

Sherborne Town Council



Information for Prospective Councillors

For Elections on May 7th 2015



SHERBORNE TOWN COUNCIL INFORMATION FOR PROSPECTIVE COUNCILLORS

What is a Parish or Town Council

Parish and Town Councils are the same; they have the same powers and act within the same legislation. A Town Council is a Parish Council that has usually decided to have a Mayor and call itself a Town Council. Parish and Town councils are the tier of local government **closest to the people**.

Parish Councils represent the concerns and aspirations of a genuine local community. They are not a voluntary organisation, not a charity nor (a common mistake) anything to do with the Church. A larger Parish or Town Council can cover quite large populations and will often provide a wide range of facilities. Despite being strictly audited each year, Parish Councils are the most non bureaucratic and the cheapest kind of local authority in existence.

What can they do?

As Parish Councils were created in law, they can only act within the law by exercising their powers and functions which have been conferred on them by Statutes (i.e. Acts of Parliament). Anything a Parish Council tries to do outside these powers is *ultra vires*, in other words, outside the law. The range of powers available to Parish Councils continues to change. The Localism Act was introduced in November 2011. The aim of the Act was to devolve more decision making powers from central government back into the hands of the individuals, communities and councils. The Act covers a wide range of issues related to local public services, with a particular focus on the general power of competence, community rights, neighbourhood planning and housing. The key measures of the Act were grouped under four main headings:

New freedoms and flexibilities for local government

New rights and power for communities and individuals

Reform to make the planning system more democratic and more effective

Reform to ensure decisions about housing are taken locally



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Parish and Town Councils have many powers if they choose to use them. It is how and which of these powers that councillors decide to use, that makes a vibrant forward thinking Parish Council and can bring positive benefits to communities. The basic responsibility of Parish and Town Councils is to make the lives of their local communities more comfortable by representing the whole electorate within the parish, delivering or co-ordinating services to meet local needs and striving to improve quality of life in the parish. Parish and Town Councils can also comment on planning applications and be represented at public enquiries.

Town and Parish Councils do not receive Council Tax directly from the public, but are primarily funded at present from a small percentage of the Council Tax charge made by District/Unitary authorities to local householders. Their annual budgets can be anything from £1,000 to sums in excess of £5,000,000, with some even raising further income from services they provide. Parish and Town Council budgets are a tiny part of the whole Council Tax and Parish and Town Councils do not receive any Government funding or income from business rates. The way that local government is financed is under great scrutiny and there is likely to be a fundamental change to the way that the whole of local government manage their services to the community. Whatever the make up of your council, it embodies the representation of people's hopes and concerns for ensuring that local services are provided efficiently and effectively for the benefit of community wellbeing. A well informed council is aware of what its community needs and strives to provide this through team work, accessing grant funding, representation at other meetings and lobbying appropriate bodies.

Town and Parish Councils have a duty to appoint or employ a Clerk to record and carry out the council's decisions, and larger councils may employ further staff. All councils must meet at least four times a year (although most meet more often) and their meetings must be open to the public, although for certain restricted items of confidentiality they may occasionally exclude the public. A Parish or Town Council *is* the collective voice of its community.



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Sherborne Town Council

Overview:

Sherborne Town Council is the parish authority for the town of Sherborne and has an estimated population of 9,720 and has approximately 4,423 dwellings. It is the fourth tier of government after Parliament, the County Council and the District Council. The Town Council's powers are granted to it and regulated by various Government Acts.

The Town Council supplements the provision of local government services in Sherborne and provides a range of social and recreational facilities, while promoting and representing the town with other national and statutory bodies.

For example, the Town Council acts as a consultee and lobbying force with both the County and District Councils and regional and national government, putting forward the wishes and needs of the local community. Dorset County Council, which covers the whole of the county (except Bournemouth and Poole) has responsibility for education, social services, highways, fire and rescue, strategic planning and libraries, consults with the Town Council on such subjects as the County Structure Plan, the Local Transport Plan and the Mineral and Waste Local Plan. The District Council, which is mainly responsible for development control, environmental health, refuse collection, economic development, tourism and major recreational facilities, also consults with the Town Council on such matters as the District Wide Local Plan and planning applications within Sherborne town.

Structure:

Sherborne Town Council comprises 12 Councillors who are elected for a 4 year term. The last ordinary Town Council election was held on Thursday 3 May 2007. Councillors who are elected at a subsequent by-election or are co-opted to fill a casual vacancy during the course of the 4 year term will hold office until the end of the 4 year term. The Mayor and Deputy Mayor are elected from the 12 Councillors at the Annual Statutory Meeting in May of each year.

A copy of the Town Council's Councillor Information Folder, which contains Standing Orders, Financial Regulations and general guidance notes will be supplied to all Councillors at the commencement of their term of office.



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The town is divided into 2 wards, East and West. 6 Councillors represent each ward, a map showing the ward areas and a list of the roads they cover is attached at Appendix A.

The Civic Year runs from May to April with the election of the Mayor, Chairman of the Council and the Deputy Mayor and Vice Chairman taking place at the Annual Statutory Meeting in May. These roles, along with Plans Committee Chairman, and Portfolio Holders, are filled by Councillors who have been nominated and voted for by their Council Colleagues. Town Councillors are voluntary, although they can choose to receive a small allowance that is available to cover council-related costs such as stationery, travel, telephone, etc.

Meetings and Committees:

The Council operates a system of Portfolio Holders to oversee Finance and Resources, Properties, Staff, and Playing Fields and Recreation Areas (see Appendix B for a list). As the Town Council is a statutory consultee on all planning applications within the parish of Sherborne, there is a Plans Committee which meets monthly to consider all applications received.

Subject matters are brought before the Council and Plans Committee by means of the Agenda, which is issued a minimum of three clear working days before each meeting and is posted on the two main public notice boards and on the Town Council website. The agenda is set a week before each meeting by the Mayor and Deputy Mayor or Committee Chairman in liaison with the Town Clerk. Agendas are usually posted to Council members, unless an electronic version is requested. At full Council meetings, the Committees' minutes are received and along with reports and recommendations from Portfolio Holders and resolutions involving major changes to Council policies are voted upon.

The press and public are welcome to attend all Council meetings and the public may put questions or make statements on any matter during the Public Forum which takes place on the commencement of each meeting.

The minimum commitment expected of a Councillor is that they attend full Town Council and Plans Committee and if they are unable to attend, they notify the Town Clerk with their apologies.



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The Town Council meetings usually take place on the third Monday of the month at 6.45 pm, they are held in the Council Chamber at the Manor House, Newland. There is full disabled access and a hearing loop available on request. The Plans Committee usually meets on the first Monday of the month, commencing at 7.00 pm.

How do Council and Committee meetings operate?

The following items appear on the Town Council agenda and in addition it will detail the specific business relevant to that meeting.

Public Session (15 minutes, or longer if the Mayor considers it appropriate)

Apologies for Absence

Declarations of Interest

Approval of the Minutes of the last meeting

Mayor's Announcements

The Town Council agenda also covers recommendations from the Plans Committee and reports from Portfolio Holders, and Officers and a report from the County Councillor. It enables Council representations and reports from Community and Local Organisations, the local Police along with any other business informally either through the Town Clerk or Mayor or Chairman, or formally by means of a motion. Each agenda item is discussed and voted upon by the Council. The Minutes, which are not a verbatim account of the meeting, detail the decisions reached and are a record of the votes taken. The Minutes are usually available four working days following the meeting and are forwarded to Councillors and local media organisations by post. They are also made available to members of the public via the Town Council Website or from the Town Clerk's office.

Once a decision has been passed by Council and a course of action identified, the work is organised and carried out by the Council's staff under the control of the Town Clerk.



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Representation to Community and Local Organisations:

Sherborne Town Council appoints Councillors to act as representatives to organisations and groups within the town (see Appendix C for a list). Councillors' involvement as representatives in the local community develops the Council's greater understanding of the role of these organisations and groups. Representatives are nominated either at the request of a particular organisation/group or, if core funding has been granted, at the request of the Town Council. The term of office for representatives is normally

for a period of one year commencing from the Annual Council meeting in May. Town Council representatives are expected to regularly attend meetings of the organisation they represent and take an active part in its operation, reporting at intervals to the Town Council Meeting.

Working Groups:

Working Groups are formed as and when required, to discuss particular issues and to report back to full Council.

Civic Events:

Councillors are expected to attend various civic occasions through the civic year ranging from the Mayor Making Ceremony to the Remembrance Day Parade and including civic receptions.

Notice Boards and Locations:

The Manor House, Newland; Cheap Street Post Office; Pageant Gardens.



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Town Council Staff:

The Town Council's executive officer is the Town Clerk, who leads a team of 14 staff. The Town Clerk also manages 3 part time staff that run the Sherborne Area Partnership.

Staff comprises the Town Clerk and reporting directly to him are the Property Manager, the Responsible Finance Officer, the Civic Administrator, the Facilities Officer, the front office Receptionist and Sherborne Area Partnership.

The Property Manager oversees the 6 outside staff who look after the public gardens, Abbey grounds, cemetery, play areas and Terrace Playing Fields and he oversees the two caretakers who maintain the Digby Hall. The office staff provide the financial, administrative, Committee and full Council support services; they also provide a public reception (combined with a reception service for West Dorset District Council), venue booking service and administrative support for the mayoral role and civic events.

How the Council is funded:

The Council Tax paid by Sherborne Households includes the spending requirements of Dorset County Council, West Dorset District Council, Dorset Police and Sherborne Town Council. The District Council is responsible for collecting the Council Tax. Many people do not realise that the Town Council does not receive any revenue support from central government, unlike the County and District Councils; neither does it receive any funding from local businesses and retailers via their payment of the business rate.

Each year the Town Council calculates the money it needs to raise in order to provide the necessary services. From that is deducted the income expected from fees and charges, such as hire of sports facilities, cemetery fees, etc., to leave the amount required to spend on the services and any capital projects which are planned for the year ahead. This sum, called the Precept, is the amount the Council levy on the District Council, which the District Council then collects as a proportion of the total Council Tax paid by Sherborne Households.

The Sherborne Town Council precept for the year 2015/2016 was set at £552.624 which equates to £161.35 for a Band D equivalent property.



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What does a Councillor do ?

Most people's impression of what a councillor does is that they just attend council meetings and nothing could be further from the truth. The duties and pleasure, of being a local councillor are many and varied, however it is the ordinary day to day contact with local people in their own community that is the most important part of being a councillor.

A Parish or Town Councillor signs a Declaration of Acceptance of Office and thereby undertakes to observe an ethical Code of Conduct when dealing with matters on behalf of the community. A councillor also completes a register of interests.

Listening: One of the most important tasks of a Parish or Town Councillor is listening to and understanding the views of people in their community. Many public bodies or organisations acknowledge this is the hardest information for them to capture and they in turn use the skills and local knowledge of the parish or town council for advice to assist and inform their services.

Meetings: A councillor agrees to attend all meetings (reasonably possible) that he or she is summoned to. In a smaller council this may only require one meeting of full council a month (there are however a few small councils that still only meet once every two months). In medium and larger councils however, along with full council meetings, there are further committee meetings or working groups. Most meetings are held in the evening but some committees and working groups may be during the day.

Representation: Parish councils also need representation at other local government meetings or on local bodies/organisations and councillors may be asked to serve on certain groups or attend functions on behalf of the parish council. Councillors act as ambassadors for their community keeping everyone aware of local needs and concerns and reporting back on District/Unitary, County and regional changes.

Councillors represent the voice of their community as a whole, whilst being aware of and considerate to, specific minority needs.



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Ceremonial Duties: In some larger councils there will be times when councillors are asked to attend civic functions as part of their duty to the community. This may entail Remembrance Parades, civic dinners or attendance at public functions to name but a few.

Extra skills: Through all of these functions councillors will draw on their own skills and experiences and it is the sharing of these skills that makes a strong team. Parish and Town councils provide a focus for the community to identify concerns and projects and endeavour to solve them locally themselves. Councillors working as a team will need to deal with employment issues, budgeting, asset management, staff management, project management or grant funding and probably lots more if they are creative and involved. All councils must be aware and owe a duty to their community to manage staff considerately, whether it is employing one parish clerk or a whole host of office and grounds maintenance staff.

Accounts must be kept and whilst the clerk (or Responsible Financial Officer) will be employed to carry out this duty, councillors together as a team are responsible for the financial decisions made and implemented. A clerk is employed to advise and seek advice on behalf of councillors to assist them in their decisions. Councillors are there to consider the information gathered and make a group decision on all matters. No individual councillor is responsible for any single decision. This is democracy at its best.

Training and support: Training is available to any council, large or small. Legislation allows for councils to pay for training and ongoing training for councillors is sound business management. The County Secretary for the Association of Local Councils in your area will be able to provide details of professional training programmes designed specifically for councillors, see the useful contacts section in this pack for contact information.

Responsibility: All councillors are expected to abide by the Parish Councils Code of Conduct. Each local council must adopt and publicise a Code of Conduct that is in line with the Nolan principles. The Code deals with councillors obligations about their conduct, including the registration and disclosure of their interests. Complaints about councillors' conduct are dealt with by the principal authority. The responsibilities detailed in the code of conduct are designed to protect councillors as well as the people they serve and give clear guidance so that councillors may undertake their duties with confidence.



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Applying to become a councillor

Even those who have stood as councillors before may forget what the process was like 4 years ago. Whilst relatively easy, it is strict and if not followed exactly, will result in disappointment and rejection for the wrong reasons! The rules are there to ensure that only those who are eligible to stand for election in your community are considered and that those put forward have agreed to stand for election. Parish Councillors are elected by the public and serve four year terms in office; these were unpaid positions until 2004 when allowance schemes were introduced to encourage more people to stand for election. Allowances, which tend not to be very large, are at the discretion of the individual councils and most still choose to maintain an unpaid status.

If you wish to stand as a councillor you must satisfy these requirements:

- ◆ You need to be over 18 years of age
- ◆ A British citizen, a qualifying Commonwealth citizen, or a citizen of any other member state of the European Union
- ◆ On the Electoral Register for the council area for which you wish to stand
- ◆ A local government elector of the parish; or a person who during the whole of the twelve months before nomination as a candidate occupied land or other premises as owner or tenant in the parish; or has, during the same period, resided in that area or within three miles thereof; or has during the same period, had a principal or only place of work in that area

You cannot stand for election if you:

- ◆ Are bankrupt and an Order or Interim Restriction Order has been imposed.
- ◆ Have, within five years before the day of the election, been convicted in the United Kingdom of any offence and have had a sentence of imprisonment (whether suspended or not) for a period of over three months without the option of a fine
- ◆ Work for the council where you are intending to standing for election (but you can work for other local authorities, including the principal authorities that represent the same area).
- ◆ Have been convicted or reported guilty of a corrupt or illegal practice by an election court, or have been disqualified from standing for election to a local authority



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The Election Procedure:

Ordinary elections of local councillors take place on the first Thursday in May every four years. Reorganisation of local government may cause alteration of the Election Day and election year in some cases.

A few terms that you will encounter explained:

- ◆ **Returning Officer** – Person empowered to run an election.
- ◆ **Standing** - Putting your name forward for election.
- ◆ **Electoral Register** – Names and addresses, together with election identification numbers of all people within a community who are registered to vote.
- ◆ **Election Timetable** – dates when specific forms must be publicised or submitted.
- ◆ **Warded** – Areas are split up into what is called ‘wards’ so that councillors are elected by a specific smaller number of people and will be aware of their local concerns rather than having to represent all people within a whole parish.
- ◆ **Expenses** – If you do produce your own leaflets/pamphlets you need to declare how much you have spent on this.

1. Publication of the Notice of Election

The Chief Executive of the District/Unitary Council is the Returning Officer and therefore has the duty to call an election.

Election staff in the District/Unitary Council Elections’ Office have all the papers you will need and will be able to give advice and may check nomination forms.



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2. Getting the nomination forms

You will probably need to contact your District/Unitary Council Elections Office to ask for the appropriate forms. Parish and Town Councils are sent a certain number of forms and may make them available in the community, but the District/Unitary Council will send additional forms to anyone who requests a pack. Anyone who is eligible to stand can request these forms.

3. Completing the nomination forms

You will need to fill in all your personal details and those of the people nominating you. You and those nominating will be asked to fill in your Electoral Register number. This is the district code on the front of the Electoral Register e.g. A Village might be 'SX' then this is followed by the number that appears next to your name, or next to the name of the person nominating you. The entry in this box will therefore read something like 'SX 413'.

You must get your form completed and signed by those nominating you and it will help to copy the numbers of those nominating you when you obtain your own Electoral Register number.

4. Sending the nomination forms back.

It is imperative that you submit your forms in accordance with the Timetable of Proceedings.

Failure to do so will render your application null and void!

Checklist:

- Do not forget to get **everyone** mentioned to sign the forms
- Ensure that all addresses are in **full** with no abbreviations
- Include the whole Electoral Register reference **letters and numbers**
- **Be careful not to miss important dates** (see insert 12 'Election Timetable' enclosed)



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Polling day – Thursday 7 May 2015

IMPORTANT – This information was accurate at the time of printing but may be subject to amendment, please check all dates prior to taking action.

<http://www.electoralcommission.org.uk/>

Further information online at www.dorsetforyou.com/elections

Election Timetable - Key Dates

Notice of Election – Monday 16 March 2015 – This will be displayed locally and on the Internet by this date.

Close of Nominations – 4pm on Thursday 9 April 2015. Elections' Offices will let you know who is standing in your area and if the election is contested.

Close of Withdrawals – 4pm on Thursday 9 April 2015 The deadline for withdrawing has changed and you will need to be aware of this if you usually contest in more than one area.

Publication of Statement of Persons Nominated – 4pm on Friday 10 April 2015. However in some areas this may be available online earlier. This will be displayed on the Internet only.

Notice of Poll – Tuesday 28 April 2015 – This is usually displayed on the Internet before this date.

Absent Votes – Anyone who is on the register can have a postal vote for any reason, either for an indefinite period, just for this election (helpful if you are on holiday) or away for a period of time (useful for students in temporary accommodation). Electors can download forms from the Internet. Please ensure that people do not already have postal votes as a new application will cancel their existing postal vote and give them less time to receive their postal ballot papers in the post.



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Election Expenses – These must be signed and returned to the Councils' Elections Offices, by the relevant date shown below in section 3 - even if the report is nil.

Nomination Process and Informal Checking

Nomination packs are available online at www.dorsetforyou.com/elections or www.electoralcommission.org.uk and from Councils' Elections Offices. Candidates should ensure that they are on the Register of Electors. The last date a Council can receive registration forms to add a person to the Register, to be eligible to stand for this election (if no other criteria apply), or vote at the election, is Monday 20 April 2015. This will ensure that the registration, if accepted, will result in inclusion on the electoral roll when it is updated.

It is the duty of the individual candidate to deliver nomination forms to the Councils between the publication of notice of election and the close of nomination. (You may wish to **check with your Council election office for confirmation of timetable**). Delivery between **Monday 16 March 2015** and **4pm on Thursday 9 April 2015**

Nomination Paper and Consent to Nomination

Very important - **both** must be completed in order for a candidate's nomination to be accepted.

Candidate's details: It is not permissible to use abbreviations e.g. Jon M Jones instead of Jonathan Michael Jones; both the name and address provided **must** be in **full**. A telephone number and e-mail address will be useful in case your Electoral Service Office needs to contact the candidate.

Description:

Candidates must put the description/occupation they wish to appear on the ballot paper, such as:

Independent – Teacher – Housewife - Farmer - etc.

If a candidate is standing for a political party then this party must be a registered political party. The relevant form must be completed, including the request to use an emblem if this is required, in order for the nomination to be accepted.



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Parish elections require a Proposer and a Secunder from the relevant Parish or Parish Ward the candidate is standing for. The candidate, proposer and seconder must sign the nomination paper, print their name and include their full electoral register number (i.e. the letters representing the polling district – on the front cover of the Register together with the number beside the elector's name). Make sure you use the correct register which is the one published on 1 February 2015 (in some areas) **or no older than 1 December 2014.**

The Consent to Nomination: This **must** be **completed and signed** for the candidate's nomination to be accepted. At least **one** section (a), (b), (c) or (d) **must** be filled in. The witness can be anyone (except officers in the Council Election Office).

Election Expenses

Election expenses must not exceed £740 together with an additional 6p for every entry in the Register of Electors, for the Parish/Parish Ward. The declaration of Candidate's expenses must be made by Thursday 4 June 2015 – even if it is a NIL return

Finally we wish to reiterate the importance of checking all of these dates at the web sites shown at the head of this article.