

HEAD OF PAID SERVICE'S OFFICE
HEAD OF PAID SERVICE
Richard Holmes

16 May 2019

Dear Councillor

STATUTORY ANNUAL COUNCIL

Please find enclosed the following reports marked as “to follow” on the agenda together with an urgent item of business (Agenda Item 24a), for consideration at the above meeting, which were unavailable when the agenda was printed.

- 15. **Leaders and Composition of Political Groups** (Pages 3 - 4)
- 17. **Appointment of Membership of Committees of the Council** (Pages 5 - 12)
- 20. **Appointment of Representatives to Local Government and Outside Bodies**
(Pages 13 - 18)
- 21. **Appointment of Members to serve on Working Groups of the Council** (Pages 19 - 24)
- 24a. **URGENT BUSINESS - Temporary Appointment of Parish Councillors to Asheldham and Dengie Parish Council** (Pages 25 - 28)

Yours faithfully



Head of Paid Service

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**CIRCULATED PRIOR
TO THE MEETING**



REPORT of HEAD OF PAID SERVICE

**to
STATUTORY ANNUAL COUNCIL
16 MAY 2019**

LEADERS AND COMPOSITION OF POLITICAL GROUPS

1. As required by the Local Government and Housing Act 1989, the Head of Paid Service has been notified that the compositions of the political Groups on the Council are as follows:-

Conservative (17 Members)	Leader	Councillor A S Fluker
	Members	Councillors E L Bamford, Miss A M Beale, R G Boyce MBE, Mrs P A Channer CC, R P F Dewick, M F L Durham CC, J L Fleming, B E Harker, M W Helm, A L Hull, K W Jarvis, J V Keyes, C P Morley, R H Siddall, Mrs M E Thompson and Miss S White
Independent (14 Members)	Leader of the Opposition Group:	Councillor M S Heard
	Members	Councillors M G Bassenger, B S Beale MBE, V J Bell, M R Edwards, K M H Lagan, C Mayes, C Morris, S P Nunn, Mrs N G F Shaughnessy, N Skeens, W Stamp, J C Stilts and C Swain

In accordance with the Council's Political Parties and Associated Arrangements, Councillor A S Fluker is therefore recognised as Leader-designate.

2. Council is now asked:
 - (i) to consider the ratification of the Leader-designate as Leader of the Council;
 - (ii) in the event that the Council does not confirm the Leader-designate, to elect the Leader of the Council.
3. To elect the Deputy Leader of the Council.

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**CIRCULATED PRIOR
TO THE MEETING**



REPORT of HEAD OF PAID SERVICE

**to
STATUTUORY ANNUAL COUNCIL
16 MAY 2019**

APPOINTMENT OF MEMBERSHIP OF COMMITTEES OF THE COUNCIL

1. LOCAL GOVERNMENT AND HOUSING ACT 1989 - POLITICAL BALANCE ON COMMITTEES

- 1.1 Under Section 15 (1) (b) of the 1989 Act, the Council is required at its Annual Meeting to review the representation of different political groups on committees of the authority.
- 1.2 In carrying out such a review and in making appointments to committees following that review, the Council is under a duty only to make such appointments as give effect to the principles contained in Section 15(5) of the above Act. In essence, this requires local authorities to review committee membership and political representation annually. By law, seats on committees must be allocated in proportion to the political composition of the Council. In addition, the total number of seats across all of the committees must reflect the overall political balance of the Council.
- 1.3 Notification has been made to me of two political groups constituted for the purposes of the political balance provisions namely:

Conservative	17 Members
Independent	14 Members

- 1.4 The Conservative Group has a majority of the Members of the Council so that it has a right to request a majority on every Committee.
- 1.5 The Council is asked to ratify the allocation of seats on Committees in the following manner:

	Conservative	Independent
Finance and Corporate Services Committee	5	4
Community Services Committee	6	4
Planning and Licensing Committee	6	4
Overview and Scrutiny Committee	5	3
Audit Committee	5	3
Investigating and Disciplinary Committee	3	2

	Conservative	Independent	Parish Councillors
Joint Standards Committee	4	1	2 <i>(to be elected following receipt of nominations from the Essex Association of Local Councils)</i>

- 1.6 In addition to the Committees of the Council referred to in Procedure Rule 17, the Council is required to establish an Investigating and Disciplinary Panel (see Procedure Rule 16(11)(a)) to which Members are appointed and the political balance provisions apply. This is distinct from the Investigating and Disciplinary Committee in terms of both purpose and membership, and has therefore been included in the list. The Terms of Reference for this Panel provide for a minimum of five Members of which three shall be Councillors who have not served on the initial investigation carried out by the Investigating and Disciplinary Committee and two or three Independent Persons appointed by the Council to assist the Joint Standards Committee under the Localism Act 2011.

	Conservative	Independent	Independent Persons
Investigating and Disciplinary Panel	4	1	As detailed above

- 1.7 The Council is also required to appoint Members to serve on the Appointments Committee. The Council and Committee Procedure Rule 17(8) provides for the constitution of this Committee.

	Conservative	Independent
Appointments Committee	4 (including the Chairman and Leader of the Council)	2 (including the Leader of the Opposition)

2. RECOMMENDATIONS

- (i) that the Council notes the nominations of the Leader of the Conservative Group and the Leader of the Independent Group to the places allocated to their respective Groups;
- (ii) accordingly, the Council is asked to agree the membership of the Committees of the Council as follows overleaf:

Finance and Corporate Services Committee	<p>Councillors: M G Bassenger Mrs P A Channer, CC J L Fleming A S Fluker B E Harker M W Helm K M H Lagan C Morris W Stamp</p> <p><u>Plus ex-officio non-voting Members:</u> Leader of the Council Deputy Leader of the Council Councillor M S Heard, Leader of the Opposition</p>
Community Services Committee	<p>Councillors: E L Bamford M F L Durham, CC A L Hull J V Keyes Mrs N G F Shaughnessy R H Siddall N Skeens J C Stilts C Swain Miss S White</p> <p><u>Plus ex-officio non-voting Members:</u> Leader of the Council Deputy Leader of the Council Councillor M S Heard, Leader of the Opposition</p>
Planning and Licensing Committee	<p>Councillors: B S Beale MBE R G Boyce, MBE Mrs P A Channer, CC M F L Durham, CC M R Edwards J L Fleming A S Fluker C Mayes W Stamp Mrs M E Thompson</p> <p><u>Plus ex-officio non-voting Members:</u> Leader of the Council Deputy Leader of the Council Councillor M S Heard, Leader of the Opposition</p>

Overview and Scrutiny Committee <i>(including the Overview and Scrutiny Committee (meeting as the Crime and Disorder Committee))</i>	Councillors: E L Bamford V J Bell R P F Dewick M S Heard M W Helm C P Morley S P Nunn R H Siddall
Audit Committee	Councillors: E L Bamford Mrs P A Channer, CC A S Fluker B E Harker J V Keyes C Morris S P Nunn N Skeens
Joint Standards Committee	Councillors: R G Boyce MBE M W Helm R H Siddall C Swain Mrs M E Thompson Parish Councillors: <i>Two Parish Councillors to be elected following receipt of nominations from the Essex Association of Local Councils</i>
Investigating and Disciplinary Committee	Councillors: R G Boyce MBE M R Edwards M W Helm C Mayes Mrs M E Thompson
Investigating and Disciplinary Panel <i>Membership is a minimum of five, three of whom must not have participated in the initial investigation of a case by the Investigating and Disciplinary Committee.</i>	Councillors: E L Bamford R G Boyce MBE Mrs P A Channer CC A S Fluker J C Stilts Plus Independent Persons appointed by the Council to assist the Joint Standards Committee

Appointments Committee <i>Procedure Rule 16 (6) provides for the Committee to consist of five Members drawn from those listed, politically balanced where possible.</i>	Leader of the Council Chairman of the Council Leader of the Opposition - Councillor M S Heard Chairman or Vice-Chairman of the relevant service Committee where a Director appointment is to be made. Councillors V J Bell M W Helm
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In accordance with the Local Government (Committees and Political Groups) Regulations 1990 Part IV, Paragraph 16(a), the membership of the Area Committees is confirmed as follows:

Central Area Planning Committee	Councillors: Miss A M Beale M R Edwards B E Harker M S Heard M K H Lagan C Mayes C Morris S P Nunn Mrs N G F Shaughnessy J C Stilts C Swain <u>Plus ex-officio non-voting Member:</u> Chairman of Planning and Licensing Committee
North Western Area Planning Committee	Councillors: E L Bamford M F L Durham, CC J L Fleming K V Jarvis J V Keyes C P Morley R H Siddall Mrs M E Thompson Miss S White <u>Plus ex-officio non-voting Member:</u> Chairman of Planning and Licensing Committee

South Eastern Area Planning Committee	<p>Councillors: M G Bassenger B S Beale MBE V J Bell R G Boyce MBE Mrs P A Channer, CC R P F Dewick A S Fluker M W Helm A L Hull N Skeens W Stamp</p> <p><i>Plus ex-officio non-voting Member: Chairman of Planning and Licensing Committee</i></p>
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3. NOMINATIONS OF THE LEADER OF THE CONSERVATIVE GROUP AND LEADER OF THE INDEPENDENT GROUP

- 3.1 The nominations of the Leader of the Conservative Group to the allocated places are as follows:

Finance and Corporate Services Committee	Councillors Mrs P A Channer CC, J L Fleming, A S Fluker, B E Harker and M W Helm
Community Services Committee	Councillors E L Bamford, M F L Durham CC, A L Hull, J V Keyes, R H Siddall and Miss S White
Planning and Licensing Committee	Councillors R G Boyce MBE, Mrs P A Channer CC, M F L Durham CC, J L Fleming, A S Fluker and Mrs M E Thompson
Overview and Scrutiny Committee	Councillors E L Bamford, R P F Dewick, M W Helm, C P Morley and R H Siddall
Audit Committee	Councillors E L Bamford, Mrs P A Channer CC, A S Fluker, B E Harker and J V Keyes
Joint Standards Committee	Councillors R G Boyce MBE, M W Helm, R H Siddall and Mrs M E Thompson
Investigating and Disciplinary Committee	Councillors R G Boyce MBE, M W Helm, and Mrs M E Thompson
Investigating and Disciplinary Panel	Councillors E L Bamford, R G Boyce MBE, Mrs P A Channer CC and A S Fluker

Appointments Committee	<p>Leader of the Council Chairman of the Council</p> <p>Chairman or Vice-Chairman of the relevant service Committee where a Director appointment is to be made.</p> <p>Councillor M W Helm</p>
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- 3.2 The nominations of the Leader of the Independent Group to the allocated places are as follows:

Finance and Corporate Services Committee	Councillors M G Bassenger, K M H Lagan, C Morris and W Stamp,
Community Services Committee	Councillors Mrs N G F Shaughnessy, N Skeens, J C Stilts and C Swain
Planning and Licensing Committee	Councillors B S Beale MBE, M R Edwards, C Mayes and W Stamp
Overview and Scrutiny Committee	Councillors V J Bell, M S Heard and S P Nunn
Audit Committee	Councillors C Morris, S P Nunn and N Skeens,
Joint Standards Committee	Councillor C Swain
Investigating and Disciplinary Committee	Councillor M R Edwards and C Mayes
Investigating and Disciplinary Panel	Councillor J C Stilts
Appointments Committee	Councillor M S Heard, Leader of the Opposition and Councillor V J Bell

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**CIRCULATED PRIOR
TO THE MEETING**



REPORT of HEAD OF PAID SERVICE

**to
STATUTORY ANNUAL COUNCIL
16 MAY 2019**

APPOINTMENT OF REPRESENTATIVES ON LOCAL GOVERNMENT AND OUTSIDE BODIES

1. PURPOSE OF THE REPORT

- 1.1 To consider the appointment of representatives to serve on the Local Government and Outside Bodies for the ensuing Municipal Year.

2. RECOMMENDATIONS

- (i) that the changes to the Local Government and Outside Bodies as set out in paragraph 3.2 below, be noted; and
- (ii) that the Council agrees the appointment of representatives to Local Government and Outside Bodies, as detailed in **APPENDIX 1**, for the ensuing Municipal Year.

3. SUMMARY OF KEY ISSUES

- 3.1 A list of the proposed appointments to Local Government and Outside Bodies is attached as **APPENDIX 1**. These appointments are distinct from those made from within individual Committee memberships, which will be referred to Committees at their first meetings.
- 3.2 Attention is drawn to the following Outside Bodies and the changes that have become apparent over the past year. These changes have been reflected within the list attached at **APPENDIX 1**.

Deleted:

- Bradwell Legacy Partnership
- Community 360 Liaison Group

New:

- Maldon Operational Group (previously Maldon Health Hub)

4. IMPLICATIONS

- (i) **Impact on Customers** – None.
- (ii) **Impact on Equalities** – None.
- (iii) **Impact on Risk** – None.
- (iv) **Impact on Resources (financial)** – None.
- (v) **Impact on Resources (human)** – None.
- (vi) **Impact on the Environment** – None.

Background Papers: None.

Enquiries to: Richard Holmes, Head of Paid Service, (Tel: 01621 875711).

**APPOINTMENT OF REPRESENTATIVES ON LOCAL GOVERNMENT AND
OUTSIDE BODIES 2019 / 20**

LOCAL GOVERNMENT BODIES	2019 /2020 PROPOSED REPRESENTATIVES
East of England Local Government Association	Leader of the Council
Essex Local Government Association	Leader of the Council
Local Government Association	Leader of the Council

The list of Outside Bodies seeking a Member(s) representative has been split into three. The first section covers Outside Bodies with a wide remit covering the whole of the Council's services. The second and third sections of the list cover Outside Bodies with particular remits that are closely aligned with the Community Services Committee and Planning and Licensing Committee respectively. In these instances, the Council may feel it is more appropriate to nominate Members who sit on those Service Committees.

OUTSIDE BODIES	2019 /2020 PROPOSED REPRESENTATIVES
Bradwell Local Community Liaison Council	Councillors R G Boyce MBE, Mrs P A Channer CC, A S Fluker and Mrs M E Thompson
British Red Cross Society – Essex County Branch	Chairman of the Council
Essex Countywide Traveller Unit Committee	Councillor M F L Durham CC
Essex Flood Partnership Board	Councillor Miss S White <i>Substitute: Councillor Mrs P A C Channer, CC</i>
Haven Gateway Partnership <i>(Previously Heart of Essex and Haven Gateway Local Enterprise Partnerships)</i>	Leader of the Council and Chairman of the Planning and Licensing Committee <i>Substitute: Deputy Leader of the Council and / or Vice-Chairman of the Planning and Licensing Committee, as appropriate</i>
Livewell Partnership Group (previously Strengthening Communities Task and Finish Working Group and combined with Livewell Partnership Group)	<u>From the Community Services Committee:</u> Councillors E L Bamford and Miss S White <u>From the Finance and Corporate Services Committee:</u> Councillors B E Harker and M W Helm <u>From the Planning and Licensing Committee:</u> Councillors Mrs P A Channer and Mrs M E Thompson

OUTSIDE BODIES	2019 /2020 PROPOSED REPRESENTATIVES
Maldon Locality Board	Leader of the Council Deputy Leader of the Council Leader of the Opposition (or representative) Chairmen (or Vice-Chairmen) of the Community Services, Planning and Licensing and Finance and Corporate Services Committees
Maldon Harbour Improvement Commissioners <i>This position is an appointment as a Commissioner for a minimum period of three years (appointment will continue even if Member leaves the Council)</i>	Councillor A S Fluker (until June 2021 – three-year appointment)
Maldon and District Youth Strategy Group	Councillor A L Hull
Maldon Operational Group <i>(Previously Maldon Health Hub)</i>	Councillors Mrs P A Channer, CC and Miss S White
Mid Essex Hospital Services NHS Foundation Trust - Council of Governors	Councillor Miss S White
Police and Crime Panel	Councillor M W Helm <i>Substitute: Councillor A S Fluker</i>
Plume Educational Trust <i>(Four yearly appointment)</i>	A T Cain <i>(to June 2019)</i> P G L Elliott <i>(from June 2017 to June 2021)</i>
Stow Maries Aerodrome Consultative Committee (Appointed 20/12/18)	Councillor Mrs P A Channer CC and Miss S White
The Thomas Plume Library Charitable Incorporated Organisation	Leader of the Council <i>Substitute: Deputy Leader of the Council</i>

Outside Bodies appointed by the Council and aligned with the Community Services Committee's responsibilities

OUTSIDE BODIES	2019 / 2020 PROPOSED REPRESENTATIVE
Drapers Farm Sports Club Committee	Councillor Miss S White
Essex Waste Inter Authority Agreement Member Working Group	Chairman of Community Services <i>Substitute: Vice Chairman of Community Services</i>
Essex Waste Member Partnership Board	Chairman of Community Services <i>Substitute: Vice Chairman of Community Services</i>
Maldon Sure Start	Councillor Miss S White <i>Substitute: Councillor E L Bamford</i>
Parking and Traffic Regulations outside London Adjudication Joint Committee (PATROL)	Councillor M F L Durham, CC <i>Substitute: Councillor A S Fluker</i>

OUTSIDE BODIES	2019 / 2020 PROPOSED REPRESENTATIVE
Responsible Authorities Group (RAG) (Community Safety)	Councillor Miss S White <i>Substitute: Councillor E L Bamford</i>
South Essex Parking Partnership – Joint Committee (NB representative to be member of Community Services Committee)	Councillor M F L Durham, CC <i>Substitute: From Community Services Committee (If use of substitute, must notify the Committee 30 minutes prior to the start of a meeting)</i>
West Maldon Community Association Management Committee	Councillor M S Heard

Outside Bodies appointed by the Council and aligned with the Planning and Licensing Committee's responsibilities

OUTSIDE BODIES	2019 /2020 PROPOSED REPRESENTATIVE
Blackwater Estuary Siltation Steering Group	Councillor A S Fluker
Essex Coastal Forum	Councillor M F L Durham, CC <i>Substitute: Councillor A S Fluker</i>
Essex Planning Policy Portfolio and Chairman's Group	Chairman of the Planning and Licensing Committee <i>Substitute: Vice-Chairman of the Planning and Licensing Committee</i>
Joint Bradwell Member Board (Council 29/10/18)	Leader and Deputy Leader of the Council Chairman and Vice-Chairman of the Planning and Licensing Committee
Local Government Association Coastal Issues Special Interest Group	Councillor A S Fluker <i>Substitute: Councillor M F L Durham, CC</i>
Local Government Flood Forum	Councillor A S Fluker <i>Substitute: Councillor M F L Durham, CC</i>
Local Area Highways Panel	Councillors R G Boyce MBE, M F L Durham CC and Mrs M E Thompson
Sense of Place Board	Chairman of the Planning and Licensing Committee <i>Substitute: Vice-Chairman of the Planning and Licensing Committee</i>
Southend Airport Consultative Committee	Councillor A S Fluker
Southminster Heritage Economic Regeneration Scheme Steering Group	Councillor A S Fluker

The following body is not appointed by Maldon District Council but involves Members of the Council:

Essex Partnership Board (Mid Essex representative)	Leader of the Council (appointed 4 April 2013)
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Note: A further review of appointments linked to existing committees will need to be undertaken by the Council in September, aligning with the proposed new committee structure.



**CIRCULATED PRIOR
TO THE MEETING**

REPORT of HEAD OF PAID SERVICE

**to
STATUTORY ANNUAL COUNCIL
16 MAY 2019**

APPOINTMENT OF MEMBERS TO SERVE ON WORKING GROUPS OF THE COUNCIL

1. PURPOSE OF THE REPORT

- 1.1 To appoint Members to serve on Working Groups of the Council and consider the creation of a Strategies Engagement Member Task and Finish Working Group.

2. RECOMMENDATIONS

- (i) That the appointments to the Working Groups as set out **APPENDIX 1** to this report be confirmed;
- (ii) That the creation of a Strategies Engagement Member Task and Finish Working Group be agreed subject to the Terms of Reference detailed at **APPENDIX 2** to this report and the appointment of six members.

3. SUMMARY OF KEY ISSUES

- 3.1 A list of proposed nominations has been received in respect of the Council's Working Groups and these are detailed in **APPENDIX 1** to this report.
- 3.2 Attention is drawn to the following changes that have become apparent over the past year. These changes have been reflected within the list attached at **APPENDIX 1**.
- **Investigating and Disciplinary Panel** – Deleted as incorporated into Agenda Item 17 - Appointment of Membership of Committees of the Council.
 - **Maldon Health Hub** – Deleted and replaced by Maldon Operational Hub as detailed on Agenda Item 20 – Appointment of Representatives to Local Government and Outside Bodies.
- 3.3 **Strategies Engagement Member Task and Finish Working Group**
- 3.3.1 Members are asked to consider the creation of a Strategies Engagement Member Task and Finish Working Group (SEMT&FWG). The purpose of SEMT&FWG is to review the Commercial and Thematic Strategies (Prosperity, Community and Place). Members will be asked to comment on the contents of these Strategies to enable Officers (the Strategic Theme Leads and the Commercial Manager) the time to incorporate Members' comments before final submission of the papers to the Council

in July 2019. The proposed Terms of Reference for the SEMT&FWG is attached at **APPENDIX 2** to this report.

- 3.3.2 It is proposed that the SEMT&FWG will meet on the evening on Wednesday 12 June 2019 and a Member briefing will be provided in advance of this meeting.

4. IMPLICATIONS

- (i) **Impact on Customers** – None.
- (ii) **Impact on Equalities** – None.
- (iii) **Impact on Risk** – None.
- (iv) **Impact on Resources (financial)** – None.
- (v) **Impact on Resources (human)** – None.
- (vi) **Impact on the Environment** – None.

Background Papers: None.

Enquiries to: Richard Holmes, Head of Paid Service, (Tel: 01621 875752).

APPOINTMENT OF CORPORATE WORKING GROUPS 2019 / 20

Body	PROPOSED 2019 /2020 Representatives
Asset Management Working Group	<p><u>From the Community Services Committee:</u></p> <ul style="list-style-type: none"> • Councillor E L Bamford • Councillor Miss S White <p><u>From the Finance and Corporate Services Committee:</u></p> <ul style="list-style-type: none"> • Councillor B E Harker • Councillor M W Helm <p><u>From the Planning and Licensing Committee:</u></p> <ul style="list-style-type: none"> • Councillor Mrs P A Channer CC • Councillor J L Fleming <p>Leader of the Council Deputy Leader of the Council</p>
<p>Corporate Projects Member Task and Finish Working Group</p> <p><i>(Appointed by the Council on 8 September 2016)</i></p>	<p><u>From the Community Services Committee:</u></p> <ul style="list-style-type: none"> • Councillor E L Bamford • Councillor Miss S White <p><u>From the Finance and Corporate Services Committee:</u></p> <ul style="list-style-type: none"> • Councillor A S Fluker • Councillor M W Helm <p><u>From the Planning and Licensing Committee:</u></p> <ul style="list-style-type: none"> • Councillor Mrs P A Channer CC • Councillor Mrs M E Thompson
Corporate Governance Working Group	<p>Leader of the Council</p> <p>Councillors E L Bamford, R G Boyce MBE, Mrs P A Channer CC, B E Harker, R H Siddall and Mrs M E Thompson</p>
<p>Strategic Housing Board</p> <p><i>(Council 16 February 2017 – Minute No, 991)</i></p>	<p><u>From the Community Services Committee:</u></p> <ul style="list-style-type: none"> • Councillor E L Bamford • Councillor Miss S White <p><u>From the Finance and Corporate Services Committee:</u></p> <ul style="list-style-type: none"> • Councillor J L Fleming • Councillor M W Helm <p><u>From the Planning and Licensing Committee:</u></p> <ul style="list-style-type: none"> • Councillor Mrs P A Channer CC • Councillor Mrs M E Thompson
<p>Transformation Programme Board</p> <p><i>(Council (19/12/14) Min No. 675 refers) Council 9/8/18 Minute 339</i></p>	<p>Councillors E L Bamford, Mrs P A Channer CC, A S Fluker and B E Harker</p>

Note: A further review of appointments linked to existing committees will need to be undertaken by the Council in September, aligning with the proposed new committee structure.

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Strategies Engagement Member Task and Finish Working Group

Draft Constitution and Terms of Reference

Constitution

1. The Strategies Engagement Member Task and Finish Working Group ("SEMT&FWG") shall consist of six members. The membership need not reflect the political balance of the Council.
2. The membership of the SEMT&FWG shall be appointed by the Council.
3. The Council shall keep under review the constitution and membership of the SEMT&FW Group.
4. The SEMT&FWG will meet once only.
5. Notes will be taken at meetings of the SEMT&FWG and will be made available electronically to all Members of the Council. A summary of the deliberations following the exploration, consideration and review of matters requested, will be included in a report to the Council.
7. For the avoidance of any doubt, the obligation on Members to declare interests in terms of the Council's Code of Conduct shall apply to meetings of the SEMT&FWG.
8. The SEMT&FWG is a working group of the Council and will report to the Council as and when required.

Terms of Reference

- 1 To assist the Council in reviewing the Thematic Strategies and the Commercial Strategy identified to help deliver the Council's Corporate Plan outcomes.
- 2 To provide comment and input to support the submission of strategies in advance of the July 2019 Council meeting.

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**CIRCULATED PRIOR TO
THE MEETING**



REPORT of DIRECTOR OF RESOURCES

**to
STATUTORY ANNUAL COUNCIL
16 MAY 2019**

URGENT ITEM OF BUSINESS

TEMPORARY APPOINTMENT OF PARISH COUNCILLORS TO ASHELDHAM AND DENGIE PARISH COUNCIL

1. PURPOSE OF THE REPORT

- 1.1 To seek approval for the temporary appointment of three persons to Asheldham and Dengie Parish Council to enable the work of the Parish Council to continue until other councillors are elected to take up office.
- 1.2 This matter is brought forward for consideration with the agreement of the Chairman to enable the work of the Parish Council to continue.

2. RECOMMENDATIONS

- (i) that the Council makes an Order under Section 91 of the Local Government Act 1972 appointing two persons to act as Members of Asheldham and Dengie Parish Council until other Councillors are elected and take up office.
- (ii) that subject to (i) above the Council shall:
 - provide payment and banking arrangements for the Parish Council, subject to payment authorisation arrangements in line with Asheldham and Dengie Parish Council Standing Orders, with any costs to be repaid in full as soon as the Parish Council banking mandates have been updated to reflect new arrangements;
 - seek to recover its reasonable costs in providing support to the parish council (if arrangements continue for a period exceeding three months).

3. AREA FOR DECISION / ACTION

- 3.1 Following the resignation of one Parish Councillor, Asheldham and Dengie Parish Council is inquorate.
- 3.2 This means that the Parish Council cannot exercise any of its functions.
- 3.2 However, this Council has a statutory power to take action in such cases. It can make an Order under Section 91 of the Local Government Act 1972 (see below) to appoint persons to fill some of the vacancies on the Parish Council as is appropriate until such time as new Parish Councillors are elected and take up office.

Agenda Item no. **24a**

Section 91 states:

- (1) Where there are so many vacancies in the office of parish or community councillor that the parish or community council are unable to act, the district council may by order appoint persons to fill all or any of the vacancies until other councillors are elected and take up office.
- 3.3 It is, therefore, recommended that the Council makes the necessary Order to appoint three of its Members to Asheldham and Dengie Parish Council to make it quorate and able to act so long as is necessary until an election can be held or alternative appointments made. Any further update on the arrangements to elect Parish Councillors will be provided verbally at the meeting.
- 3.4 It is also recommended that the Council provide payment and banking arrangements for the Parish Council, subject to payment authorisation arrangements in line with the Parish Council Standing Orders. Any costs would be repayable in full as soon as the Parish Council banking mandates have been updated to reflect new arrangements.

4. IMPACT ON CORPORATE GOALS

- 4.1 The recommended action meets the outcome of ‘effective engagement to support strong and resilient communities’ in providing support to the local community in Asheldham and Dengie.

5. IMPLICATIONS

- (i) **Impact on Customers** – None.
- (ii) **Impact on Equalities** – None.
- (iii) **Impact on Risk** – None.
- (iv) **Impact on Resources (financial)** – Temporary as there will be reimbursement of any payment of invoices
- (v) **Impact on Resources (human)** – None.
- (vi) **Impact on the Environment** – None.

6. CONCLUSIONS

- 6.1 Section 91 of the local Government Act 1972 provides the Council with the necessary power to make an Order to ensure that Asheldham and Dengie Parish Council continues to function for the benefit of its local community.

Background Papers: None.

Enquiries to: Simon Quelch, Monitoring Officer, (Tel: 01621 875870).