

FREQUENTLY ASKED QUESTIONS

Q - How many meetings must a council have?

A - At least four meetings per year, one of which must be the annual meeting of the council.

Q - How much notice should be given for a meeting?

A - Three clear days (excluding weekends and public holidays) for a meeting of the full council.

Q - What is the quorum for a meeting of the council?

A - A minimum of three members or a third whichever is the greater.

Q - How long should minutes of the parish council be kept?

A – Council minutes should be kept indefinitely as archive materials. Once approved and signed as a correct record they are acceptable as evidence in a court of law, if there are difficulties in storing past minute books they can be lodged with the county record office for safe keeping.

Q - Can members of the public take part in meetings of the Council?

A - It is now regarded as best practice for councils to have an agenda item where members of the public are permitted to put questions to the council. This is best placed early on the agenda and should have a time limit. During the body of the meeting members of the public can only contribute at the discretion of the Chairman.

Q – Is a local council required to have a vice chairman?

A – No, there is no necessity to have a vice chairman, though many councils choose to do so and this is reflected in the Standing Orders.

Q - If a meeting is adjourned, does a fresh notice have to be issued?

A - No; the re-convened meeting is considered to be a continuation of the original meeting at which all members will have been made aware of the adjournment.

Q - Can a chairman preside at her/his own re-election?

A - Yes. A 'retiring' chairman must preside if present (even if they are no longer a councillor following an ordinary election), can nominate her/himself, vote for her/himself, and use her/his casting vote in their own favour.

Q - Can a councillor do the clerk's job?

A - Yes, but without remuneration. The council should first resolve that the position of Clerk be unpaid.

Q - Can a local council enforce the conditions of a planning application?

A - No; that is the responsibility of the planning authority. However local councils are a valuable source of local intelligence and can make representations.

Q - Can clerks claim for any expenses because they work from home?

A – Yes, a local council can certainly pay the legitimate expenses to its officers. This right is expressly affirmed by the Local Government (Financial Provisions) Act 1963, s.5 including a contribution towards expenditure on a residence because it is used as the councils office.

Q – Can a local council give a grant to the village hall every year?

A - Yes, under the provisions of the Local Government (Miscellaneous Provisions) Act 1976, which include "buildings, equipment, supplies and assistance of any kind". However, it is very important that the council operates an open and fair grants policy and that all applicants, including the village hall committee must understand that a grant is not automatic and there may be other applicants in greater need or better able meet the strategy of the local council.

Q - How does a local council become a town council?

A - By resolution of the council. There is no necessity of approval by any outside authority.

Q - How many people are needed to call for a referendum at a local council meeting?

A - This can be demanded by not less than 10 or one third of the electors present at the meeting, whichever is the less.

Q - How soon must a casual vacancy on the council be advertised?

A - As soon as practicable.

Q - Can complaints about a local council be made to the Local Government Ombudsman?

A - No. An aggrieved parishioner should request a copy of the council's complaints policy and follow its procedures. The final form of redress is by way of judicial review.