

South Lakeland District Council
Full Council
Tuesday, 21 May 2019
Temporary appointment to Casterton Parish Council

Portfolio:	Not applicable
Report from:	David Sykes, Director of Strategy, Innovation and Resources
Report Author:	Debbie Storr (Monitoring Officer)
Wards:	Sedbergh & Kirkby Lonsdale
Forward Plan:	Not applicable

1.0 Expected Outcome

- 1.1 That Council notes the temporary appointments to Casterton Parish Council to enable it to remain quorate pending further election/co-option to the Parish Council.

2.0 Recommendation

- 2.1 It is recommended that Council notes the temporary appointments to Casterton Parish Council as detailed within the report.**

3.0 Background and Proposals

- 3.1 A Town or Parish Council must be quorate in order to operate. A quorate is defined as being one third of its membership, but no less than three.
- 3.2 Section 91(1) of the Local Government Act 1972 provides that the Principal Authority, in this case the Council, can make an Order to appoint a sufficient number of Town or Parish Councillors on a temporary basis to the Town or Parish Council until such time as the vacancies on the Town or Parish Council have been filled.
- 3.3 By virtue of a resolution of Council dated 18 May 2016 the Chief Executive is authorised to appoint District or County Councillors to Parish Councils in accordance with the procedure as set out in Appendix 1 to this report.
- 3.4 Casterton Parish Council has five seats. There was just one nomination for the ordinary elections held on 2 May 2019 and the Parish Council therefore became inquorate following the elections, the quorum being three. In accordance with the agreed procedure, the Chief Executive has appointed two of the District Ward Councillors for Sedbergh and Kirkby Lonsdale, Kevin Lancaster and Ian Mitchell and County Councillor for the Sedbergh and Kirkby Lonsdale electoral division, Nick Cotton as temporary appointments until such time as the Parish Council is quorate again.
- 3.5 Council is asked to note the temporary appointments. A further election is to be called for 13 June and the Order provides for the appointees to act until an election has been held or new councillors co-opted to fill such vacancies as shall constitute and re-establish a quorum on the parish council.

4.0 Consultation

- 4.1 The Clerk to the Parish Council and Ward Members have been consulted in this matter and the appointees have accepted the temporary appointments.

4.2 The Leader was supportive of the action taken.

5.0 Alternative Options

5.1 There are no alternative options, the report is to note.

6.0 Links to Council Priorities

6.1 Ensuring continuance of local democracy.

7.0 Implications

Financial, Resources and Procurement

7.1 The report is to note. The cost of any further election will fall to Casterton Parish Council.

Human Resources

7.2 There are no human resources implications arising from this report.

Legal

7.3 The report details s. 91(1) of the Local Government Act 1972. Section 91(3) requires two copies of every Order made under this section to be sent to the Secretary of State and this has been done.

Health, Social, Economic and Environmental

7.4 Have you completed a Health, Social, Economic and Environmental Impact Assessment? No – not applicable for this report

Equality and Diversity

7.5 Have you completed an Equality Impact Analysis? No – there are no direct equality considerations arising from this report

Risk

Risk	Consequence	Controls required
That the Parish Council is inquorate	That the Parish Council is unable to transact its business	Temporary appointments made

Contact Officers

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Appendices Attached to this Report

Appendix No.	Name of Appendix
1	Procedure for making temporary appointments to Town or Parish Councils

Background Documents Available

None

Tracking Information

Signed off by	Date sent
Legal Services	18/04/19
Section 151 Officer	12/4/19
Monitoring Officer	Author
CMT	N/A

Circulated to	Date sent
Specialist/Operational Lead	N/A
Human Resources Manager	N/A
Communications Team	N/A
Leader	
Committee Chairman	N/A
Portfolio Holder	
Ward Councillor(s)	
Committee	N/A
Executive (Cabinet)	N/A
Council	21.5.19