

THE POWYS COUNTY COUNCIL

Welshpool Town Council (Gungrog and Llanerchyddol) Election – Order 2017 Representation of the People Act 1983; Section 39(4) Representation of the People Act 1985; Section 21

1. Introduction

- 1.1 At the ordinary elections held on the 4 May 2017 Welshpool Town Council, Gungrog ward had only 5 candidates for 6 seats and Llanerchyddol ward also had 5 candidates for 6 seats, leaving both wards each with a vacant seat to fill.
- 1.2 Section 21(2) of the Representation of the People Act 1985 provides that after ordinary elections the community council may co-opt any person or persons to fill the vacancies remaining or the principal council may exercise the powers contained in Section 39(4) of the Representation of the People Act, 1983 in relation to any such vacancy as are not so filled.
- 1.3 Welshpool Town Council has requested the County Council hold an election to fill the vacancies as the Town Council does not consider it appropriate in the circumstances to exercise its powers of co-option.
- 1.4 The Representation of the People Act 1983 Section 39(4) confers discretionary powers to Powys County Council as the principal council where any difficulty arises with respect to an election of community councillors after an ordinary election of community councillors. 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 and properly constituting the community council. Which includes, if it appears to it necessary, direct the holding of an election and fix the date for it.

2 Operative provisions

- 2.1 In pursuance of section 21 (2) (b) of the Representation of the People Act 1985 Powys County Council has resolved to exercise the powers conferred by section 39 (4) of the Representation of the People Act 1983 and hereby makes the following order:
 - 2.1.1 That an election for the single member vacancy in the Gungrog Ward of Welshpool Town Council be held.
 - 2.1.2 That an election for the single member vacancy in the Llanerchyddol Ward of Welshpool Town Council be held
 - 2.1.3 That the date for such election shall be the 6 October 2017 or such other date as the Returning Officer shall fix.
- 2.2 This Order comes into force on the date given below.

Dated the 14 July 2017.

(seal of council)
(signature of proper officer)