

PART 3.5 - AREA COMMITTEES TERMS OF REFERENCE

1. Overview

1.1 There is an Area (Community Infrastructure Levy) CIL/s.106 Committee for each of the following 9 Areas (each to be known as an “Area Committee”):

No	Ward 1	Ward 2	Ward 3	Ward 4
1	Avonmouth and Lawrence Weston	Henbury and Brentry	Southmead	Horfield
2	Stoke Bishop	Westbury on Trym and Henleaze	Redland	Bishopston and Ashley Down
3	Clifton	Clifton Down	Cotham	Hotwells and Harbourside
4	Central	Ashley	Lawrence Hill	Easton
5	Lockleaze	Eastville	Hillfields	Frome Vale
6	St George West	St George Central	St George Troopers Hill	-
7	Southville	Bedminster	Windmill Hill	Filwood
8	Hartcliffe and Witherwood	Bishopsworth	Hengrove and Whitchurch Park	-
9	Knowle	Stockwood	Brislington West	Brislington East

1.2 Area Committees will make decisions about the local element of CIL monies raised within the Area and devolved s.106 monies.

1.3 The Councillors elected to serve the wards in a neighbourhood are members of the corresponding Area Committee. For the purposes of the Council constitution, all of the Councillors on an Area Committee comprise a Council committee with delegated power to take certain local decisions on behalf of the council.

1.4 The Area Committee is expected to take its decisions as part of a public meeting, following consultation with the community and networks within the community to agree local Community Infrastructure Levy (CIL) priorities.

1.5 As a committee of council, Area Committees will be governed by the Committee Procedure Rules, subject to any amendments within these Terms of Reference.

2. Functions delegated to Area Committees

- 2.1 Decision-making in relation to devolved s.106 monies where there is a decision to made about in relation to what and where the monies should be spent (as opposed to when the funds have already been earmarked for a specific project as part of the agreement) and the expenditure of local CIL.
- 2.2 When s.106 monies have been earmarked for a specific project, the only decision relates to when that project should be delivered. Such decisions will be taken at Service Director level in consultation with the members of the Area Committee.
- 2.3 Area Committees will also have the following functions:

Function	Description
Community Investment Funds	Preparatory work can be done to understand how to ensure an equitable distribution of funding across the City in anticipation of the next round of grant funding allocations.
Delivery of services	An Area Committee can refer matters raised with it under Public Forum to a relevant officer in the Council for a response.
Highways Maintenance	A requirement to communicate with Area Committees about the prioritisation of highways maintenance works.
Road Safety Budgets	There should be greater involvement of Area Committees in prioritisation of road safety schemes. This is subject to a review of the resourcing requirements in the relevant departments, to include a review of the budgets that could be devolved to Area Committees in respect of road safety schemes.
Parks and Play Areas	Annual consultation role for Area Committees in respect of changes to front line services and provision, e.g. grass cutting frequency, play area equipment.
Disposal of local authority land, community buildings and community asset transfers	The Area Committee should be consulted on any proposal to dispose of local authority land, community buildings or any community asset transfer, recognising that some transactions will be commercially sensitive.
Allotments	The Area Committee should be consulted about any new allotment provision.
Street cleaning, provision of street bins and enhanced street recycling	This links to the current contractual arrangements with Bristol Waste Company. There should be liaison with BWC representatives at a local level.

3. Membership

- 3.1 The membership of each Area Committee will include all Councillors who have been elected for wards in the Area and no other Councillors. It is expected that all Councillors will attend each meeting of their respective Area Committee.

4. Procedure rules

Meeting arrangements

- 4.1 Area Committee meetings will normally be held in-person twice per annum, with the option of two further meetings to be held online when required. These meetings will be supported by Democratic Services. Formal decisions by the Area Committees can only be taken at in-person meetings.

Election of Area Committee Chair

- 4.2 An Area Committee Chair will be elected at a formal meeting of its members.
- 4.3 The Area Committee Chair will be elected by overall majority. Where there is no overall majority of votes, the Area Committee Chair shall be either: a member of the political group with the most Councillors on the Area Committee; or where there is no such largest group, a member of whichever political group represented on the Area Committee, is the largest group on the Council.
- 4.4 The Area Committee Chair shall remain in post until:
- (a) they resign;
 - (b) a motion is passed by the majority of the Area Committee members to remove the Chair; or
 - (c) a local election is held after which a chair shall again be elected at an informal meeting of the new members.

Quorum

- 4.5 The quorum for the Area Committee to take a delegated council decision is 50% of Councillors in the Area Committee (rounded up to the nearest whole number).

Voting

- 4.6 Only elected Councillors are entitled to vote on delegated council decisions taken by Area Committees.
- 4.7 In the event of an equality of votes the Area Committee Chair will have a second, or casting vote.

Substitute arrangements

- 4.8 Area Committee Councillors cannot be substituted.

Agenda

- 4.9 The agenda for an Area Committee meeting will include the following:
- a) Apologies for absence
 - b) Approval of minutes from previous meeting.
 - c) Declarations of Interest (of Councillors)

- d) Public Forum petitions, statements and questions (maximum time of 30 minutes)
- e) Reports on proposed decisions for Councillors

Minutes of meetings

- 4.10 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 (in part 4 of the Council's constitution).

Right to submit petitions, statements and questions

- 4.11 Members of the public may submit statements and questions that relate to issues that are on the agenda for the meeting or any other issues within the terms of reference of the Area Committee, provided sufficient advance notice is given.
- 4.12 Anyone wishing to submit a petition is expected to submit their petition by no later than 12.00 noon 2 working days before the meeting. Where a petition has 200 signatures or more it will trigger a petition debate at the Area Committee, in accordance with the Council Petition Scheme.
- 4.13 Anyone wishing to submit a statement is expected to submit their statement by no later than 12.00 noon 2 working days before the meeting. Statements must be no longer than 1,000 words.
- 4.14 Anyone wishing to ask a question is expected to submit their question by no later than 5.00pm at least 3 clear working days before the meeting. Each questioner can ask a maximum of 3 questions. Questions will be referred to officers for a written reply following the meeting.
- 4.15 The Chair has the discretion to allow any member of the public, whether or not they have submitted a written statement or question, to speak during the meeting.
- 4.16 Statements and questions should be submitted by e-mail to:
democratic.sevices@bristol.gov.uk.

5. Access to Information Rules

- 5.1 Area Committees will comply with the Access to Information Rules contained in Part 4 of the Council's constitution, which means, among other things, that:
- (a) Meetings must be held in public;
 - (b) 5 days' notice of meetings must be given;
 - (c) Agendas and reports must be published 5 days in advance of meetings;
 - (d) Minutes and records of decisions with reasons must be published.

6. Code of Conduct

- 6.1 Area Committee Councillors shall comply with the Members' Code of Conduct and any other code of conduct or protocol relating to the conduct of Councillors which may be adopted by the council (e.g. officer member protocol).

7. Decision making

- 7.1 Area Committees must make decisions:
- (a) in accordance with the Council's budget and policy framework;
 - (b) in accordance with the approved local CIL/s.106 budget and requirements for its area;
 - (c) after due regard to the local priorities and consultation with the local community;
 - (d) in accordance with the Council's Equalities Duties;
 - (e) in accordance with all relevant procedure rules within the constitution including -
 - (i) financial regulations;
 - (ii) contract procedure regulations;
 - (iii) procurement rules;
 - (f) in accordance with any other Council policy, plan or criteria approved by cabinet and with any relevant contractual arrangements; and
 - (g) in a meeting following consideration of a report from the Chief Executive or an Executive Director or his/her nominee.
- 7.2 An Area Committee may only exercise a function in so far as the function impacts on its own area.
- 7.3 Area Committees may not make a decision which impacts in a significant way on another Area without first consulting with the committee for that Area. If they cannot secure the agreement of that neighbouring Area Committee, then the matter should be referred to the relevant Executive Director or the relevant Policy Committee for decision.
- 7.4 An Area Committee, or two or more Area Committees jointly, may refer a matter to either the relevant Executive Director or the relevant Policy Committee for a decision.
- 7.5 The decision-making power of Area Committees is delegated by the Full Council.
- 7.6 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 approved budget; or
 - (c) outside any relevant policy, plan or criteria approved by the Council or with any relevant contractual arrangements; or
 - (d) outside the budget and policy framework; or
 - (e) not in accordance with any relevant procedure rules,

then the Monitoring Officer or Chief Finance Officer shall refer the matter to the relevant Policy Committee or Full Council, as appropriate, for consideration at the next available meeting.

- 7.7 Where a matter has been referred to the relevant Policy Committee or Full Council under section 7.6, the implementation of the proposal or decision shall be suspended until the matter has been considered by the relevant Policy Committee and/or Full Council.
- 7.8 Where a matter has been referred to the relevant Policy Committee under 7.6 (a) (b) or (c) the relevant Policy Committee may:
- (a) decide the matter itself; or
 - (b) endorse any decision already made; or
 - (c) refer the matter back to the Area Committee for determination; and/or
 - (d) make any other decision it considers appropriate.
- 7.9 Where a matter has been referred to the relevant Policy Committee under 7.6 (d) or (e), then the relevant Policy Committee may:
- (a) refer the matter to Full Council for consideration; or
 - (b) decide the matter within the budget and policy framework or in accordance with the procedure rules; or
 - (c) refer the matter back to the Area Committee for determination within the budget and policy framework, or in accordance with the procedure rules.
- 7.10 Before deciding any matter in accordance with section 7.6 to 7.8, the relevant Policy Committee will consider a report from a statutory officer or Executive Director.

8. The Local CIL Equity Fund

- 8.1 The Council will establish an Equity Fund whereby 15% of the overall Local CIL is ringfenced to an Equity Fund.
- 8.2 The following procedure will be put in place for bids to the Equity Fund.
- (a) Bids to the Equity Fund would be made to the relevant Area Committee in line with current eligibility criteria for applications for the Local element of CIL;
 - (b) The relevant Area Committee would consider the application(s) as part of their annual decision-making process;
 - (c) The Area Committee would express their support or otherwise for each bid to the Equity Fund;
 - (d) If an Area Committee supports a bid then the Area Committee will submit the bid to the Council for consideration;
 - (e) If an Area Committee does not support a bid, then the bid will not be submitted to the Council (however in those circumstances, the bid may still be eligible for the Local element of CIL that is not part of the Equity Fund);
 - (f) The final decision on bids for the Equity Fund would be taken by the Public Health and Communities Committee on an annual basis, having considered all applications supported by the Area Committees.