



**Policy and Resources Committee –
6 June 2011**

Urgency Procedure

Purpose of report

To advise the committee of an approval given under the council's urgency procedure.

Attachment

Appendix – Approved urgency procedure report

- 1.0 In accordance with the constitution, the committee is advised that approval has been given to the making of an order appointing three persons to act as councillors of Glapthorn Parish Council on a temporary basis, until fresh elections can be held. This was necessary because Glapthorn Parish Council was unable to act because it did not have enough councillors to reach a quorum.

Legal	Power: Part 4 (Budget and Policy Framework) of East Northamptonshire Council's constitution				
	Other considerations:				
Background Papers:					
Person Originating Report: Keith Osborne, Democratic Services Manager, 01832 742113					
Date: 19 May 2011					
CFO		MO		CX	

(Committee Report Normal Rev. 22)

URGENCY PROCEDURE – SECTION 6 OF THE BUDGET & POLICY FRAMEWORK

Reasons for Urgency

Following the parish council elections this month, Glapthorn Parish Council is unable to act because it has only two councillors, and the law requires that decisions can only be made at meetings which are quorate. The minimum number of councillors to achieve a quorum is three.

Since the elections, one of the elected councillors has had to go into hospital and will not be able to take part in the annual parish council meeting, scheduled to take place on Thursday 19 May. This means that there will only be one elected parish councillor. The Local Government Act 1972 also requires that the annual meeting of the parish council must take place before 23 May.

Section 91 of the same Act allows the District Council to make an order temporarily appointing parish councillors to enable a parish council to perform its functions. This takes effect until further elections can be held (scheduled for 23 June, unless the notice of election results in no more than the required number of nominations – in which case the parish council will be able to co-opt).

Action required

There are no delegated powers in the council's scheme of delegation to cover the making of orders. **Therefore the authorisation of the Leader of the Council and the chairman of the Policy and Resources Committee is required to the making of an order appointing three persons to act as councillors of Glapthorn Parish Council on a temporary basis, until fresh elections can be held.**

This matter will be reported for confirmation to the next Policy and Resources Committee and delegation will be sought for the Chief Executive to exercise powers under section 91 in future cases.

Implications

There are no financial or equality implications. There is a risk – unless an order is made – for Glapthorn Parish Council to fail to comply with the Local Government Act 1972 and this could conceivably give rise to a challenge.

We authorise the making of an order under s91 of the Local Government Act 1972.

.....Leader of the Council

.....Chairman of the Policy & Resources Committee

16.5.2011