

## **MID SUFFOLK DISTRICT COUNCIL**

### **URGENT ACTION - NO SPECIFIC POWERS**

### **ACTION FOR WHICH CHIEF EXECUTIVE HAS DELEGATED POWERS SUBJECT TO CONSULTATION WITH CHAIRMAN OF THE DISTRICT COUNCIL**

**SERIAL NO: MSDC- 0032**

#### **SUBJECT MATTER:**

The purpose of this action is to make an Order under Section 91 of the Local Government Act 1972 to appoint Parish Councillor to Hemingstone Parish Council to ensure that the Parish Council is quorate and can continue to act.

#### **MEETING TO WHICH MATTER RELATES:**

**Full Council meeting.**

#### **REASON FOR ACTION BEING TAKEN OUT OF MEETING:**

To enable Hemingstone Parish Council to be quorate to continue to act.

#### **BACKGROUND:**

1.1 A Town or Parish Council must be quorate in order to operate. A quorum is defined as being one third of its membership, but no less than three.

1.2 Section 91 of the Local Government Act 1972 (as amended) allows the Council to appoint a sufficient number of Parish Councillors on a temporary basis, to enable the work of the Parish Council to continue until it has co-opted or elected sufficient Councillors to be quorate.

1.3 Parish councillors have recently resigned leaving the Parish Council inquorate. The Parish Council is unable to hold meetings/ make decisions on the business of the Council. In such circumstances the Council can act under section 91 and appoint individuals to act as Parish Councillors, until or unless the Parish has held an election or co-opt sufficient Councillors on to the Parish.

#### **LEGAL IMPLICATIONS**

The making of an Order under Section 91(1) of the Local Government Act 1972 is consistent with the Council's obligations contained in the said act.

#### **FINANCIAL IMPLICATIONS:**

There are minimal costs involved in officer time in drawing up the necessary Order. Any costs can be met from existing budgets.

#### **EQUALITIES IMPLICATIONS**

There are no equalities implications to this report.

**ACTION AUTHORISED:**

Approving an Order under Section 91 (1) will enable Hemingstone Parish Council to carry out its normal functions. Agreeing a process for making temporary appointments will ensure that, the Parish Council will be able to continue to operate with minimum disruption.

Appendices Appendix 1 – Order made under Section 91(1) of the Local Government Act 1972

**DATE ACTION AUTHORISED:**


I have been consulted on this matter details of which are given above and have no observations to make.

Keith Scarff  
Signed: .....

13/May/2026  
Dated: .....

Chair of Mid Suffolk District Council

I being the duly authorised officer authorise the taking of the action referred to above.

Signed:  .....

Dated: 13 May 2026 .....

Chief Executive

- (NOTE:
- (i) *This form to be completed and given to Committee Services for inclusion in the Register of Delegated Action and for reporting to the appropriate Committee. The signature of the Chief Executive should be obtained prior to the form being sent to Committee Services.*
  - (ii) *If the Chairman is not available within a day to sign the form, please send it to Committee Services who will then arrange the necessary signature.)*