

**Cabinet Report – 22nd October, 2014 – CAB. 22.10.2014/8.1
BARNSELY METROPOLITAN BOROUGH COUNCIL**

**REPORT OF THE DIRECTOR OF
LEGAL AND GOVERNANCE**

AREA COUNCIL TERMS OF REFERENCE REVIEW

1. PURPOSE OF REPORT

- 1.1 To seek approval for revised Area Council Terms of Reference following a recent review, together with procedural changes required as a consequence.

2. RECOMMENDATIONS

- 2.1 **That the revised Area Council Terms of Reference set out at Appendix 1 be approved; and**
- 2.2 **That the Assistant Director Neighbourhoods, Access and Support be authorised to approve the appointment of Ward Alliance members, following consultation with the Elected Members for the Ward concerned.**

3. INTRODUCTION

- 3.1 The Terms of Reference of the Area Councils were approved in May 2013 as part of the overall Area Governance Framework. A review has recently been undertaken of the Terms of Reference, following the first 18 months of operation, and a number of revisions are proposed as set out in Appendix 1.

4. OUTLINE OF PROPOSED CHANGES

- 4.1 A number of the revisions provide further clarity about aspects of the Area Councils Terms of Reference, namely:-
- Using data and intelligence to arrive at and agree local priorities;
 - Emphasising that Area Councils have an interest in both internal and external services; and
 - Clarifying that Area Councils will receive reports on all funding relating to the area, including devolved ward budgets and ward alliance funds.
- 4.2 The Terms of Reference have also been updated to reflect the need for Area Councils to have powers to promote effective working at that level, particularly:-
- Appointing Members from the Area Council to represent the area on consultative or advisory bodies;
 - To establish sub-groups, working groups or workshops to discuss issues and report back to the Area Council; and
 - To work collaboratively with other Area Councils, sharing best practice and taking advantage of economies of scales where appropriate.

- 4.3 Finally, the revised Terms of Reference reflect concerns that there will be delays in appointing community representatives to Ward Alliances if this needs to await approval by the Area Councils. To avoid this, it is proposed to delete this from the Terms of Reference and instead authorise the Assistant Director Neighbourhoods, Access and Support to approve the appointment of Ward Alliance community representatives following consultation with the Elected Members of the Ward concerned.

5. IMPLICATIONS FOR LOCAL PEOPLE/SERVICE USERS

- 5.1 There are no particular implications for local people or service users. The proposed changes reflect comments received from Area Council Chairs about the operation of meetings.

6. FINANCIAL IMPLICATIONS

- 6.1 There are no financial implications associated with this report.

7. EMPLOYEE IMPLICATIONS

- 7.1 There are no employee implications arising from this report.

8. LIST OF APPENDICES

Appendix 1: Revised Area Council Terms of Reference.

9. BACKGROUND PAPERS

Report to Cabinet on 8th May, 2013 entitled Communities and Area Governance Supporting Documentation available for inspection at Legal and Governance Directorate, Town Hall, Barnsley, Telephone (01226) 773421.

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AREA COUNCILS – TERMS OF REFERENCE AND MEETINGS PRACTICE

- To use data and intelligence to arrive at and agree set local priorities ~~in relation to the Electoral Wards comprising~~ for the Area, which comprises a number of Electoral Wards, as defined by Full Council.
- ~~And~~ To approve the Area Plan.
- To approve the allocation of the Area Budget and the commissioning of services from the Area Budget to support Area Plan priorities.
- To monitor the performance of services commissioned from the Area Budget in relation to the Area Council's priorities and desired objectives/outcomes.
- To influence the planning of internal and external services provided on a Borough-wide basis.
- To request reports as appropriate on area-based service activity from internal or external providers.
- To ~~monitor the performance~~ consider local issues identified by Members about the delivery of area-based services and those Borough-wide services provided locally, and identify issues for attention or action, including reference to the Overview and Scrutiny Committees where strategic or policy issues are raised.
- To consider Councillor Calls for Action that would not more appropriately dealt with by the Overview and Scrutiny Committee.
- To provide a reference point for local consultation and the increase of public engagement.
- ~~To appoint the community representatives to serve on the Ward Alliances, on the recommendation of the Members of the Ward in question.~~
- To receive notes minutes or reports of the proceedings of Ward Alliances within the ~~Area Council's~~ area, as appropriate.
- To receive reports on decisions made in relation to the Devolved Ward Budgets, Ward Alliance Funds and other funding pertaining to the area.
- To make recommendations to the Council, Cabinet or the Overview and Scrutiny Committee on relevant matters relating to the area in question.
- To consider any matters relating to the area in question that might be referred to them by the Council, Cabinet or the Overview and Scrutiny Committee.
- To appoint a Member of the Area Council to represent the interests of the area on consultative or advisory bodies.

- [To establish sub-groups, working groups or workshops to discuss issues in more detail and report back to the Area Council.](#)
- [To work collaboratively with other Area Councils, sharing best practice and taking advantage of economies of scale where appropriate.](#)

Meetings Practice

Area Council are Area Committees of the Executive (Cabinet) under the terms of the Local Government Act 2000. Meetings will be subject to the relevant provisions of the Local Government (Access to Information) Act 1985 ([The Local Authorities \(Executive Arrangements\) \(Meetings and Access to Information\) \(England\) Regulations 2012](#) in relation to the notice for meetings, [content of reports](#) and availability of papers. Meeting will be held in public, but direct public participation will not be permitted.

The Council's Standing Orders in relation to the chairing of and voting in meetings and disclosure of pecuniary interest will apply to meetings of Area Councils. The quorum for a meeting will be one Member for each Electoral Ward in the area plus one additional Member who are eligible to vote in the matter under consideration.