

EAST BUDLEIGH with BICTON PARISH COUNCIL

Clerk to the Council
& Responsible Financial Officer
Mrs Judith Lumsden
Tel: 01395 445080

15 High Street
East Budleigh
Devon
EX9 7DY

clerk@eastbudleigh-pc.gov.uk

A PARISH COUNCIL MEETING

By law a Parish Council is required to abide by certain legal regulations. The following may offer some assistance to members of the public to understand how a Council Meeting works.

How is the Council made up?

A Parish Council is elected by the electorate of the area to serve as a body to decide upon and provide local facilities and fulfil requirements.

East Budleigh with Bicton and Yettington Parish Council is made up of 10 Councillor seats, managed by a Chair(person).

How are Meetings called and conducted?

By law, an agenda for a Parish Council meeting must be posted in a public place three clear days prior to the meeting date, similarly Councillors require three clear days notice and so is sent out a week before. Only business contained within the agenda can be considered at the meeting.

A Parish Council meeting is open to the public to attend, but **is not** a public meeting. This means that the meeting is held for the Council to conduct its business, in an atmosphere conducive to working and the public are permitted to attend to watch and listen to proceedings.

Are Residents allowed to speak or contribute?

It is not a necessity or requirement in law that the public are allowed to speak at a Parish Council meeting, but it is often good practice for a Parish Council to allow a section of time at the beginning, within or at the end of a meeting to hear residents views. East Budleigh with Bicton and Yettington does, when residents attend, set aside time for them to speak and the Council must 'suspend Standing Orders' to create the necessary gap in the official meeting for the public to contribute.

The public will be allowed to speak, at the given time, as long as it is clearly understood that they must not take part at any other time (see guidance overleaf).

What are Standing Orders?

These are a set of instructions to regulate the Councils' business and proceedings, besides the statutes and laws laid down by Government, which govern how a Parish Council runs.

The term used by the Council, 'suspend Standing Orders' means it is suspending the official Council Meeting to allow it to be opened up for the public to offer its contribution before 'restoring Standing Orders' which is when it becomes again the official meeting and the public must not take part.

What about 'bad behaviour' at a Council meeting?

Councillors are bound by the Local Government Code of Conduct for Councillors and the Council's Standing Orders. They must conduct themselves properly and abide by the Chair's rulings. If not, they can be asked to speak no longer, be asked to leave the meeting, or be removed.

Members of the public disturbing a Council meeting will be asked by the Chair to desist in any behaviour considered to be disrupting the meeting. If the behaviour continues Council can resolve, without discussion, that the person(s) withdraw from the meeting, or be removed. If a meeting becomes unmanageable because of interruption, or impossible to be continued due to disturbance or disregard for the Chair's instructions the Council can and will resolve to either close the meeting for a period of time or have the meeting recalled for another date.

What is the procedure for A MEMBER OF THE PUBLIC to speak or raise issues at Council meetings?

If at all possible or feasible, make a call prior to the meeting to the Clerk to inform you wish to speak or raise an issue at a forthcoming Council meeting. This is because, if there is information the Clerk can bring along to the meeting or research before the meeting which may help with the query or the Councillors – the Clerk will be able to do this,

If you wish to raise an issue at a meeting.

1. Try to speak to the Clerk or Chair prior to the meeting start to inform you wish to speak or raise an issue in the public section, or if it is a specific agenda item.
2. When the meeting reaches the agenda item of 'public participation', the Chair will suspend the meeting and members of the public will be allowed to speak. At this point Councillors should not interrupt or debate issues with the public, but sometimes, if it is counter-productive not to, they may respond, but debate or long discussions should not take place between the public and the Council as this is the 'public' section.
3. When all the members of the public have spoken in the public participation section, the Chair will resume the meeting.
4. At this point the Council may discuss the item(s) raised by the public, and consider:

-
- a) if it is a matter the Parish Council can legally consider and make any decision on;
 - b) if it is a matter which can be referred by the Clerk to another authority, or,
 - c) if it is an item which will need a Council decision or expenditure and so would need to go on a future agenda. This item will then be referred to a future agenda.

No legal decisions or expenditure can be made on any item raised at a meeting (by public or Councillors) because the item would not have been legally notified on the Agenda in advance to the electorate or the Council.

Notes for Councillor consideration:

If the item being raised in the public section is of ‘personal or prejudicial’ interest to yourself, because maybe you live close, or will be affected etc. – you should be mindful to consider if you need to declare that interest officially and abide by guidance as to ‘declaring an interest’.

The public participation’ section is the opportunity for the public to interact with the Council and the time set aside should be regarded as the public’s time. Debating or disagreeing with points within the public section will eat into this time, and Councillors should be mindful that the Standing Orders have been suspended and any ‘Council’ debate should be held until the Standing Orders have been restored or, the item is brought on to a future agenda for debate and decision.