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<b>REPORT TO:</b>	<b>ANNUAL COUNCIL</b>	<b>AGENDA ITEM: 14</b>
<b>DATE OF MEETING:</b>	<b>16<sup>th</sup> MAY 2019</b>	<b>CATEGORY: DELEGATED</b>
<b>REPORT FROM:</b>	<b>CHIEF EXECUTIVE</b>	<b>OPEN</b>
<b>MEMBERS' CONTACT POINT:</b>	<b>ARDIP KAUR</b> <a href="mailto:Ardip.Kaur@southderbyshire.gov.uk">Ardip.Kaur@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 Parish Councils 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 Parish Councils can continue to operate in the event they become 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 South Derbyshire has 31 Parish Councils. Elections to Parish Councils take place every four years alongside the elections to the District Council.
- 3.5 Following the recent election, one Parish Councillor was elected to Church Broughton Parish Council, making the Parish Council inquorate. One Parish Councillor was also elected to Foston and Scropton Lees Parish Council, also making it inquorate. There were no nominations to Dalbury Lees, Newton Solney and

Smisby Parish Councils. A Notice of Election has been republished for these Parish Councils, in line with election legislation.

- 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. Where a Parish Council falls into more than one District Ward all District Ward councillors covering the appropriate component ward(s) of the parish where the vacancies exist would be given the opportunity to become a temporary Parish Councillor.
- 3.7 All temporary appointments should end either when permanent Parish Councillors are appointed sufficient to make the Parish Council quorate, or after six months beginning from the date on which the Order is signed, 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 Parish Councils can continue to operate having become inquorate.

## **8.0 Background Papers**

- 8.1 Procedure for making temporary appointments to Parish Councils.