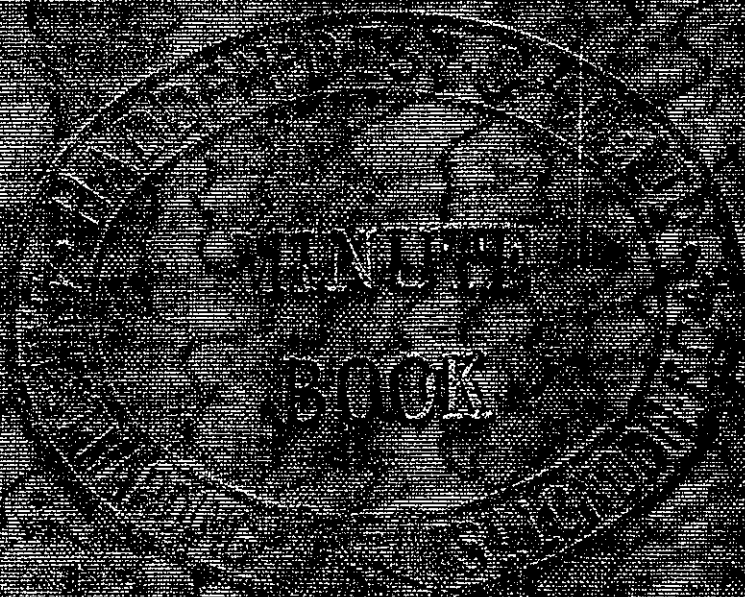


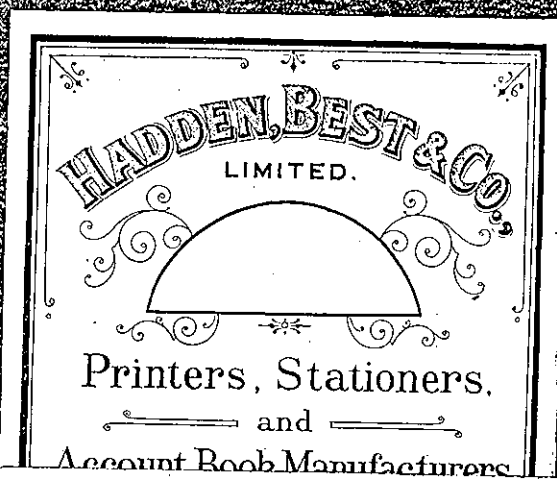
MILTON
PARISH
COUNCIL

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1931
to
1953







From TELEPHONE 493.
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THE
30^{RS}
MINUTE BOOK.

OF THE

Parish Council*

OF THE

Parish of Milton.

From 10th February, 1931

To 26th May, 1953.

London:

HADDEN, BEST & CO., LTD.,
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Local Government Publishers.

* Meeting of Council.

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PROCEDURE AS TO PARISH MEETINGS,

Conveners of Parish Meeting.

Where a parish has a parish council the chairman of the parish council or any two parish councillors may at any time convene a parish meeting.

In a parish not having a parish council the meeting may be convened by the chairman of the parish meeting.

Whether there is a parish council or not, any six local government electors may at any time convene a parish meeting.

Times and Place of Meeting.

The parish meeting are required to assemble at least once in every year, on some day between the 1st of March and the 1st of April (both inclusive). The meeting may take place on a day in March or on April 1st. The proceedings of a parish meeting must not begin before 6 o'clock in the evening, Greenwich mean time or summer time. Where a parish has no separate council, the parish meeting must assemble not less than twice a year.

Subject to these provisions, the days, times and places for holding parish meetings will be fixed by the parish council, or, if there is no parish council, by the chairman of the parish meeting.

A parish meeting should not, where it can be avoided, be convened to meet on a bank or other holiday.

Vestry Room or Church.

The parish meeting of a parish without a parish council is entitled to meet in the vestry room of the parish church or in the church itself where there is no vestry room or the room is insufficiently large; but if either of the Vestries Acts, 1831 and 1850, is in force, the meeting cannot be held in the church, and if the latter Act is in force it cannot be held in the vestry room, except in case of urgency and with the previous approval of the Minister of Health.

School and other Rooms.

In a parish in which there is no suitable public room vested in the parish council or in the representative body of the parish, the parish meeting (whether there is a parish council or not) may meet free of charge at all reasonable times and after reasonable notice in any suitable room in the school house of any public elementary school receiving a Parliamentary grant and in any suitable room maintained out of any local rate, but the room in either case must not be used as part of a private dwelling-house. When any such room is required, a resolution directing notice to be given to the persons having control of the room should be passed by the parish meeting. In some cases it might be convenient that a standing resolution should be passed at each parish meeting empowering a committee to take the necessary steps in preparation for the next meeting.

Public Baths.

Any portion of any public baths provided under the Baths and Wash-houses Acts, when not required by the Commissioners or parish council, as the case may be, may be permitted by them to be used for parish meetings.

Licensed Premises.

The parish meeting are prohibited from meeting in premises licensed for the sale of intoxicating liquor, except in cases where no other suitable room is available either free of charge or at a reasonable cost.

Notice of Meeting.

Not less than seven clear days before any parish meeting public notice must be given specifying the time and place of the intended meeting and the business to be transacted, and signed by the chairman of the parish council or other conveners of the meeting. When the business relates to the establishment or dissolution of a parish council, or the grouping of a parish, or the adoption of any of the adoptive Acts, not less than fourteen days' notice must be given. In reckoning the seven or fourteen days, as the case may be, both the day when the notice is given and the day fixed for the meeting must be excluded.

Copies of the notice must be affixed on or near to the principal door of each church and chapel of the Church of England within the parish, and be posted in some conspicuous place or places within the parish. Notice may also be given in such other manner (if any) as appears to the persons convening the meeting desirable for giving publicity to the notice.

Adjourned Meeting

Where a parish meeting is adjourned, no further notice of the adjourned meeting is necessary if no new business is transacted at the adjourned meeting.

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PROCEDURE AS TO PARISH MEETINGS—*continued.*

Who constitute Meeting.

Only local government electors registered in the parish or in part of the parish are intitled to attend and vote at a parish meeting held for the whole parish or part of the parish. At least two such electors must be present to form a parish meeting.

Business of Annual Meeting.

(IN PARISH NOT HAVING A PARISH COUNCIL.)

Election of Chairman for the Year.

After having appointed a temporary chairman, the meeting should proceed to choose a chairman for the year, who must be a local government elector. The chairman of the meeting should not be a candidate for the office of chairman for the year. If more than one candidate is proposed and seconded for the office, the temporary chairman should put separately to the meeting the names of the several candidates and take the votes by show of hands in favour only of each candidate. A candidate may vote for himself. After counting the votes, the chairman should declare to be elected that candidate who has obtained the largest number of votes. One elector may demand a poll.

If no poll has been demanded, the candidate elected chairman for the year should, in the event of his being present at the meeting, take the chair.

Business of Meeting.

(WHERE PARISH COUNCILLORS TO BE ELECTED.)

The election of parish councillors must be conducted according to rules contained in the Parish Councillors Election Order, framed under the Local Government Act, 1894, for that purpose by the Local Government Board and Secretary of State. The duties of the Chairman are fully set out in HADDEN'S CHAIRMAN'S GUIDE TO THE BUSINESS OF THE PARISH MEETING FOR ELECTION OF PARISH COUNCILLORS.

Chairman.

Usual Chairman.

The chairman of the parish council if a local government elector entitled to attend, and if present at a parish meeting, will be the chairman of the meeting.

Chairman of Meeting.

In the absence of the chairman of the parish council or the chairman for the year, as the case may be the parish meeting should choose a chairman for the meeting.

Duties of Chairman.

The chairman should conduct the meeting in accordance with any standing orders which may have been made by the parish council for the regulation of the proceedings and business of the parish meeting. Where there is no parish council, the parish meeting may regulate their own proceedings and business.

Minute Book.

Minutes of the proceedings of every parish meeting must be kept in a book provided for that purpose and should be signed by the chairman of the same or of the next ensuing meeting.

Majority of Meeting to decide Questions.

Every question to be decided by a parish meeting will, in the first instance, be decided by the *majority* of those present and voting on the question. There are some exceptions to this rule, for which see "HADDEN'S HANDBOOK ON THE LOCAL GOVERNMENT ACTS, 1894-1897" FOR PARISH COUNCILS, by W. H. Dumsday, Barrister-at-law.

In form of Resolutions.

Questions should be submitted to the meeting by the chairman in the form of a resolution, and he should take the numbers of those voting for and those voting against a resolution.

One Man one Vote.

Each elector may, at any parish meeting, or at any poll consequent thereon, give one vote and no more on any question.

Casting Vote of Chairman.

In addition to his right to vote in the first instance as a local government elector, the chairman will, in case of an equal division of votes, have a second or casting vote.

Decision of Chairman.

The chairman is required to announce his decision as to the result of a show of hands at a parish meeting, and that decision is to be final unless a poll is demanded.

PROCEDURE AS TO PARISH MEETINGS—*continued.*

Polls.

When Polls may be Demanded.

A poll may be demanded at any time before the conclusion of a parish meeting.

Generally a poll is not to be taken unless either the chairman of the meeting assents, or the poll is demanded by either one-third of the local government electors present, or by five of such local government electors, whichever number is least. Where one-third of the number of the local government electors present is less than five, that one-third may demand a poll; where five is less than one-third of the number of local government electors present, those five electors may demand a poll. To take examples; if there are thirty local government electors present, five may demand a poll, as being less in number than one-third of the electors present; if there are nine electors present, three may demand a poll, as being one-third of the electors present, although those who form the one-third are less than five electors.

One Elector may demand Poll in certain cases.

In the case of a resolution respecting certain specified matters a poll may be demanded by any one local government elector namely:

- (a) Any application, representation, or complaint to a county council or district council;
- (b) The appointment of a chairman for the year or of a committee, or the delegation of any powers or duties to a committee, or the approval of the acts of a committee;
- (c) The appointment of trustees or beneficiaries of a charity;
- (d) The adoption of any of the adoptive Acts;
- (e) The consent or refusal of consent to any act, matter, or thing which cannot by law be done without that consent;
- (f) The incurring of any expense or liability;
- (g) The place and time for the assembly of a parish meeting;
- (h) Any other matter prescribed by the Local Government Board or Minister of Health.

Ballot.

A poll consequent on a parish meeting must be taken by ballot in accordance with rules framed under the Local Government Act, 1894, by the Local Government Board.*

Execution of Instruments.

Any act of the parish meeting of a parish not having a separate parish council may be signified by an instrument executed at the meeting 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 local government electors present at the meeting.

Close of Meeting.

When the business for which public notice of the meeting was given has been disposed of, the chairman should close the meeting by leaving the chair. No other business should be transacted.

* See the Parish Meetings (Polls) Order, 1894, which applies to such Rural Parishes as did not elect a Parish Council in that year, and the Parish Meetings (Polls) Order, 1895, which applies to every Rural Parish which on the appointed day was entitled to elect a Parish Council.

PROCEDURE AS TO MEETINGS OF PARISH COUNCILS.

Date of coming into Office, and of Annual Meeting.

The term of office of a parish councillor is 3 years. In the year of the ordinary election the newly-elected councillors come into office on the 15th of April. In every year on or within 7 days of the 15th of April the parish council must hold an annual meeting. The date for the meeting may be any day from the 8th to the 22nd April inclusive. In the year of the ordinary election, it would be the outgoing councillors who would attend any meeting held after the election of parish councillors and before the 15th of April.

Other Meetings.

Three other meetings in each year must also be held.

Meetings to be public.

Every meeting is to be open to the public unless the council otherwise direct.

Conveners of Meetings.

A meeting of the parish council may at any time be convened by the chairman of the council or by any two members of the council if the chairman upon a written requisition signed by two members, either refuses to convene a meeting or neglects to do so within seven days after the presentation of such a requisition.

Notice of Meetings.

Notice of every meeting of the parish council must be given to each member. The notice must specify the time and place of, and the business to be transacted at the meeting, and it must be signed by or on behalf of the chairman of the council or other conveners of the meeting. Three days must elapse between the day on which the notice is given and the day on which the meeting is to be held. Thus, if the day fixed for the meeting is Friday, the last day on which the notice can be given is the preceding Monday. In case of the annual meeting, the notice must be given to every member immediately after his election. A notice may be left at or sent by post in a prepaid letter to the usual abode of a member. The letter must be posted so that in the ordinary course of post it would be delivered not later than the last day on which the notice can be given. Notice of an adjourned meeting is not necessary unless some new business is to be transacted at the adjourned meeting.

Place of Meeting.

Vestry Room or Church.

The parish council is entitled to meet in the vestry room of the parish church or in the church itself where there is no vestry room, or the room is insufficiently large; but if either of the Vestries Acts, 1831 and 1850, is in force, the meeting cannot be held in the church, and if the latter Act is in force it cannot be held in the vestry room, except in case of urgency and with the previous approval of the Minister of Health.

School and other Rooms.

In a parish in which there is no suitable public room vested in the parish council, the council may meet free of charge, at all reasonable times, and after reasonable notice, in any suitable room in the school-house of any public elementary school receiving a parliamentary grant, and in any suitable room maintained out of any local rate, but the room in either case must not be used as part of a private dwelling-house. The parish council could direct their clerk to give the required notice.

Public Baths.

Any portion of any public baths provided under the Baths and Washhouses Act could, when not required for the purposes of the Acts, be used as a place of meeting by the parish council.

Licensed Premises.

The parish council must not meet on premises licensed for the sale of intoxicating liquor, except in cases where no other suitable room is available, either free of charge or at a reasonable cost.

Election of Chairman at Annual Meeting.

The first business of the annual meeting is to elect a chairman. The chairman must either be a councillor or a person qualified to be a councillor. His office is an annual one. Unless he resigns or ceases to be qualified, or becomes disqualified, he is to continue in office until his successor is elected. A retiring chairman will preside at the annual meeting at which his successor is elected. He is himself eligible for re-election at the annual meeting, but some other member of the council should take the chair if the retiring chairman is a candidate for re-election.

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PROCEDURE AS TO MEETINGS OF PARISH COUNCILS—*continued.*

Election of Vice-Chairman.

The parish council may, if they think fit, appoint one of their number to be vice-chairman, and the vice-chairman will, in the absence or during the inability of the chairman, have the powers and authority of the chairman.

Candidates may vote.

A candidate for the office of chairman or vice-chairman may vote for himself.

Acceptance of Office by Councillor.

Every parish councillor must, 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 will be void. The chairman of the parish council, if elected from outside the council, is not required to make any declaration of acceptance of office. If he is elected from the council he will make the declaration as a parish councillor. A chairman once elected continues in office until he resigns, or ceases to be qualified or becomes disqualified, or until his successor is appointed. His simple non-acceptance of office does not vacate the chairmanship.

Minute Book.

Minutes of the proceedings of every parish council and of any committee of the council must be kept in a book. The minutes must be signed at the same or the next ensuing meeting by the chairman.

Standing Orders.

Subject to the provisions of the Local Government Act, 1894, a parish council may make, vary, and revoke standing orders for the regulation of their proceedings.

Quorum.

No business can be transacted at any meeting of a parish council unless at least one-third of the full number of members is present, but in no case is the quorum to be less than three.

Record of Votes, &c.

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, must be recorded, so as to show whether each vote given was for or against the question. The voting must not be by ballot.

Majority to Decide.

Every question at a meeting of a parish council is to be decided by a majority of votes of the members present, and voting on that question. The majority required is not a majority of members present, but a majority of those who, being present, vote on the question.

Casting Vote.

In case of an equal division of votes, the chairman of the meeting has a second or casting vote. The casting vote is in addition to any vote which the chairman may give as a member of the council. He has an original vote, whether elected from within or without the council, as when elected chairman he becomes a member of the council.

Execution of Instruments.

Any act of the parish 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.

Cheques.

Every cheque or other order for payment of money by a parish council must be signed by two members of the council.

Filling of Casual Vacancies.

A casual vacancy among parish councillors or in the office of chairman of the council will be filled by the parish council, and the council are required to be forthwith convened, as soon as a casual vacancy occurs in their body, for the purpose of filling the vacancy; but the proceedings of a parish council are not to be invalidated by any vacancy among their members or by any defect in the election or qualification of any members. The persons elected to fill casual vacancies must be qualified to be parish councillors. A quorum of the council must be formed before they proceed to the business of election.