

PROTOCOL FOR AREA COMMITTEES

(Consolidates previous protocols and codes and sets out revised arrangements for agenda planning and management for area committee business).

1. Chairman and Vice Chairman

Each area committee will elect its own Chairman and Vice-Chairman at its first meeting in each Municipal Year.

2. Co-option

At the inaugural meeting of an area committee, or at any time thereafter, an area committee may co-opt on to the committee, for a fixed term of one municipal year (or the remainder thereof), up to five persons, without voting rights, having due regard to the extent to which those persons represent interests of importance within the communities served by that area committee. Such co-optees shall not represent the views of any political party on the area committee.

3. Other attendees

The Police, Health Services and the Dudley Council for Voluntary Service will be expressly invited to have a representative in attendance at each area committee meeting.

4. Lead Officers

The nominated Liaison Officers for area committees are:-

Brierley Hill – John Millar
Central Dudley – Linda Sanders
North Dudley – Philip Tart
Halesowen – Bill Baker
Stourbridge – Jane Porter

5. The Council's Constitution

Area committees are formal committees of the Council and they must therefore comply with the requirements of the Council's Constitution.

This Code should therefore be read in conjunction with all other relevant parts of the Constitution.

6. Public Consultation

Each area committee must follow the Council's principles on consultation and should be innovative in involving the public in their meetings, particularly where this is being done as part of the Council's consultation processes. For example, breaking up audiences into smaller groups to consider specific issues may be appropriate.

7. Public participation

(a) Each area committee will dedicate a part of each meeting to a public forum at which it will be open to any member of the public to address the committee. The length of time allocated and the rules governing the exercise of the public right to speak will be within the discretion of each area committee.

(b) A report summarising responses sent in writing to members of the public in respect of questions asked by them at area committee meetings will be submitted to the following meeting of the relevant committee.

8. Confidential or exempt business

If any area committee has to conduct any confidential or exempt business this should normally be done before the public part of the meeting and preferably in a separate room.

9. Agenda Planning and Management

(a) Notification of items for the agenda

Notice of items for area committee agendas must be given to the Democratic Services Section no later than 5 working days prior to the agenda meeting.

(b) Youth Issues

Where arrangements are in place for a meeting of youth representatives to take place immediately prior to the Area

Committee meeting to consider matters on the agenda for the Area Committee, an item entitled “Matters arising from youth representatives’ meeting” will be included early in the agenda for the Area Committee.

(c) Agenda Meeting

The agenda for each area committee will be set by its Chairman in consultation with its Liaison Officer and will include any items referred to it by the Council, the Cabinet, any Council committee or any Director in the exercise of any delegated decision-making responsibility.

Draft reports will be considered at an agenda meeting held not less than 20 working days before the meeting. This meeting will be arranged by the Democratic Services Section, who will consult with the appropriate Liaison Officer as to the date, time and venue of it. Agenda meetings will be arranged as soon as the dates for area committee meetings are known.

(d) Submission, Circulation and Consideration of draft reports.

Draft reports should be submitted to the Democratic Services Section (preferably at least three working days) prior to the agenda meeting and they will then be circulated by the Democratic Services Officer. Where draft reports are not available prior to the agenda meeting they must be available at it. If a draft report is not available for consideration at the agenda meeting the item and report will not normally be included on the agenda for that particular meeting. Democratic Services Officers will satisfy themselves that the content of the draft report accords with the relevant guidelines and advice in this Code. Where any draft report appears to be in contravention of the guidance it shall be the duty of the Democratic Services Officer to draw this to the attention of the report author, with a view to the report being brought into line with such guidance.

Directorates submitting items and/or reports must be represented at the agenda meeting to explain the background to and content of their report. Where a Directorate fails to be so represented, the Lead Officer will have the authority to withdraw that item or report from the agenda.

(e) Chairman's Briefing

Before the finalised agenda is despatched the Democratic Services Officer will arrange a briefing for the Chairman and Vice-Chairman of the area committee. This will be attended by the Liaison Officer and those officers who have prepared reports for the meeting.

(f) Form of Reports

A standard form of report is to be adopted by all officers, with the following section headings:-

Purpose of Report
Background
Finance
Law
Equality Impact
Recommendations

After provision for the report to be signed, the name and telephone number of the report author must be added as a contact point.

(g) Background Papers

The law requires that every report sets out a list of those documents (called background papers) which disclose facts or matters on which the report is based and which have been relied on to a material extent in preparing the report. Published works or documents containing exempt or confidential information do not need to be included in the list. The list should be set out at the end of the report under the heading "Background Papers".

(h) Guidance on the content of reports

Reports must be written in plain English and jargon should not be used, nor initials when reference is first made in the report to an item or an organisation.

If the recommendations in a report are subject to the approval of another Committee, the Cabinet or the Council that must be made clear. If the functions are not delegated to the Area Committee the recommendations in the report must be phrased as subject to the approval of the Cabinet or the Council . Recommendations shall include every point to be determined. Recommendations shall identify the officer or Member who will be responsible for carrying the decision into effect.

Reports will normally be specific to one area committee. Where a report needs to be considered by more than one area committee the approval of the Chairmen of area committees must be obtained. This will be done by the Democratic Services Section either through the regular meeting of area committee Chairmen or separately.

Reports must be relevant to the area committee to which they are being submitted. Where the same report is being submitted to more than one area committee, or indeed to all area committees, it must be “tailored” so as to be clearly relevant to each area committee to which it is being submitted. In other words it must identify service issues within the area of that particular Area Committee.

If the report is considered to be confidential or exempt, every page of it must be marked “NOT FOR PUBLICATION BY VIRTUE OF PARAGRAPH(S) ... OF PART 1 OF SCHEDULE 12A OF THE LOCAL GOVERNMENT ACT, 1972”. The report author will liaise with the appropriate solicitor to agree the relevant paragraph number.

(i) Finalising and circulating the agenda and reports

The agenda will contain only those items and reports which have met the requirements of this Protocol.

Any comments on draft reports must be submitted to the report author before the deadline referred to in the next paragraph. By this deadline the Director of Law and Property must have satisfied himself that the matter falls within the functions of the committee and that the requirements of the Council’s

Constitution have been met. Similarly the Director of Finance will have satisfied himself that the finance section of the report properly reflects the financial position and that the requirements of the Financial Management Regime and Financial Regulations have been met. All other officers will have made comments relating to their areas of responsibility and the Liaison Officer for the Committee will have indicated his approval to the report proceeding in the form in which it is drafted.

The report in its final form must be submitted electronically to the Democratic Services Section not less than 13 working days before the meeting. The report author will retain the background documents listed in the report. These are required by law to remain open for public inspection for four years after the date of the meeting.

The Democratic Services Section will finalise the agenda, produce the necessary copies of the agenda and reports and circulate them not less than 10 working days before the meeting.

Reports to be considered when the public have been excluded will be printed on a separate colour.

(j) Urgent Items

If a matter is so urgent that it cannot meet the procedures and deadlines referred to above and cannot await the next ordinary meeting of the area committee, the Director of Law and Property, in consultation with the Chairman and Liaison Officer, will consider convening a special meeting of the committee. The procedure for producing reports for the special meeting will follow that for an ordinary meeting.

(k) Post-Meeting Work

Minutes of the meetings of each area committee will be taken by a Democratic Services Officer for inclusion in the "White Book" of minutes to be considered by the full Council.

The Democratic Services Officer will circulate the draft minutes and any requisite summaries of exempt items to appropriate Liaison Officers and other relevant officers before finalising them.

A decision summary will be circulated by e-mail 2 working days following the meeting.

Within 5 working days after the meeting there will be a debriefing meeting of relevant officers, convened by the Democratic Services Officer, in order to determine which officers will be responsible for implementing the decisions of the area committee. This will be confirmed in a note circulated by the Democratic Services Officer.

Where a matter needs to be referred on to the Cabinet the Democratic Services Officer will prepare the requisite draft report and circulate this for comment as necessary. Only one report on a matter will be submitted to the Cabinet even if the matter has been considered by more than one area committee.

10. Documents to be Available to Members

Any document which is available for public inspection will be made available for inspection by any member on request.

11. Directorate Representation at Meetings

Each Directorate shall make arrangements to be represented at area committee meetings by an officer(s) with an appropriate understanding of the service issues likely to emerge at the meeting, both in terms of presenting reports from their Directorate and answering questions from the public. With the prior consent of the Liaison Officer a Directorate may be permitted not to send a representative if it is unlikely that there would be any questions relating to the functions of that Directorate raised at the meeting.

12. Presentations at Meetings

All presentations made at area committees shall be delivered so as to be both audible and visible to the committee and to members of the public present. Presentations shall be concise and relevant to the report/recommendations before the committee. Officers planning to make presentations are encouraged to consult the Council's Marketing Section for advice as to the effective delivery of their presentation.

13. Role Of Area Chairmen

Area Chairmen collectively have the following specific responsibilities:-

- To be consulted in advance on matters proposed for inclusion on the agenda for area committees as public consultation issues.
- To be consulted in advance on matters proposed for inclusion on the agenda for more than area committee in the same cycle of meetings.
- To consider any matters relating to this Protocol arising from area committee meetings.
- To consider any issues arising from the previous cycle of area committees.
- To consider any issues included on the agendas for the next cycle of area committee meetings.
- To consider any issues arising from the terms of reference of area committees which have implications for more than one area committee.
- Periodically to consider feedback received from members of the public following their attendance at area committee meetings.

14. Role Of Liaison Officers

Liaison Officers have the following specific responsibilities:-

- To ensure that their Chairman is adequately consulted and briefed on all matters coming before the area committee.
- In consultation with their Area Committee Chairman to be the final arbiter on all matters relating to agenda planning and management for their area committee. This includes their right, after consultation with their Chairman, to omit items/reports from the agenda for an area committee meeting if the requirements of

this Protocol as to the notification of any item or the compilation of a report have not been met.

- In consultation with the relevant Lead Officers from the Directorates concerned, to be responsible for ensuring that all decisions taken by their area committee are implemented.

15. Timetabling of Meetings

The timetable of meetings for area committees shall be that set out in the calendar of meetings approved annually by the Council.

16. Venues For Meetings/Health And Safety Considerations

The venues for meetings of area committees shall be determined by each area committee, but in determining venues all relevant health and safety issues shall be taken into consideration.

