

HALESOWEN AREA COMMITTEE – 9TH JUNE, 2003

TERMS OF REFERENCE AND PROTOCOL FOR AREA COMMITTEES

REPORT OF THE CHIEF EXECUTIVE

1.0 PURPOSE

1.1 To submit the terms of reference and protocol for Area Committees.

2.0 BACKGROUND

2.1 At the Annual Meeting of the Council held on 15th May, 2003 Area Committees were re-appointed with their terms of reference, a copy of which is attached at Appendix 1. The protocol applicable to Area Committees is also attached at Appendix 2.

3.0 PROPOSAL

3.1 That the terms of reference and protocol for Area Committees, as attached hereto, be noted.

4.0 FINANCE

4.1 There are no direct financial implications arising from this report.

5.0 LAW

5.1 Sections 101 and 102 of the Local Government Act 1972 enable the Council to appoint Committees and delegate functions to them.

5.2 By virtue of the Local Government (Committees and Political Groups) Regulations 1990, the rules on proportionality regarding the allocation of seats to political groups do not apply to the Area Committees, provided the membership of the Area Committee comprises ward members from the area.

6.0 EQUAL OPPORTUNITIES

6.1 The establishment of Area Committees enables the Council's decision making processes to reflect local views. Each of the Area Committees is under a duty to consult the public on Council Services, initiatives and plans, incorporating the need to ensure that minority and disadvantaged groups in the community are included within this process.

7.0 RECOMMENDATION

7.1 That the proposal set out in Section 3.1 above be approved.

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CHIEF EXECUTIVE

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ARTICLE 10 - AREA COMMITTEES10.01 Area Committees

The Council may appoint Area Committees as it sees fit, if it is satisfied that to do so will ensure improved service delivery in the context of best value and more efficient, transparent and accountable decision making.

10.02 Form, composition and function

- (a) The Council will appoint the following Area Committees with the terms of reference indicated:-

<u>Name of Committee</u>	<u>Composition</u>	<u>Terms of Reference</u>
Brierley Hill	Members of the Council representing the Brierley Hill, Brockmoor and Pensnett, Kingswinford North and Wall Heath, Kingswinford South and Wordsley wards, together with one member of the Council representing the Amblecote ward and one member representing the Quarry Bank and Cradley Ward.	<ol style="list-style-type: none"> 1. To determine proposals for the deployment of the delegated capital budget allocation. 2. To develop and introduce a local community plan for their Area. 3. To consider issues of local relevance raised by the public, local organisations or members of the Area Committee.
Central Dudley	Members of the Council representing the Castle and Priory, St. James's, St. Thomas's, Netherton and Woodside and St. Andrew's wards.	<ol style="list-style-type: none"> 4. To be consulted on relevant local service delivery issues in relation to the following: <ul style="list-style-type: none"> Social Services Housing Education (ie: schools, pre-school and community and lifelong learning) Environmental Health Highways and Transportation Leisure.
North Dudley	Members of the Council representing the Sedgley, Coseley East, Coseley West and Gornal wards.	

<u>Name of Committee</u>	<u>Composition</u>	<u>Terms of Reference</u>
Halesowen	Members of the Council representing the Hayley Green, Belle Vale and Hasbury, Halesowen North and Halesowen South wards, together with two members representing the Quarry Bank and Cradley wards.	5. To be consulted on issues regarding Council-owned land within their area, including disposals, acquisitions, wayleaves, easements and restrictive covenants on land formerly owned by the Council.
Stourbridge	Members of the Council representing the Wollaston and Stourbridge West, Norton, Pedmore and Stourbridge East and Lye and Wollescote wards, together with two members representing the Amblecote ward.	6. To be consulted on any planning application which would have a significant impact on a substantial part of their area. 7. To be consulted on draft supplementary planning guidance, development briefs, designation of conservation areas and the exercise of compulsory purchase powers. 8. The administration of local charities for their area, where the Council has been appointed trustee. 9. To make representations about the naming of streets, numbering of houses, public seats, public monuments and statues.

(b) Delegations

The Council and the Executive will include details of the delegations to Area Committees in Part 3 of this Constitution.

10.03 Conflicts of Interest - Membership of Area Committees and Select Committees

(a) Conflict of interest

If a Select Committee is scrutinising specific decisions or proposals in relation to the business of the Area Committee of which the councillor concerned is a member, then the councillor may not speak or vote at the Select Committee meeting unless a dispensation to do so is given by the Standards Committee.

(b) General policy reviews

Where the Select Committee is reviewing policy generally the member must declare his/her interest before the relevant agenda item is reached, but need not withdraw.

10.04 Area Committees - Access to Information

Area Committees will comply with the Access to Information Procedure Rules in Part 4 of this Constitution.

Agendas and notices for Area Committee meetings which deal with both functions of the Executive and functions which are not the responsibility of the Executive will state clearly which items are which.

10.05 Lead Members on Area Committees

A Lead Member may serve on an Area Committee if otherwise eligible to do so as a councillor.

10.06 Area Committee Chairs

The Chairs of Area Committees will meet on a regular basis to discuss the operation and functions of Area Committees.

10.07 Area Committees – Co-Opted Members

Area Committees are permitted to co-opt up to five persons onto the Committee for the period expiring with the conclusion of a municipal year. Co-opted members are entitled to speak at meetings but not to vote and shall not represent the views of any political party on the Area Committee.

10.07 Area Committees – Protocol

The protocol for Area Committees in Part 6 of this Constitution shall apply to meetings of Area Committees.

PROTOCOL FOR AREA COMMITTEES

1. Each Area Committee will select its own Chair and Vice-Chair.
2. The nominated Liaison Officers are as follows; Mr E Lowson, Chief Executive's Department for Brierley Hill, the Director of Social Services for Central Dudley, the Director of Finance for Halesowen, the Director of Education and Lifelong Learning for North Dudley and the Director of Law and Property for Stourbridge.
3. The agenda for each Area Committee meeting will be set by its Chair in consultation with its Liaison Officer except for items referred to it by the Council, any Council Committee or any Chief Officer in the exercise of any delegated decision-making responsibility.
4. Area Committees are formal committees of the Council and they must therefore comply with Standing Orders and their decisions must not conflict with any relevant policies of the Council.
5. Area Committees may make recommendations on any matter direct to the Executive.
6. Minutes of the decisions of each Area Committee will be taken by a Committee Services Officer for inclusion in the "White Book" of minutes to be considered by full Council.
7. At the meeting following the inaugural meeting of an Area Committee, or at any time thereafter, an Area Committee may co-opt onto the Committee, for a fixed term of one municipal year (or the remainder thereof) up to 5 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. Co-optees shall not represent the views of any political party on the Area Committee.
8. The Police, Fire, Ambulance and Health Services and the CVS will be expressly invited to have a representative in attendance at each Area Committee meeting.
9. Each Area Committee must consider the Council's principles of consultation and produce a plan to demonstrate how it will fulfil the duty to demonstrate the broadest practical consultation within the community it serves on all relevant business.
10. Each Area Committee shall 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.
11. If an Area Committee has to conduct any confidential business in private session, this should normally be done before the public part of the meeting and preferably in a separate room.