

COUNCIL	AGENDA ITEM No. 14(d)
10 JULY 2013	PUBLIC REPORT

TEMPORARY APPOINTMENT OF PARISH COUNCILLORS TO MARHOLM PARISH COUNCIL

R E C O M M E N D A T I O N S
FROM : Kim Sawyer – Monitoring Officer
<p>That:</p> <p>The Monitoring Officer be authorised to make an Order under Section 91 of the Local Government Act 1972 to appoint one Councillor of Peterborough City Council to Marholm Parish Council on an interim basis until a sufficient number of elected parish councillors have taken up office.</p>

1. PURPOSE AND REASON FOR REPORT

- 1.1 To seek approval for the temporary appointment of one Councillor to Marholm Parish Council to enable the work of the Parish Council to continue until other councillors are elected to take up office.

2. BACKGROUND

- 2.1 The minimum number of councillors permitted to enable the Council to be quorate is a third of its Members or three, whichever is the higher.
- 2.2 Three councillors have recently resigned from Marholm Parish Council. This leaves the Parish Council with only 2 councillors, meaning that the Parish Council is inquorate and cannot exercise any of its functions.
- 2.3 As the relevant principal council, however, this Authority has a statutory power to take action in such cases. It can make an Order 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.
- 2.4 It is, therefore, recommended that the Council makes the necessary Order to appoint one of its Councillors to Marholm Parish Council to act so long as is necessary until an election can be held.
- 2.5 The common practice in this situation is that the temporary appointments are offered first to those Members of this Council whose ward is geographically the most aligned with the boundaries of the Parish.
- 2.6 For speed and administrative ease, it is requested that the arrangements are delegated to the Monitoring Officer, including the appointment of the Councillor.

3. IMPLICATIONS

- 3.1 **Legal**

- 3.1.1 Section 91 of the Local Government Act 1972 - Temporary Appointment of Members of Parish and Community Councils - 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.

3.2 **Financial and other**

- 3.2.1 There are likely to be negligible cost implications, being travel costs only, which are governed by the distance that the temporary member would have to travel from home and be only for the period of the temporary appointment.

4. BACKGROUND DOCUMENTS

- 4.1 There are no background documents not otherwise published available for inspection.