

Agenda Item 9 - Reports Template

Summary

To seek approval to the use of a report Template

Background

The law requires that Parish Councils must have at least three days' notice of matters Members are being asked to make decisions upon. The Good Councillor Guide produced by NALC states that "*The three clear days is established in law because it is important to be notified of issues to be discussed. Topics requiring a decision cannot be added to the agenda after the deadline has passed; they must wait for another meeting. Each agenda item should make it very clear what you as a councillor are expected to do and be precise about the subject under discussion*". It continues that "*It is actually unlawful to make a decision, especially a decision to spend money, without sufficient (three clear days) warning*". There have been failings in the past to comply with these requirements and often agendas have simply had vague descriptions of matters without any indication as to the decision Members may be required to make. That can lead to unlawful decisions.

Legal requirements

Local Government Act 1972 Schedule 12 para 10(2).

Details

To assist members in their decision making processes it is suggested that the format broadly set out in this report be used for future reports. Members then have sufficient time to give matters due consideration and be ready with their questions etc. without having to be rushed at meetings to understand what they are being asked to do. This also facilitates the Transparency Agenda Local Councils are required to respect and will enable the public to get a better understanding of our work, what we are proposing and why. The leader of a working group charged with undertaking any review of issues, or any Member wishing to raise an issue should then use this format for reporting to Council. E.g the report on the issue raised by Councillor Williamson on Parkers Steps. If members are unaware of the relevant legal powers to include in a report then this can be left to the Parish Clerk to complete. All of our Statutory Powers are listed on the Council web site.

Please note that if any Member wishes to raise any matter at Council then our Standing Orders require the Clerk to be notified no later than 7 days before a meeting and with a proposed motion. This report writing template can assist compliance with that Standing Order

Budget Implications

There should be minimal budget implications. Reports are not expected to be that long and a number could be put onto one sheet of paper with the issue of an agenda. This would be part of normal office expenditure

Risk Management Implications if any

This arrangement will ensure that decisions should not be capable of challenged as being unlawful i.e. a lack of three days' notice or by the Council failing to take into account any relevant factor when reaching a decision. A Council decision taken without taking into account a relevant factor can be challenged by way of Judicial Review. Sufficient report writing should provide evidence that we have taken all relevant factors into account.

Recommendation

That this report template be adopted for future meetings.