

Central  
Bedfordshire  
Council  
Priory House  
Monks Walk  
Chicksands,  
Shefford SG17 5TQ



**TO EACH MEMBER OF THE  
COUNCIL**

17 September 2015

Dear Councillor

**COUNCIL - Thursday 17 September 2015**

Further to the Agenda and papers for the above meeting previously circulated, please find below the following additional items:-

**14. Urgent Item of Business**

By virtue of the authority vested in him in accordance with Section 100 (b)(4)(b) of the Local Government Act 1972, the Chairman has agreed to allow an additional item to be considered at this meeting as a matter of urgency. The reason for urgency is that resignations from Ridgmont Parish Council took place on 15 September 2015 and the Parish Council is therefore inquorate and unable to meet. Until the Order is in place business cannot be transacted and this matter therefore needs to be considered as a matter of urgency.

**15. Local Government Act 1972 - Section 91 - Inquorate Council**

To make an Order (attached).

Should you have any queries regarding the above please contact Sandra Hobbs on Tel: 0300 300 5257.

Yours sincerely

Sandra Hobbs  
Committee Services Officer  
email: [sandra.hobbs@centralbedfordshire.gov.uk](mailto:sandra.hobbs@centralbedfordshire.gov.uk)

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**Central Bedfordshire Council**

**COUNCIL**

17 September 2015

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**Local Government Act 1972 – Section 91 – Inquorate Council**

Report of Richard Wenham, Executive Member for Corporate Resources  
([richard.wenham@centralbedfordshire.gov.uk](mailto:richard.wenham@centralbedfordshire.gov.uk))

Advising Officer: Quentin Baker, Interim Chief Legal and Democratic Services  
Officer ([quentin.baker@centralbedfordshire.gov.uk](mailto:quentin.baker@centralbedfordshire.gov.uk))

Contact Officer: Brian Dunleavy, Democratic Services Manager  
([brian.dunleavy@centralbedfordshire.gov.uk](mailto:brian.dunleavy@centralbedfordshire.gov.uk))

**This report relates to a Non-Key Decision**

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**Purpose of this report**

1. The purpose of this report is to make an Order under Section 91 of the Local Government Act 1972.

**RECOMMENDATIONS**

**The Council is asked to:**

1. make the Order attached at Appendix 1 to appoint Parish Councillors at Ridgmont Parish Council to ensure that the Parish Council is quorate and can continue to act.

**Overview and Scrutiny Comments/Recommendations**

2. Not applicable.

**Background**

3. 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.
4. Section 91 of the Local Government Act 1972 (as amended) allows the Council to appoint a sufficient number of Parish Councillors on a temporary basis, to enable the work of the Parish Council to continue until it has co-opted or elected sufficient Councillors to be quorate.

5. Following the elections of 7 May 2015, five Councillors of Ridgmont Parish Council (out of a possible nine) were elected. In the last fortnight four of the newly elected members have resigned making the Parish inquorate. At the point that the Parish becomes inquorate, the Parish Council is unable to hold meetings/ make decisions on the business of the Council. In such circumstances the Council can act under section 91 and appoint individuals to act as Parish Councillors, until or unless the Parish has held an election or co-opt sufficient Councillors on to the Parish. The situation is further compounded by the fact that the Parish Clerk has also very recently resigned.

### **Options for consideration**

6. Option 1 – to adopt the recommendations in this report to deal with the current situation at Ridgmont Parish Council so that the Parish Council can continue to operate and facilitate elections or co-option of new members.
7. Option 2 – Council could choose not to appoint anyone to a parish council. However, that parish council would be unable to make any decisions due to being inquorate. It is possible that this situation could continue for some considerable time and the parish council may not be able to use its precept as a consequence. This course of action is not recommended.

### **Reasons for decisions**

8. At present Ridgmont Parish Council is inquorate and the remaining sole councillor is unable to make any decisions and may not co-opt any councillors, even on a temporary basis.

### **Reason for urgency**

9. The reason for urgency is that resignations from Ridgmont Parish Council took place on 15 September 2015 and the Parish Council is therefore inquorate and unable to meet. Until the Order is in place business cannot be transacted and this matter therefore needs to be considered as a matter of urgency.

### **Council Priorities**

10. The Council is enhancing the local community by assisting a Parish Council to carry out its business effectively in the event that there are insufficient members of the relevant council for that Council to operate.

### **Corporate Implications**

### **Legal Implications**

11. The making of an Order under Section 91(1) of the Local Government Act 1972 is consistent with the Council's obligations contained in the said act.

### **Financial Implications**

12. There are minimal costs involved in officer time in drawing up the necessary Order. Any costs can be net from existing budgets.

### **Equalities Implications**

13. There are no equalities implications to this report.

### **Conclusion and next steps**

14. Approving an Order under Section 91 (1) will enable Ridgmont Parish Council to carry out its normal functions.
15. Agreeing a process for making temporary appointments will ensure that, in future, parish councils will be able to continue to operate with minimum disruption.

### **Appendices**

Appendix 1 – Order made under Section 91(1) of the Local Government Act 1972

### **Background Papers**

None.

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**Appendix 1**

**Order made under Section 91(1) of Local Government Act 1972:  
Ridgmont Parish Council (Temporary Appointment of Members) Order  
2015**

THIS ORDER is made on the        day of                                two thousand and  
fifteen by CENTRAL BEDFORDSHIRE COUNCIL ("The Council")

1.        WHEREAS following the resignation of a newly elected member  
          to Ridgmont Parish Council, three councillors are required to give a  
          minimum number required for a quorum.
2.        Under section 91 of the Local Government Act where there  
          are so many vacancies in the office of Parish Councillor that  
          the Parish Council is no longer able to act, Central  
          Bedfordshire Council may, by order, appoint persons to fill all or  
          any of the vacancies until other councillors are elected to take office.

Now in pursuance of the Power conferred upon it by Section 91 of the Local  
Government Act 1972 the Council hereby appoints the following persons to  
act as Members of Ridgmont Parish Council until an election has been held  
and to fill such vacancies as shall constitute and re-establish a quorum in the  
respective Parish Council whereupon such appointments and this Order shall  
cease.

Robert Morris of 109 Lower Shelton Road, Lower Shelton, Marston Moretaine,  
Beds MK43 0LW

Sue Clark of Cranfield Court, Wood End Road, Cranfield, Beds MK43 0EB

Ken Matthews of 142B High Street, Cranfield, Beds MK43 0EL

The COMMON SEAL of  
Central Bedfordshire Council

Was hereunto affixed in the presence of

Authorised Signatory

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