Maker with Rame Annual Parish Meeting Guidelines

1. Introduction

1.1 Annual Parish Meeting is a meeting of the people of the parish.

1.2 The law in respect of Annual Parish Meetings is set out in sections 9 and 13 and Part III of Schedule 12 to the Local Government Act 1972 and the Public Bodies (Admission to Meetings) Act 1960.

1.3 The meeting consists of the local government electors of a parish and the purpose of the meeting is to discuss parish affairs. According to National Association of Local Councils (NALC) there is no statutory definition or definitive case law to determine what constitutes a "parish affair." Parish affairs could be any local issue, activity, subject matter which specifically affects the parish and which the parish meeting may wish to discuss, debate and potentially influence.

1.4 The Annual Parish Meeting is an effective forum for the Council to engage with the local electorate. Even if the Council disagrees with the issues raised, the Council's Member's attendance and involvement in the Meeting would demonstrate that the Council is prepared to take account local residents' views.

2. Convening an Annual Parish Meeting

2.1 The Annual Parish Meeting may be convened by any of the following:

2.1.1 The Chairman of the Parish Council;

2.1.2 Any two Parish Councillors;

2.1.3 Any six local government electors in the parish.

2.2 Public notice of the meeting must be given at least 7 clear days beforehand and must:

2.2.1 Specify the time and place of the meeting;

2.2.2 Specify the business to be transacted at the meeting;

2.2.3 Be signed by the person(s) convening the meeting.

2.3 Notice of the meeting is to be given by:-

2.3.1 Posting a notice of the meeting is some conspicuous place or places in the parish;

2.3.2 On the Parish Council website.

3. Times of Annual Parish Meetings

3.1 The Annual Parish Meeting must assemble annually on some day between 1st March and 1st June, both inclusive, in every year.

3.2 The proceedings at an Annual Parish Meeting shall not commence earlier than 6pm and may not be held in premises which are used for the supply of alcohol unless no other room is available free or at a reasonable cost.

4. Presiding at the Annual Parish Meetings

4.1 The Chairman of the Parish Council, if present, must preside at the Annual Parish Meeting and if he is absent, the Vice-Chairman must, if present, preside.

4.2 If the Chairman and Vice-Chairman of the Council are absent from the Annual Parish Meeting, then the meeting may appoint a person to take the chair, and that person shall have, for the purposes of that meeting, the powers and authority of the chairman.

5. Rights of the Public (including the Press)

5.1 The Parish Meeting is open to the public and the press. However, the public (in this context, meaning those who are no local government electors in the parish) may, under s.1(2) of the 1960 Act, be excluded for the whole or part(s) of the Meeting if it is resolved that publicity would be prejudicial to the public interest by reason of the confidential nature of the business to be transacted of for other special reasons stated in the resolution. A resolution is made by voting.

5.2 Unless the meeting has resolved to exclude the public, any person (including press) who attends the parish meeting may report on its proceedings. This includes filming, photographing or making an audio recording of proceedings, live streaming. It is important to note that following restrictions:-

5.2.1 Person present at the meeting does not have a right to give oral report or commentary during the meeting. This is because such oral commentary could be disruptive. A person may provide oral commentary or written report on the proceedings of the meeting when it has ended. The commentary or report will need to ensure that his actions do not give rise to a libel claim.

5.2.2 Some individuals may not wish to be photographed, filmed recorded or otherwise reported about. This includes children and vulnerable people.

5.2.3 The reporting of an assembly may include the disclosure of personal data and consequently those people reporting on the proceedings of the meeting should ensure that they use personal data in accordance with the Data Protection Act 1998.

6. Voting, Polls and Resolutions

6.1 Only local government electors for the Parish may vote at the Annual Parish Meeting. Each elector can give one vote on any question. A question to be decided by a parish meeting shall, in the first instance, be decided by the majority of those present and voting. In the case of an equality of votes, the person presiding at the meeting shall have a casting vote. The decision of the person presiding at the meeting as to the result of the voting shall be final unless a poll is demanded.

6.2 A poll may be demanded before the conclusion of the meeting on any question arising at the meeting; but no poll shall be taken unless either (i) the person presiding at the meeting consents or (ii) the poll is demanded by not less than ten, or one-third of the local government electors present at the meeting, whichever is less.

6.3 The Parish Meeting resolutions will not be binding on the Parish Council except in exceptional circumstances. Unless one of the exceptions apply, the Parish Meeting's resolutions provide an indication of the views of the local government electors who attended the Meeting at which the resolutions were made. It is good practice (but not a requirement) for the Parish Council to consider them formally because it may wish to take action in respect of such resolutions (subject to having the relevant statutory powers.)

7. Minutes

7.1 The minutes of the Parish Meeting may be taken by the Parish Clerk and must be signed at the same or next meeting by the person presiding at the Meeting. The signed minutes of the meeting serve as a legal record of what has taken place.

7.2 The draft minutes of the Parish Meeting will be available on the Parish Council website within 4 weeks of the meeting. The Parish Council's Annual Report will be available on the Parish Council website within 2 weeks of the meeting.

8. Expenses of Annual Parish Meeting
8.1 The expenses of the Annual Parish Meeting shall be paid by the Parish Council (LGA 1972 s150.)

9. Open Forum

9.1 Any questions that are raised during the open forum session which cannot be readily answered by either the Chairman of the meeting, a designated Councillor or the Clerk, will be noted in the Minutes and placed on the Parish Council Agenda for the June or July Parish Council Meeting.
This guideline has been adapted from National Association of Local Councils (NALC) Legal Topic Note 6 – September 2014. This guideline will be subject to annual review.

Clerk
Adopted March 2016