

## Rother District Council

**Report to:** Licensing and General Purposes Committee

**Date:** 17 April 2023

**Title:** Inquorate Parish Councils – Udimore and Whatlington

**Report of:** Chief Executive

**Ward(s):** Northern Rother and North Battle, Netherfield and Whatlington

**Purpose of Report:** To grant delegated authority to the Chief Executive to appoint parish councillors in respect of inquorate parishes.

**Recommendation:** It be **RESOLVED:** That the Chief Executive be granted delegated authority to:

- 1) make the Order annexed hereto (Annex 1) on Saturday 6 May 2023 to appoint two Parish Councillors to Udimore Parish Council the appointees to be the existing Brede Valley and Marsham East Sussex County Councillor and the one District Ward Councillor for Brede and Udimore to ensure the parish remains quorate;
- 2) make the Order annexed hereto (Annex 2) on Saturday 6 May 2023 to appoint three Parish Councillors to Whatlington Parish Council the appointees to be the existing East Sussex County Councillor for Battle and Crowhurst and the two District Ward Councillors for North Battle, Netherfield and Whatlington to ensure the parish remains quorate; and
- 3) make any other future Orders and appoint such parish councillors as required to ensure that the parish councils operating within the Rother District remain quorate.

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### Introduction

1. At the close of nominations for the Parish Council Elections scheduled for 4 May 2023, both Udimore and Whatlington Parish Councils have not received sufficient nominations to remain quorate, having received only one nomination each. Both Udimore and Whatlington are made up of five members each which requires a quorum of three.
2. Whilst this state of affairs is the responsibility of the Parish Council, the possibility of there being inquorate Councils has been envisaged by the legislature which has made statutory provision to cover such eventualities. This provision entitles the District Council to appoint, on a temporary basis, a sufficient number of Parish Councillors to enable the work of the Parish Council to continue until elections (contested or otherwise) can take place.
3. The Licensing and General Purposes Committee has the power to make temporary appointments to Parish Councils in this eventuality. It is also

requested that to avoid future reports and administration the Chief Executive be granted standing delegated authority to make such appointments in the event of inquorate parish councils in the future.

## **Proposal**

4. It is therefore requested that the Committee grant the Chief Executive delegated authority to make the necessary Orders under Section 91 of the Local Government Act 1972, appointing sufficient Members to constitute a quorum for both Udimore and Whatlington Parish Councils.
5. The persons appointed will only act so long as necessary until an election (contested or otherwise) can be held, this will probably be sometime in June 2023.
6. The proposed Orders are attached as Annexes 1 and 2 to this report. It is suggested that the Committee agree to the following persons being appointed to each ensure the Parish Councils are quorate:

### **Udimore Parish Council**

The One District Councillor representing Brede and Udimore District Council Ward (elected on 4 May 2023)  
Councillor Carl Maynard Brede Valley and Marsham Division East Sussex County Council

### **Whatlington Parish Council**

The Two District Councillors representing North Battle, Netherfield and Whatlington Rother District Council Ward (those elected on 4 May 2023)  
Councillor Kathryn Field Battle and Crowhurst Division East Sussex County Council

## **Conclusion**

7. In order to ensure that both Udimore and Whatlington Parish Councils are quorate following the elections in May, Rother District Council needs to appoint Parish Councillors who can act until elections (contested or otherwise) can take place.
8. It is requested to grant the Chief Executive a general standing delegation to make such appointments in the event of inquorate parish councils in the future. In all circumstances the appropriate District Councillor(s) and East Sussex County Councillor would be the persons appointed.

## **Financial Implications**

9. There are no financial implications for Rother District Council.

## **Risk Assessment**

10. Failure to appoint Parish Councillors to Udimore and Whatlington Parish Councils would result in inquorate parish councils which are unable to operate.

<b>Other Implications</b>	<b>Applies?</b>	<b>Other Implications</b>	<b>Applies?</b>
Human Rights	No	Equalities and Diversity	No
Crime and Disorder	No	External Consultation	No
Environmental	No	Access to Information	No
Risk Management	Yes	Exempt from publication	No
Chief Executive:	Malcolm Johnston		
Report Contact Officer:	Lisa Cooper		
e-mail address:	<a href="mailto:lisa.cooper@rother.gov.uk">lisa.cooper@rother.gov.uk</a>		
Appendices:	Annex 1 – Udimore Annex 2 – Whatlington		
Relevant Previous Minutes:			
Background Papers:	None		
Reference Documents:	None		

This Order is made on the 17 of April two thousand and twenty-three by the ROTHER DISTRICT COUNCIL (HERE IN AFTER CALLED "The Council").

- 1 WHEREAS following insufficient nominations to Udimore Parish Council, two councillors are required to ensure the Parish Council remains quorate.
- 2 Under Section 91 of the Local Government Act where there are so many vacancies in the Office of Parish Councillors that the Parish Council are unable to act, the District Council may, by order, appoint persons to fill all or any of the vacancies until other councillors are elected to take up office.

Now in pursuance of the Power confirmed upon it by Section 91 of the Local Government Act 1972 the Council hereby appoints the following persons to act as Member of Udimore Parish Council until an election (contested or otherwise) has been held to fill such vacancies as shall constitute and re-establish a quorum in the respective Parish Council where upon such appointment shall cease.

**UDIMORE PARISH COUNCIL**

**(insert two names)**

THE COMMON SEAL of )  
ROTHER DISTRICT COUNCIL )  
was hereunto affixed this 17 day of )  
April two thousand and twenty-three )  
in the presence of: )

Councillor Carl Maynard, East  
Sussex County Councillor for  
Brede Valley and Marsham  
Division

One Rother District Councillor  
representing Brede and  
Udimore Rother District Ward  
(to be elected on 4 May 2023)

.....  
Chief Executive

This Order is made on the 17 of April two thousand and twenty-three by the ROTHER DISTRICT COUNCIL (HERE IN AFTER CALLED "The Council").

- 1 WHEREAS following insufficient nominations to Whatlington Parish Council, three councillors are required to ensure the Parish Council remains quorate.
- 2 Under Section 91 of the Local Government Act where there are so many vacancies in the Office of Parish Councillors that the Parish Council are unable to act, the District Council may, by order, appoint persons to fill all or any of the vacancies until other councillors are elected to take up office.

Now in pursuance of the Power confirmed upon it by Section 91 of the Local Government Act 1972 the Council hereby appoints the following persons to act as Member of Whatlington Parish Council until an election (contested or otherwise) has been held to fill such vacancies as shall constitute and re-establish a quorum in the respective Parish Council where upon such appointment shall cease.

WHATLINGTON PARISH COUNCIL (insert three names)

THE COMMON SEAL of )  
ROther DISTRICT COUNCIL )  
was hereunto affixed this 17 day of )  
April two thousand and twenty-three )  
in the presence of: )

Councillor Kathryn Field, East  
Sussex County Councillor for  
Battle and Crowhurst Division

Two Rother District  
Councillors representing North  
Battle, Netherfield and  
Whatlington Rother District  
Ward (to be elected on 4 May  
2023)

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Chief Executive