

Clerk's review of the terms of reference

Purpose

In my view para 2 under purpose should be made more specific, E.g.

- a) State that Hoton Playing Field comprises the football pitch, cricket nets, community orchard, children's playground, wildlife area, tennis courts, wildflower area, trim trail and willow tunnel together with associated grassed area and trees.
- b) The purpose of the committee is to maintain, manage and enhance, where necessary, the Hoton Playing Field for the residents of the parish of Hoton.

I would also suggest referencing a map defining the boundaries of the area to be managed and attach that map to the terms of reference.

Membership

Legislation requires the full council to determine the number of members and the period of office. There is no maximum number, but fixing the membership between 6-8 members with three members of the parish council would seem appropriate. The term of office should be one year.

As it stands, there doesn't appear to be any provision for having non-councillor members.

If there are only three parish council members and all three of these required for a quorum, it might be difficult to arrange quorate meetings.

Voting rights

For a Committee delegated with the function of managing land, members of the public may have voting rights. They would, however, be required to complete the Register of Interest forms which apply to councillors and be eligible to stand as a parish councillor.

NB. Parish Councillors who have not been appointed to the committee may not participate in debates or voting, but may attend the meetings as a member of the public. Similarly, non-councillor members who have not been appointed to the committee may only speak as members of the public – in the same way as in ordinary council meetings.

Para 3

Technically, if the non-councillor members of a committee do not have voting rights, they are not bound by the code of conduct. If they do have voting rights they would be.

Scope/responsibilities

Is the purpose just to monitor the playing field (as per clause 5) or is it to be more proactive and suggest enhancements and/or organise volunteer days? I feel it would be useful to have a more precise list of functions/responsibilities to make it clear what the nature and extent of responsibility or decision-making is. E.g. in relation to organisation of volunteer days – and the associated risk assessments, safety checks, planning for new/replacing/repairing items of equipment, writing a management plan, identifying external sources of funding, reporting the work of the committee back to the full council.

Para 6

You will note the original paragraph 7 has been deleted because it is not possible for the committee to approve spending money that belongs to a third-party organisation. The Playing Field Fund, as it is described in the document, is effectively a grant awarding body. I recommend replacing this paragraph with:

The committee will identify sources of external funding for projects at the Hoton Playing Field and make applications for grants, in conjunction with the Clerk.

Health and Safety

I have reservations about the wording of some of these points, but will see what LRALC say.

It should perhaps reference the agreed procedures for carrying out safety checks at the playing field, which will be reviewed at next weeks meeting as part of the annual review of policies. Having just read the policy on Lighthouse ticket #33 they look incomplete so I will see if there is a revised policy which I have missed.

Other points

Although it is in our standing orders, it would be worth writing into the terms of reference that three clear notice must be given prior to a meeting – and that notice must be issued by the Proper Officer (currently me). Minutes will also need to be published on the website and received at the next full council meeting.

I would also recommend writing into the terms of reference that it is not possible for an individual member of a committee to discharge the functions of the council/committee.

Similarly, it is not possible for a committee member to issue an official order or make any contract on behalf of the council.

You will need to ensure that all spending is lawful and that all the functions carried out are within the powers/duties of a parish council, so perhaps reference to liaising with the clerk on this should be added.

Our Financial Regulations state that the clerk/RFO must obtain quotes, it is also the clerk who is responsible for preparing the risk assessments – although the insurance company have said that it does not matter who carries out the risk assessment, provided that it has been done under the guidance of the clerk e.g. via a template.

I'm not sure what paragraph 11 means, particularly as a quorum is already defined in para 9.

It isn't clear to me what is meant by paragraph 4. Who are the interested parties and relevant groups? Does it include, for example, football teams from outside the village?

Who will clerk these meetings?