

Wickham Market Parish Council Essentials: Brief 2 – Agendas and Minutes



Agendas

- There must be at least three clear days' public notice of the time and place of a meeting and its agenda¹.
- A councillor must be summoned to attend a meeting of the full council at least three clear days before the meeting. The summons, signed by the Proper Officer, must include an agenda for the meeting and be served at the usual residence of the councillor². It is accepted practice for standing orders³ to permit electronic service of the summons and agenda⁴ provided the email to councillors includes the electronic signature and title of the Proper Officer.
- The summons must specify the business which it is proposed to transact⁵. A local Council cannot lawfully decide any matter which is not specified in the summons⁶
- Any other business should not appear on the agenda as item to be discussed at the meeting should be specified on the agenda⁷

Recommended order for an agenda⁸

There are accepted conventions and practices as to what happens at a meeting and the order in which they happen. Below is a guide to the basic sequence of events at a meeting:

- The names of councillors present and absent are noted for inclusion in the minutes of the meeting.
- The Chairman formally opens the meeting, and may make short announcements about the meeting that are appropriate or merely procedural
- If a councillor is unable to attend a meeting and prior to this he has formally sought approval for his absence, his request will be considered. If granted, a resolution approving his absence will be included in the minutes of the meeting.
- Certain interests of councillors in agenda items are, as appropriate, disclosed and minuted.
- Subject to standing orders⁹, dispensation requests made by councillors may be considered and granted.
- The accuracy of the minutes of the last meeting is formally approved.
- Subject to standing orders¹⁰, the public are permitted to speak about items of business on the agenda.
- Updates to resolutions from the last meeting are received.
- Motions or other items of business on the agenda are considered and resolved.
- Standing items of business (e.g. authorisation of payments, the formal acknowledgement of the minutes of a committee and/or as the case may be sub-committee) are dealt with
- The Chairman formally closes the meeting.

In Wickham Market, written reports are required in advance of the meeting for updates from committees, projects, or actions from previous meeting. These reports are published with the agenda so that members of the public can read them ahead of the meeting and decide whether they want to attend. The report author then only takes questions at the meeting rather than presenting the whole report

¹ Local Government Act 1972, schedule 12, paragraph 10(2)(a)

² Local Government Act 1972, schedule 12, paragraph 10(2)(b)

³ Local Government Act 1972, schedule 12, paragraph 42

⁴ Local Government Act 1972, schedule 12, paragraph 10(2)(b) As amended by the Local Government (Electronic Communications) (England) Order 2015 (SI2015/5) and para 26(2)(b)

⁵ Local Government Act 1972, schedule 12, paragraph 10(2)(b) As amended by the Local Government (Electronic Communications) (England) Order 2015 (SI2015/5) and para 26(2)(b)

⁶ Longfield Parish Council v Wright (1918) 88 LJ Ch 119 and WMPC Standing Orders 9 b

⁷ Local Council Administration, Arnold Baker D 7.5

⁸ Local Councils Explained Ch 7, p149

⁹ Local Government Act 1972, schedule 12, paragraph 42

¹⁰ Local Government Act 1972, schedule 12, paragraph 42

Minutes

Minutes of proceedings of a local Council and of its committees must be kept.¹¹ The style and appearance of the minutes of a meeting are not subject to statutory requirements. In NALC's view, the content of the minutes should be informative and relevant, yet concise.¹²

Form of minutes¹³

The style, form and amount of detail in the minutes for a meeting is a matter for individual councils¹⁴. The main purpose of the minutes is to record the resolutions made at the meeting. A well-worded resolution is clear in meaning to anyone not at the meeting and years later. The resolutions should visibly stand out when presented in the minutes for easy reference. They may, for example, be in bold, italics or upper case.

Minutes of a meeting are not a verbatim record of the meeting. Neither are they a story of what happened at the meeting and should not document opinions or views that were expressed at the meeting. There is no need to include matters of opinion such as "heated debate" or "valuable comment" or "Cllr X disagreed".

Minutes should distinguish between (i) the receipt or acknowledgement of the minutes of a committee or sub-committee and (ii) resolutions that follow the particular resolutions in the minutes of another meeting or the recommendations in a report. The minutes should also record the interests of councillors that were declared at a meeting and if they left the meeting on account of them.

Well-written minutes are:

- brief yet informative
- factual, accurate, relevant
- logically presented and
- a clear record of resolutions (including recommendations).

SLCC advise

Minutes should be as concise as possible. As a minimum the minutes must record the resolution or the decision but can also include a short summary of important points where this adds value. A detailed account of who said what is neither necessary nor advisable¹⁵

Arnold Baker advises

Minutes should be as short as is consistent with clarity and accuracy. They should not be a verbatim report nor a record of discussions or argument made by Councillors. Short simple minutes are to be preferred¹⁶

Minutes are a formal record of the meeting maintained by the Clerk. Members are not entitled to require a change to the minutes unless there is an obvious error or record of a resolution is incorrect¹⁷

Draft Minutes

Once the draft minutes have been prepared, they are often submitted to the chairman of the meeting concerned to check. Once the chairman has commented on the minutes and changes, if any are made, the draft minutes may be circulated for information only to all councillors, or where the minutes relate to a meeting of a committee to the members of the committee¹⁸. The draft minutes of a meeting should be formally approved (with any necessary amendments) at the next meeting¹⁹. After the draft minutes are approved, the contemporaneous notes or the recording of the meeting should be destroyed.²⁰ A meeting shall not exceed a period of 2 hours.²¹

¹¹ Local Government Act 1972, Sch12, para 41 (1)

¹² NALC LTN 5E Parish Council Meetings, s64

¹³ Local Councils Explained, Meera Tharmarajah ch 11

¹⁴ WMPC Standing Orders 3 S a)

¹⁵ Society of Local Council Clerks, The Essential Clerk, p17

¹⁶ Local Council Administration, Arnold Baker 7, S 7.39

¹⁷ Local Council Administration, Arnold Baker 7, S 7.39

¹⁸ Local Councils Explained, Meera Tharmarajah Ch 11 – Draft Minutes

¹⁹ Local Government Act 1972, schedule 12, paragraphs 41(1) and 44

²⁰ Local Councils Explained, Meera Tharmarajah Ch 11 – Draft Minutes

²¹ WMPC Standing Orders 3 W