

## **1. Roles and responsibilities**

Roles, duties and responsibilities of chair, councillors, clerk and council

### **1.1 The Clerk**

The clerk is the servant of the councillors. Councils must appoint a clerk to record and carry out their decisions.

The clerk's duties include:

- setting the agenda for meetings in discussion with the chairman,
- publishing the agenda,
- attending council meetings in order to take the minutes,
- assisting the chairman on procedural matters during the meeting,
- tabling correspondence and reports as required,
- drafting the minutes and
- after approval of the draft by the chairman, circulating the minutes to councillors and the public,
- carrying out any actions decided at the meeting, such as writing letters or making phone calls or making payments.

The clerk is also likely to be a point of contact between councillors and the district and county council. The clerk will receive and send correspondence and forward it on to the appropriate councillor.

The clerk should also be conversant with legislation and standing orders and be able to advise councillors so that the council operates lawfully.

The clerk will normally also be the responsible financial officer and keep a record of all financial transactions, arrange payments and reconcile the bank statement and prepare accounts for the annual audit.

### **1.2 Councillors**

Councillors can be elected or co-opted onto the council and will normally serve for a term of four years. The role of the council can be broadly stated as to improve the quality of life for parishoners. The councillors' role is to represent the whole electorate and reflect the views of the parishoners as to what needs to be done to achieve improvement. The most important part of being a councillor is ordinary day to day contact with local people in the community.

Councillors' duties include:

- Attending council meetings, and
- Contributing to debate at the meetings and being part of the team in making decisions,

- Being in day to day contact with the community and listening to and understanding the opinions of people,
- Observing the ethical code of conduct
- Being an ambassador for the community
- Representing the council at other local government meetings and reporting back,
- Ceremonial, e.g. attending the annual Remembrance Parade,
- Keeping up to date with training.

It is important to note that no individual councillor is responsible for any single decision of the council.

### **1.3 The Chairman**

A council has to appoint a chairman to be properly constituted. This appointment must be the first item of business at its annual meeting<sup>1</sup>.

The chairman must be a member of the council and remains in office until a successor is appointed unless he resigns, ceases to be qualified or becomes disqualified.

If present at a council meeting, the chairman must preside. He or she has control of the meeting for the purpose of enforcing the law and good order. His or her duties will include:

- Setting the agenda for meetings in consultation with the clerk,
- Introducing agenda items, perhaps with a preamble or explanation,
- Managing the debate and ensuring that all councillors are encouraged to contribute
- Guiding the discussion towards a decision and calling to a vote when necessary,
- At the appropriate point in the agenda inviting observations from the public,
- Ensuring that only agenda items are discussed,
- Calling the meeting to a close once all items on the agenda have been fully discussed,
- Reviewing the draft minutes before publication.
- Receiving councillor's resignations.

### **1.4 The Council as a Corporate Body**

A local council is a body corporate, this means that it is considered in law to be a legal entity or legal person. Its lawful acts, assets and liabilities are its own and not those of its members. A newly created council comes into existence on the day stated in the order establishing it even if there are no elected members at that date. A council remains in existence from the day

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it is established until it is dissolved, so that even if there are no councillors in office the council remains in existence.

The law under which councils operate is primarily The Local Government Act 1972. Councils should adopt standing orders governing procedures at meetings and the conduct of councillors.

Councils must keep proper records of expenditure and prepare annual accounts for audit.

Councils have some formal powers and are primarily concerned with the provision and upkeep of community amenities such as playing fields, recreation grounds and footpaths. Councils are also consulted on planning applications.

A council is as active as its councillors make it. It has the power to improve the quality of life in the locality by spending money on material things or services which are in the interests of the whole community.