

**CYNGOR SIR POWYS COUNTY COUNCIL.**

**19 OCTOBER 2016**

**REPORT AUTHOR: Solicitor to the Council**

**SUBJECT: Llanfechain Community Council - Lack of Quorum**

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**REPORT FOR: Decision**

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**Introduction**

Llanfechain Community Council has a normal membership of 8 seats, however, following a number of resignations recently the Council is down to 2 members and is no longer quorate. The quorum being one third of the total number of members of the council, but with the qualification that in no event must the quorum be less than three.

Under the Local Government Act 1972 Section 91, where there are so many vacancies in the office of community councillor that the community council is unable to act, Powys County Council as the principal council may by order appoint persons to fill all or any of the vacancies until other councillors are elected and take up office.

Under the Representation of the People Act 1983 Section 39(4)...if a community council is not properly constituted for any reason, the Principal Council may by order make any appointment or do anything that appears to it necessary or expedient for the proper holding of such an election or meeting and properly constituting the community council and may if it appears to it necessary direct the holding of an election or meeting and fix the date for it.

**Proposal**

To appoint a temporary member to act as a community Councillor until 8 May, which is the end of this current term of office and when all current member cease office. County Councillor Gwynfor Thomas has agreed to be appointed temporarily in this capacity.

<b>Recommendation:</b>	<b>Reason for Recommendation:</b>
<b>To make the Llanfechain Community Council (Removal of Difficulty) Order 2016 as set out in Annex A to the Report</b>	<b>To enable the said Community Council to function until the end of this term of office on 8 May 2017.</b>

<b>Person(s) To Action Decision:</b>	<b>Sandra Matthews, Principal Elections Officer</b>
<b>Date By When Decision To Be Actioned:</b>	<b>Immediately</b>

<b>Relevant Policy (ies):</b>			
<b>Within Policy:</b>	<b>Y</b>	<b>Within Budget:</b>	<b>Y</b>

Contact Officer Name:	Tel:	Fax:	Email:
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<b>Relevant Portfolio Member(s):</b>	<b>County Councillor Wynne Jones</b>
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<b>Relevant Local Member(s):</b>	<b>County Councillor G. Thomas</b>
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**Background Papers used to prepare Report:** Annex A: Draft Llanfechain Community Council (Removal of Difficulty) Order 2016