

AREA COMMITTEE PROCEDURE RULES¹**1.0 STATUS**

1.1 Area Committees are appointed by Full Council. Area Committees may exercise both executive¹ and Council functions.

2.0 ROLE AND FUNCTIONSRole

2.1 Area Committees will

- improve co-ordinate and influence services at a local level;
- act as a focal point for community involvement;
- take locally based decisions that deal with local issues;
- provide for accountability at a local level;
- help Elected Members to listen to and represent their communities;
- help Elected Members to understand the specific needs of the community in their area;
- promote community engagement in the democratic process;
- promote working relationships with Parish and Town Councils; and
- promote the well being of their area.

Functions

2.2 The terms of reference for Area Committees are set out in Part 3 of the Constitution.

2.3 The Executive shall determine from time to time the executive functions² that may be exercised by Area Committees. These functions will be exercisable concurrently by the Executive Board and, in accordance with the Officer Delegation Scheme (executive functions), by Directors.

2.4 Executive functions delegated to Area Committees may not be delegated by any Area Committee without the express consent of the Executive Board.

¹ These Procedure Rules should be read in conjunction with Article 10 and the Terms of Reference for Area Committees

² Part 3 Sections 3C and 3D of the Constitution provide details of the extent of the delegation determined by the executive.

3.0 ACCOUNTABILITIES

Executive Functions

- 3.1 The Local Government Act 2000 provides for the Executive to make arrangements for functions which are the responsibility of the Executive to be discharged by Area Committees. In exercising these functions each Area Committee is accountable to the Executive.
- 3.2 On an annual basis each Area Committee is required³ to prepare a draft Area Delivery Plan⁴ for consideration by the Executive Board. Area Delivery Plans will be prepared in draft form by the end of October each year to inform the budget setting process for the following year. Each Area Delivery Plan will provide details of identified priorities and proposed actions in relation to:
- the promotion and improvement of the economic, social and environmental well-being of the Committee's area;
 - the exercise of Area Functions within the area.
- 3.3 Area Delivery Plans shall be drafted in accordance with a framework determined by the Executive Board for the compilation of Area Delivery Plans.
- 3.4 Following the approval of the Council budget, and prior to the commencement of each financial year, the Executive Board will consider and approve an Area Delivery Plan for each area.
- 3.5 Area Committees shall report to the Executive Board any significant problems encountered by them in trying to deliver agreed Area Delivery Plan priorities in their area.

Council Functions

- 3.6 Each Area Committee is accountable to Full Council for the exercise of Council functions within their terms of reference.

4.0 MEMBERSHIP

- 4.1 The membership of each Area Committee will comprise all Members who have been elected for wards wholly within the area determined for the Committee as set out in Article 10 of the Constitution.
- 4.2 A Member of the Executive may serve on an Area Committee if otherwise eligible to do so as a Councillor.

Co-optees

³ For the financial year 2005/6 onwards

⁴ Area Delivery Plans are developed by each Area Committee to provide the local interpretation of the Leeds Strategic Plan

- 4.3 Each Area Committee may select up to five co-opted members to assist in the discharge of the Committee's role, in accordance with Article 10 of the Constitution.
- 4.4 Co-opted members may participate in the debate in the same way as Elected Members, but have no voting rights.
- 4.5 No co-opted member shall be appointed for a period beyond the next Annual Meeting of the Council.

5.0 ELECTION OF CHAIR

- 5.1 Each Area Committee will elect its own Chair, from amongst the City Councillors eligible to serve on that Committee.
- 5.2 Each Party Group with Members elected within an Area Committee area may put forward a nomination from amongst its Members on the Area Committee to Chair the Area Committee. An Independent Member may also put forward a nomination.
- 5.3 A nomination must be forwarded to the Chief Democratic Services Officer no later than 1 clear working day before the first meeting of the Area Committee (after the Annual Council meeting) each year.⁵
- 5.4 The Chief Democratic Services Officer will ensure that nominations and the election to the position of Chair are dealt with at the Committee's first meeting of the municipal year.
- 5.5 The Chair will be elected by overall majority of votes cast by those Members eligible to do so and present at the meeting. If no overall majority is achieved, then the nominee with the smallest number of votes will be eliminated from consideration, and the vote repeated.
- 5.6 Where an overall majority of votes cannot be obtained the Council will appoint a Chair.

6.0 AREA COMMITTEE MEETINGS

Frequency

- 6.1 There shall be at least six ordinary meetings of each Area Committee in each municipal year. The first meeting of each Area Committee will be convened by the Chief Democratic Services Officer. A schedule of meetings for each municipal year will be approved by each Area Committee either at its first meeting of that municipal year, or at the final meeting of the previous municipal year.
- 6.2 Special meetings of an Area Committee may be called in accordance with the Council Procedure Rules.

⁵ A nomination from a Party Group must be forwarded by the Whip of that Group.

Area Committee Procedure Rules
Business to be Transacted

- 6.3 All business to be transacted by an Area Committee must be determined at a formal meeting of the Committee.
- 6.4 Area Committees will comply with the Access to Information Procedure Rules in Part 4 of the Constitution.
- 6.5 Agendas and notices for Area Committee meetings which deal with both Council and executive functions will state clearly which items are which.
- 6.6 The Area Committee will not deal with an individual's issues or complaints.

Agenda Items

- 6.7 Area Committees shall consider the following business:
- appeals against refusal of inspection of documents;
 - exclusion of public;
 - late items;
 - declarations of interest if any;
 - apologies for absence;
 - open forum;
 - consideration of the minutes of the last meeting;
 - issues arising from the Committee's Area Delivery Plan;
 - appointments to outside bodies;
 - reports from Outside Bodies; and
 - additional matters set out on the agenda for the meeting.

Interests

- 6.8 Elected Members of Area Committee shall comply with the Members' Code of Conduct and any other code of conduct or protocol relating to the conduct of Members which may be adopted by the Council. Where a co-opted member of an Area Committee has an interest in a matter before the committee, she or he must declare an interest and may be required to withdraw from the meeting.

Minutes

- 6.9 The meetings of Area Committees shall be minuted, and such minutes will be made available to the public in accordance with the Access to Information Procedure Rules.

Substitute Arrangements

- 6.10 Elected Members cannot be substituted.
- 6.11 Where a representative from a designated organisation has been co-opted on to the Area Committee that member can be substituted by another representative from that

organisation, subject to the Chair being informed before the meeting of the proposed substitution.

Quorum

- 6.12 The quorum for a meeting of an Area Committee shall be satisfied if at least one third of the Elected Ward Members are present, and at least one Elected Ward Member from each ward within the area is present. In the case of those Committees where the Area is made of only two wards the quorum shall be satisfied if three Members are present and at least one Elected Ward Member from each ward within the area is present.

Voting

- 6.13 Only Elected Ward Members are entitled to vote at Area Committee meetings.
- 6.14 Co-opted members do not have voting rights.
- 6.15 In the event of an equality of votes, the Chair will have a second, or casting, vote.

Rights to attend and speak

- 6.16 An Area Committee may invite representatives from other authorities organisations or agencies to attend Area Committee meetings. These people may speak with the permission of the Chair.
- 6.17 Members of the public present at Area Committee meetings are observers and may only speak at Area Committee meetings in accordance with rules governing deputations and open forums detailed below.

Deputations

- 6.18 Deputations may be received at any meeting of an Area Committee provided that the Council's Chief Democratic Services Officer receives seven clear days⁶ previous notice.
- 6.19 A deputation shall consist of at least two and no more than five people, only one of whom shall speak except by permission of the Chair. The speech, including the reading of any written material, shall not be more than five minutes in duration.
- 6.20 Deputations which relate solely to the interests of one individual or company will not be admitted. In cases of doubt, the Council's Chief Democratic Services Officer will determine the eligibility of any deputation request.
- 6.21 The number of deputations which may be received by an Area Committee at one meeting shall not exceed five.
- 6.22 Deputations shall be heard in the same order in which notices were received.

⁶ These are working days

6.23 A deputation shall not be admitted about any matter which has been the subject of deputation in the preceding six months.

Open Forums

6.24 At the discretion of the Chair a period of up to 10 minutes may be allocated at each ordinary meeting of an Area Committee for members of the public to make representations or ask questions on matters within the terms of reference of the Area Committee. The period of time may be extended at the discretion of the Chair.

6.25 No member of the public shall speak for more than three minutes in the open forum, except by permission of the Chair.

7.0 ADVISORY OR CONSULTATIVE FORUMS

7.1 An Area Committee can establish area or issue based forums, to act in an advisory or consultative capacity only.

7.2 A forum may cover the whole of the Committee's area or smaller areas within it, for example, one ward.

~~7.3 The Area Committee shall determine the terms of reference for any forum established and how the membership of it will be decided ⁷.~~

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~~7.4 Where an Area Committee establishes a ward based Community Forum, the Chair of that Forum must be appointed by the Area Committee. In making that appointment however the Area Committee must ensure that Chairs are appointed with regard to the political balance of the ward to which a forum relates. Where a political group has the majority of members within a ward, the chair will be appointed from those Members. Where no political group has a majority, the chair will be appointed by the Area Committee from Members of the ward to which the forum relates.~~

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8.0 DECISION MAKING

8.1 Area Committees must make decisions:

- in accordance with all relevant procedure rules⁸ within the Constitution;
- in accordance with the Council's Budget and Policy Framework⁹;
- in accordance with the approved Area Delivery Plan for the Area and any other relevant strategy or plan approved by the Executive Board; and
- following consideration of a report from relevant Director or his/her nominee.

8.2 Where a Director is of the opinion that a proposal, decision or omission by an Area Committee in relation to an executive function would result in:

⁷ The total number of forums established and the frequency of meetings will need to be sustainable for the Members, officers of the Council and other service providing agencies, and community representatives.

⁸Council Procedure Rules, Executive Procedure Rules, Area Committee Procedure Rules, Financial Procedure Rules, Contract Procedure Rules, Appointments to Outside Bodies Procedure Rules and Access to information Procedure Rules

⁹ Subject to the provisions of the Budget and Policy Framework Procedure Rules

- minimum service standards specified by the Executive Board not being achieved; or
- an adverse impact on service delivery or the achievement of targets; or
- delivery of any service in that area or the area of another Area Committee being adversely affected

the Director shall report that opinion¹⁰ to the appropriate Executive Member, who may direct that the Area Committee's delegated authority should not be exercised and the matter should be referred to the Executive Board for consideration.

8.3 Where the Monitoring Officer or Chief Finance Officer is of the opinion that a proposal, decision or omission of an Area Committee is or if made would be

- (a) outside its terms of reference; or
- (b) outside its Area Delivery Plan; or
- (c) outside any relevant strategy or plan approved by the Executive Board; or
- (d) outside the Budget and Policy Framework; or
- (e) not in accordance with any relevant procedure rules

the Monitoring Officer or Chief Finance Officer shall refer the matter to the Executive Board and/or Council as appropriate for consideration at the next available meeting.

8.4 Where a matter has been referred to the Executive Board or the Council under 8.2 or 8.3 above, the implementation of the proposal or decision shall be suspended until the matter is considered by the Executive Board and/or the Council.

8.5 Where a matter has been referred to the Executive Board under 8.2, the Executive Board may:

- decide the matter itself; or
- endorse any decision already made; or
- refer the matter back to the Area Committee for determination; and/or
- make any other decision it considers appropriate.

8.6 Where a matter has been referred to the Executive Board under 8.3 (a) (b) or (c), the Executive Board may:

- decide the matter itself; or
- endorse any decision already made; or
- refer the matter back to the Area Committee for determination; and/or
- make any other decision it considers appropriate.

¹⁰ where that opinion is in relation to a decision taken by an Area Committee, the report to the Executive Member must be made within 5 working days of the relevant decision notice being published

Area Committee Procedure Rules

- 8.7 Where a matter has been referred to the Executive Board under 8.3(d) or (e) then the Executive Board may;
- refer the matter to the Council for consideration¹¹; or
 - decide the matter within the Budget and Policy Framework / in accordance with the procedure rules; or
 - refer the matter back to the Area Committee for determination within the budget and policy framework / in accordance with the procedure rules.
- 8.8 Where a matter is subject of a Call-In by a Scrutiny Board, but has been the subject of reference back under Rule 8, the Scrutiny Board will be informed of this.
- 8.9 Before deciding any matter in accordance with Rule 8, the Executive Board will consider a report from a Statutory Officer or Director detailing as appropriate:-
- whether minimum service standards for a relevant Area Function are being achieved;
 - how any delegated budget for the executive function is being utilised;
 - whether a proposal decision or omission by an Area Committee would result in
 - minimum service standards specified by the Executive Board not being achieved; or
 - an adverse impact on service delivery or the achievement of targets; or
 - delivery of any service in that area or the area of another Area Committee being adversely affected;
 - whether a proposal, decision or omission by an Area Committee
 - is outside its terms of reference; or
 - is outside its Area Delivery Plan; or
 - is outside any relevant strategy or plan approved by the Executive Board; or
 - is outside the Budget and Policy Framework; or
 - is not in accordance with any relevant procedure rules.
- 8.10 An Area Committee, or two or more Area Committees jointly, may refer any matter in relation to its executive functions (including Area Functions) to the Executive Board for decision.

¹¹ The Council's options are as set out in Budget and Policy Framework Rules, Rule 8 Part 4 (e)
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