



FULL COUNCIL

Wednesday, 28 September 2022

Subject	Temporary Appointments to Little Glemham Parish Council (LGPC)
Report by	Leader of the Council – Councillor Steve Gallant
Supporting Officer	Chris Bing Head of Legal and Democratic Services and Monitoring Officer

Is the report Open or Exempt?	OPEN
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Category of Exempt Information and reason why it is NOT in the public interest to disclose the exempt information.	Not applicable
Wards Affected:	Wickham Market

Purpose and high-level overview

Purpose of Report:

The purpose of this report is to seek Full Council's approval to the making of an Order under Section 91 of the Local Government Act 1972, to appoint two persons temporarily to Little Glemham Parish Council (LGPC), until the May 2023 elections, so that it can be quorate and conduct business.

Options:

Use Section 91 powers to make temporary appointments to LGPC, so that it can be quorate and conduct business.

OR

Do not use Section 91 powers to make temporary appointments to LGPC, so that it remains inquorate and cannot conduct business.

Recommendation/s:

That Full Council approves the making of an Order, under Section 91 of the Local Government Act 1972, to appoint temporarily, until the elections in May 2023, Lynne Gibbs and Laura Tregent as members of Little Glemham Parish Council.

Corporate Impact Assessment

Governance:

Whilst LGPC remains inquorate, it is unable to transact any business. The Council needs to have persons appointed temporarily to carry out business, to fulfil its statutory duties and to represent local interests.

If agreed by Full Council, an Order will be made by ESC, under Section 91 of the Local Government Act 1972, appointing two persons on a temporary basis, until May 2023 when members are elected to each Council.

ESC policies and strategies that directly apply to the proposal:

Not applicable

Environmental:

Not applicable

Equalities and Diversity:

Not applicable

Financial:

Not applicable

Human Resources:

Not applicable

ICT:

Not applicable

Legal:

The use of Section 91 of the Local Government Act 1972 is a non-executive function which has not been delegated to officers.

Two copies of every order made under Section 91 must be sent to the Secretary of State for Levelling Up, Housing and Communities.

Risk:

Not applicable

External Consultees:	Mr Al Besly, the Clerk to LGPC
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Strategic Plan Priorities

Select the priorities of the Strategic Plan which are supported by this proposal: (Select only one primary and as many secondary as appropriate)		Primary priority	Secondary priorities
T01	Growing our Economy		
P01	Build the right environment for East Suffolk	<input type="checkbox"/>	<input type="checkbox"/>
P02	Attract and stimulate inward investment	<input type="checkbox"/>	<input type="checkbox"/>
P03	Maximise and grow the unique selling points of East Suffolk	<input type="checkbox"/>	<input type="checkbox"/>
P04	Business partnerships	<input type="checkbox"/>	<input type="checkbox"/>
P05	Support and deliver infrastructure	<input type="checkbox"/>	<input type="checkbox"/>
T02	Enabling our Communities		
P06	Community Partnerships	<input checked="" type="checkbox"/>	<input type="checkbox"/>
P07	Taking positive action on what matters most	<input type="checkbox"/>	<input checked="" type="checkbox"/>
P08	Maximising health, well-being and safety in our District	<input type="checkbox"/>	<input type="checkbox"/>
P09	Community Pride	<input type="checkbox"/>	<input checked="" type="checkbox"/>
T03	Maintaining Financial Sustainability		
P10	Organisational design and streamlining services	<input type="checkbox"/>	<input type="checkbox"/>
P11	Making best use of and investing in our assets	<input type="checkbox"/>	<input type="checkbox"/>
P12	Being commercially astute	<input type="checkbox"/>	<input type="checkbox"/>
P13	Optimising our financial investments and grant opportunities	<input type="checkbox"/>	<input type="checkbox"/>
P14	Review service delivery with partners	<input type="checkbox"/>	<input type="checkbox"/>
T04	Delivering Digital Transformation		
P15	Digital by default	<input type="checkbox"/>	<input type="checkbox"/>
P16	Lean and efficient streamlined services	<input type="checkbox"/>	<input type="checkbox"/>
P17	Effective use of data	<input type="checkbox"/>	<input type="checkbox"/>
P18	Skills and training	<input type="checkbox"/>	<input type="checkbox"/>
P19	District-wide digital infrastructure	<input type="checkbox"/>	<input type="checkbox"/>

T05	Caring for our Environment		
P20	Lead by example	<input type="checkbox"/>	<input type="checkbox"/>
P21	Minimise waste, reuse materials, increase recycling	<input type="checkbox"/>	<input type="checkbox"/>
P22	Renewable energy	<input type="checkbox"/>	<input type="checkbox"/>
P23	Protection, education and influence	<input type="checkbox"/>	<input type="checkbox"/>
XXX	Governance		
XXX	How ESC governs itself as an authority	<input type="checkbox"/>	<input type="checkbox"/>
How does this proposal support the priorities selected?			
LGPC needs to be quorate to conduct business for and on behalf of persons living in Little Glemham.			

Background and Justification for Recommendation

1 Background facts	
1.1	After resignations from Glemham Parish Council (LGPC), LGPC currently has only one parish councillor. Quorum is three.
2 Current position	
2.1	LGPC is currently inquorate and cannot conduct any business.
3 How to address current situation	
3.1	Where there are “so many vacancies in the office of parish or community councillor that the parish or community council are unable to act”, then, under Section 91 of the Local Government Act 1972, “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”. Any order made under Section 91 Local Government Act 1972 must be copied to the Secretary of State.
3.2	Two parishioners have expressed an interest to the Clerk of LGPC in being appointed to the Parish Council. These parishioners are Lynne Gibbs and Laura Tregent.
3.3	There are no qualifications or criteria which have to be applied to those persons who wish to be appointed under s91 of the LGA 1972. The persons appointed would serve as councillors, save that they have been appointed rather than elected. If appointed, Lynne Gibbs and Laura Tregenet, would then serve as parish councillors until the May 2023 elections, when all seats on the parish council will be up for election.
4 Reason/s for recommendation	
4.1	Parish Councils form an important tier of local government, representing their communities at the most local level. The Parish Council must have persons either elected or appointed, to carry out their business. By making temporary appointments to LGPC, ESC is enabling the Parish Council to be quorate and function; and enabling its communities is one of the themes of the Strategic Plan.

Appendices

Appendices: None

Background reference papers: None