
BMKALC GOOD PRACTICE NOTE

Duties and Responsibilities of a Chair of Council and Tips on Handling Meetings

A Chair of Council:

- Holds a statutory post defined in law
- Is a member of the Council and is elected annually
- Has the authority at meetings and must be obeyed when issuing lawful direction or direction in line with Standing Orders
- Is the elected interface between the public and Council
- The one to welcome speakers and make them 'feel at home'
- Is to make sure the decision is clear, for the Clerk to act upon

The Chair of Council should:

- Know that the agenda was put up in time and be familiar with business to be covered
- Arrive in good time, adequately briefed and with all the necessary papers in correct order
- Ensure the meeting is quorate
- Start the meeting on time by declaring it open and end it by clearly stating it closed and the time it ended
- Know that he/she has no more statutory power than any other Councillor except that of the casting vote
- Ensure that all points of view have a clear hearing
- Keep the discussion to the point, and that it is relevant and ensure the Council deals with clear issues
- Ensure the Council/committee acts only within its terms of reference and/or legal powers and functions
- Ensure compliance with standing orders, financial regulations, Council policies, etc.
- To ensure that where and when appropriate and allowable the Council takes a vote to exclude the public and press from Council meetings
- Understand the principles of debate and voting (see NALC Standing Orders and Good Councillor Guide)
- Remain impartial and not 'guide' Councillors to his/her desired decision
- Ideally not allow the meeting to continue for more than 2 hours without a break (depending on Standing Orders)
- Create an atmosphere which encourages participation

- Be in control of the meeting
- Know that he/she cannot be a committee of one (Hillingdon Case Law)
- Respect and understand the role of the Clerk/RFO and other Officers, and ensure that employment issues (e.g. performance, disciplinary matters) are only raised in Council meetings when appropriate and in line with Council policy and employment law
- Co-operate with Officers and Councillors
- Act as a representative of the Council at civic or local events

The Chair of Council has no power to make decisions without the Resolution of the Council.

The Chair of Council cannot make decisions arising from the line management of the Clerk.

The Chair of Council cannot decide which items should appear on the agenda for meetings.

The Clerk is responsible for the agenda, apart from Extraordinary Meetings. Normal practice would be for the Clerk to consult with the Chair of Council when drawing up the agenda to ensure that appropriate and necessary items are added.

The Chair of Council should not involve himself in the day-to-day administration of the Council but can be a point of reference for Officers if agreed by Council.

Presiding at the first Annual Meeting of the Parish Council:

The retiring Chair of Council, or in his or her absence, the vice chair must preside at the meeting for the first item on the agenda (after apologies and checking previous minutes) 'To Elect Chair of Council'. If it is a meeting after an election then the retiring chair or vice chair presides, even if they are no longer Councillors. If both are absent, then the Council may appoint another Councillor to preside. It is illegal for a Clerk to take the chair at a meeting.

Election of a Chair of Council:

If the presiding Chair is no longer to be a member of the Council, then he only has a casting vote. If he is still going to be a member, then he has a vote and a casting vote (he can vote for himself if he wants). The Chair of Council of the Council should give a report to the APM on the activity of the Council (in this meeting, if he is not an elector in the parish, he only has a casting vote). Once voted in, the new chair signs his declaration of acceptance as the Chair of Council and takes over the meeting immediately.

The Annual Parish Meeting or Parish Assembly:

To be held at any time between March and May each year to report to the parish electorate on the activities and performance of the Council over the previous year. The current accounts of the Parish must be available at this meeting. The Chair of Council or vice chair should if present preside at this meeting. Only persons recorded on the electoral register for the Parish are allowed to vote at this meeting. The Parish Council pays for the meeting. If a poll is called for then it must be paid for by the Parish Council.

How to Handle Public Disturbances during Meetings:

No-one is entitled to interrupt or obstruct the proceedings of the Council or its committees. It is best to stop an interruption at once before the habit spreads, and although a Chair of Council would not wish to be rude, he should cut short an interrupter; if good humour and conciliation fail to produce silence, he may have to warn them that he will turn them out. If the warning is ignored it should be resolved without discussion that the interrupter is excluded. It is not essential to call the police to remove the person, but it may be necessary.

The Chair of Council should never argue or allow argument with an interrupter. If the public becomes disorderly it may eventually be necessary to close the meeting or the adjourn to a more private place. It is, however, illegal to decide to exclude the public from any future meeting. The press is in a privileged position since its representatives must so far as possible be given facilities for taking their reports.

Suggested Script to be read at the start of the meeting.

Council Meetings are formal meetings held in public but are not public meetings.

Members of the public are welcome to join us but may only participate during Public Participation time. There is an overall time limit of 15 minutes for this segment. Multiple speakers for the same item may wish to select a single speaker or to edit their own contribution to ensure the maximum number of speakers can be accommodated. No single speaker may speak longer than 2 minutes.

Points raised, but not on this evening's agenda, will not be addressed at this meeting but will be answered during the next working day or added to a future agenda as appropriate.

Please be aware that this meeting may be recorded by any attendee exercising their legal right to do so.

Please ensure that phones are set to silent during the meeting