

Berkhamsted Town Council: meeting process and minutes

At a Town Planning Committee meeting on the 3rd of August, a draft paper detailing good practice guidelines for these Committee meetings was reviewed and the content agreed (attached as an appendix), with an action for a draft good practice document, covering some aspects of Town Council meeting procedures and minutes to be discussed by Full Council for use across meetings of the council (including committees and sub-committees).

Meetings:

Supporting inclusion of residents:

As a result of the Covid-19 Pandemic, Berkhamsted Town Council has put in place arrangements to hold virtual meetings, as permitted by legislation.

The move from physical to virtual meetings, and the Town Council's ongoing desire to encourage community engagement requires the Town Council to review its guidelines for meeting process and minuting guidelines to ensure good practice during this period.

Residents who would perhaps usually attend a physical meeting of the Council may be understandably reluctant or unable to attend a virtual meeting. It is important that the Town Council maintain close alignment with residents, and understands and discuss local concerns.

Many residents are now communicating by email or letter rather than in person. It is important that the Council gives such submissions their due weight and consideration and concerns will be dealt with and referred to an appropriate Committee, if required. For example, email objections to a planning application will be forwarded to the Town Planning Committee, considered by the Committee and noted in the minutes.

Members of the public wishing to attend virtual meetings are encouraged to do so and can contact the Town Council for log in information (more details are on the agendas).

Recorded/Majority Voting:

In accordance with the Council's Standing Orders, any member of the Committee may request a recorded vote on an item on the agenda, which will then be minuted. Alternatively, a member may request that that it be minuted that they do not agree with a majority decision.

Sharing Agendas and Minutes on the Town Council Facebook page:

A link has set up between the Town Council website and its Facebook page, so that posts on the website are also posted on the Facebook page in an effort to increase community engagement.

Minutes:

Legislation:

The following **must** legally¹ be recorded in minutes:

- The resolutions passed.

¹ The main legislation concerning council (including committee and subcommittee meetings) is: The Local Government Act 1972 (sch 12), the Public Bodies (Admission to Meetings) Act 1960, The Local Government and Housing Act 1989 (s.13) and the Localism Act 2011

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- The names of councillors present and absent, the declaration of councillors' interests, of councillors left the meeting room because of their interests and the public participation session.
- Berkhamsted Town Council's Standing Orders confirm that its minutes will record the above, in addition to the time and place of the meeting.

Good Practice²

- The style and appearance of minutes are not subject to statutory guidance, but best practice advises that they be informative, relevant and concise. Minutes prepared by different clerks will naturally vary in style at the discretion of the clerk.
- Berkhamsted Town Council have historically named residents in minutes, however the majority of Town/Parish Council's do not and state simply 'a resident...' Best practice guidance from HAPTC, NALC and SLCC also advises not to unless absolutely necessary for the execution of its statutory powers, functions and contracts and in this scenario it would be prudent to gain consent for Data Protection purposes. As such it is proposed that the Town Council cease to name residents unless absolutely necessary or unless a resident specifically requests to be named and gives written consent.
 - o County Councillors attending a meeting in an official capacity, chairs of local community groups and companies etc., will continue to be named as usual.
- Minutes should not disclose resolutions or other information that are confidential or for some other reason not in the public interest.
- Minutes are a formal record of decisions and are not meant to be a verbatim record. As such, it is proposed that minutes of the Town Council cease to include narrative summaries of individual contributions and should instead focus on the decisions (e.g. it was RESOLVED...) with details of the resolutions fully, but succinctly articulated.
- It is not a legal requirement for minutes to detail who voted for what unless a recorded vote is requested. It is also not necessary to include proposers and seconders of motions or minutes which fail entirely (unless it is a recorded vote), but to include this information in minutes is not incorrect.

² Good practice as advised by the National Association of Local Council, Hertfordshire Association of Parish and Town Councils and Society of Local Council Clerks