

Reminder:
LGA Members Workshop
to commence at 5pm

Dear Members

Council Meeting

I hereby give notice that a meeting of the Council will be held in the
Council Chamber, County Buildings, Martin Street, Stafford on Tuesday
19 July 2022 at 7.00pm to deal with the business as set out on the agenda.



Tim Clegg
Chief Executive

COUNCIL MEETING - 19 JULY 2022

Mayor, Councillor Philip Leason MBE

A G E N D A

- 1 Approval of the Minutes of the meeting of Council held on 16 May 2022 as published on the Council's website.
- 2 Apologies for Absence
- 3 Declarations of Interest
- 4 Announcements (Paragraph 3.2(iii) of the Council Procedure Rules)
- 5 Public Question Time - Nil
- 6 Councillor Session - Nil
- 7 Notice of Motion

A Notice of Motion pursuant to Paragraph 13 of the Council Procedure Rules has been proposed by Councillor A N Pearce and seconded by Councillor A M Loughran as follows:-

“Stafford Borough Council congratulates the many residents who have shown their support for the people of Ukraine and places on record the Council's support for Ukraine and its people. In particular, we thank those who have organised collections of food, clothing and money to help those fleeing the war.

It is encouraging that so many people and families have offered to host Ukrainian refugees. This Council will do all it can to support them and the families they host.

The Government response to the situation has left much to be desired. Problems have included difficulty with obtaining visas, lack of financial support for local authorities and confusion over safeguarding arrangements for host families.

The Council calls on the Government to give greater financial support to local authorities and to use the Syrian Vulnerable Persons Resettlement Programme as the model for helping Ukrainian families.

Further it urges the Government to treat all those fleeing war and persecution who wish to make their homes here with dignity and fairness.”

		Page Nos
8	Temporary Appointments to Hopton and Coton Parish Council	4 - 6
9	Any items referred from Scrutiny Committee(s)	-

Chief Executive

Civic Centre
Riverside
Stafford
ST16 3AQ

ITEM NO 8**ITEM NO 8**

Report of:	Head of Law and Administration
Contact Officer:	Ian Curran
Telephone No:	01785 619220
Ward Interest:	Milwich
Report Track:	Council 19/7/22 (Only)

COUNCIL**19 JULY 2022****Temporary Appointments to Hopton and Coton Parish Council****1 Purpose of Report**

- 1.1 To consider whether the Council should use its powers under s.91 Local Government Act 1972 to enable Hopton and Coton Parish Council to function until an election is held.

2 Recommendation

- 2.1 That Council delegates authority to the Head of Law and Administration to make an Order under section 91 Local Government Act 1972, in respect of Hopton and Coton Parish Council, in the form of the draft order in the **APPENDIX**.

3 Key Issues and Reasons for Recommendation

- 3.1 Hopton and Coton Parish Council consists of seven councillors. Four councillors resigned from office in March/April 2022. The Parish Council needs to have at least three councillors in order to make decisions. Unfortunately, one of the remaining councillors was unable to attend meetings and the Council has been unable to function. Furthermore, one of the remaining councillors resigned on 22 June, leaving only two councillors presently in office.
- 3.2 Where a Parish Council is unable to act, the Borough Council has a discretionary power, under s.91 of the Local Government Act 1972, enabling it to make temporary appointments to any Parish Council vacancies until other councillors are elected.
- 3.3 It is proposed that Borough Councillors Beatty and Harp are appointed as temporary parish councillors, until the next election which is due to take place on 4 May 2023.

4 Relationship to Corporate Business Objectives

4.1 Leading and delivering for our community.

5 Report Detail

5.1 Five serving councillors at Hopton and Coton Parish Council recently resigned from office. The Council needs at least three councillors to be able to act (i.e. to be “quorate”). The Council is, therefore, currently unable to make any decisions and may not co-opt other councillors to make itself quorate.

5.2 Section 91 of the Local Government Act 1972 allows the Borough Council to make temporary appointments to a Parish Council where there are so many vacancies in the office of parish councillor that the Parish Council are unable to act. Such appointments would last until other Councillors are elected to take up office.

5.3 The Council would need to appoint sufficient persons to enable the Parish Council to be quorate. It is proposed that the current Borough ward members for that area, Councillors Beatty and Harp are appointed. A minimum of one appointment would be necessary, but it is considered that two appointments would provide some resilience if any individual councillor is unable to attend a particular meeting (which has been the case recently).

5.4 The next normal date for parish elections would be 4 May 2023 and the term of office for the temporary appointments would continue until that date.

6 Implications

6.1	Financial	None. Appointments are made by the Borough Council, but any decisions made by the appointees would be as Parish Councillors acting on behalf of the Parish Council.
	Legal	As set out in the report
	Human Resources	Nil
	Human Rights Act	Nil
	Data Protection	Nil
	Risk Management	Nil
6.2	Community Impact Assessment Recommendations	Impact on Public Sector Equality Duty: Nil Wider Community Impact: Nil

Previous Consideration - Nil

Background Papers - Nil

COUNCIL
19 JULY 2022
Temporary Appointments to Hopton and Coton Parish Council

Temporary Appointments to Hopton and Coton Parish Council
Section 91 Local Government Act 1972

This Order is made on the _____ day of _____ two thousand and twenty-two by STAFFORD BOROUGH COUNCIL (HEREINAFTER CALLED "The Council")

1. WHEREAS following resignation of Parish Councillors from Hopton and Coton Parish Council, at least three Councillors are required to ensure the Parish Council remains quorate.
2. Under section 91 of the Local Government Act 1972, where there are so many vacancies in the Office of Parish Councillors that the Parish Council are unable to act, the 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 Members of Hopton and Coton Parish Council until 4 May 2023, whereupon such appointment shall cease.

Names:

Frances Beatty, Borough Councillor for Milwich ward
Andrew Harp, Borough Councillor for Milwich ward

**THE COMMON SEAL OF STAFFORD
BOROUGH COUNCIL was hereunto
affixed in the presence of:**

Authorised Signatory

Date: