



## Hinckley & Bosworth Borough Council

Forward timetable of consultation and decision making

Council 22 February 2023

Wards affected: All wards

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### Appointments to Markfield Parish Council

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Report of Director of Corporate & Streetscene Services

#### 1. Purpose of report

1.1 To seek the appointment of three councillors to Markfield Parish Council.

#### 2. Recommendation

2.1 That the Council:

- Approve the appointments and make the order required in the form attached to this report.
- Delegates any future appointments to parish councils to the Director of Corporate & Streetscene Services.

#### 3. Background to the report

3.1 The number of seats for Markfield Parish Council is ten but due to a number of recent resignations, there are currently only three councillors.

3.2 For parish councils to be able to act, they are required to have a quorum of members. For Markfield Parish Council, the quorum is four and therefore they cannot currently act. This means it cannot co-opt members nor is it able to set its budget for 2023/24.

3.3 Section 91 of the Local Government Act 1972 permits the Council (as the Principal Authority) to appoint onto a Parish Council in such circumstances. This will enable Markfield Parish Council to act until those elected at part of the elections in May 2023 take office.

**4. Exemptions in accordance with the Access to Information procedure rules**

4.1 To be taken in open session.

**5. Financial implications [AW]**

5.1 None directly from this report.

**6. Legal implications [MR]**

6.1 Set out in the report.

**7. Corporate Plan implications**

7.1 Contributes to all elements of the Corporate Plan.

**8. Consultation**

8.1 Markfield Parish Council and the Leicestershire & Rutland Association of Local Councils.

**9. Risk implications**

9.1 It is the council's policy to proactively identify and manage significant risks which may prevent delivery of business objectives.

9.2 It is not possible to eliminate or manage all risks all of the time and risks will remain which have not been identified. However, it is the officer's opinion based on the information available, that the significant risks associated with this decision / project have been identified, assessed and that controls are in place to manage them effectively.

**10. Knowing your community – equality and rural implications**

10.1 None arising directly for the report.

**11. Climate implications**

11.1 None arising from this report.

**12. Corporate implications**

12.1 By submitting this report, the report author has taken the following into account:

- Community safety implications
- Environmental implications
- ICT implications
- Asset management implications

- Procurement implications
  - Human resources implications
  - Planning implications
  - Data protection implications
  - Voluntary sector
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Background papers: None

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Executive member: Councillor S Bray

**HINCKLEY AND BOSWORTH BOROUGH COUNCIL**  
**LOCAL GOVERNMENT ACT 1972 (“The 1972 Act”) SECTION 91**  
**REPRESENTATION OF THE PEOPLE ACT 1983 (“The 1983 Act”)**  
**SECTION 39(1)**

**MARKFIELD PARISH COUNCIL (APPOINTMENT OF MEMBERS)**  
**ORDER 2023**

**WHEREAS:**

1. Section 91 of the 1972 Act provides that 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 and take up office.

**NOW THEREFORE**

1. Hinckley and Bosworth Borough Council, pursuant to the provisions in section 91 of the 1972 Act, makes the following order
  - a) The following persons are appointed to act as parish councillors for Markfield Parish Council until the first meeting of the Markfield Parish Council after the 4 May 2023 or until a sufficient number of elected councillors for Markfield Parish Council have taken up office, whichever shall be later
    - Stuart Bray
    - Richard Allen
    - Douglas Maas

2. This order comes into force on the date given below

Dated 22 February 2023