

Report to	Council
Date of meeting	24 th May 2022
Lead Member / Officer	Gary Williams, Head of Legal, HR and Democratic Services
Report author	Gary Williams, Head of Legal, HR and Democratic Services
Title	Temporary appointment of members to Community Councils

1. What is the report about?

1.1. The report is about the temporary appointment of members to Bodfari Community Council and Cynwyd Community Council ('the Community Councils')

2. What is the reason for making this report?

2.1. Both of the Community Councils have an insufficient number of members following the recent local government elections for them to be able to lawfully act and make decisions. The County Council has the power to make temporary appointments to the Community Councils to enable them to act lawfully.

3. What are the Recommendations?

3.1. That Council authorise the making of an Order pursuant to s91 Local Government Act 1972 for the temporary appointment of Councillor Chris Evans to Bodfari Community Council to enable that Council to act lawfully on the terms set out in the draft order attached as Appendix 1 to this report.

3.2. That Council authorise the making of an Order pursuant to s91 Local Government Act 1972 for the temporary appointment of Councillors Gwyneth Ellis and Alan Hughes to Cynwyd Community Council to enable that Council to act lawfully on the terms set out in the draft order attached as Appendix 2 to this report.

4. Report details

- 4.1. 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.
- 4.2. The Bodfari Community Council consists of 7 seats. The quorum for the Community Council to be able to act lawfully is 3.
- 4.3. In the recent local government elections, there were 2 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 two nominees were duly elected. This means that the Community Council has a membership of 2 and cannot therefore lawfully act or take decisions.
- 4.4. It is therefore proposed that Councillor Chris Evans, as the local member, be appointed to sit on the Bodfari Community Council on a temporary basis in order that the process of co-option may proceed and additional members can be appointed.
- 4.5. Cynwyd Community Council consists of 9 seats. The quorum for the Community Council to act lawfully is 3.
- 4.6. In the recent local government elections, there was only one nomination 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 one nominee was duly elected. This means that the Community Council has only one member and cannot act lawfully or take decisions.
- 4.7. It is therefore proposed that County Councillors Gwyneth Ellis and Alan Hughes, as the local members, be appointed to sit on the Cynwyd Community Council on a temporary basis in order that the process of co-option may proceed and additional members can be appointed.

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

5.1. The decision does not contribute directly to the corporate priorities.

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

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

7. What are the main conclusions of the Well-being Impact Assessment?

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

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

8.1. Scrutiny has not been consulted in respect of this decision. The Clerks to the Community Councils and the relevant local members have been consulted and are in favour of this course of action.

9. Chief Finance Officer Statement

9.1. There are no direct additional costs to the council associated with making the temporary appointments.

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

10.1. There is a risk that if these appointments are not made, the Community Councils will be unable to act lawfully to co-opt additional members and to carry out their statutory functions.

11. Power to make the decision

11.1. s91 Local Government Act 1972