

**Meeting of the Council - 22<sup>nd</sup> February 2010**

**Report of the Chief Executive and Returning Officer**

**Vacancy in Sedgley Ward**

**Purpose of Report**

1. To declare the seat vacant in the Sedgley Ward due to the resignation of John Perry.

**Background**

2. Section 84 of the Local Government Act 1972 states that a local Councillor may at any time resign their office by written notice delivered to the proper officer of the Council and the resignation shall take effect upon the receipt of the notice.
3. On Wednesday 3<sup>rd</sup> February, 2010 John Perry gave written notice of his resignation to the Chief Executive as the proper officer of the Council.
4. The seat would have become vacant on Thursday 6<sup>th</sup> May, 2010 at the time of the next scheduled Local Elections and therefore there is no need for a by-election.

**Finance**

5. The Elections are funded from existing budgets and resources dedicated to the running of elections.

**Law**

6. Section 89(3) of the Local Government Act 1972 states that where a casual vacancy occurs within six months before the day on which the councillor whose office is vacant would regularly have retired, an election shall not be held unless on the occurrence of the vacancy the total number of unfilled vacancies in the membership of the Council exceeds one third of the whole number of members. The vacancy will then be filled at the next ordinary election.

### **Equality Impact**

7. There is no immediate equality impact arising from this vacancy.

### **Recommendation**

8. It is recommended that the Council note the vacancy in the Sedgley Ward and that an election to fill the vacancy will be held on Thursday 6<sup>th</sup> May, 2010

*John Polychronakis*

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**John Polychronakis**  
**Chief Executive and Returning Officer**

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