

**POWYS COUNTY COUNCIL
LOCAL GOVERNMENT ACT 1972 SECTION 91
Representation of the People Act 1983 Section 39(4)
Trefeglwys Community Council (Removal of Difficulty) Order 2017**

1. Background

- 1.1** Following the close of nominations on 4 April for the ordinary elections held on the 4 May 2017, no candidates stood validly nominated leaving Trefeglwys Community Council unable to operate.
- 1.2** 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 (hereinafter referred to as "The 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.
- 1.3** Under the Representation of the People Act 1983 Section 39(4) if any difficulty arises with respect to an election of community councillors or to the first meeting of a community council after an ordinary election of community councillors or if a community council is not properly constituted for any reason, the 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.
- 1.4** The first meeting of Trefeglwys Community Council required to be held by virtue of the Local Government Act 1972 Schedule 12 Part IV Paragraph 23(2) has not yet taken place.

2 Operative provisions

- 2.1** Powys County Council, pursuant to the [Local Government Act 1972 Section 91](#) and the [Representation of the People Act 1983 Section 39\(4\)](#), makes the following Order:

The following persons are appointed to act as community councillor until the first meeting of Trefeglwys Community Council, after the 29 June 2017 or until a sufficient number of elected community councillors have taken up office, whichever shall be the later:

County Councillor Phyl Davies, 20 Smithfield Street, Llanidloes, Powys
County Councillor Les George, The Mill, Pontdolgoch Caersws, Powys
County Councillor Gareth Morgan, Severn View, China Street, Llanidloes
County Councillor Robert Lewis, Church House, Llanmerewig, Powys

- 2.2** Elections to Trefeglwys Community Council shall be held on the 29 June 2017.
- 2.3** The requirement in the Local Government Act 1972 Schedule 12 Part IV Paragraph 23(2) (that the first meeting of the community council shall be held on or within 14 days after the day on which the councillors elected at the ordinary election take office) is modified to secure that the first such meeting of Trefeglwys Community Council shall be held on or by the 13 July 2017.

Appendix A

2.4 This Order comes into force on the date given below.

Dated the 19 May 2017

(seal of council)
(signature of proper officer)