

Report to: Governance, General Purposes & LGR Committee – 11 September 2025

Director Lead: Sue Bearman, Assistant Director – Legal & Democratic Services

Lead Officer: Nigel Hill, Business Manager – Elections & Democratic Services

In accordance with Section 100(B)(4)(b) of the Local Government Act 1972, the Chair has agreed to take this item as a late item of business in order to enable Eakring Parish Council to take decisions and co-opt new councillors to fill the current vacancies as soon as possible.

Report Summary	
<b>Report Title</b>	Eakring Parish Council Membership
<b>Purpose of Report</b>	To approve the appointment of Ward Members to Eakring Parish Council which does not have sufficient parish councillors.
<b>Recommendations</b>	That the Governance, General Purposes & LGR Committee approve the making of an Order under Section 91 (1) of the Local Government Act 1972 to temporarily appoint the Ward Members for Rainworth North and Rufford onto Eakring Parish Council.
<b>Reason for Recommendations</b>	To enable Eakring Parish Council to meet to take decisions and co-opt to fill current vacancies.

## 1.0 Background

- 1.1 Paragraph 12 of Part II of Schedule 12 to the Local Government Act 1972 prescribes 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 in no case shall the quorum be less than three.
- 1.2 Eakring Parish Council has provision for seven councillors. Only four were elected without a contest at the full elections held in May 2023 and following a number of changes since then and recent resignations the Parish Council is down to only two councillors so cannot act.
- 1.3 In such circumstances the District Council has the power under Section 91 (1) of the Local Government Act 1972 to make an order to temporarily ‘appoint persons to fill all or any of the vacancies until other councillors are elected and take up office’.

## **2.0 Proposal/Options Considered**

- 2.1 The parish have indicated that there are a number of parishioners who have expressed an interest in being co-opted onto the council to fill the current vacancies, but these cannot be appointed without a quorate.
- 2.2 It is therefore proposed that the District Council make an order to temporarily appoint Councillors Claire Penny and Lida Tift as the Ward Members for Rainworth North & Rufford to Eakring Parish Council until such a time that it can co-opt further parishioners.
- 2.3 Once the appropriate co-options have been made the appointment of the two District Councillors would end.

## **3.0 Implications**

In writing this report and in putting forward recommendations, officers have considered the following implications: Data Protection; Digital & Cyber Security; Equality & Diversity; Financial; Human Resources; Human Rights; Legal; Safeguarding & Sustainability and where appropriate they have made reference to these implications and added suitable expert comment where appropriate.

### **Legal Implications LEG2526/4734**

- 3.1 The report sets out the Council's legal power to make appointments in these circumstances. This Committee has authority to take the required decision by virtue of its terms of reference which include all functions relating to parishes, elections and electoral registration. As required by the legislation, appointments are made by legal order sealed by the Council. Legal Services will draft the form of order to ensure compliance with the legislative requirements.

## **Background Papers and Published Documents**

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

None