

PARISH MEETINGS

IMPORTANT: THESE NOTES ARE FOR GUIDANCE/REFERENCE AND **ARE NOT** TO BE REGARDED AS A DEFINITIVE STATEMENT ON THE PROCEEDINGS OR OTHER ASPECTS OF A PARISH MEETING

1. Main statutory references are:
 - ❑ Local Government Act 1972 (as amended). In particular, Part III of Schedule 12 to the Act deals with meetings and proceedings;
 - ❑ Parish & Community Meetings (Polls) Rules 1987
 - ❑ Parish & Community Meetings (Polls) (Amendment) Rules 1987
2. NOTES: Calling/convening a Parish meeting can be made at any point throughout the year following the points given below. This is not part of the Parish Council nor is it one of its regular meetings for Council business. The person(s) calling for the 'parish meeting' to be convened (as stated below in point 3) will need to give public notice with no less than seven clear working days in advance of the meeting (as stated in point 4)[*] ensuring the public notice is signed by the person(s) calling/convening this meeting (as stated in point 5). *Calling a Parish meeting is different and not to be confused with the annual meeting of the parish which will assemble between 1st March and 1st June, both inclusive, in every year.*
3. Parish meeting may be called by:
 - ❑ Chair of parish council
 - ❑ two Councillors for the parish
 - ❑ if no parish council, the Chair of the parish meeting or any district councillor who represents the parish
 - ❑ any six local government electors for the parish
4. Public notice of meeting, time, venue and the business to be transacted to be given at least seven days in advance of meeting. Meeting must not commence earlier than 6 p.m. Meeting not to take place in licensed premises "*except in cases where no other suitable room is available either free of charge or at a reasonable cost*".
5. The notice of the meeting must be signed by the person(s) convening the meeting [*For more detailed requirements see paras 15 and 16 of Schedule 12 LGA 1972, including particular circumstances where 14 days' notice needed]
6. The public notice of a meeting shall be given "*(i) by posting a notice of the meeting in some conspicuous place or places in the parish; and (ii) in such other manner, if any, as appears to the person or persons convening the meeting to be desirable for giving publicity to the meeting.*"
7. In a parish which has a parish council, meeting to be Chaired by Chairman of parish council, if present. If the Chairman is absent the Vice Chairman of the parish council (if there is a Vice Chairman) shall preside if present. If neither is present the meeting shall appoint a Chairman. Where no separate parish council, there should be a Chairman elected for the year by the annual meeting. If not, or if the person is not present, the first item would be to elect a Chairman. Meetings are open to press/public. There is no apparent provision for a Parish Meeting to appoint a Vice Chairman.
8. The quorum of a Parish Meeting is two (via case law from 1904) **unless** a document has to be executed, in which case it is three (S13(2) LGA 1972).

9. S88(3) LGA 1972 provides that *“In a parish not having a separate parish council, a casual vacancy in the office of chairman of the parish meeting shall be filled by the parish meeting, and a parish meeting shall be convened for the purpose of filling the vacancy forthwith”*.
10. Only local government electors for the parish are entitled to vote, but if the Chairman of the Parish Council (where there is a Parish Council) is not a local government elector for the Parish, he/she may give casting vote in the event of an equality in voting.
11. Minutes to be kept. Where there is a separate parish council it may prescribe standing orders for the proceedings of the parish meeting. If no parish council, the parish meeting may *“regulate their own proceedings and business”* (subject to the statutory provisions).
12. The annual meeting of the parish *“shall assemble on some day between 1 March and 1 June, both inclusive, in every year.”*
13. In a parish which does not have a separate parish council the parish meeting *“shall assemble at least twice in every year”*.
14. A Parish poll can be **demand**ed on any question arising before the end of the meeting. No poll shall be taken unless the person presiding consents **or** it is demanded by **either** not less than ten, or one third, of the local government electors present, **whichever is the lower number**. If the poll is on a question, the wording must be determined by the parish meeting (answers must be yes or no, or for or against!). Wording, obviously, needs to be clear and grammatical!
15. A parish poll must relate to a “parish affair” which could be *“any local issue, activity, subject matter which specifically affects a particular parish and which a parish meeting may wish to discuss, debate and potentially influence”* [NALC wording]. The Court of Appeal has recognised that a parish poll requested for a purpose that was *“devoid of practical application”* might not be granted by the Returning Officer.
16. Notice of the demand to be given to the Returning Officer (c/o WODC, Woodgreen, Witney). RO must also be advised of the name and address of the proposer of the question(s). Poll to take place between the 14th and 25th days after the demand, excluding “dies non” (i.e. Saturdays, Sundays, Bank Holidays and Maundy Thursday). Polling hours 4 p.m. to 9 p.m. No provision for poll cards, absent voting or combination with a local government or other election. [Maundy Thursday is no longer a dies-non for elections but it is understood still to apply for a parish poll].
17. If the poll relates to an **appointment** each candidate may appoint one polling agent to attend polling station and one counting agent. If on a question, the proposer can attend polling station and the count.
18. Costs to be met by the parish council. Where there is no parish council the cost would fall to the district council.
19. The results of a parish poll are not legally binding on anyone.