



COUNCIL – 12TH MARCH 2013

SUBJECT: CASUAL VACANCY – RISCA EAST ELECTORAL DIVISION

REPORT BY: CHIEF EXECUTIVE / RETURNING OFFICER

1. PURPOSE OF REPORT

- 1.1 To formally report the vacancy, which now exists in the Risca East electoral division following the sad death of Councillor Stan Jenkins.

2. LINKS TO STRATEGY

- 2.1 The promotion of a culture of citizenship and involvement in decision making forms an important part of the community plan. The council has a duty under Sections 87(2)-89(1) Local Government Act 1972 as amended by the Local Government Act 1985 to publish Notice of a vacancy.

3. THE REPORT – PROCEDURE CASUAL VACANCIES

- 3.1 The council may declare the vacancy, in which case an election must be held within 35 days (excluding Bank Holidays and weekends). The date of the election would be fixed by the Returning Officer.
- 3.2 The Returning Officer was required by law to publish a notice of the vacancy as soon as was practicable after the vacancy occurred. This notice was published on 4th February. Should two electors from within the county borough request an election then again an election would have to be held within 35 days working days on a date set by the Returning Officer. At this point no request has been received.
- 3.3 Should there be no response to the Notice a second option open to the council would be to note the vacancy.

4. EQUALITIES IMPLICATIONS

- 4.1 The Council's EqIA process does not need to be applied

5. FINANCIAL IMPLICATIONS

- 5.1 The cost of the election would be in the region of £8,000.

6. PERSONNEL IMPLICATIONS

- 6.1 There are none.

7. CONSULTATIONS

7.1 All consultations received have been incorporated into the report.

8. RECOMMENDATIONS

8.1 That the council declares the vacancy and asks the Returning Officer to organise the election within 35 working days.

9. REASONS FOR THE RECOMMENDATIONS

9.1 Allows the election to be held and the vacancy filled in Risca East.

10. STATUTORY POWER

10.1 This is a council function. Sections 87(2)-89(1) Local Government Act 1972 as amended by the Local Government Act 1985.

Author: Dave Beecham – Electoral Service Manager
Consultees: Anthony O’Sullivan – Returning Officer / Chief Executive
Dan Perkins – Head of Legal Services and Governance
Cllr Chris Forehead – Cabinet member for HR and Governance