

<b>Options for future governance of Sloley Parish</b>	
<b>Executive Summary</b>	<p>The options and proposals outlined in the report below allow for a sensible and pragmatic approach which will enable the Parish Council to return to operation.</p> <p>It is hoped that engagement within the parish will see local electors coming forward to once again serve on the parish council which would bring about an end to the temporary appointments and allow the council to run independently.</p>
<b>Options considered</b>	<ol style="list-style-type: none"> <li>1. Run a further Election notice to invite nominations from qualified persons to stand for election to the Parish Council.</li> <li>2. To temporarily appoint three parish councillors from District and County Council members. This would be for a period of 6 months to establish an interim Parish Council to seek engagement with the parish, for new membership so the Parish Council can function independently once again.</li> <li>3. To dissolve the Parish Council and implement a Parish Meeting arrangement.</li> <li>4. To undertake a Community Governance Review in order to implement a Grouping Arrangement with the neighbouring Parish Councils.</li> </ol>
<b>Consultation(s)</b>	<p>We are not seeking to consult with the parish on our initial recommendation however this would be required if options 3 or 4 were to be pursued in the future.</p>
<b>Recommendations</b>	<p>We recommend to Full Council the adoption of option 2 which is the temporary appointment of three Councillors from District/County Council membership. The initial period would be 6 months; however, this could be shorter should qualified engagement to represent the parish be found and co-opted.</p> <p>We ask that Full Council consider the following recommendation which is felt to provide the best course of action to restore the first tier of governance to the Parish of Sloley.</p> <p>It is recommended that District and County Councillor Nigel Dixon, District Councillor Gerard Mancini-Boyle, and District Councillor Saul Penfold be appointed to Sloley Parish Council for a period up to six months.</p> <p>It is recommended that Jane Wisson be appointed Temporary Clerk to support the Parish Council until such time that a permanent appointment can be made.</p> <p>Separately, it is recommended that an Order be created with respect to delegation of authority which would allow the Chief Executive or the Monitoring Officer have the powers to implement temporary</p>

	appointment orders in respect of any Parish Council which find itself in a position of being inquorate in the future.
<b>Reasons for recommendations</b>	It is considered this would give a final chance to bring about retained governance for the parish of Sloley if the temporary appointment of councillors can go on to successfully find qualified and willing candidates to join the Parish Council. This will allow us to advise electors of this proposed course of action, as well as the alternatives should this initial plan not see sufficient representation from within the parishes at the end of the six-month appointment term.
<b>Background papers</b>	none

<b>Wards affected</b>	Hoveton and Tunstead
<b>Cabinet member(s)</b>	Tim Adams
<b>Contact Officer</b>	Rob Henry, Senior Elections Officer, <a href="mailto:rob.henry@north-norfolk.gov.uk">rob.henry@north-norfolk.gov.uk</a>

<b>Links to key documents:</b>	
Corporate Plan:	Not directly linked to corporate plan priorities
Medium Term Financial Strategy (MTFS)	Not linked to MTFS
Council Policies & Strategies	Not linked to any Core Strategy Policies as listed <a href="#">here</a>

<b>Corporate Governance:</b>	
Is this a key decision	No
Has the public interest test been applied	No
Details of any previous decision(s) on this matter	None

## **1. Purpose of the report**

- 1.1 To obtain approval from Full Council to temporarily appoint three parish councillors and a temporary parish clerk to Sloley Parish Council in order allow it to function following a period of inactivity since May 2023.
- 1.2 To also request approval for a delegated authority order to be created to give power to the Chief Executive or the Monitoring Officer to allow them to create orders relating to temporary appointments of parish councillors in the future in the event of any parish council within the district finding itself inquorate or non-functioning.

## **2. Introduction & Background**

- 2.1 A Town or Parish Council needs to be quorate in order to discharge any business at a meeting. A quorum is defined in legislation as being one third of the total number of members of the relevant Town/Parish Council, subject to a minimum of three Councillors.
- 2.2 During the nomination process ahead of the 4<sup>th</sup> May 2023 Parish Elections, no valid nominations were received for Sloley Parish Council. Two further attempts at running Election Notices to allow the receipt of nomination forms to be provided have also not seen any nominations forthcoming.
- 2.3 There are a total of seven seats on Sloley Parish Council, so the Council needs a minimum of three councillors in order to be quorate and transact any business.
- 2.4 Under section 91 of the Local Government Act 1972 in situations where Town or Parish Councils do not have the required number of councillors to be quorate and conduct the business of the Parish Council, the District Council can make an order to appoint persons to serve on the Parish Council until such time as vacancies on the Council are filled by election or co-option.

## **3. Proposals and Options**

- 3.1 Initially the proposed course of action to restore the operations of Sloley PC is to temporarily appoint serving District and County Council members to serve on the Parish Council and allow it to function.
- 3.2 Sloley Parish Council has seven vacant seats but would require three appointments in order for it to be quorate and once again be able to function and make legal decisions.
- 3.3 For Sloley we propose that District and County Councillor Nigel Dixon and District Councillor Gerard Mancini-Boyle be appointed along with Worstead Ward District Councillor Saul Penfold be appointed as Sloley Parish Councillors.
- 3.4 All appointments would be for a term of six months with the key priority being to seek engagement from within the parish in order for qualified persons who can sit on the parish council, can be found and co-opted.

- 3.5 Sloley would need to have a temporary clerk appointed and we would propose that Jane Wisson, an experienced Parish Clerk who is also an Officer of the District Council, be appointed in the role of Clerk to assist with the process of re-establishing the Parish Council.
- 3.6 A further proposal is to request a delegation of authority to the Chief Executive or the Monitoring Officer to make the necessary order to appoint temporary parish councillors should the situation arise at any Parish Council in the future.
- 3.7 Other options considered with respect of the re-establishment of Sloley PC which could still be acted upon in the future depending on the success of the temporary appointments are as follows.
- i. Run a further Election Notice to invite nominations from qualified persons to stand for election to the parish council. Given this would have been attempted and failed on three occasions in the period May-October 2023, we feel a more thorough approach will be required.
  - ii. To dissolve the parish council and implement a parish meeting arrangement
  - iii. To undertake a Community Governance Review in order to pursue a grouping arrangement with a neighbouring parish within the same ward.
- 3.8 Options at paras 3.9 and 3.10 above are the options which would be considered if all other efforts do not bring about a positive result to where Sloley PC is once again in operation.

#### **4. Corporate Priorities**

N/A

#### **5. Financial and Resource Implications**

There are no financial implications linked to this report. All work undertaken in relation to it and any outcomes are in employee time only.

#### **6. Legal Implications**

- 6.1 Paragraph 12 of Schedule 12, Part ii of the Local Government Act 1972 provides that no business shall be transacted at a meeting of a parish council unless at least one-third of the whole number of members of the council are present at the meeting; but notwithstanding anything in that paragraph, in no case shall the quorum be less than three.
- 6.2 The number of parish Councillors for a parish council shall not be less than 5 (s16 Local Government Act 1972). The number of Parish Councillors able to serve on Sloley Parish Council is seven.
- 6.3 Section 91(1) of the Local Government Act 1972 provides that the principal authority, in this case North Norfolk District Council, may make an order to

appoint persons to fill all or any vacancies on a town or parish council until such time as other councillors are elected and take up office.

- 6.4 In the event that Sloley Parish Council is unable to fill the required number of vacancies through co-option, section 39(4) of the Representation of the People Act 1983 enables the District Council to make any appointment or do anything which appears to them necessary or expedient for the proper holding of such an election or meeting and properly constituting the council. This includes the power to direct the holding of an election or meeting and fix the date for it.

## **7. Risks**

- 7.1 The District Council could choose not to make any appointments to Sloley Parish Council. However, without the District Council making a temporary appointment the Parish Council would not be able to sit or take decisions in the interests of the local community until the next regular elections in 2027.

## **8. Net Zero Target**

*N/A*

## **9. Equality, Diversity & Inclusion**

We have looked at those who could be temporarily appointed to serve the on the parish council and consider that a cross party approach would work the best to serve the residents of the parish.

## **10. Community Safety issues**

*N/A*

## **11. Conclusion and Recommendations**

- 11.1 We ask that Full Council consider the following recommendation which is felt to provide the best course of action to restore the first tier of governance to the Parish of Sloley.
- 11.2 It is recommended that District and County Councillor Nigel Dixon, District Councillor Gerard Mancini-Boyle, and District Councillor Saul Penfold be appointed to Sloley Parish Council for a period up to six months.
- 11.3 It is recommended that Jane Wisson be appointed Temporary Clerk to support the Parish Council until such time that a permanent appointment can be made.
- 11.4 Separately, it is recommended that an Order be created with respect to delegation of authority which would allow the Chief Executive or the Monitoring Officer have the powers to implement temporary appointment orders in respect of any Parish Council which find itself in a position of inquoracy in the future.