

Taunton Deane Borough Council

Full Council – 23 February 2017

Appointment of Temporary Councillors to Combe Florey Parish Council

Report of the Chief Executive – Penny James

(This matter is the responsibility of Executive Councillor Richard Parrish)

1 Executive Summary / Purpose of the Report

- 1.1 To advise Members of the temporary appointment of two people to Combe Florey Parish Council to allow them to progress urgent business, until an election or co-option can be held to appoint new Parish Councillors.

2 Recommendations

- 2.1 That Full Council notes the appointment of the following persons as temporary Members of Combe Florey Parish Council until such time as an election or co-option can be held and those elected or co-opted have taken up office:-
- Mrs Jane Warmington; and
 - Mr Edward Peter Watson.
- 2.2 That Full Council notes that the Chief Executive made, in accordance with delegated powers, the necessary Order to take effect from Monday, 6 February 2017.

3 Background

- 3.1 The Parish Clerk advised that she had received a letter of resignation on 26 January 2017 and that there were now only two Councillors remaining on Combe Florey Parish Council. Taunton Deane Borough Council now need to appoint temporary Councillors, sufficient for there to be a quorum for them to conduct urgent items of business in the interim period and to assist in the election of new Parish Councillors.

4 Report

- 4.1 Following the recent resignations, there are now so many vacancies on the Parish Council that it is unable to act. Its quorum is three members. With fewer than three Members a Parish Council cannot act. It cannot co-opt new Councillors or exercise any of its functions.

4.2 The Local Government Act 1972 gives this Council the power to take action in such cases. This Council, pursuant to an Order made under Section 91 of the Local Government Act 1972, can appoint persons to fill such of the vacancies on the Parish Council as is appropriate to allow the Parish Council to progress urgent business, until such time as the election of new Parish Councillors can take place and those elected take up office. In order that action can be taken promptly, this power is delegated to the Electoral Registration/Returning Officer.

4.3 Accordingly, two Borough Councillors, have agreed to act as temporary Parish Councillors for this interim period to enable the Parish Council to continue to function.

5 Timescale

5.1 The Parish Clerk has posted the statutory notice of vacancies for the vacancies and no request for an election has been received.

5.2 Therefore, the co-opted District Councillors should only be required for one meeting to assist in the co-option of new Parish Councillors as it is hoped that sufficient people will stand for co-option to provide the necessary quorum. Any new Members take up office upon making their declaration of acceptance of office in the prescribed form before or at the meeting of the Parish Council.

6 Finance / Resource Implications

6.1 There is currently budget provision made for Members' Travel Expenses to attend approved duties. These appointments would be classed as approved duties.

7 Links to Corporate Aims / Priorities

7.1 Not applicable.

8 Environmental Impact Implications

8.1 Not applicable.

9 Community Safety Implications

9.1 Not applicable.

10 Equality and Diversity Implications

10.1 Not applicable.

11 Safeguarding Implications

11.1 Not applicable.

12 Partnership Implications

12.1 Not applicable.

13 Health and Wellbeing Implications

13.1 Not applicable.

14 Asset Management Implications

14.1 Not applicable.

15 Consultation Implications

15.1 Not applicable.

16 Scrutiny Comments

16.1 Not applicable.

Background Papers

Section 91, Local Government Act 1972

Democratic Path: Scrutiny Cabinet/Executive Full Council

Reporting Frequency : Once only Ad-hoc Quarterly Twice-yearly
Annual

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