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<b>REPORT TO:</b>	<b>ANNUAL COUNCIL</b>	<b>AGENDA ITEM: 13</b>
<b>DATE OF MEETING:</b>	<b>18 MAY 2023</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>DOC:</b>
<b>SUBJECT:</b>	<b>TEMPORARY APPOINTMENT OF DISTRICT COUNCILLORS TO PARISH COUNCILS - DALBURY LEES PARISH COUNCIL AND STENSON FIELDS PARISH COUNCIL</b>	<b>REF: AC</b>
<b>WARD(S) AFFECTED:</b>	<b>ETWALL, WILLINGTON AND FINDERN AND STENSON</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 Dalbury Lees Parish Council and Stenson Fields 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 Dalbury Lees Parish Council and Stenson Fields Parish Council can continue to operate as both are inquorate following the 2023 Parish Council elections.

## **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, no Parish Councillors were nominated to Dalbury Lees Parish Council. The Parish Council has 5 seats and therefore requires 3 members to be quorate.
- 3.6 Stenson Fields Parish Council has 11 seats and 3 Parish Councillors have been elected to it. The Parish Council requires 4 members to be quorate.
- 3.7 The procedure at Appendix 1 proposes that all District Ward Members that cover the area of the parish are appointed as temporary Parish Councillor. This should mean that there are sufficient persons available to ensure that the Parish Council becomes quorate.
- 3.8 It is proposed to appoint Cllrs Martyn Ford, Ian Hudson, Andrew Kirke and David Muller (the District Councillors of the Willington and Findern Ward [as a consequence no Councillors being returned after the abandonment of the Hilton Ward Poll] and District Councillors of the Etwall Ward) to Dalbury Lees Parish Council and Cllrs David Shepherd and Lakhvinder Singh (the District Councillors of the Stenson Ward) to Stenson Fields Parish Council.
- 3.9 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.

#### **4.0 Financial Implications**

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

#### **5.0 Corporate Implications**

- 5.1 To ensure continuation of local democracy.

#### **6.0 Community Implications**

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

#### **7.0 Background Papers**

- 7.1 Procedure for making temporary appointments to Parish Councils.