

MID SUFFOLK DISTRICT COUNCIL

URGENT ACTION - NO SPECIFIC POWERS

ACTION FOR WHICH CHIEF EXECUTIVE HAS DELEGATED POWERS SUBJECT TO CONSULTATION WITH CHAIRMAN OF THE DISTRICT COUNCIL

SERIAL NO: MSDC-0021

SUBJECT MATTER:

The purpose of this action is to make an Order under Section 91 of the Local Government Act 1972 to appoint a parish councillor to Great Blakenham Parish Council to ensure that the Parish Council is quorate.

MEETING TO WHICH MATTER RELATES:

Full Council

REASON FOR ACTION BEING TAKEN OUT OF MEETING:

To ensure that Great Blakenham Parish Council is quorate.

BACKGROUND:

1.1 A Town or Parish Council must be quorate in order to operate. A quorate is defined as being one third of its membership, but no less than three.

1.2 Section 91 of the Local Government Act 1972 (as amended) allows the Council to appoint a sufficient number of Parish Councillors on a temporary basis, to enable the work of the Parish Council to continue until it has co-opted or elected sufficient Councillors to be quorate.

1.3 In the past week another councillor has resigned leaving the Parish Council with just two Councillors. At the point that the Parish becomes inquorate, the Parish Council is unable to hold meetings/ make decisions on the business of the Council. In such circumstances the Council can act under section 91 and appoint individuals to act as Parish Councillors, until or unless the Parish has held an election or co-opt sufficient Councillors on to the Parish.

LEGAL IMPLICATIONS

The making of an Order under Section 91(1) of the Local Government Act 1972 is consistent with the Council's obligations contained in the said act

FINANCIAL IMPLICATIONS:

There are minimal costs involved in officer time in drawing up the necessary Order. Any costs can be funded from existing budgets.

EQUALITIES IMPLICATIONS

There are no equalities implications to this report.

Conclusion

Approving an Order under Section 91 (1) will enable Gt Blakenham Parish Council to carry out its normal functions. Agreeing a process for making temporary appointments will ensure that, the Parish Council will be able to continue to operate with minimum disruption.

Appendices Appendix 1 – Order made under Section 91(1) of the Local Government Act 1972

ACTION AUTHORISED:

To authorise the issuing of the section 91 order

DATE ACTION AUTHORISED:

I have been consulted on this matter details of which are given above and have no observations to make.

Signed:
Chair of Mid Suffolk District Council

Dated: 20 January 2022

I being the duly authorised officer authorise the taking of the action referred to above.

Signed:

Dated: 20 January 2022

Chief Executive

Details reported to Council for noting.

- (NOTE: (i) This form to be completed and given to Committee Services for inclusion in the Register of Delegated Action and for reporting to the appropriate Committee. The signature of the Chief Executive should be obtained prior to the form being sent to Committee Services.
- (ii) If the Chairman is not available within a day to sign the form, please send it to Committee Services who will then arrange the necessary signature.)