

**Council**

**Report of the Monitoring Officer**

**Dunchurch Parish Council**

**1. Background**

1.1 Following the resignation of Parish Councillors from Dunchurch Parish Council, the Council is now no longer quorate and is unable to undertake its functions.

1.2 In the circumstances the Borough Council assumes the responsibilities of the Parish Council and in pursuance of the power conferred on it by Section 91 of the Local Government Act 1972 can appoint local ward members to re- establish a quorum for a temporary period in order that the business of the Parish Council may be continued.

1.3 As Members will be aware there is also an inability for any form of elections to be held.

**2. Consultation**

2.1 Consultation has been undertaken with the three Borough Ward members for the parish and they are in support of the recommendation.

2.2 This temporary appointment must be made by Order under Section 91(1) of the Local Government Act 1972.

**3. Exercising Use of Emergency Powers**

3.1. Due to the COVID-19 outbreak the Council is unable to hold Full Council meetings. The Council is putting place interim measures through virtual meetings and it is expected that such meetings will be operational from June.

3.2. The Parish Council have been made aware of these circumstances and have requested that the Council consider the use of its emergency powers.

3.3. In making the request for the use of emergency powers the Parish Council has provided additional information to support this request. This includes the inability to authorise outstanding payments above a threshold of £500. These outstanding payments are listed as follows;

1. S.D.C. – Neighbourhood Plan (Housing Needs Survey) £5,502.00
2. W.C.C. – Street Lighting Repairs & Lighting Maintenance £2,870.37

3. R.B.C. – Youth Club £768.00
4. W.A.L.C. Annual Subscription £868.00

3.4. In addition to the above the Parish Council has also confirmed its inability to support the community during the COVID-19 outbreak. The Secretary of State has confirmed that Parish Councils have a vital role to play and this direction was issued through the letter attached to this report.

3.5 Finally, the Parish Council have confirmed that they are required to appoint an Internal Auditor as a matter of urgency. This is with a view to the compliance with the requirements of external auditors and annual auditing requirements.

3.6. Following the consideration of this request and the additional information supporting this request it has been agreed by the Monitoring Officer and the Executive Director that this decision requires the consideration of emergency powers.

3.7. The constitutional emergency powers require consultation with the political group leaders, the Mayor and Chairs of the Overview & Scrutiny Committees.

3.8 Following discussions with local Ward Members it has been agreed that Cllr Anthony Gillias is to be temporarily appointed as a member of the Parish Council. This will allow the Parish Council to be quorate and Co-opt further members to the Parish Council. Once this Co-Option has been undertaken the temporary appointment of Cllr Gillias with cease and the Parish Council will remain quorate and be able to continue to function.

**RECOMMENDATION** – Cllr Gillias be appointed to act as a member of Dunchurch Parish Council until Co-Option of an additional member can take place to render the Parish Council quorate, beginning the date on which the Order is signed, whichever is the earlier, whereupon such appointments and this Order shall cease.