

Decision under Delegated Powers

Officer Making the Decision

Chief Executive

Recommendation

That the appended Order appointing the following individuals as temporary Members of Newtown Linford Parish Council under s91 of the Local Government Act 1972 be made:

David Snartt (Borough Councillor for Forest Bradgate)
Deborah Taylor (Borough Councillor for Anstey)
Paul Baines (Borough Councillor for Anstey)

Reason

To make temporary appointments to allow the Parish Council to be able to form a quorum and continue to act.

Authority for Decision

Section 8.2 of the Constitution gives delegated authority to the Chief Executive to undertake other election duties not reserved by the Council. Section 91 of the Local Government Act 1972 is classed as an election function, and it has not been specifically reserved to the Council.

Decision and Date

APPROVED



~~16 JULY 2019~~
17 JULY 2019

Background

Only one Member of Newtown Linford Parish Council signed their declaration of office within the prescribed period after the May 2019 local elections, and therefore the other persons are legally no longer Members of the Parish Council.

The Parish Council is therefore inquorate, and the Borough needs to appoint people to become Members of the Parish Council to allow it to act, including co-opting new Members

The persons appointed will act until such time as sufficient numbers of people have been co-opted as parish councillors to enable the parish council to be quorate.

Comments from HR

Not applicable.

Financial Implications

There are no financial implications associated with this decision.

Risk Management

No specific risks have been identified.

Key Decision: No

Background Papers: None

THIS ORDER is made on the _____ day of _____ two thousand and nineteen by CHARNWOOD BOROUGH COUNCIL (hereinafter called 'the Borough Council').

1. WHEREAS following the failure of such a number of members of Newtown Linford Parish Council to sign their declarations of acceptance of office that there are now so many vacancies in the office of Parish Councillor that the Parish Council is no longer able to act.
2. UNDER section 91 of the Local Government Act 1972 where there are so many vacancies in the office of Parish Councillors that a Parish Council is unable to act, the Borough Council may, by Order, appoint persons to fill all or some of the vacancies until other Parish Councillors are elected and take up office.

Now in pursuance of the power conferred upon it by section 91 of the Local Government Act 1972 the Borough Council hereby appoints the following persons to act as Members of Newtown Linford Parish Council until elections have been held or co-options have been made to fill such vacancies as shall constitute and re-establish a quorum in the respective Parish Council, whereupon such appointments shall cease:

NEWTOWN LINFORD PARISH COUNCIL

PAUL BAINES
DAVID SNARTT
DEBORAH TAYLOR

The COMMON SEAL of Charnwood
Borough Council was hereunto affixed
in the presence of:

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