

Report To: Council

Date of Meeting: 23rd May 2017

Lead Member / Officer: Gary Williams, Head of Legal, HR and Democratic Services

Report Author: Gary Williams

Title: **Temporary appointment of member to Bodelwyddan Town Council**

1. What is the report about?

The report is about the temporary appointment of a member to Bodelwyddan Town Council (the Town Council)

2. What is the reason for making this report?

The Town Council has an insufficient number of members following the recent local government elections for it to be able to lawfully act and make decisions. The County Council has the power to make a temporary appointment to the Town Council to enable it to act lawfully

3. What are the Recommendations?

That Council authorise the making of an Order pursuant to s91 Local Government Act 1972 for the temporary appointment of Cllr Richard Mainon to Bodelwyddan Town Council to enable the Town Council to act lawfully on the terms set out in the draft order attached as Appendix 1 to this report.

4. Report details

The Town Council consists of 12 seats. The quorum for the Town Council to be able to act lawfully is 4.

In the recent local government elections, there were 4 nominations received by the close of nominations. There was no need for a contest given that the number of those nominated was less than the number of available seats. The four nominees were duly elected.

Following the election, one of those elected indicated that he would not be able to take up the seat on the Town Council and has not signed a declaration of acceptance of office. This means that the Town Council has a membership of 3 and cannot therefore lawfully act or take decisions.

s91 Local Government Act 1972 provides that where there are so many vacancies on a town or community council that it cannot lawfully act, a County Council may by order

appoint persons to fill all or any of the vacancies until other councillors are elected or co-opted and take office.

5. How does the decision contribute to the Corporate Priorities?

The decision does not contribute directly to the corporate priorities.

6. What will it cost and how will it affect other services?

There are no costs directly associated with the decision. It will assist other services to have a lawfully functioning Town Council with which to consult and engage in respect of certain functions

7. What are the main conclusions of the Well-being Impact Assessment? The completed Well-being Impact Assessment report can be downloaded from the [website](#) and should be attached as an appendix to the report

A well-being assessment is not required for this report.

8. What consultations have been carried out with Scrutiny and others?

Scrutiny has not been consulted in respect of this decision. The Clerk to the Town Council and the local member have been consulted and are in favour of this course of action.

9. Chief Finance Officer Statement

There are no direct additional costs to the council associated with making the temporary appointment

10. What risks are there and is there anything we can do to reduce them?

There is a risk that if the Council does not make this appointment that the Town Council will be unable to act lawfully to co-opt additional members or to carry out any of its statutory functions

11. Power to make the Decision

S91 Local Government Act 1972