

Dartmoor Commoners' Council: The role of the Chairman and Vice-Chairman

A note to clarify the roles, duties and expected behaviour from Council's representatives.

In advance of describing the duties and role of the Chairman, it is valuable to understand the status of the Dartmoor Commoners' Council. Established by the Dartmoor Commons Act 1985 (The Act), the Council is not a public body but is referred to as a statutory body. A public body is generally thought of as an organisation that delivers a public service, whilst a statutory body is an organisation that has been created by a parliament, in this case by an Act of Parliament. The terms Chairman and Vice-chairman in this note do not denote the gender of the post holder.

The Chairman

The appointment of a chairman is referred to within the Act. The principle reference is;

SCH 2, section 4 (1): The Commoners' Council shall, at their annual meeting in each year, appoint one of their number to be chairman and the chairman shall, unless he resigns his office or ceases to be a member of the Commoners' Council, continue in office until a successor is appointed.

The chairman's duties as described within The Act include:

- The chairman will preside at meetings of the Commoners' Council, (SCH 2, section 5 (1)).
- The chairman will be present at any election meeting, ensure nominations meet the qualifying criteria and announce the successful candidate, (SCH 1, section 14 (3)).
- The chairman can call a meeting of Council at any time, (SCH 2, section 3 (3)).
- The chairman's signature can authenticate the use of Council's seal, (SCH 2, section 12).

The majority of these duties are reiterated within Council's Standing Orders (revised and adopted by Council on 3 October 2018), the exception relates to the appointment of a Presiding Officer for the election meeting in each quarter, although the presiding Officer could be the chairman.

Since the Council's formation in 1986, the role and duties expected from the chairman have evolved and developed to reflect the ambitions of Council. Whilst the fundamental duties remain, additional responsibilities and duties are now expected of the chairman. These include:

- representing Council at functions and events,
- responsible for the appointment and management of staff (currently Council's secretary/office administrator),
- oversee the response to consultations and changes to Government policy,
- liaising with Dartmoor National Park Authority, Defra, Natural England and other agencies on specific issues,
- responding to letters, requests and issues as they arise and
- supporting staff on specific issues.

Council has confirmed its wish for the chairman to use delegated powers to address issues whilst recognising that those issues of relevance to Council's policies on specific issues would be raised with Council at the first opportunity, usually at a regular Council Meeting.

The Vice-Chairman

As with the chairman, the position of vice-chairman is referred to in both the Act and Council's Standing Orders. The appointment of a vice-chairman is similar to that of the chairman and referred to in the following paragraph (2) of the same part of the Act (SCH 2, section 4).

The vice-chairman's duties relate to those of the chairman and can be summarised as presiding at meetings and/or fulfilling other functions in the absence of the chairman.

In consultation with the chairman, the vice-chairman may take the lead on specific issues and represent Council when required.

Approved by Council 22 January 2020