

# Public Document Pack

**Tony Kershaw**

Director of Law and Assurance

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27 August 2020

## Governance Committee

A virtual meeting of the Committee will be held at **2.15 pm** on **Monday, 7 September 2020**.

**Note:** In accordance with regulations in response to the current public health emergency, this meeting will be held virtually with members in remote attendance. Public access is via webcasting.

**The meeting will be available to watch live via the Internet at this address:**

<http://www.westsussex.public-i.tv/core/portal/home>

Tony Kershaw  
Director of Law and Assurance

## Agenda

### 1. **Declarations of Interest**

Members and officers must declare any pecuniary or personal interest in any business on the agenda. They should also make declarations at any stage such an interest becomes apparent during the meeting. Consideration should be given to leaving the meeting if the nature of the interest warrants it. If in doubt please contact Democratic Services before the meeting.

### 2. **Minutes of the last meeting of the Committee** (Pages 5 - 8)

The Committee is asked to agree the minutes of the meeting held on 6 July 2020 (cream paper).

### 3. **Urgent Matters**

Items not on the agenda which the Chairman of the meeting is of the opinion should be considered as a matter of urgency by reason of special circumstances.

### 4. **Plans for Member Meetings during the Covid-19 Emergency** (Pages 9 - 20)

Report by the Director of Law and Assurance.

The Committee agreed to review at each of its meetings the plans for member meetings during the current public health emergency. This report covers arrangements up to December 2020, with a focus on the next round of County Local Committees in October/November 2020.

5. **Planning and Rights of Way Committees - options for cost savings**  
(Pages 21 - 24)

Report by the Director of Law and Assurance.

The Committee is asked to give further consideration to a proposed merger of the Planning and Rights of Way Committees, to improve customer service and to offset some of the costs of establishing the Fire & Rescue Service Scrutiny Committee agreed by Council in December 2019.

6. **Minor Changes to the Constitution** (Pages 25 - 30)

Report by the Director of Law and Assurance.

The Committee is asked to consider minor changes to the terms of the Rights of Way Committee and the Pension Advisory Board and the membership of the Pensions Committee in the Scheme of Delegation in the Constitution for recommendation to the County Council.

7. **Staff Appeals Panel Annual Report 2019/20** (Pages 31 - 36)

Report by the Director of Human Resources and Organisational Change and the Director of Law and Assurance.

The Committee is asked to consider the annual report of the Appeals Panel for 2019/20.

8. **Report of Member Attendance April 2019 to March 2020** (Pages 37 - 42)

Report by the Director of Law and Assurance.

As part of its terms of reference the Governance Committee is required to monitor attendance of members at meetings of the County Council and its committees annually. The Committee is asked to note members' attendance for the period 1 April 2019 to 31 March 2020.

9. **Member Development Group: Membership**

The Committee is asked to appointment a member fill a vacancy on the Member Development Group. A proposal will be available at the meeting.

10. **Date of Next Meeting**

The next meeting of the Committee will be held at 2.15 p.m. on Monday, 23 November 2020.

**To all members of the Governance Committee**

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## **Governance Committee**

6 July 2020 – At a virtual meeting of the Governance Committee held at 10.30 am.

Present: Cllr Duncton (Chairman)

Cllr Patel, Cllr Bradbury, Cllr M Jones, Cllr A Jupp, Cllr Lanzer, Cllr Marshall, Cllr Mitchell and Cllr Walsh

Apologies were received from

Absent:

Also in attendance:

### **Part I**

#### **17. Declarations of Interest**

17.1 In accordance with the Code of Conduct Cllr Bradbury declared a personal interest as the Chairman of the Standards Committee at Mid Sussex District Council in relation to the item on the Good Governance Review.

#### **18. Minutes of the last meeting of the Committee**

18.1 Resolved – That the minutes of the meeting held on 22 June 2020 be approved as a correct record and that they be signed by the Chairman.

#### **19. Joint leadership arrangement with East Sussex County Council**

19.1 Members were reminded that the Council, in December 2019, had entered into an arrangement with East Sussex County Council for the joint appointment of a chief executive and for the provision of mutual support to address a range of corporate challenges. The Committee considered a report by the Director of Law and Assurance which reviewed the arrangement by reference to its original aims and in light of experience (copy appended to the signed minutes).

19.2 The Leader commented that in his view the experience had been very positive and significant work had been done around improvements to corporate governance. Becky Shaw, the joint Chief Executive, had also provided leadership confidence which had enabled the Council to make some significant appointments, including the new Executive Director Children's Services, as well as filling other posts on an interim basis. Significant progress had been made in relation to both the Children's Services Improvement Plan and the Fire & Rescue Service improvement programme. Overlaying everything had been considerable work resulting from the response to Covid-19 and the need to redirect services. This had demonstrated the Council was building a strong leadership team and partner relationships had also been improved. The Leader felt that

significant steps had been taken against the aims and objectives set out at paragraph 2.2 of the report.

19.3 Some members commented that they would have liked more detail in the report and more evidence that the original aims had been met. The Director of Law and Assurance proposed that further detail be brought to the Committee as part of a future report on the Good Governance Review prior to Council in October.

19.4 Some concern was expressed about the need to ensure that time pressures were monitored, both for the sake of the two councils and also for the Chief Executive. The Leader said that, working with the Chief Executive herself and the Leader of East Sussex County Council, care was taken to ensure the single role of steering two councils was manageable.

19.5 Resolved –

- (1) That the Committee notes the report and confirms the continuation of the arrangement with East Sussex County Council; and
- (2) That additional sources of assurance and evidence of benefits be brought to the Committee as part of a future report on the Good Governance Review.

## **20. Good Governance Review**

20.1 The Committee considered a report by the Director of Law and Assurance on the implications, for those areas for which the Committee was responsible, of the programme of work on aspects of Council governance and to endorse the revised whistleblowing policy as part of the good governance work related to organisational culture (copy appended to the signed minutes).

20.2 The Leader expressed support for the changes which had already been made to governance arrangements as set out in paragraph 2.1 of the report. He said he hoped that all members would attend the virtual Member Day on 8 July when the results of the work so far would be presented for comments. Relevant output from the session would be brought to a future meeting of the Committee.

20.3 The Director of Law and Assurance confirmed that the Member Day on 8 July would provide members with information about the workstreams arising from the Good Governance Review, a number of which would affect responsibilities of the Committee. Work would be undertaken over the next couple of months and a further report would be brought to the Committee in the autumn.

20.4 Cllr Jones commented on the proposed changes to the Whistleblowing Policy which he felt should be submitted for to the Performance and Finance Scrutiny Committee for examination before it was approved by the Governance Committee. He therefore moved an amendment as set out below which was seconded by Cllr Walsh:

'That the Committee refers the revised Whistleblowing Policy (paragraph 2.5 and Appendix 2) to the Performance and Finance Scrutiny Committee and receives any comments, before returning to the Governance Committee for approval.'

20.5 Other members commented that the policy was sensible and timely. The Director of Law and Assurance commented that, as the policy was not a matter for the Executive, it would not be appropriate for it to be referred to a Scrutiny Committee. As a non-Executive matter oversight of the policy fell within the responsibility of the Standards Committee. However, as there was not a meeting of that Committee until November, the matter had instead been brought to the Governance Committee for consideration. He said there would be a report to the next meeting of the Standards Committee for information.

20.6 Cllr Jones' amendment was put to the vote and lost.

20.7 Resolved –

- (1) That the Committee notes the report and the plans for a further report on the output from the workstreams identified and considers the principles for guiding the work on streamlining and simplifying decision making (set out at Appendix 1 to the report); and
- (2) That the revised Whistleblowing Policy (paragraph 2.5 and Appendix 2 to the report) be approved.

## **21. Plans for Member Meetings during the Covid-19 Emergency**

21.1 As requested at its last meeting, the Committee considered a report by the Director of Law and Assurance on proposals for an additional meeting of full Council in September 2020 (copy appended to the signed minutes).

21.2 Members supported the proposed date of 18 September and welcomed the fact that the meeting would follow the usual rules and timing.

21.3 Some support was also expressed for hybrid meetings once the rules and technology allowed. In response to calls for alternative video technology to be used for virtual meetings, Cllr Lanzer commented that other platforms were being considered but it was important for calls to be robust which had proved to be the case with Skype.

21.4 Resolved –

- (1) That the plans for an additional County Council meeting to be held on 18 September 2020 (paragraphs 2.1 to 2.3 of the report) be approved;
- (1) That the organisation's capacity and resources to support member meetings should continue to be monitored in liaison with members (paragraph 2.4 of the report); and

- (3) That Democratic Services undertake consultation on arrangements for future member meetings in advance of its next meeting (paragraph 2.5 of the report).

**22. Date of Next Meeting**

22.1 The Committee noted that the next meeting will be held at 2.15 p.m. on Monday, 7 September 2020.

The meeting ended at 11.45 am

Chairman



**Key decision: Not applicable  
Unrestricted**

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## **Governance Committee**

**7 September 2020**

### **Plans for Member Meetings during the COVID-19 Emergency**

#### **Report by Director of Law and Assurance**

**Electoral division: N/A**

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## **Summary**

The Governance Committee agreed to review plans for council/committee meetings during the COVID-19 public health emergency at each of its meetings. This report sets out meeting arrangements up to December 2020. The Committee is specifically asked to consider whether County Local Committee meetings due to be held in October/November 2020 should resume. County Local Committees were suspended in summer 2020 due to the public health emergency and the problems associated with arranging virtual meetings at local venues.

## **Recommendations**

The Committee is asked to:

- (1) Consider and approve the list of council/committee meetings to the end of December 2020 (Appendix 1);
- (2) Agree proposals for County Local Committee meetings in the autumn, as set out at paragraph 2.5 (and detailed at paragraph 2.3.2);
- (3) Agree proposals at paragraph 2.6 for a review of the local/community role of county councillors by the Member Development Group; and
- (4) Agree that the Council's capacity and resources to support member meetings should continue to be monitored by this Committee in liaison with all members.

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## **Proposal**

### **1. Background and Context**

- 1.1 This Committee has reviewed plans for Council/committee meetings during the COVID-19 public health emergency. Since April 2020 all formal meetings have been held virtually but kept under review pending changes in government guidance. Skype has been used by the Council but, from September 2020, MS Teams will be used for a video conference platform for formal meetings. Skype continues to be useful for less formal meetings. Use may depend upon suitability for particular meetings.

- 1.2 At the time of writing this report meetings must continue to be virtual, but the Local Government Association (LGA) has raised with the Government whether physical meetings can be resumed. The Prime Minister's statement of 23 June, announcing some easing of the lockdown, did not refer to council meetings but said that "courts, probation services, police stations and other public services will increasingly resume face-to-face proceedings". The LGA has asked whether this could apply to council meetings. Legal advice is that the rules in place (Health Protection (Coronavirus, Restrictions) (England) Regulations 2020) would need to be amended, or guidance issued, to allow for councillors to meet face to face - whether fully or in a 'hybrid' model (with some members attending in person and some virtually).
- 1.3 The technical solutions to enable hybrid meetings at the County Council are being put in place in the Council Chamber and should be available from October 2020. Such meetings will only be able to be held from the Chamber due to technical requirements for web casting. Hybrid meetings are likely to require more officer support, at least in the initial stages and will need to be tested before implementation. The number of members and officers able to attend in person will be limited by physical distancing rules.
- 1.4 The County Local Committee (CLC) meetings due to be held in June/July 2020 were cancelled due to COVID-19. Decisions due to be taken at these, relating to grant funding through the allocation of the Community Initiative Fund (CIF) and traffic regulation orders (TROs), have been carried out using urgent action procedures. The next round of CLC meetings is due to be held in October/November 2020.
- 1.5 September to December 2020 will be very busy for County Council business. The response to COVID-19 and any potential local outbreaks remain the priorities and the work will increase on developing a new corporate plan to refocus and prioritise plans and budgets - part of the Reset and Reboot framework debated at full Council in July. Improvement work for Children's Services and Fire and Rescue are at a critical stage and all of this will mean significant activity for members including scrutiny committees. The budget programme will be very challenging and the Council will need to respond to the ongoing impacts on the West Sussex economy, on residents, for young people's education, on the prospects for working-age adults and the wellbeing of those who are vulnerable. The implications of BREXIT will also need to be considered. It will therefore be important to ensure there is capacity to support member involvement in these issues during the autumn.
- 1.6 Making arrangements for CLCs during this period will be quite a draw on officer resources – primarily in Democratic Services. The webcasting of meetings or the organisation of local meetings with physical distancing will be significantly demanding. It has been possible to arrange for decisions by CLCs to be taken with all CLC members engaged but without the need for formal or virtual meetings. These arrangements can be maintained to support CIF and TRO decisions and discussion.

## **2. Proposal details**

- 2.1 The list of council/committee meetings to the end of December 2020 is attached at **Appendix 1**. At this stage, it is proposed that all these will be virtual meetings. The Committee's approval is sought.

- 2.2 In considering the arrangements for virtual meetings, the Committee will wish to take account of the views of the Environment and Communities Scrutiny Committee (ECSC), set out at **Appendix 2**. Its members feel that virtual meetings have gone well, are in line with the Council's policy on climate change and have led to savings due to reduced need for refreshments, travel and councillor's time (see paragraph 3.3 for details of savings). ECSC also felt that three hours should be the maximum duration for any such meeting.
- 2.3 Members are asked to consider the capacity and resource requirements needed to facilitate the meetings and associated business due to be held up to December 2020, and specifically whether a resumption of CLCs can be supported. Two options for consideration are set out below:

#### 2.3.1 **Resume CLCs**

- a) It is not possible to hold CLCs as public meetings due to current regulations. The risks associated with holding such community-based meetings would be high and would require significant additional resourcing.
- b) Holding CLCs as hybrid meetings is not an option. Such meetings can only be held in the Council Chamber and so cannot be provided locally.
- c) Virtual meetings require additional staffing from Democratic Services (see paragraph 3.1) and from other services including the Communities Team, which is heavily committed to the Council's COVID-19 response.
- d) Eleven CLC meetings in October/November would mean a big commitment during a very busy period when other business may need to be prioritised.
- e) The two joint area committees in Arun will be difficult to manage virtually as the membership is large, involving all three tiers (31 and 28 members). Arun District Council supports a resumption and has been asked to identify what business it proposes. Such business could be managed in other ways.
- f) The "Talk with Us" public questions will prove problematic for a virtual meeting. There may be other options for community feedback/questions.
- g) Decisions relating to the allocation of CIF and highways matters can be taken using Urgent Action procedures, with engagement from local members.

#### 2.3.2 **Hold informal CLC meetings in October/November 2020**

- a) Cancelling the CLC meetings would ensure there is member and staff capacity to deal with the business anticipated to dominate the Council's agenda for the autumn.
- b) It is recognised that it is helpful for members to have a collective assessment of CIF allocation and the prioritisation of TROs, as well as an opportunity to discuss issues of local importance. It is therefore proposed that informal meetings of CLC members be arranged to consider these issues. Support for these could be met from within existing capacity.
- c) Outcomes of any informal meetings could be communicated to the public to provide openness and transparency, and members could engage with relevant stakeholders to inform discussions. For example, local members could engage with town/parish councils and other interested parties to gather views on TROs or other local issues.
- d) Any TRO and CIF decisions would be taken under the urgent action process, as was done during the spring/summer.
- e) Councillors are continuing to engage closely with residents and communities, but ways to enhance this could be considered (e.g. use of social media/CLC

Facebook pages to encourage questions to local members; inviting questions via email; members holding virtual surgeries).

- f) Updates on the COVID-19 response and other issues of local importance can continue to be provided to members, which they can then forward on to local networks as relevant. The Council continues to produce a newsletter for town/parish councils and COVID-19 updates are also shared with them, as well as with district/borough councils and MPs.
- 2.4 Details of consultation feedback received on plans for the autumn CLC meetings are set out at paragraph 4. Of the eleven county councillors and 22 town/parish councils responding, most wanted CLCs to resume as virtual meetings. However, it is difficult to draw firm conclusions from this feedback as these are very low response rates (17% of county councillors and 14% of town/parish councils). It is possible that the low response rate indicates a level of ambivalence or lack of interest in whether or not CLCs resume.
- 2.5 Governance Committee is therefore recommended to agree not to resume CLCs in October/November, but instead to hold informal meetings of CLC members as set out in paragraph 2.3.2. Plans for the spring can be reviewed later.
- 2.6 The public health emergency has had a significant impact on local residents, and it is timely to review the community role played by county councillors. The Member Development Group is developing plans for member induction following the County Council elections in May 2021 and it is proposed that this Group should carry out this review and report its findings to Governance Committee in January 2021. The areas for focus should include:
- What are the main issues of County Council responsibility raised locally, how these are currently dealt with and the role of county councillors.
  - The best methods/forum for dealing with key local issues by members.
  - Learning from COVID-19 in terms of the local member role and community engagement/leadership.
  - What support councillors may need in fulfilling their community role, including local casework (to inform training and induction plans).
  - Engagement with county councillors and partners as well as reference to consultation feedback received through the 2019 review of CLCs.
- 2.7 This Committee will continue to review member meeting plans during the public health emergency. In January 2020 this should include consideration of whether the February/March round of CLC meetings should be held.

### **3. Resources**

- 3.1 Formal virtual meetings require more officer support, with most meetings requiring at least three officers from Democratic Services (clerking, advising, providing technical support and webcasting). This increases for larger meetings such as Full Council. All virtual meetings must be webcast, which has led to a significant increase in the level of officer support required, and which is likely to continue at least until the end of this year.
- 3.2 CLC meetings are normally only supported by one Democratic Services Officer. If CLCs resume, these eleven meetings will require between 34 and 44 hours of additional officer support (assuming CLC meetings last around

100 minutes). Capacity will need to be found from within the Service to enable this, requiring other tasks to be re-prioritised, including the ability to support other meetings. Holding informal meetings of CLC members and processing decisions as urgent actions can be met from existing capacity.

- 3.3 The move to holding all meetings virtually has generated savings of approximately £9,000 per month since April 2020 (based on previous years' spending). This is due to reductions in councillors' travel and meetings costs, as set out below:

- Member Travel - £6,000 per month
- Meeting costs (refreshments, venue hire etc) - £2,000 per month
- Member Training - £900 per month.

## **Factors taken into account**

### **4. Consultation**

- 4.1 Consultation on whether to resume CLCs was undertaken with all county councillors, Town and Parish Councils, Arun District Council (for the Joint Area Committees) and Council officers who support CLCs (Highways and Communities). Only twelve responses were received from county councillors, eleven of whom wanted CLCs to resume. They cited CLCs as an important mechanism for local engagement, especially in the current climate and felt the meetings would enable local people to receive an update on COVID-19 in their local areas – although it is not clear what that may be based on given the extensive arrangements for communication to residents and the absence of such meetings to date. It is notable that 57 members made no response, possibly suggesting a lack of support for CLCs for the large majority of members.
- 4.2 Responses were received from 22 Town and Parish Councils out of a possible total of 158. All 22 wanted CLCs to resume as virtual meetings. They were concerned about holding meetings in public, particularly given the age profile of those who normally attend. Arun District Council supported the resumption of Joint Arun Area Committees. Again it should be noted how few Parish Councils responded at all.
- 4.3 Officers from the Communities Team were not supportive of the resumption of CLC meetings due to staff capacity and the risks associated with holding face-to-face meetings. If meetings were to happen, they should be virtual. Highways Operations advised that a series of traffic regulation orders (TROs) would need to be prioritised in the autumn but felt that these decisions could be taken under the urgent action procedure with full member engagement. They recognised that this would remove the potential for public debate but suggested a virtual meeting with questions via social media could work.

### **5. Risk Implications and Mitigations**

<b>Risk</b>	<b>Mitigation</b>
Lack of democratic debate on issues	Plans will be led by members following consultation within groups

<b>Risk</b>	<b>Mitigation</b>
Insufficient capacity to support meetings	Decisions will be informed by advice on resources and impact on critical services

## **6. Other Options Considered**

- 6.1 Options considered are set out in paragraphs 2.3.1 and 2.3.2. It is not proposed that CLCs be cancelled altogether (for the reasons set out in paragraph 2.3.2), but this, along with any other options identified by members, may be considered within the Committee's debate.

## **7. Equality Duty**

- 7.1 There is no equality duty impact arising from this report. The needs of individuals who may wish to participate in member meetings will need to be considered in planning the technology and methods of communication for all council business.

## **8. Social Value, Crime and Disorder Act and Human Rights Implications**

- 8.1 None

### **Tony Kershaw**

Director of Law and Assurance

**Contact:** Helen Kenny, Head of Democratic Services, 033 022 22532 or email: [helen.kenny@westsussex.gov.uk](mailto:helen.kenny@westsussex.gov.uk)

## **Appendices**

Appendix 1: List of meetings

Appendix 2: Letter from the Chairman of the Environment and Communities Scrutiny Committee.

## **Background Papers**

None

### Plans for formal Member Meetings to end December 2020

Meeting	Date	Proposals
<b>September 2020</b>		
Pensions Advisory Board	07/09/20	Virtual (webcast) meeting – any confidential (Part II) business will not be webcast
Governance Committee	07/09/20	Virtual (webcast) meeting – to include review of member meeting plans
Corporate Parenting Panel	08/09/20	Virtual informal meeting (not webcast)
Planning Committee	08/09/20	Virtual (webcast) meeting
Health and Adult Social Care Scrutiny Committee	09/09/20	Virtual (webcast) meeting
Performance and Finance Scrutiny Committee	10/09/20	Virtual (webcast) meeting
Staff Board of Appeal	14/09/20	Virtual (webcast) meeting – confidential (Part II) business will not be webcast.
Environment and Communities Scrutiny Committee	14/09/20	Virtual (webcast) meeting
Cabinet	15/09/20	Virtual (webcast) meeting
County Council	18/09/20	Virtual (webcast) meeting
Children and Young People's Services Scrutiny Committee	24/09/20	Virtual (webcast) meeting
Police and Crime Panel	25/09/20	Virtual (webcast) meeting
Regulation, Audit and Accounts Committee	25/09/20	Virtual (webcast) meeting)
Fire and Rescue Service Scrutiny Committee	30/09/20	Virtual (webcast) meeting
<b>October 2020</b>		
Staff Board of Appeal	08/10/20	Virtual (webcast) meeting – confidential (Part II) business will not be webcast. Meeting will be cancelled if no business.
Health and Wellbeing Board	08/10/20	Virtual (webcast) meeting
Treasury Management Panel	09/10/20	Virtual informal meeting (not webcast)

Meeting	Date	Proposals
Planning Committee	19/10/20	Virtual (webcast) meeting if required (will be cancelled if no urgent business)
Central and South Mid Sussex County Local Committee (CLC)	19/10/20	<b>Governance Committee in September to consider whether to resume CLC meetings</b>
Cabinet	20/10/20	Virtual (webcast) meeting
Pensions Committee	23/10/20	Virtual (webcast) meeting – any confidential (Part II) business will not be webcast.
South Chichester County Local Committee	26/10/10	<b>Governance Committee in September to consider whether to resume CLC meetings</b>
<b>November 2020</b>		
Standards Committee	02/11/20	Virtual (webcast) meeting
Rights of Way Committee	03/11/20	Virtual (webcast) meeting if required (will be cancelled if no urgent business)
Standing Advisory Council for Religious Education	04/11/20	Virtual (webcast) meeting
Crawley County Local Committee	04/11/20	<b>Governance Committee in September to consider whether to resume CLC meetings</b>
Adur County Local Committee	05/11/20	<b>Governance Committee in September to consider whether to resume CLC meetings</b>
Children and Young People's Services Scrutiny Committee	05/11/20	Virtual (webcast) meeting
County Council	06/11/20	Virtual (webcast) meeting
North Chichester County Local Committee	09/11/20	<b>Governance Committee in September to consider whether to resume CLC meetings</b>
Worthing County Local Committee	09/11/20	<b>Governance Committee in September to consider whether to resume CLC meetings</b>
Planning Committee	10/11/20	Virtual (webcast) meeting if required (will be cancelled if no urgent business)
Joint Western Arun Area Committee	10/11/20	<b>Governance Committee in September to consider whether to resume CLC meetings</b>



Meeting	Date	Proposals
North Mid Sussex County Local Committee (This will have a new date TBC)	10/11/20	<b>Governance Committee in September to consider whether to resume CLC meetings</b>
Health and Adult Social Care Scrutiny Committee	11/11/20	Virtual (webcast) meeting
Staff Board of Appeal	12/11/20	Virtual (webcast) meeting – confidential (Part II) business will not be webcast. Meeting will be cancelled if no business.
North Horsham County Local Committee	12/11/20	<b>Governance Committee in September to consider whether to resume CLC meetings</b>
Pensions Advisory Board	13/11/20	Virtual (webcast) meeting – any confidential (Part II) business will not be webcast.
Corporate Parenting Panel	18/11/20	Informal virtual meeting (not webcast)
Joint Eastern Arun Area Committee	18/11/20	<b>Governance Committee in September to consider whether to resume CLC meetings</b>
Regulation, Audit and Accounts Committee	20/11/20	Virtual (webcast) meeting
Governance Committee	23/11/20	Virtual (webcast) meeting
Cabinet	24/11/20	Virtual (webcast) meeting
Environment and Communities Scrutiny Committee	25/11/20	Virtual (webcast) meeting
Treasury Management Panel	25/11/20	Informal virtual meeting (not webcast)
Chanctonbury County Local Committee	26/11/20	<b>Governance Committee in September to consider whether to resume CLC meetings</b>
Fire and Rescue Service Scrutiny Committee	27/11/20	Virtual (webcast) meeting
<b>December 2020</b>		
Planning Committee	01/12/20	Virtual (webcast) meeting if required (will be cancelled if no urgent business)
Performance and Finance Scrutiny Committee	03/12/20	Virtual (webcast) meeting
Staff Board of Appeal	03/12/20	Virtual (webcast) meeting – confidential (Part II) business will

<b>Meeting</b>	<b>Date</b>	<b>Proposals</b>
		not be webcast. Meeting will be cancelled if no business.
County Council	11/12/20	Virtual (webcast) meeting
Cabinet	15/12/20	Virtual (webcast) meeting

**Andrew Barrett-Miles**  
Chairman of the Environment and  
Communities Scrutiny Committee  
Telephone: 01444 233081  
e-mail: andrew.barrett-  
miles@westsussex.gov.uk

31 July 2020

To: Chairman of Governance Committee

Dear Janet

I am writing to you in line with a recommendation arising from the Environment and Communities Scrutiny Committee virtual meeting on 24 June.

The Committee asked me to pass on their view to you, that the virtual meeting (including the associated preparatory arrangements) had passed smoothly, and that members considered that it had gone well.

In particular, the following points were raised:

- Holding formal meetings virtually seemed a good fit with the Council's commitments on climate change
- That savings to the authority had accrued due to there being no lunch provided, and no travel expenses
- That members were spared the time taken to commute to and from County Hall

While the meeting on 24/6 worked well, it was felt that three hours (including a short break) should pragmatically be the maximum duration for a virtual scrutiny meeting.

I would be grateful if you could take these points on board when Governance Committee next considers the arrangements for formal meetings.

Best wishes,

Andrew Barrett-Miles  
Chairman,



Chairman, Environment and Communities Scrutiny Committee

Copies:

Members of ECFSC  
Clare Jones

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**Key decision: Not applicable  
Unrestricted**

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## **Governance Committee**

**7 September 2020**

### **Planning and Rights of Way Committees – options for cost savings**

#### **Report by Director of Law and Assurance**

**Electoral divisions: N/A**

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## **Summary**

The Committee has been asked to consider possible options for the future of the Planning and Rights of Way Committees, to find ways of offsetting some of the costs of establishing the Fire & Rescue Service Scrutiny Committee agreed by Council in December 2019.

Customer service on rights of way matters would stand to be improved by a merger of committees and customers on planning matters would not see any adverse impact. In many county councils across the country, planning and rights of way functions are determined by a single committee.

## **Recommendations**

- (1) That the County Council be recommended to approve a merger of the Planning and Rights of Way Committees in the light of the improved customer service it would deliver to rights of way customers and the need to make savings as a result of establishing a Fire & Rescue Service Scrutiny Committee; and
  - (2) That the Director of Law and Assurance be authorised to prepare the necessary revisions to constitutional documents for the County Council on 6 November 2020, to take effect from after the election in May 2021.
- 

## **Proposal**

### **1. Background and Context**

- 1.1 In November 2019, the Committee agreed to recommend the establishment of a new Fire & Rescue Service Scrutiny Committee to the County Council. This was agreed by the Council on 17 December 2019.
- 1.2 The Committee was mindful of the financial impact of this decision on the Democratic Services budget, as a new chairmanship would lead to an additional special responsibility of £9,296 for the new Chairman. The new Committee has also had a financial implication of £48,500 to cover additional staffing costs to support the committee and its associated governance.

- 1.3 Because of the financial impact of its proposal the Committee asked that consideration be given to whether any savings can be achieved and cited one option as the merger of the Planning and Rights of Way Committees. The Democratic Services budget covers the staffing costs associated with servicing the committees, but also the costs of member expenses and the budget for member allowances, including the special responsibility allowance for committee chairmanship.
- 1.4 The Planning Committee is responsible for considering matters which need to be determined by the County Council as the planning authority. These include waste and minerals planning. It also determines applications which the County Council is allowed to make for development on its own land and advises the Cabinet on Minerals and Waste local plans.
- 1.5 The Rights of Way Committee is responsible for the County Council's 'non-executive' functions in relation to public rights of way and the registration of common land and village greens.
- 1.6 It should be noted that rights of way maintenance is an executive matter which is the responsibility of the Cabinet Member for Environment. The Rights of Way Committee does not deal with these functions and merging the committees would not have any impact on rights of way maintenance.
- 1.7 While the roles of the committees are distinct, both follow a similar quasi-judicial process, with reports prepared by officers presented to a Committee, rights of public speaking both for and against an officer recommendation on applications and decision-making following careful consideration of all material matters raised. Site visits are usually made ahead of Committee meetings.
- 1.8 The Committee has considered a merger twice before, firstly in 2011 and then again in 2016, both times being driven by the need to identify savings from the Democratic functions of the County Council. On both occasions, the Committee had some sympathy for the proposal as these functions are delivered by a single committee in several other county councils, but was persuaded that the current arrangements worked well for West Sussex.

## **2. Proposal details**

- 2.1 It is proposed that the Planning and Rights of Way Committees be merged with effect from May 2021. The Committee members would need to be aware of the distinctions in decision-making, but this can be managed through member training and officer advice. There would be a saving in the chairmanship allowance of one committee and in the member time and expenses of attendance at perhaps two or three meetings per year. There would be a negligible saving in costs in servicing the same number of meetings in terms of minuting and attendance.
- 2.2 Service Officers are of the view that planning applications would not be adversely affected as they are reactive and go to the next scheduled meeting when they are ready, which remains difficult to predict. Service Officers advise that there would be a benefit on rights of way matters if the committees were to merge, as these could potentially come to more frequent meetings, rather than seeing a four-month delay. It would also mean that if

a rights of way application was deferred, it could come back to the committee much quicker than at present.

- 2.3 These functions are delivered by the same committee in several nearby county councils including East Sussex, Hampshire and Surrey. Of the 24 two-tier county councils remaining (excluding Buckinghamshire and Northamptonshire County Councils which are moving to unitary status), 16 have a single committee to perform these functions, so there is a strong precedent for this from comparator authorities.
- 2.4 If the Committee is minded to recommend that the committees be merged, it is asked to consider the different approaches to site visits and to authorise the Director of Law and Assurance to prepare the necessary revisions to constitutional documents for submission to the County Council in November 2020, with a recommendation that it takes effect from May 2021.

### **3. Resources**

- 3.1 There is a need to make savings in the Democratic Services budget to offset the costs of setting up the new Scrutiny Committee. Merging the two committees would enable the Democratic Services budget to reduce the risk of overspends through delivering a saving of £9,296 through the deletion of one special responsibility allowance to accommodate the new allowance required for the new scrutiny committee. Because other in-year savings have been achieved through virtual meetings in 2020/21 because of the public health emergency, it is recommended that this decision should take effect from 2021, to help manage next year's budget.
- 3.2 As Rights of Way Committee only meets about twice a year on average, this Committee is supported by the same Democratic Services Officer who supports the Planning Committee, which can meet up to 10 times. On average, the combined number of meetings of the two committees is around 8 times per year (2017/18 saw 8 meetings, 2018/19 saw 9 meetings and 2019/20 will have had 7 meetings). A merger is unlikely to affect this average as both Planning and Rights of Way matters would still be taken through officer consideration at a similar rate. There is therefore no expected officer saving to be realised, while a small reduction in member travel expenses claims may be achieved if business can be combined two or three times a year. These possible savings are all more than offset by the additional costs associated with servicing the additional scrutiny committee.

## **Factors taken into account**

### **4. Consultation**

- 4.1 The Chairmen of the Planning and Rights of Way Committees addressed the Governance Committee on this matter on 20 January 2020. The Chairman of the Rights of Way Committee explained that he believed the role to be onerous, with lots of research time required. The Chairman of the Planning Committee felt that combining the roles might create a difficult workload.
- 4.2 Neighbouring County Councils with merged committee functions were consulted. Hampshire County Council state that their committee usually considers planning matters in the morning, followed by rights of way

matters. Site visits can take in both planning and rights of way matters as necessary and combined training sessions are given with input from appropriate officers in both services. The meeting runs well and have done for some time with this arrangement.

- 4.3 Officers from the Planning, Rights of Way and Legal Services were consulted. Their view was that having a single committee meeting up to 10 times a year would bring a customer benefit on rights of way matters. Any item which becomes ready for determination should be able to be considered more quickly than at present and any item deferred could return much sooner than is currently possible.
- 4.4 No public consultation has been done as applicants and other stakeholders would not see any change in customer service other than shorter waiting times for formal consideration of rights of way matters.

## 5. Risk Implications and Mitigations

Risk	Mitigating Action (in place or planned)
If the two committees are merged, this would create a risk of unsound planning or rights of way decisions being taken if members are not sufficiently trained on the two functions.	Training can be provided for all members of a new merged committee.  Officers would continue to prepare reports on the distinct items, containing relevant advice to help the committee to make sound decisions.

## 6. Other Options Considered

- 6.1 Another option would be to have a single chairman of the two existing committees, but this option is not recommended as it would not realise the customer benefits of a merger.

## 7. Policy alignment and compliance

- 7.1 The equality duty is not applicable as this report deals with an internal decision-making matter. There are no social value, crime and disorder or human rights implications.

**Tony Kershaw**

Director of Law and Assurance

**Contact:** Charles Gauntlett, Senior Adviser, 033 022 22524,  
Charles.gauntlett@westsussex.gov.uk

## Background Papers:

None



**Key decision: Not applicable  
Unrestricted**

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## **Governance Committee**

**7 September 2020**

### **Minor changes to the Constitution**

**Report by Director of Law and Assurance**

**Electoral divisions: N/A**

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## **Summary**

Minor changes are required to the terms of reference of the Rights of Way Committee and the Pension Advisory Board in the Scheme of Delegation in the Constitution.

## **Recommendations**

That the County Council be recommended:

- (1) That the proposed changes to the Rights of Way Committee terms of reference and Delegation Code of Practice, as set out at Appendix 1, be approved;
  - (2) That the amendment to the terms of reference of the Pension Advisory Board set out in paragraph 2.1 be approved; and
  - (3) That the amendment to the membership of the Pensions Committee set out in paragraph 3.1 be approved.
- 

## **Proposals**

### **1. Rights of Way Committee terms of reference and Delegation Code of Practice**

- 1.1 Following a review of the rights of way provisions within the Constitution, minor changes to reflect the statutory position in relation to the taking of decisions and for consistency and clarity are proposed to the terms of reference of the Rights of Way Committee and the Delegation Code of Practice in relation to rights of way matters. The minor changes are shown at Appendix 2.

### **2. Pension Advisory Board terms of reference**

- 2.1 At its last meeting the Pension Advisory Board discussed a slight anomaly with its terms of reference and proposed minor amendment would resolve the issue as set out below.

'The Pension Advisory Board shall meet sufficiently regularly to discharge its duties and responsibilities effectively. There will be no fewer than four meetings a year (one of which will be the Annual General Meeting) ~~be held in (provisionally) March, July and November.'~~

### **3. Pensions Committee membership**

- 3.1 A minor change is required to the membership of the Pensions Committee as set out below.

'The three representative members will comprise the following:

One representing the borough and district councils

One representing the scheduled bodies

One representing **members** employees.

### **4. Consultation, engagement and advice**

- 4.1 Consultation was not deemed necessary as the changes are minor in nature with the sole purpose of consistency and clarity.

### **5. Finance**

- 5.1 Not applicable.

### **6. Risk Implications and Mitigations**

- 6.1 None

### **7. Policy alignment and compliance**

- 7.1 There are no equality duty, social value, crime and disorder or human right implications.

#### **Tony Kershaw**

Director of Law and Assurance

**Contact:** Clare Jones, Senior Democratic Services Officer, 033 022 22526, [clare.jones@westsussex.gov.uk](mailto:clare.jones@westsussex.gov.uk)

### **Appendices**

Appendix 1 – changes to the terms of reference of the Rights of Way Committee and the Delegation Code of Practice

### **Background Papers**

None

## **Changes to the Rights of Way Committee terms of reference and Delegation Code of Practice**

(additions shown in bold, italic text, deletions struck through)

### **Rights of Way Committee**

#### **Constitution**

Nine members of the County Council. Quorum is three.

#### **Terms of Reference**

1. To exercise the ***statutory non-executive*** powers and duties of the County Council in relation to ***public rights of way (which includes, but is not limited to,*** public footpaths, bridleways, and byways open to all traffic and restricted byways) ~~under the associated legislation.~~
2. To exercise the ***statutory non-executive*** powers and duties of the County Council in relation to commons and town or village greens ~~under the relevant provisions of the Commons Registration (New Land) Regulations 1969 (SI 1969/1843) and the Commons Registration (General) Regulations 1966 (SI 1966/1471) and the Commons Registration (England) Regulations 2014.~~
3. ~~To exercise the non-Executive powers and duties of the County Council pursuant to the Highways Act 1980, the Wildlife and Countryside Act 1981, the Town and Country Planning Act 1990, the Countryside and Rights of Way Act 2000, the Natural Environment and Rural Communities Act 2006.~~
4. To review and adjust delegations to officers within the functions delegated to the Committee.
5. To delegate powers, when appropriate and on the recommendation of the Director of Law and Assurance, to another local authority including a borough or district ~~borough~~ council and to be able, subsequently, to review, amend or withdraw that delegation.
6. To consider a petition in accordance with the Petitions Scheme in accordance with Standing Order 3.43 (b).

## **Rights of Way - Delegation Code of Practice (Public Path Orders, Definitive Map Modification Orders, Town and Village Green Applications and corrections to Common Land and Town and Village Green Registers)**

### **Public Path Orders**

The proposed framework in which the powers delegated to the Director of Highways, Transport and Planning in consultation with the Director of Law and Assurance relating to public path extinguishment orders, public path diversion orders, public path creation agreements, public path creation orders (***collectively known as public path orders***), providing comments to district/borough councils on applications they are determining, permissive path agreements and dedication agreements is to operate as set out below which provides the safeguards for the process of delegation. It should be remembered that officers will have discretion to determine a matter but will aim to err on the side of caution in deciding whether to exercise that discretion.

### **Local Member Notification**

New application/consultation/proposal(s) will be reported within two weeks' of receipt in The Bulletin and again when the public consultation process is begun. The list will indicate the local member and, in the case of applications having a wider significance, adjoining division members. The application/consultation/proposal will not be decided for a period of 21 days from the latter date of notification in The Bulletin.

Any local member (or adjacent division member where appropriate) wishing to express a view must do so to the Director of Highways, Transport and Planning's nominated officer as stated on the notification within the 21-day period and the member's view will then be taken into account in reaching a decision. If a member disagrees with the view of the Director, in relation to the delegation, and this is within the 21-day period, the matter will be referred to the Rights of Way Committee for determination. If the causes of disagreement can be resolved through discussion, the delegated action can proceed. This will apply to all applications/responses to district/borough consultations/ proposals.

### **Objections from County Local Committees, district and parish councils, Sussex Police and interested user groups**

In respect of applications for public path orders where, as a result of the consultation process, a borough, district, town or parish council, the County Local Committee or a prescribed user group objects in writing to the application, the delegation is barred.

### **Objections from the public**

In respect of applications for public path orders where, as a result of the consultation process, there remain outstanding substantive comments from members of the public, the delegation is barred.

### **Definitive Map Modification Orders (DMMO)/Town and Village Green (TVG) Applications and Corrections to Common Land/TVG Registers**

The proposed framework in which the powers delegated to the Director of Law and Assurance relating to definitive map modification order applications, village green applications and applications to amend the commons and village green registers is to operate as set out below, providing safeguards for the process of delegation. It should be remembered that officers will have discretion to determine a matter but will aim to err on the side of caution in deciding whether to exercise that discretion.

### **Local Member Notification**

New applications for DMMO, TVG and to amend the Commons/TVG registers will be notified to the local member for information by email within two weeks of acceptance of a valid application.

### **Significant evidence in conflict**

There are strict legal tests associated with such applications and relevant evidence will be needed. Objections are often received which must be discounted, for example where the objection is that a route is not suitable for use. Such objections would be discounted even if large in number or from other local authorities or prescribed user groups. In other cases there may be significant ~~credible~~ evidence in conflict. ***Where such significant evidence exists*** ~~A significant conflict in credible evidence provided in support or against an application bar~~ the delegation ***is barred*** and the determination then rests with the Rights of Way Committee. Where there is uncertainty the officers will undertake the necessary report, setting out whether the legal tests have been met and explaining the evidence in conflict and a discussion will take place with the Chairman of the Rights of Way Committee and the local member about whether the delegation should be barred.

### **No significant evidence in conflict received**

Where no significant evidence in conflict has been received the matter shall be determined by officers. The officer's report will be signed off as a delegated decision.

### **Report of Delegated decisions**

All decisions on applications determined under delegated powers will be reported to the next meeting of the Rights of Way Committee for the Committee to note and monitor.

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**Key decision: Not applicable  
Unrestricted**

## **Governance Committee**

**7 September 2020**

### **Staff Appeals Annual Report 2019/20**

**Report by Interim Director of Human Resources and Organisational Change and Director of Law and Assurance**

**Electoral divisions: All**

## **Summary**

The Governance Committee receives an annual report on the activity of the Appeals Panel from which Boards of Appeal are drawn to consider final appeals from staff against dismissal or the final stages of staff grievances. This report summarises the role of the Panel and the outcomes of Boards which have heard cases in the last year. These are shown in the appendix.

In 2019/20 three Boards of appeal were held. All were appeals against dismissal and in all three cases the appeals were dismissed. There were a further two appeals submitted but subsequently withdrawn prior to any hearing taking place.

## **Recommendation**

That the Staff Appeals Annual Report 2019/20 be noted.

## **Proposal**

### **1. Background and context**

- 1.1 The County Council's Human Resources policies and procedures make provision for staff who have been dismissed to appeal against that decision to members via an Appeals Panel. Subject to meeting the agreed criteria (determined by the Director for Law and Assurance) staff may also appeal to the Panel as the final stage of a grievance. The Boards of Appeal drawn from the Panel have the power to uphold management decisions or to reverse a dismissal decision or uphold or alter a grievance outcome. They may also make recommendations for improvements to Council procedures. The Appeals Panel also hears appeals against school transport decisions.
- 1.2 It was agreed by the Governance Committee in January 2010 that an annual report be presented setting out:
  - An overview of the cases heard;

- A summary of any recommendations arising from the hearings and any comments or feedback relating to them;
  - Any comments or observations from the annual training session for Panel members; and
  - Any recommendations for the future.
- 1.3 Boards of Appeal comprise between three and five members. Hearings are scheduled on fixed dates throughout the year and cancelled if not required. Members are usually allocated to four hearings each year and Boards of Appeal are scheduled every three to four weeks to ensure that all appeals can be heard in a timely fashion. As many dates are cancelled due to a lack of business it cannot be guaranteed that all members of the Panel will sit on any board of appeal.
- 1.4 The membership of the Panel changes from time to time and are appointed at full Council meetings. Currently the Panel comprises 14 members and there are four vacancies. The Panel does not include members of the Cabinet.

## **2. Boards of Appeal during 2019/20**

- 2.1 In 2018 the Committee agreed to a small change to the staff appeal arrangements to provide for the Chief Executive to sit on Boards of Appeal to advise and assist the members who retain the authority to take the decision. The Chief Executive cannot vote or take part in the decision.
- 2.2 During 2019/20 there were five appeals against dismissal submitted to the Director for Law and Assurance. Two appellants withdrew their appeals prior to any hearing taking place. Three hearings were held and in all three cases the appeals were dismissed. No final stage school transport appeals were received during this period. Two requests for stage three grievance hearings were made but declined on the basis that the criteria were not met.
- 2.3 For one of the Boards of Appeal the Chief Executive was in attendance to advise. In all seven members were involved in hearing the three appeals (two members heard two of the appeals and the other five members heard one appeal each). A summary of the hearings and recommendations is provided at Appendix 1.

## **3. 2019/20 Annual meeting and training**

- 3.1 All newly appointed members to the Panel have received a bespoke training session delivered by Diane Henshaw, Principal Solicitor who usually advises Boards of Appeal. An annual meeting was in the process of being arranged when member meetings were put on hold due to the Covid-19 outbreak. The intention was to deliver chairmanship training to all members along with refresher training on Staff Boards of Appeal and School Transport Appeals. This will be rescheduled for the winter.

## **4. Arrangements for Boards of Appeal during 2020/21**

- 4.1 In January 2020 the Committee received a report on Officer delegations (Constitutional provisions). The report explained that there is no requirement



for the Chief Executive or nominee to sit on the Board of Appeal and the current proposal is that, save in exceptional cases, the Chief Executive will not sit on Boards of Appeal but will ensure that the Board is fully and properly advised. At the present time Boards of Appeal needing to be heard during 2020/21 are likely to be heard by a virtual Board meeting with members appointed to them as the need arises. These arrangements will be kept under review and a return to physical or hybrid meetings (some persons present physically but with the option to join virtually) will occur when it is considered safe to do so. An annual meeting of the Panel will be held during 2020/21 and training delivered as necessary.

## **5. Consultation**

- 5.1 All members of the Appeal Panel have had the opportunity to comment on the report.

## **6. Resources**

- 6.1 Boards of Appeal are overseen jointly by Legal Services and Democratic Services. Officers from Human Resources are involved in preparing and presenting the management case to the Board of Appeal. Resources are currently managed within existing budgets.

## **7. Risk implications and mitigations**

- 7.1 One of the more important functions of the Appeals Panel is to identify shortcomings in the Council's procedures or their application and to make recommendations for action. This should help reduce the risk of challenge to decisions.

## **8. Policy alignment and compliance**

- 8.1 There are no crime and disorder or social value implications because this report deals with internal or procedural matters only. Both equality duty and human rights assessments are addressed in individual hearings.
- 8.2 In relation to the Council's Climate Change obligations, the confidential nature of the process means that hard copy papers need to be provided to those involved in the hearing. However recycled paper is used. Members are encouraged to use public transport and car-sharing where practicable. Virtual hearings lead to a reduction in travel.

### **Members of the Appeals Panel**

Cllr Arculus  
 Cllr Barnard  
 Cllr Barton  
 Cllr Bradbury  
 Cllr Bradford  
 Cllr J Dennis  
 Cllr Duncton  
 Cllr High  
 Cllr M Jones  
 Cllr Millson  
 Cllr R Oakley

Cllr Patel  
Cllr Purnell  
Cllr Smytherman

**Sue Evans**

Interim Director of Human Resources and Organisational Change

**Tony Kershaw**

Director of Law and Assurance

**Contact Officer:** Amanda Drinkwater, Democratic Services Officer, 0330 22 22521, [amanda.drinkwater@westsussex.gov.uk](mailto:amanda.drinkwater@westsussex.gov.uk)

**Appendices**

Appendix 1 – Summary of Board hearings

**Background papers**

None

# Staff Appeals heard 1 April 2019 - 31 March 2020

Date of hearing	Appellant's Directorate	Members	Type of Appeal	Outcome	Recommendations and Management response
30 April 2019	Communities and Public Protection	Cllr Bob Smytherman (Chair); Cllr Lionel Barnard; Cllr Carol Purnell	Dismissal by reason of redundancy	Dismissed	
23 July 2019	Children's Services	Cllr Pat Arculus (Chair); Cllr Jacky Pendleton; Cllr Morwen Millson; Nathan Elvery	Dismissal for misconduct	Dismissed	
27 February 2020	Children's Services	Cllr Lionel Barnard (Chair); Cllr David Bradford;  Cllr Morwen Millson	Dismissal for misconduct	Dismissed but the Board found that summary dismissal was not justified. The decision was therefore substituted with dismissal with contractual notice	Board members concerned at lack of evidence of supervision or performance management of officers and possibility of such practice affecting similar cases if not addressed. <b>Response:</b> Action has been taken resulting in a marked improvement in supervision. Outcomes for improving manager competency have been set right across the council in relation to 1:1s and managing performance within the People Framework. Performance Management is a key Kickstart project. This requires a series of interventions and cannot be resolved quickly but there are plans in place and action has already been taken to address the issues.

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**Key decision: Not applicable  
Unrestricted**

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## **Governance Committee**

**7 September 2020**

### **Report of Member Attendance April 2019 to March 2020**

**Report by Director of Law and Assurance**

**Electoral divisions: N/A**

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### **Recommendation**

That members' attendance at Council, Committee and other meetings for the period 1 April 2019 to 31 March 2020 be noted.

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1. As part of its terms of reference the Governance Committee is required to monitor attendance of members at County Council, committee and other meetings annually. Schedules showing members' attendance for the period 1 April 2019 to 31 March 2020 for committee and other meetings and for County Local Committees are attached at Appendices 1 and 2 respectively.
2. The role of the modern councillor is not primarily to attend meetings. It should be noted that many members have other commitments on their time which are difficult to record and which are not reflected in these figures, such as membership of outside bodies, school governorships and constituency work. In addition, attendance at meetings does not take into account members' other responsibilities which are carried out outside formal meetings.
3. Potential attendance figures can also be affected by other factors such as long-term ill health or a clash of commitments.
4. Group Leaders are currently advised of member attendance figures annually so that they can take any action they consider necessary to address poor attendance. In addition to the annual consideration by the Governance Committee, the member attendance figures are published quarterly on the County Council's website.

**Tony Kershaw**

Director of Law and Assurance

**Contact:** Clare Jones, Senior Democratic Services Officer, 033 022 22526, [clare.jones@westsussex.gov.uk](mailto:clare.jones@westsussex.gov.uk)

### **Background Papers**

None

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Member Attendance  
April 2019 to March 2020

Name	Initials	Cabinet Briefing	C&YPS	ECSSC	County Council	Governance	HASC	Planning	PFSC	RAAC	RoW	Standards	Task & Finish Groups	Other *	Total	Initials	Name
Acraman	WE				10 of 12	1 of 3					1 of 2			3 of 3	15 of 20	WE	Acraman
Arculus	PAC				9 of 12		5 of 5							15 of 15	29 of 32	PAC	Arculus
Atkins	NA				11 of 12		4 of 5	3 of 3						1 of 1	19 of 21	NA	Atkins
Baldwin	AN		3 of 4	0 of 1	8 of 12					1 of 1	0 of 2			4 of 6	16 of 26	AN	Baldwin
Barling	DH		4 of 4	4 of 6	10 of 12				0 of 2					8 of 9	26 of 33	DH	Barling
Barnard	LH			8 of 8	10 of 12							1 of 1		6 of 6	25 of 27	LH	Barnard
Barrett-Miles	AJ			7 of 8	12 of 12			2 of 3	5 of 5					20 of 20	46 of 48	AJ	Barrett-Miles
Barton	GR			5 of 8	4 of 12			2 of 3			1 of 1	0 of 1		3 of 3	15 of 28	GR	Barton
Bennett	E		3 of 4		11 of 12									6 of 6	20 of 22	E	Bennett
Boram	K				10 of 12	2 of 2	5 of 5		0 of 1		2 of 2			9 of 9	28 of 31	K	Boram
Bradbury	P				10 of 12						0 of 2			1 of 1	11 of 15	P	Bradbury
Bradford	D				12 of 12					0 of 3				9 of 10	21 of 25	D	Bradford
Bridges	A		3 of 8	1 of 6	8 of 12		4 of 5							0 of 0	16 of 31	A	Bridges
Brunsdon	HA				4 of 12							0 of 1		0 of 0	4 of 13	HA	Brunsdon
Buckland	IJR				6 of 12						0 of 1			0 of 0	6 of 13	IJR	Buckland
Burgess	B		4 of 4		5 of 6									1 of 1	10 of 11	B	Burgess
Burrett	RD	19 of 19			12 of 12	3 of 3								2 of 2	36 of 36	RD	Burrett
Catchpole	PC				12 of 12				5 of 5					9 of 9	26 of 26	PC	Catchpole
Cloake	M		1 of 4		8 of 12				0 of 1					1 of 1	10 of 18	M	Cloake
Crow	D	12 of 12			12 of 12			1 of 1	3 of 3					3 of 3	31 of 31	D	Crow
Dennis	NPS				9 of 12					3 of 3				3 of 3	15 of 18	NPS	Dennis
Dennis	JA				10 of 12			1 of 1	2 of 2	3 of 3			4 of 5	25 of 27	45 of 50	JA	Dennis
Dunton	JE				12 of 12	5 of 5						1 of 1		9 of 9	27 of 27	JE	Dunton
Edwards	D				10 of 12				2 of 5					3 of 3	15 of 20	D	Edwards
Elkins	RC	29 of 31			12 of 12									16 of 16	57 of 59	RC	Elkins
Fitzjohn	JD				8 of 12				2 of 3					3 of 3	13 of 18	JD	Fitzjohn
Flynn	HA		8 of 8		7 of 12		2 of 5							18 of 18	35 of 43	HA	Flynn
Goldsmith	L	19 of 19		1 of 1	12 of 12	3 of 3				0 of 1				10 of 11	45 of 47	L	Goldsmith
Hall	D		7 of 8		7 of 12									19 of 20	33 of 40	D	Hall
High	P		4 of 4		12 of 12			2 of 2	2 of 2					15 of 16	35 of 36	P	High
Hillier	SR		4 of 4		10 of 12				1 of 1					2 of 2	17 of 19	SR	Hillier
Hunt	JC	30 of 31			12 of 12									22 of 22	64 of 65	JC	Hunt
Jones	M			7 of 7	12 of 12	4 of 4			3 of 5	3 of 3			2 of 5	17 of 18	48 of 54	M	Jones
Jones	AF		8 of 8		12 of 12		5 of 5							5 of 6	30 of 31	AF	Jones
Jupp	AJ	27 of 31			12 of 12	2 of 2						0 of 1		8 of 8	49 of 54	AJ	Jupp
Jupp	NPS	12 of 12		3 of 4	12 of 12			1 of 1		2 of 2				22 of 22	52 of 53	NPS	Jupp
Kennard	D	14 of 14			8 of 12									9 of 9	31 of 35	D	Kennard
Kitchen	E				12 of 12			3 of 3	5 of 5					3 of 3	23 of 23	E	Kitchen
Lanzer	R	29 of 31			12 of 12	5 of 5								7 of 7	53 of 55	R	Lanzer
Lea	AC		4 of 5		8 of 12				1 of 1		0 of 1			0 of 0	13 of 19	AC	Lea
Lord	K		8 of 8		9 of 12			1 of 1	1 of 1					13 of 13	32 of 35	K	Lord
Magill	MP				2 of 4									0 of 0	2 of 4	M	Magill
Markwell	GT				8 of 12		3 of 3							1 of 1	12 of 16	GT	Markwell
Marshall	PA	27 of 31			12 of 12	2 of 2								17 of 17	58 of 62	PA	Marshall
McDonald	S			8 of 8	10 of 12			3 of 3					2 of 5	7 of 7	30 of 35	S	McDonald
Millson	ME			1 of 1	12 of 12									14 of 14	27 of 27	ME	Millson
Mitchell	CR				9 of 12	5 of 5								9 of 9	23 of 26	CR	Mitchell
Montyn	P				12 of 12				5 of 5					14 of 14	31 of 31	P	Montyn
O'Kelly	KFB				12 of 12		4 of 5				1 of 1		3 of 5	9 of 10	29 of 33	KFB	O'Kelly
Oakley	R			6 of 8	12 of 12							1 of 1		0 of 0	19 of 21	R	Oakley
Oakley	SJ			7 of 8	12 of 12			2 of 3			2 of 2			9 of 9	32 of 34	SJ	Oakley
Oppler	FRJ			2 of 5	6 of 12									9 of 12	17 of 29	FRJ	Oppler
Oxlade	C				10 of 12									6 of 6	16 of 18	C	Oxlade
Patel	AK				12 of 12	5 of 5		3 of 3			1 of 1	1 of 1		13 of 13	35 of 35	AK	Patel
Pendleton	J				11 of 12					1 of 1				25 of 26	37 of 39	J	Pendleton
Purchase	DM			4 of 6	8 of 12									0 of 0	12 of 18	DM	Purchase
Purnell	C				12 of 12						1 of 2			15 of 15	28 of 29	C	Purnell

Member Attendance  
April 2019 to March 2020

Name	Initials	Cabinet	C&YPS	ECSSC	County	Governance	HASC	Planning	PFSC	RAAC	RoW	Standards	Task & Finish Groups	Other *	Total	Initials	Name
		Briefing			Council												
Quinn	BJ			1 of 1	8 of 12			2 of 3			1 of 1			4 of 5	16 of 22	BJ	Quinn
Russell	J	16 of 17	2 of 3		12 of 12			1 of 1			1 of 1		5 of 5	16 of 16	53 of 55	J	Russell
Simmons	DJ				9 of 12			1 of 2						13 of 14	23 of 28	DJ	Simmons
Smith	BA				2 of 12		0 of 4							0 of 2	2 of 18	BA	Smith
Smytherman	R				12 of 12				4 of 5			1 of 1		6 of 7	23 of 25	R	Smytherman
Sparkes	E				10 of 12				4 of 5			0 of 1		4 of 4	18 of 22	E	Sparkes
Sudan	K		6 of 7		7 of 10		3 of 3							4 of 5	20 of 25	K	Sudan
Turner	B				12 of 12		5 of 5		5 of 5					14 of 14	36 of 36	B	Turner
Urquhart	DL	30 of 31			12 of 12									14 of 14	56 of 57	DL	Urquhart
Waight	S			2 of 2	10 of 12				5 of 5	3 of 3				4 of 4	24 of 26	S	Waight
Walsh	JMM			6 of 6	12 of 12	5 of 5	5 of 5		5 of 5					14 of 16	47 of 49	JMM	Walsh
Whittington	DR				9 of 12						2 of 2			5 of 5	16 of 19	DR	Whittington
Wickremaratchi	LS		5 of 8		10 of 12		4 of 5	1 of 1						5 of 5	25 of 31	LS	Wickremaratchi

\* Includes attendance at Business Planning Groups, Adoption Panel, Appeals Panel, Foster Panel, Pensions Panel, Standards Hearing Sub-Committee, Propco and Treasury Management Panel plus at meetings as a substitute, by invitation or as a Cabinet Member



Member Attendance County Local Committees  
April 2019 to March 2020

Name	Initials	Adur	Cen & Sth Mid Sx	Chairmen's	Chanctonbury	Crawley	JEAAC	JWAAC	North Chichester	North Horsham	North Mid Sx	South Chichester	Worthing	Total		Initials	Name
Acraman	WE										3 of 3			3 of 3		WE	Acraman
Arculus	PAC				3 of 3									3 of 3		PAC	Arculus
Atkins	NA												3 of 3	3 of 3		NA	Atkins
Baldwin	AN								2 of 3					2 of 3		AN	Baldwin
Barling	DH			0 of 1	2 of 3									2 of 4		DH	Barling
Barnard	LH				3 of 3									3 of 3		LH	Barnard
Barrett-Miles	AJ		2 of 3											2 of 3		AJ	Barrett-Miles
Barton	GR	2 of 3												2 of 3		GR	Barton
Bennett	E										2 of 3			2 of 3		E	Bennett
Boram	K	3 of 3												3 of 3		K	Boram
Bradbury	P		2 of 3	1 of 1										3 of 4		P	Bradbury
Bradford	D								2 of 2					2 of 2		D	Bradford
Bridges	A	3 of 3												3 of 3		A	Bridges
Brunsdon	HA			0 of 1							3 of 3			3 of 4		HA	Brunsdon
Buckland	IJR						2 of 2							2 of 2		IJR	Buckland
Burgess	B					2 of 2								2 of 2		B	Burgess
Burrett	RD					3 of 3								3 of 3		RD	Burrett
Catchpole	PC			1 of 1						3 of 3				4 of 4		PC	Catchpole
Cloake	M												2 of 3	2 of 3		M	Cloake
Crow	D					3 of 3								3 of 3		D	Crow
Dennis	NPS									3 of 3				3 of 3		NPS	Dennis (Dr)
Dennis	JA		3 of 3											3 of 3		JA	Dennis (Mrs)
Duncton	JE			1 of 1					2 of 2					3 of 3		JE	Duncton
Edwards	D			0 of 1				3 of 3						3 of 4		D	Edwards
Elkins	RC						2 of 2							2 of 2		RC	Elkins
Fitzjohn	JD											3 of 3		3 of 3		JD	Fitzjohn
Flynn	HA							3 of 3						3 of 3		HA	Flynn
Goldsmith	L											3 of 3		3 of 3		L	Goldsmith
Hall	D							1 of 3						1 of 3		D	Hall
High	P			1 of 1									3 of 3	4 of 4		P	High
Hillier	SR		3 of 3											3 of 3		SR	Hillier
Hunt	JC											3 of 3		3 of 3		JC	Hunt
Jones	M					3 of 3								3 of 3		M	Jones
Jones	AF		3 of 3											3 of 3		AF	Jones
Jupp	AJ									3 of 3				3 of 3		AJ	Jupp
Jupp	NPS									3 of 3				3 of 3		NPS	Jupp
Kennard	D	3 of 3												3 of 3		D	Kennard
Kitchen	E									3 of 3				3 of 3		E	Kitchen
Lanzer	R					3 of 3								3 of 3		R	Lanzer
Lea	AC										2 of 3			2 of 3		AC	Lea
Lord	K		2 of 3											2 of 3		K	Lord
Magill	MP											0 of 1		0 of 1		MP	Magill
Markwell	GT						2 of 2							2 of 2		GT	Markwell
Marshall	PA				3 of 3									3 of 3		PA	Marshall
McDonald	S												2 of 3	2 of 3		S	McDonald
Millson	ME									3 of 3				3 of 3		ME	Millson
Mitchell	CR									3 of 3				3 of 3		CR	Mitchell
Montyn	P											3 of 3		3 of 3		P	Montyn
O'Kelly	KFB								2 of 2					2 of 2		KFB	O'Kelly
Oakley	R												3 of 3	3 of 3		R	Oakley

Member Attendance County Local Committees  
April 2019 to March 2020

Name	Initials	Adur	Cen & Sth Mid Sx	Chairmen's	Chanctonbury	Crawley	JEAAC	JWAAC	North Chichester	North Horsham	North Mid Sx	South Chichester	Worthing	Total			Initials	Name
Oakley	SJ			1 of 1								3 of 3		4 of 4			SJ	Oakley
Oppler	FRJ							2 of 3						2 of 3			FRJ	Oppler
Oxlade	C					2 of 3								2 of 3			C	Oxlade
Patel	AK							2 of 3						2 of 3			AK	Patel
Pendleton	J							3 of 3						3 of 3			J	Pendleton
Purchase	DM						2 of 2							2 of 2			DM	Purchase
Purnell	C											3 of 3		3 of 3			C	Purnell
Quinn	BJ					3 of 3								3 of 3			BJ	Quinn
Russell	J										3 of 3			3 of 3			J	Russell
Simmons	DJ	3 of 3		1 of 1										4 of 4			DJ	Simmons
Smith	BA			1 of 1		2 of 3								3 of 4			BA	Smith
Smytherman	R												3 of 3	3 of 3			R	Smytherman
Sparkes	E												2 of 3	2 of 3			E	Sparkes
Sudan	K					3 of 3								3 of 3			K	Sudan
Turner	B												3 of 3	3 of 3			B	Turner
Urquhart	DL			0 of 1			2 of 2							2 of 3			DL	Urquhart
Waight	S												3 of 3	3 of 3			S	Waight
Walsh	JMM						1 of 2							1 of 2			JMM	Walsh
Whittington	DR							2 of 3						2 of 3			DR	Whittington
Wickremaratchi	LS		2 of 3											2 of 3			LS	Wickremaratchi