

Appendices to Article 16

All legislation stated is subject to any legislation amendments, repeals or re-enactments as are current at any time.

Chief Executive

Act	Statutory Function
Section 4 Local Government and Housing Act 1989	Head of Paid Service
Section 8 Representation of the People Act 1983	Electoral Registration Officer
Section 35 Representation of the People Act 1983	Returning Officer at district and parish elections

Act	Proper Officer Function
Section 13 Local Government Act 1972	To act as parish trustee
Section 83 Local Government Act 1972	Declaration of acceptance of office.
Section 84 Local Government Act 1972	Delivery of resignation from office.
Section 88 Local Government Act 1972	Summoning Council meeting to fill casual vacancy for office of Chairman.
Section 89 Local Government Act 1972	Receipt of notice of casual vacancy.
Section 16 Electoral Administration Act 2006	As Returning Officer for South Kesteven has delegated authority in consultation with Ward Councillors to determine Polling Places.
Local Government Act 1972	Signature of documents
Section 2(4) Local Government and Housing Act 1989	Politically restricted posts
Section 116 Local Government Finance Act 1988	Duty to notify auditor or meetings to consider statutory reports.
Section 210 Local Government Act 1972	Functions in relation to charities.

Act	Proper Officer Function
Section 225 Local Government Act 1972	Deposit of documents.
Section 238 Local Government Act 1972	Certification of byelaws.
Local Government Act 1972 Schedule 12 paragraph 4(2)	Signing summonses to Council meeting
Local Government Act 1972 Schedule 12 paragraph 4(3)	Address to which summonses are to be sent.
Section 115 Local Government Act 1972	Receipt of monies from officers.
Section 146 Local Government Act 1972	Transfer of securities on alteration of name or area

Process for Making Temporary Appointments to Town and Parish Councils
 (Approved at South Kesteven Council Meeting held on 26th July 2018)

This process enables South Kesteven District Council to make an Order to appoint persons to Town/Parish Councils in accordance with Section 91 of the Local Government Act 1972.

1. The Town/Parish Clerk advises the Monitoring Officer that the Council is unable to operate due to being inquorate.
2. The Monitoring Officer verifies the number of seats on the Town/Parish Council and that it is inquorate. The number of appointments required for it to become quorate is identified.
3. The Chief Executive will offer the temporary position of Town/Parish Councillor in the following order. Any Councillor may decline the appointment, in which case the offer of appointment will continue in order until a quorum has been achieved.
 - a) District Councillor(s) for the ward in which the Parish/Town is located;
 - b) County Councillor for the division in which the Parish/Town is located;
 - c) District Councillor(s) for adjacent wards to which the Parish/Town is located;
 - d) In consultation with Group Leaders, other Councillors will be considered and may include Town/Parish Councillors from adjacent Parishes.

4. All appointments must be made by Order under Section 91(1) of the Local Government Act 1972.
5. A report detailing the action taken will be submitted to the next full meeting of the District Council for information.
6. In the event that appointments cannot be made a report will be submitted to the next meeting of the District Council for Members to consider the way forward for the Parish/Town.
7. In accordance with Section 91(3) of the Local Government Act 1972 the Monitoring Officer will forward two copies of the Order to the Secretary of State. A copy will also be sent to the Clerk of the Town/Parish Council for information.
8. The Order is to stipulate the names of the appointed persons and the latest date their appointment will expire.