

## Officer Decision Record



This form records an officer decision and is published in accordance with the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 and the Openness of Local Government Bodies Regulations 2014.

<b>Decision Maker:</b>	Janet Waggott, Chief Executive
<b>Lead Officer:</b>	Alison Hartley, Solicitor to the Council
<b>Title of Decision:</b>	Appointment of Councillor G Ashton, Councillor J Mackman and Councillor T Grogan to Fairburn Parish Council
<b>Ward(s) Affected:</b>	Byram and Brotherton
<b>Type of Decision:</b>	<input type="checkbox"/> Key decision <input type="checkbox"/> Non-key decision discharging (or connected to the discharge of) an Executive function <input checked="" type="checkbox"/> Specific delegation from Council or Committee <input type="checkbox"/> Grant of permission / licence <input type="checkbox"/> Affecting the rights of an individual <input type="checkbox"/> Awarding a contract or incurring expenditure which materially affects the financial position of the Council <input checked="" type="checkbox"/> Decision under urgency
<b>Details of decision:</b>	<p><b>RESOLVED:</b></p> <p><b>To make an Order to appoint Councillors Georgina Ashton, John Mackman and Tim Grogan as Parish Councillors for the parish of Fairburn in accordance with Section 91 of the Local Government Act 1972, until such time as sufficient Councillors are elected/co-opted to restore the quorum.</b></p>
<b>Reason for decision:</b>	Fairburn parish council has 5 available seats but failed to receive enough nominations in the 5.5.22 election to form a quorum. The election process was re-run twice but resulted in no nominations meaning Fairburn Parish Council currently has no Councillors.

	<p>A Parish Council cannot function without a minimum of 3 Councillors. Section 91 of the Local Government Act 1972 provides for the District Council to make an Order to appoint District Councillors to restore the quorum and enable the Parish Council to meet and co-opt to the 2 vacant seats.</p> <p>Ward Member for Byram and Brotherton, Councillor Ashton and Members for neighbouring Wards, Monk Fryston (Councillor Mackman) and South Milford (Councillor Grogan) have agreed to be appointed to the Parish Council.</p> <p>The next Selby District Council meeting is not until 19<sup>th</sup> July 2022 and therefore the Chief Executive has exercised her urgency decision making power to enable the AGM to take place as required by the Local Government Act. She will report this decision to the next Council meeting.</p>
<b>Alternative options considered and rejected:</b>	To not appoint a Councillor – this option was rejected as the Parish Council cannot function without the minimum number of councillors.
<b>Member Interests:</b> <i>(Name of any Member who has declared a conflict of interest in relation to the decision and details of any dispensation granted by the Head of Paid Service if appropriate)</i>	None
<b>Legal, Financial or other implications:</b>	<p>The Local Government Act states that the parish meeting of a parish shall assemble annually on some day between 1st March and 1st June, both inclusive, in every year.</p> <p>Fairburn Parish Council need a minimum of 3 members to do this.</p>
<b>Background papers:</b>	None.
<b>Contact details for further information:</b>	Alison Hartley, Solicitor to the Council <a href="mailto:ahartley@selby.gov.uk">ahartley@selby.gov.uk</a>
<b>Signed:</b>	<i>Janet Waggott</i>

	Janet Waggott Chief Executive <a href="mailto:jwaggott@Selby.gov.uk">jwaggott@Selby.gov.uk</a>
<b>Date of Decision:</b>	26.05.2022