



**SOUTH  
KESTEVEN  
DISTRICT  
COUNCIL**

# Officer Delegated Decision

10 April 2024

Karen Bradford, Chief Executive



## Temporary Appointment of members to Stubton Parish Council

This report proposes to make two temporary appointments to Stubton Parish Council due to becoming inquorate following the resignation of four members of the Parish Council. For the Parish Council to be able to act, it is required to have a quorum of members, which in this case is three.

### Contact

Julie Edwards, Electoral Services Manager

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<b>Decision made by:</b>	Karen Bradford
<b>Decision:</b>	To appoint Councillor Penny Milnes and County Councillor Alexander Maughan to the temporary positions of parish councillors for Stubton Parish Council
<b>Public or Exempt:</b>	Public
<b>Reasons for exemption:</b>	Not applicable
<b>Conflicts of interest:</b>	No
<b>Policy compliant:</b>	Yes
<b>Details of delegation:</b>	The Chief Executive may make temporary appointments to Town and Parish Councils in accordance with Section 91 of the Local Government Act 1972 in the event that a parish or town council is inquorate. Constitution, Part 3 Responsibility for Functions, 3(c) Delegated Powers to Officers, Head of Paid Service 1 (y): <a href="#">Part 3 - Responsibility for Functions.pdf (southkesteven.gov.uk)</a>

## **1. Implications**

Taking into consideration implications relating to finance and procurement, legal and governance, risk and mitigation, health and safety, diversity and inclusion, safeguarding, staffing, community safety, mental health and wellbeing and the impact on the Council's declaration of a climate change emergency, the following implications have been identified:

### ***Finance***

- 1.1 There are no financial implications arising from this report.

Completed by: Richard Wyles, Deputy Chief Executive and s151 Officer

### ***Legal and Governance***

- 1.1 The proposed temporary appointments of Councillor Penny Milnes and County Councillor Alexander Maughan to Stubton Parish Council conforms to the procedure agreed by Council in July 2018. Council delegated authority to make temporary appointments to Town and Parish Councils to the Chief Executive and requested that a report be submitted to the next available meeting of full Council, to ensure Members were made aware when the power had been used.
- 1.2 All appointments must be made by Order under Section 91(1) of the Local Government Act 1972. The Order must state the name(s) of the appointed person(s) and the latest date their appointment will expire). 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 further copy will be supplied to Stubton Parish Council for its information.

Completed by: Graham Watts, Monitoring Officer

## **2. The Purpose of the Report**

- 2.1 This report relates to the making of two temporary appointments to Stubton Parish Council to make it quorate and allow the Parish Council to progress urgent business, until the minimum of two new Parish Councillors can be co-opted.

## **3. Background**

- 3.1 Parish and Town Councils need to be quorate to operate and conduct business. Stubton Parish Council has five seats however four members have recently resigned leaving one remaining councillor. For Stubton Parish Council to be able to act, it is required to have a quorum of three members. Being inquorate means that the Parish Council is unable to conduct business or co-opt new members.
- 3.2 The Local Government Act 1972 allows the District Council to make such number of temporary appointments to Parish and Town Councils as is necessary

in order to make it quorate, until such time as the vacancies can be filled, either by election or co-option.

- 3.3 The process for making these appointments was agreed by Council on 26 July 2018 with authority delegated to the Chief Executive to make temporary appointments where necessary.
- 3.4 The process involves members of the District or County Council being offered the temporary position of Parish or Town Councillor until sufficient members have been appointed to achieve a quorum. The appointment of two temporary members is required for Stubton Parish Council to achieve a quorum.
- 3.5 Members are offered the temporary position of Parish Councillor in the following order:
  - 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 the 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.
- 3.6 The Ward councillor for the Loveden Heath Ward in which the Stubton Parish is situated is Councillor Penny Milnes. Councillor Milnes has been contacted and has agreed to be appointed to the Parish Council for a temporary period.
- 3.7 Stubton Parish is situated within the Hough County Council electoral division which is represented by Councillor Alexander Maughan. Councillor Maughan has also agreed to be temporarily appointed to the Parish Council.
- 3.8 Notices of Vacancy have been published for all vacancies. If an election is not called for any of the vacancies within the prescribed 14 working day period, the vacancies will be able to be filled by co-option.
- 3.9 The temporary appointments will be until a minimum of two new members have been co-opted to provide the necessary quorum.
- 3.10 The temporary appointments will be made by Order and will provide for the appointments to cease when a quorum has been re-established on the Parish Council.

#### **4. Available Options Considered**

- 4.1 No other options have been considered. Council agreed a process to make temporary appointments to avoid Parish Councils being inquorate for long periods.

#### **5. Preferred Option**

- 5.1 To make the appointment of Councillor Penny Milnes and County Councillor Alexander Maughan as temporary members of Stubton Parish Council.

## **6. Reasons for the Decision(s)**

- 6.1 Stubton Parish Council will be unable to function or hold meetings without the temporary appointments being made. Making the temporary appointments will enable the Parish Council to hold a meeting and carry out the co-option process to fill the vacancies.

## **7. Consultation**

- 7.1 The District and County Councillors for the area have been consulted. The proposed appointees, Councillor Penny Milnes and County Councillor Alexander Maughan, have indicated that they are prepared to accept the temporary appointments.

## **8. Appendices**

- 8.1 South Kesteven District Council (Temporary Appointment of Members to Stubton Parish Council) Order 2024.

Signed by: **Karen Bradford**

Dated: **17 April 2024**