



Report To: South Holland District Council

Date: Wednesday, 28 January 2026

Subject: Delegated Authority to appoint persons to Inquorate Parish Councils

Purpose: To seek delegated authority for the Chief Executive to make Orders under Section 91 of the Local Government Act 1972, appointing named persons to be Parish Councillors on a temporary basis.

Key Decision: N

Portfolio Holder: Councillor Nick Worth, Leader

Report Of: John Medler, Assistant Director - Governance (Monitoring Officer)

Report Author: Forrest White, Democratic and Electoral Services Officer

Ward(s) Affected: All Wards

Exempt Report: N

Summary

To seek the Council's authority to delegate authority to the Chief Executive to make an Order under Section 91 of the Local Government Act 1972 at any time, to appoint named persons to be Parish Councillors on a temporary basis.

Recommendations

That delegated authority be granted to the Chief Executive, in consultation with District Ward Member(s) for the parish affected, to make such orders under Section 91 of the Local Government Act 1972, to appoint named persons to be Parish Councillors on a temporary basis, following the procedure set out in Appendix A.

Reasons for Recommendations

To streamline the process for making Orders under section 91(1), to ensure ongoing governance of Parish Councils for the benefit of the residents of the district, in circumstances where a Parish Council within the district becomes inquorate.

Other Options Considered

Do Nothing – by not having a delegation in place, an inquorate Parish Council would have to wait for the next scheduled meeting of the District Council for temporary Parish Councillors to be appointed.

1. Background

- 1.1 The district has 21 Parish Councils in its area and in the event of any of those Parish Councils becoming inquorate this will render the Parish Council unable to take any decisions, including around the public funds that it holds.
- 1.2 The Local Government Act 1972 contains a provision designed to address this issue, providing that district Councils may appoint persons temporarily to make the Parish Council quorate until there are enough Parish Councillors, which will enable business to continue.
- 1.3 Under the Constitution there are currently no delegated powers for an officer of South Holland District Council to appoint temporary Councillors to inquorate parish councils, therefore the responsibility lies with Full Council to make these appointments.
- 1.4 Without timely interim appointments made, Parish Council's work is unable to take place.

2. Report

- 2.1 To ensure that temporary appointments can be made to inquorate Parish Councils as quickly as possible in the future, it is recommended that the Chief Executive be granted delegated authority, in consultation with the appropriate Ward Member(s).
- 2.2 Having an officer delegation from Full Council in place would mean that any undue delay could be avoided where the power to make a Section 91 Order needs to be used.
- 2.3 Although a procedure is not strictly necessary, to avoid any doubt or dispute regarding the process or validity of any temporary appointments made, a suggested procedure has been produced and is set out in Appendix A.

3. Conclusion

- 3.1 It is recommended that delegated authority be granted to the Chief Executive in consultation with District Ward Member(s) for the parish affected to make such

orders under Section 91 of the Local Government Act 1972 to appoint named persons to be Parish Councillors on a temporary basis.

Implications

South and East Lincolnshire Councils Partnership

None

Corporate Priorities

None

Staffing

None

Workforce Capacity Implications

None

Constitutional and Legal Implications

Under Section 91 of the Local Government Act 1972 the principal authority has the power (not duty) to appoint persons on a temporary basis to fill all or any of the vacant seats on inquorate parish councils.

Data Protection

None

Financial

None

Risk Management

Failure to make an Order to appoint interim persons to an inquorate parish council would render the council unable to operate and conduct its business.

Stakeholder / Consultation / Timescales

None

Reputation

None

Contracts

None

Crime and Disorder

None

Equality and Diversity / Human Rights / Safeguarding

None

Health and Wellbeing

None

Climate Change and Environment Impact Assessment

Not undertaken

Acronyms

None

Appendices

Appendices are listed below and attached to the back of the report:

Appendix A	Procedure for making temporary appointments to inquorate parish councils
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Background Papers

No background papers as defined in Section 100D of the Local Government Act 1972 were used in the production of this report.

Chronological History of this Report

A report on this item has not been previously considered by a Council body

Report Approval

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