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<b>REPORT TO:</b>	<b>FULL COUNCIL</b>	<b>AGENDA ITEM: 10</b>
<b>DATE OF MEETING:</b>	<b>4<sup>th</sup> NOVEMBER 2021</b>	<b>CATEGORY: DELEGATED</b>
<b>REPORT FROM:</b>	<b>CHIEF EXECUTIVE</b>	<b>OPEN</b>
<b>MEMBERS' CONTACT POINT:</b>	<b>ARDIP SANDHU</b> <a href="mailto:Ardip.Sandhu@southderbyshire.gov.uk">Ardip.Sandhu@southderbyshire.gov.uk</a> <b>EXT. 5715</b>	<b>DOC:</b>
<b>SUBJECT:</b>	<b>TEMPORARY APPOINTMENT OF DISTRICT COUNCILLORS TO PARISH COUNCILS</b>	<b>REF: AC</b>
<b>WARD(S) AFFECTED:</b>	<b>ALL</b>	<b>TERMS OF REFERENCE:</b>

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## **1.0 Recommendations**

- 1.1 That the Chief Executive be authorised to appoint District Councillors to Foston and Scropton Parish Council in accordance with the procedure set out in Appendix 1 to this report.
- 1.2 The Chief Executive to report any such appointments to the next meeting of Council.

## **2.0 Purpose of Report**

- 2.1 To ensure Foston and Scropton Parish Council can continue to operate as it is currently unable to as it is inquorate.

## **3.0 Detail**

- 3.1 A Parish Council must be quorate in order to operate. A quorate is one third of its membership, but no less than three.
- 3.2 Section 91(1) of the Local Government Act 1972 provides that the Principal Authority, in this case the Council, can make an Order to appoint a sufficient number of Parish Councillors on a temporary basis to the Parish Council until such time as the vacancies on the Parish Council have been filled by election.
- 3.3 The procedure at Appendix 1 outlines the process to ensure Parish Councils can continue to operate until vacancies are appointed by way of the electoral process. The procedure is only to be used where the Parish Council cannot continue its business until it is quorate.
- 3.4 Following several resignations and a disqualification, Foston and Scropton Parish Council has been inquorate since 20 September 2021.
- 3.6 The procedure at Appendix 1 proposes that all District Ward Members that cover the area of the parish are offered the appointment of temporary Parish Councillor. This

should mean that there are sufficient persons available to ensure that the Parish Council becomes quorate.

- 3.6 Following the appointments, the Parish Council can call and hold a properly constituted meeting to appoint a new Parish Clerk, resolve any urgent matters and start the process of filling the vacancies by way of Casual Vacancies.
- 3.7 All temporary appointments will end either when permanent Parish Councillors are appointed sufficient to make the Parish Council quorate, or after six months beginning from the date of the Order, whichever is the earlier.

## **5.0 Financial Implications**

- 5.1 There are no financial implications arising directly from this report.

## **6.0 Corporate Implications**

- 6.1 To ensure continuation of local democracy.

## **7.0 Community Implications**

- 7.1 To ensure that Parish Councils can continue to operate having become inquorate.

## **8.0 Background Papers**

- 8.1 Procedure for making temporary appointments to Parish Councils.