



GUILDFORD  
BOROUGH

## GUILDFORD BOROUGH COUNCIL

### PROCEDURE FOR THE TEMPORARY APPOINTMENT OF PARISH COUNCILLORS TO PARISH COUNCILS

Guildford Borough Council shall follow the procedure set out below in making an Order to appoint persons to parish councils in accordance with Section 91 of the Local Government Act 1972.

1. The Parish Clerk shall advise the Democratic Services and Elections Manager that the Parish Council is unable to operate due to being inquorate.
2. The Democratic Services and Elections Manager shall verify the number of seats on the Parish Council and that it is inquorate and identify the number of temporary appointments required for it to become quorate.
3. The Managing Director shall, after consultation with the Leader of the Council, political group leaders, the local ward councillor(s), and the Monitoring Officer, offer the temporary appointment of Parish Councillor in the order set out below. Any Councillor may decline the appointment, in which case the offer of appointment will continue in order until a quorum has been achieved, or where it is considered in the circumstances that further temporary appointments are necessary up to the maximum number of vacancies:
  - (a) Borough Councillor(s) for the ward in which the Parish is located
  - (b) County Councillor for the division in which the Parish is located
  - (c) Borough Councillor(s) with current or previous experience as parish councillors
  - (d) Borough Councillor(s) for adjacent wards in which the Parish is located
  - (e) Parish Councillor(s) from adjacent parishes within the Borough.
4. The Managing Director shall confirm all appointments by Order under Section 91(1) of the Local Government Act 1972. The Order shall stipulate the names of the persons appointed.
5. Persons appointed by Order shall remain as temporary parish councillors until other councillors are elected, or co-opted, and take up office, provided that such election or co-option achieves a quorum on the parish council, excluding the persons appointed by Order.
6. In circumstances where election or co-option fails to make the parish council quorate, excluding the persons appointed by Order, a quorum shall be achieved by the continuation of the temporary appointment of such persons appointed by Order as may be required for that purpose in the priority order (a) to (e) referred to in paragraph 3. above.

#### Example 1:

A parish council comprises a total of five members, and all five resign as parish councillors. In accordance with paragraph 3., the Borough Council appoints five persons as temporary parish councillors as follows:

- (a) the local Borough ward councillor
- (b) the local County Councillor
- (c) a Borough Councillor with current experience as a parish councillor
- (d) a Borough Councillor representing an adjacent ward
- (e) a parish councillor from an adjacent parish council

Following receipt of 10 written requests from electors of the parish for an election to fill the five vacancies, an election is called but only one valid nomination is received. The candidate is declared duly elected, but the parish council remains inquorate.

In order to achieve a quorum of three,

- (a) the local Borough ward councillor and
- (b) the local County Councillor

would remain as persons appointed by Order, until such time as the parish council is able to co-opt to fill a sufficient number of vacancies to achieve the quorum, excluding those persons. The appointment of the persons referred to in (c), (d) and (e) above would terminate upon the candidate elected taking office.

Example 2:

A parish council comprises a total of five members, and all five resign as parish councillors. In accordance with paragraph 3., the Borough Council appoints five persons as temporary parish councillors as follows:

- (a) the local Borough ward councillor
- (b) the local County Councillor
- (c) a Borough Councillor with current experience as a parish councillor
- (d) a Borough Councillor representing an adjacent ward
- (e) a parish councillor from an adjacent parish council

Following the notice of vacancy, no election is called to fill the five vacancies. The parish council therefore seeks to co-opt five parish councillors, but following the process, only two candidates for co-option come forward; they are deemed suitable and their co-option is approved at a parish council meeting. However, the parish council remains inquorate.

In order to achieve a quorum of three,

- (a) the local Borough ward councillor

would remain as a person appointed by Order, until such time as the parish council is able to co-opt to fill a sufficient number of vacancies to achieve a quorum, excluding that person. The appointment of the persons referred to in (b), (c), (d) and (e) above would terminate upon the co-optees taking office.

7. In accordance with Section 91(3) of the Local Government Act 1972 the Democratic Services and Elections Manager will forward two copies of the Order to the Secretary of State. A copy will also be sent to the Clerk of the relevant Parish Council for information.