) Where the Leader seeks to withdraw delegation from a committee, notice will be deemed to be served on that committee when the Leader has served it on its chair.

1.5 Conflicts of Interest

(a) Where the Leader or any Member(s) of the Cabinet and its Committees have a conflict of interest, this should be dealt with as set out in the Council's Code of Conduct for Members in Part 5 of this Constitution.

(b) If every Member of the Cabinet or its Committees has a conflict of interest, this may be dealt with by way of dispensations granted by the Standards Committee.

(c) If the exercise of an Executive function has been delegated to an Officer and should a conflict of interest arise, then the function will be exercised in the first instance by the person by whom the delegation was made and otherwise as set out in the Council's Code of Conduct for Members in Part 5 of this Constitution.

1.6 Cabinet Meetings – When and Where?

The Cabinet will meet monthly, alternating between Lancaster Town Hall and Morecambe Town Hall on dates and at times to be agreed by Leader, to be confirmed by Full Council on an annual basis. The Leader may agree to hold additional meetings as required. In determining the time for the meeting, regard should be had to maximising the accessibility of the public.

1.7 Meetings of the Cabinet

All decision-making meetings of the Cabinet will be in public except for that part of an item of business where exempt or confidential information is to be discussed.

1.8 Quorum

The quorum for a meeting of the Cabinet shall be 40% (rounded up) of the membership. For meetings of Cabinet Committees, a quorum will be 40% (rounded up) or 3, whichever is the greater.

1.9 How are Decisions to be Taken by the Cabinet?

- (a) Executive decisions which have been delegated to the Cabinet as a whole will be taken at a meeting convened in accordance with the Access to Information Rules in Part 4, Section 2 of this Constitution.
- (b) Where executive decisions are delegated to a Committee of the Cabinet, the Rules for taking decisions shall be the same as those applying to the Cabinet.

1.10 Urgent Decisions

- (a) When an executive decision which is the responsibility of the Cabinet is needed prior to the next scheduled meeting, the procedures set out in the Access to Information Rules 15 and 16 must be followed (Part 4 Section 2).
- (b) Decisions taken under this procedure must be reported into the next scheduled meeting of Cabinet.

1.11 Agendas

All Cabinet agendas and those of its Committees will be available to all Members of the Council. Cabinet members will take responsibility and ownership of Cabinet reports in their portfolio area of responsibility. Cabinet agenda should not include information reports.

2. CONDUCT OF THE CABINET AND ITS COMMITTEES

2.1 Chairing Meetings

- (a) The Leader of the Cabinet will preside. In the absence of the Leader, the Deputy Leader, will preside. In both the Leader and Deputy Leader's absence, then a person will be appointed to preside by those present.

- (b) The Leader will preside at any meeting of a Committee of the Cabinet at which they are present, or may appoint another person to do so. In the absence of the Cabinet Committee's Chairman, then a person will be appointed to preside by those present.

2.2 Who may attend to observe?

Any Member of the Council may attend any Cabinet meeting or a meeting of its Committees. All decision making meetings of the Cabinet and its Committees will be in public. Members of the public will be excluded for that part of an item of business where exempt or confidential information is to be discussed.

2.3 Business of the Meeting

At each meeting of the Cabinet the following business will be conducted:

- (a) consideration of the minutes of the last meeting;
- (b) declaration of interests, if any;
- (c) urgent business agreed by the Leader, or in the absence of the Leader, by the Deputy Leader or Chairman of the meeting.
- (d) matters set out in the agenda for the meeting for decision including registered members of the public speaking and registered ward members
- (e) consideration of reports from Cabinet Committees;
- (f) consideration of reports from Overview and Scrutiny;
- (g) matters referred to the Cabinet (whether by Overview and Scrutiny or by the Council) for reconsideration by the Cabinet in accordance with the provisions contained in the Overview and Scrutiny Procedure Rules or the Budget and Policy Framework Procedures Rules set out in this Constitution; and
- (h) reports from the Chief Executive, Corporate Directors or Service Heads;
- (i) consideration of the monthly Forward Plan prepared by the Leader;

2.4 Consultation

All reports to Cabinet from any Member of the Cabinet or an Officer on proposals relating to the budget and policy framework must contain details of the nature and extent of consultation with stakeholders and Overview and Scrutiny and the outcome of that consultation. Reports about other matters will set out the details and outcome of any consultation undertaken as appropriate. The level of consultation required will be appropriate to the nature of the matter under consideration.

2.5 Cabinet Agenda Items

The Leader may put on the agenda of any Cabinet meeting any matter which he/she wishes, whether or not authority has been delegated to the Cabinet, a committee or any member or officer in respect of that matter.

Any Member of the Council may ask the Leader to put an item on the agenda of a Cabinet meeting for consideration, and if the Leader agrees, the item will be considered at the next available meeting of the Cabinet. The notice of the meeting will give the name of the Councillor who asked for the item to be considered and that Councillor may, at the discretion of the Leader, be invited to attend the meeting, and with the consent of the Cabinet, to speak.

Furthermore, the Chief Executive, Monitoring Officer and/or the Chief Financial Officer (the Council's Section 151 Officer) may include an item for consideration on the Agenda of a Cabinet meeting and the Monitoring Officer/Chief Financial Officer may require the Chief Executive to call such a meeting in pursuance of their statutory duties. In other circumstances, where any two of the Chief Executive, Chief Financial Officer and Monitoring Officer are of the opinion that a meeting of the Cabinet needs to be called to consider a matter that requires a decision, they may jointly include an item on the Agenda of a Cabinet meeting. If there is no meeting of the Cabinet soon enough to deal with the issue in question, then the person(s) entitled to include an item on the Agenda may also require that a meeting be convened at which the matter will be considered.

2.6 Right of Members to Address Cabinet

Where an Overview and Scrutiny meeting submits a report to Cabinet, a nominee of that meeting may and will normally present the report to Cabinet. Any Member, at the discretion of the Chairman of Cabinet, may address Cabinet on Ward matters where this is relevant to a report on the Agenda, subject to giving 3 days notice and a 5 minute time limit.

2.7 Rights of the Public to Speak at Cabinet

- (a) Members of the public are permitted to speak on issues included on the Cabinet Agenda, with questions/comments from the public prior to the commencement of each item.
- (b) Notice of the wish to speak must be registered with Democratic Services in writing or by telephone before 12 Noon on the Thursday before Cabinet meets.
- (c) It is the responsibility of the person wishing to speak to find out the appropriate date that Cabinet will consider the item of business that they wish to speak on. This information can be obtained from Democratic Services. Late requests to speak at Cabinet will not be considered.
- (d) Any request to speak must include the person's name, address and contact telephone number, together with details on the item they wish to speak on. A written version of their speech or questions must be supplied in advance (unless there are special circumstances).
- (e) Persons who have registered to speak should be in attendance 30 minutes prior to the commencement of the meeting to enable a list of speakers present to be passed to the Chairman. Any latecomers who have not confirmed their intention to speak on the morning of the meeting will only be allowed to speak at the discretion of the Chairman.

- (f) Democratic Services, having received notice from persons wishing to speak will re-order the agenda to enable items with public participation to be considered first.
- (g) There will be a maximum of 10 speakers per Cabinet meeting on a first come first served basis with a maximum of 5 minutes per speaker.
- (h) There will be a maximum of 3 speakers on each item of business, but if there are less than 10 speakers in total to speak at Cabinet then a maximum of 4 people be allowed to speak on a particular item of business on a first come first served basis, at the discretion of the Chairman.
- (i) Any group of persons with similar views should elect a spokesperson to speak on their behalf to avoid undue repetition of similar points. Spokespersons should identify in writing on whose behalf they are speaking as part of the registration process. The Head of Governance to be authorised to ask speakers to consolidate their views if there are more than 3 persons in the group.
- (j) Speakers must be prepared to respond to questions from Cabinet Members at the meeting if necessary.

2.8 Access to Information

The rules that determine how the Cabinet will conduct its meetings in respect of the following are set out in the Access to Information Procedure Rules in Section 2 of Part 4 of this Constitution:

- Key Decisions
- Forward Plans
- Exempt and Confidential Business
- Agendas, Reports, Minutes and Background Papers
- Urgent Business.

2.9 Cabinet Liaison Groups

- (a) Cabinet Liaison Groups are not an essential body but may be created to take forward business. However, they are purely consultative and not decision-making. They will be chaired by a member of Cabinet and there is no restriction on size although the group must be limited to what is manageable and effective for their purpose. They may be time limited or of longer standing, again depending on their purpose.
- (b) The participants in the Group will be by invitation of the Chairman and can be made up from any or all of the following:
 - Other members of Cabinet
 - Other members of Council not on Cabinet
 - Others from outside the Council
 - Council officers

One exception to this is the Planning Policy Cabinet Liaison Group, which Cabinet agreed should include the portfolio holders for Economy, Environment, Valuing People and Health.

- (c) *Terms of Reference:* Their Terms of Reference are to share information about a particular topic, e.g. e-government and develop effective consultation and communication links with community groups and other bodies with an interest in the subject area. In this way, individual Cabinet members will have a wider information and advisory platform to inform executive decision-making and policy effectiveness.

- (d) Specific outcomes from their meetings may generate requests for pieces of work to be undertaken by officers or partner bodies. Alternatively, it could be a request to Overview and Scrutiny to set up a Task Group to undertake a specific piece of work. There could also be specific reports to Cabinet, Committees of Cabinet, individual Cabinet members, or other Committees of Council recommending action for determination.
- (e) Each Liaison Group will have their terms of reference and expected outputs approved by Cabinet before they meet.