

Nicola Golding

From: JOANNE BROWN [wwpc@redhouse100.freerve.co.uk]
Sent: 27 September 2009 13:26
To: Nicola Golding
Subject: FW: Working Parties of West Wittering Parish Council - DRAFT FOR CHAIRMAN'S REVIEW

Dear Nicola

This may be of use, the information was requested by from the Chairman by Mike, and I prepared the response. I will also try and find minutes to back up the evidence.

Regards

Joanne

From: JOANNE BROWN [mailto:wwpc@redhouse100.freerve.co.uk]
Sent: 08 June 2009 22:30
To: 'bob hutton'
Subject: Working Parties of West Wittering Parish Council - DRAFT FOR CHAIRMAN'S REVIEW

Dear Mike,

At the outset, I need to make you aware that the Council habitually uses the term 'Working Party' although this covers a number of arrangements by which the Council undertakes its activities. In fact some of the Working Parties do not meet at all. The arrangements range from input to the management of the Council assets without meetings which could be weekly (eg inspection of footpaths, open spaces and lighting, allotments, Sportsfield, Snowhill), occasional meetings to assist with the development of new initiatives (eg communications which is considering the Council's website arrangements) through to occasional attendance by members at meetings of external bodies (eg emergency planning, twinning) where the Council needs or wishes to maintain a presence.

The Parish Council has agreed the following Working Parties for the year 09/10:

- Footpaths and Open Spaces
- Allotments
- Sportsfield Management and Millennium Meadow
- Footway Lighting
- Emergency Planning
- Transport
- Poor Sevens Trustee
- Tree Warden
- Snowhill
- Finance
- Twinning
- Coastal Defence
- Communication

Emergency Planning is not a formalised Working Party. One member has agreed to attend any meetings and pass on any information from the EA regarding flood warnings.

Transport is not a formalised Working Party as such but consists of one or two members who if asked could attend any meeting of partner organisations to discuss local transport.

16/10/2009

The Poor Sevens trustee is a nominated member who sits as a member of a local charity.

The Tree Warden is a nominated member who checks the Council owned trees once a year as part of risk management and reports any problems to the Council if identified. In the past the Tree Warden has also organised tree planting and maintenance when asked to do so by the Council.

The Coastal Defence is not a formalised Working Party but representation on the East Head Coastal Defence Advisory Group set up by the EA in response to the Coastal Defence Strategy.

It might be useful if I give you some recent examples of how the arrangements used by the Council help it operate effectively.

The Council recently debated the redecoration of the Pavilion. The Sportsfield Working Party was asked to assist with the process and this was done by one of the members who met prospective contractors at the pavilion in order to show them around explain. No recommendation was made by the WP and the quotes for the work were returned to me and put before the whole Council for a decision.

The beach at Snowhill requires maintenance and replenishment over time. The Council has asked the Snowhill Working Party to inspect the beach and report back on how it is looking. The Council will then debate how much shingle is required as part of the beach maintenance. Another example is that dinghies are often left abandoned on the beach. Recently one of the members of the WP was asked to obtain details of a particular boat so that the owner could be traced.

If a member of the public was interested in applying for an allotment a member of the Working Party will arrange to meet the applicant at the allotments and show them round the site.

I could give many more examples where the Council will debate a matter and then ask for a member or members to obtain further information or to look at a particular matter and report back to the Council. Because of the number and size of the assets that this Council manages the Working Parties are organised to facilitate and assist with management when requested by the Council.

Working Parties are ad hoc arrangements and there are no specified terms of reference for any Working Party. Working Parties are not standing committees of the Council and only operate when requested by the Council. They never make decisions on behalf of the Council nor do they have any powers to determine policy issues. Recommendations are not made unless specifically requested by the Council which might be done orally. Whilst they do not meet in public, it should be noted that the Council is committed to making all decisions in public at its monthly meetings so that there can be no question as to the openness of its processes.

The composition of each Working Party is agreed and minuted at the Council's annual meeting in May and seeks to reflect members preferences and interests in the Council's activities. The publication of a list of members of each Working Party allows the public to know who the key contacts are and makes the public aware of the work that members do for them. I must stress that any member can attend and take on work of any Working Party at any time which allows all members to participate if they so chose.

In the past, the Finance and General Purposes Working Party met around four times annually and I was often in attendance depending on the matters to be discussed. I used to produce an informal agenda to assist the Chairman to facilitate the discussion (eg ideas for the next year's budget). I sometimes did produce notes from the meeting which were used by the Chairman in briefing members at Council meetings. However following a review of Council procedures and Working Parties in 2008, members agreed to set up a Finance Working Party only, which to date has not met, but has recently been asked by the Council to obtain information regarding a remuneration package for the Clerk. The decision about this will be a decision of the Council and not of the Working Party.

At the Council's meetings, a member of the Working Party will be invited to report to members and

the Council might be required to take decisions on the back of this. In my experience there is no evidence to show that Working Parties have been used to determine decisions before being taken to the Council and no member of the Council has sought to railroad any particular decisions.

The Council is a small seaside parish and is mindful of the cost of administration for the electorate. You will be aware that I am its only employee. When the Council reviewed its procedures last year members did not wish to increase the Council's administrative costs. It was felt at that time that any additional standing or advisory committees would require an increase in paid hours to further manage the meetings. The way the Council uses Working Parties reduces the costs of the Council's administration as most members are willing to support the Council through the giving of more of their time for free.

I trust that this information makes the situation clear with regard as to how the Council operates. Contrary to the claims made by Mr Hopson in public and in the press there is no evidence that members are "meeting in secret" or that Working Parties are making recommendations to themselves and then rubber stamping at Council meetings. It is interesting to note that he has not supplied any specific instances and the Council would challenge him to provide hard evidence to support this.

I would also like to add that the Council as a whole reviewed the way it operates last year and has confirmed at its meeting on 7 May 2009 that it wishes to continue to operate without standing committees. It follows therefore that Mr Hopson's complaint against Mr Hutton is unjust as he had no more responsibility than any other member for the decision taken.

Regards. Joanne

From: Mike Kelley [mailto:mjkelley@chichester.gov.uk]
Sent: 04 June 2009 14:45
To: West Wittering Parish Council
Subject: Working Parties of West Wittering Parish Council

Dear Joanne

As you know I am considering the complaints made by Mr Hopson and Mr Hutton under the code of conduct procedures.

Mr Hopson states that the Parish Council has set up the following working parties:-

Footpaths and Open Spaces, Allotments, Sportsfield Management and Millennium Meadow, Footway Lighting, Emergency Planning, Transport, Poor Sevens Trustee, Tree Warden, Pavilion, and Finance.

Can you please let me know the following information:-

1. Are these **ad-hoc** working parties i.e. set up to look into a specific issue and then to report their recommendations back to the council meeting, and then disbanded? (This is the kind of working party which the case law supports which I mentioned to you in the past and which I was commenting on at the Peninsula Community Forum.)
2. Or are they **standing** working parties i.e. the council established them for the council year to consider relevant issues rather like a standing committee?

16/10/2009

3. What are the terms of reference and membership of these working parties?
4. How are agendas, reports and minutes of the working parties produced and are they available to the public?
5. Do they meet in public?
6. When they report to the council meeting are their recommendations enclosed with the council agenda or just reported orally at the council meeting?
7. Why were they established rather than, for example, a range of advisory or executive committees?

Many thanks.

M J Kelley
District Solicitor
01243 534656

For the latest news and information from Chichester District Council click:

<http://www.chichester.gov.uk>

LEGAL DISCLAIMER

Communications on or through Chichester District Councils computer systems may be monitored or recorded to secure effective system operation and for other lawful purposes.