

COUNCIL

29 February 2024

ROLVENDEN PARISH COUNCIL ORDER TO MAKE TEMPORARY APPOINTMENTS OF PARISH COUNCILLORS

REPORT OF SOLICITOR TO THE COUNCIL & MONITORING OFFICER

Background

1. When a local council becomes inquorate (and therefore unable to make decisions or transact business) the Borough Council may by order under s91 of the Local Government Act 1972 appoint persons to fill all or any of the vacant seats. Temporary appointments so made last until other councillors are elected and take up office.
2. Rolvenden Parish Council is constituted with nine councillors. In recent weeks 7 of the 9 councillors have resigned. The Parish Council's quorum is 3. Accordingly the parish council is at present unable to meet to make decisions or transact its business.

Current Position

3. Having consulted Group Leaders, it is proposed to make an order under s91 in the form of the draft attached at APPENDIX 1 with effect from 1 March 2024. This will appoint FOUR borough councillors in order to ensure the parish council can continue to function even in the event of further resignations.
4. In order to ensure that similar decisions in future can be made without delay it is also recommended that the authority to make s.91 orders be delegated to the Solicitor to the Council and Monitoring Officer in accordance with the Procedure Note for Appointing Persons to Inquorate Local Councils attached as Appendix 2.

RECOMMENDATIONS

1. That the order attached at Appendix 1 be made with effect from 1 March 2024.
2. That the delegation referred to in para.4 above be approved.