



**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.

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.

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