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PARISH COUNCIL
MINUTES.

PARISH OF

Ashburnham.

Parish Council

MINUTE BOOK.

(Form No. 2.)

KNIGHT & CO., Local Government Publishers,

90 FLEET STREET, LONDON, E.C.

(S 2743-94)

B C D E F G H I K L M N O P Q R S T V W X Y Z

Local Government Act, 1894.

PARISH COUNCIL.

STATUTORY PROVISIONS CONTROLLING PROCEEDINGS.

It is enacted in the Local Government Act, 1894, in effect, as follows:—

Constitution of Parish Council.

(1.) The Parish Council for a rural parish shall be elected from among the parochial electors of that parish or persons who have during the whole of the twelve months preceding the election resided in the parish, or within three miles thereof, and shall consist of a Chairman and Councillors, and the number of Councillors shall be such as may be fixed from time to time by the County Council, not being less than five nor more than fifteen.

(2.) No person shall be disqualified by sex or marriage for being elected or being a member of a Parish Council.

(3.) The term of office of a Parish Councillor shall be one year.

(4.) On the fifteenth day of April in each year (in this Act referred to as the ordinary day of coming into office of Councillors) the Parish Councillors shall go out of office, and their places shall be filled by newly-elected Councillors.

(5.) The Parish Councillors shall be elected by the parochial electors of the parish.

(6.) The election of Parish Councillors shall, subject to the provisions of this Act, be conducted according to rules framed under this Act for that purpose by the Local Government Board.

(7.) The Parish Council shall in every year, on or within seven days after the ordinary day of coming into office of Councillors, hold an annual meeting.

(8.) At the annual meeting, the Parish Council shall elect, from their own body or from other persons qualified to be Councillors of the parish, a Chairman, who shall, unless he resigns, or ceases to be qualified, or becomes disqualified, continue in office until his successor is elected.

(9.) Every Parish Council shall be a body corporate by the name of the Parish Council, with the addition of the name of the parish, or if there is any doubt as to the latter name, of such name as the County Council after consultation with the Parish Meeting of the parish direct, and shall have perpetual succession, and may hold land for the purposes of their powers and duties without licence in mortmain; and any act of the Council may be signified by an instrument executed at a meeting of the Council, and under the hands, or, if an instrument under seal is required, under the hands and seals, of the Chairman presiding at the meeting and two other members of the Council.

(10.) With respect to meetings of Parish Councils, the provisions in the First Schedule to this Act shall have effect.—(Section 3.)

Committees of Parish Councils.

(1.) A Parish Council may appoint Committees, consisting either wholly or partly of members of the Council, for the exercise of any powers which, in the opinion of the Council, can be properly exercised by Committees, but a Committee shall not hold office beyond the next annual meeting of the Council, and the acts of every such Committee shall be submitted to the Council for their approval.

(2.) Where a Parish Council have any powers and duties which are to be exercised in a part only of the parish, or in relation to a recreation ground, building, or property held for the benefit of a part of a parish, and the part has a defined boundary, the Parish Council shall, if required by a Parish Meeting held for that part, appoint annually to exercise such powers and duties a Committee consisting partly of members of the Council and partly of other persons representing the said part of a parish.

(3.) With respect to Committees of Parish Councils, the provisions in the First Schedule to this Act shall have effect.—(Section 56.)]

Rules applicable to Parish Councils.

(1.) Every Parish Councillor shall, at the first meeting after his election, or if the Council at the first meeting so permit, then at a later meeting fixed by the Council, sign, in the presence of some member of the Council, a declaration that he accepts the office, and if he does not sign such a declaration his office shall be void.

(2.) If any casual vacancy arises in the Council, the Council shall forthwith be convened for filling the vacancy.

(3.) The first business at the annual meeting shall be to elect a Chairman and to appoint the Overseers.

(4.) The Chairman may at any time convene a meeting of the Parish Council. If the Chairman refuses to convene a meeting of the Council, after a requisition for that purpose signed by two members of the Council has been presented to him, any two members of the Council may forthwith, on that refusal, convene a meeting. If the Chairman (without so refusing) does not within seven days after such presentation, convene a meeting, any two members of the Council may, on the expiration of those seven days, convene a meeting.

(5.) Three clear days at least before any meeting of a Parish Council, notice thereof, specifying the time and place of the intended meeting and the business to be transacted at the meeting, and signed by or on behalf of the Chairman of the Parish Council or persons convening the meeting, shall be given to every member of the Parish Council, and in case of the annual meeting notice specifying the like particulars shall be given to every member of the Parish Council immediately after his election.

(6.) Any notice required by law to be given to the chairman or any other member of the Parish Council may be left at or sent by post to the usual place of abode of such Chairman or member.

(7.) No business shall be transacted at any meeting of a Parish Council unless at least one-third of the full number of members are present thereat, subject to this qualification, that in no case shall the quorum be less than three.

(8.) The names of the members present at any meeting of the Parish Council, as well as of those voting on each question on which a division is taken, shall be recorded, so as to show whether each vote given was for or against the question.

(9.) Every question at a meeting of a Parish Council shall be decided by a majority of votes of the members present and voting on that question.

(10.) In case of an equal division of votes, the Chairman of the meeting shall have a second or casting vote.

(11.) The Parish Council may, if they think fit, appoint one of their number to be Vice-Chairman, and the Vice-Chairman shall, in the absence or during the inability of the Chairman, have the powers and authority of the Chairman.

(12.) The proceedings of a Parish Council shall not be invalidated by any vacancy among their members, or by any defect in the election or qualification of any members thereof.

(13.) A Parish Council shall hold not less than four meetings in each year, of which one shall be the Annual Meeting, and every such meeting shall be open to the public unless the Council otherwise direct.

(14.) Every cheque or other order for payment of money by a Parish Council shall be signed by two members of the Council.

(15.) Any notice required to be given to or served on a Parish Council may be given to or served on the Clerk to the Parish Council.

(16.) The Parish Council may appear before any court or in any legal proceeding by their Clerk or by any officer or member authorized generally or in respect of any special proceeding by resolution of the Council, and their Clerk or any member or officer shall, if so authorized, be at liberty to institute and carry on any proceeding which the Parish Council are authorized to institute and carry on.—(First Schedule, Part II.)

General.

(1.) Minutes of the proceedings of every Parish Council shall be kept in a book provided for that purpose.

(2.) A Minute of proceedings at a meeting of a Parish Council, or of a committee of a Parish Council, signed at the same or the next ensuing meeting by a person describing himself as or appearing to be Chairman of the meeting at which the minute is signed, shall be received in evidence without further proof.

(3.) Until the contrary is proved, every meeting in respect of the proceedings whereof a Minute has been so made shall be deemed to have been duly convened and held, and all the members of the meeting shall be deemed to have been duly qualified; and where the proceedings are proceedings of a Committee, the Committee shall be deemed to have been duly constituted, and to have had power to deal with the matters referred to in the Minutes.

(4.) Any instrument purporting to be executed under the hands or under the hands and seals of the Chairman and of two other members of a Parish Council shall, until the contrary is proved, be deemed to have been duly so executed.

(5.) Subject to the provisions of this Act, a Parish Council may make, vary, and revoke standing orders for the regulation of their proceedings and business, and of the proceedings and business at Parish Meetings for a rural parish having a Parish Council.

(6.) Where there is no Council for a rural parish, the Parish Meeting may, subject to the provisions of this Act, regulate their own proceedings and business.—(First Schedule, Part III.)

Proceedings of Committees of Parish Councils.

(1.) The quorum, proceedings, and place of meeting of a Committee, whether within or without the Parish, and the area (if any) within which the Committee are to exercise their authority, shall be such as may be determined by regulations of the Council or Councils appointing the Committee.

(2.) Subject to such regulations, the quorum, proceedings, and place of meeting, whether within or without the Parish, shall be such as the Committee direct, and the Chairman at any meeting of the Committee shall have a second or casting vote.—(First Schedule, Part IV.)

PRACTICAL RULES AND INSTRUCTIONS AS TO CONDUCT OF MEETINGS.

(1.) The Chairman should read the notice, if any, by which the meeting has been convened.

(2.) The Minutes of the previous meeting should be read and signed.

(3.) The business should be taken in the order in which it has been arranged on the agenda.

(4.) Any motion may be made without notice, but should be reduced to writing and handed to the Chairman, and must be moved and seconded before being submitted to the Meeting.

(5.) When a motion has been moved and seconded, amendments may be proposed, but they also require to be seconded, and should not be in the form of a direct negative.

(6.) Amendments should be voted on separately, and should as far as possible follow one another in the order in which they effect changes in the original motion.

(7.) The mover of a substantive motion has the right of reply, but the mover of an amendment or of a motion for adjournment has not.

(8.) Every speaker should address his remarks to the Chairman, and should stand while speaking.

(9.) No person other than the mover, should be allowed to speak more than once on the same motion, except by way of explanation of something arising out of his own speech.

(10.) Any person may "rise to order," and raise any question as to any matter of order. The decision of the Chairman on any point of order is final.

(11.) The Chairman cannot dissolve the meeting by leaving the chair without the consent of the meeting.

(12.) The Chairman may take all necessary measures to preserve order at the meeting.

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Mr Joe Norris Chairman July 6th 1914 — April 20 1936 22 yrs

Mr J. Norris first elected Chairman March 18 1946 — 18 yrs