

APPENDIX A

THE POWYS COUNTY COUNCIL Newtown Town Council (South ward) Election – Order 2022 Representation of the People Act 1983; Section 39(4) Representation of the People Act 1985; Section 21

1. Introduction

- 1.1** Following the elections on 5 May 2022, 10 town councillors were elected unopposed to Newtown Town Council, across 5 wards, leaving 6 vacancies.
- 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** Newtown Town Council has requested an election is held for the 2 vacancies in the South ward of the town council to ensure they meet the conditions required to use 'General Power of Competence' in the next 12 months. To be eligible to do so requires at least two thirds of the members of Newtown Town council having been declared elected (including unopposed), rather than co-opted.
- 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 two member vacancy in the South Ward of Newtown Town Council be held.
 - 2.1.2 That the date for such election shall be the 29 September 2022 or such other date as the Returning Officer shall fix.
- 2.2** This Order comes into force on the date given below.

Dated the 29/07/2022.