

Community Council Vacancy – Procedure For Election

Only persons correctly entered on the current Register of Electors for the Community Council area concerned, can stand as a candidate and can propose, second and vote for a candidate. Nominations must be made by persons eligible as aforementioned, who must be present at the meeting. The candidate must in person, or if not present at the meeting, in writing, place on record their consent to serve as a Community Councillor.

For information, relevant extract from Scheme of Orkney Community Councils 2007 is as follows:

3.2.

If at least five members of a Community Council have been elected after an election, any vacancies remaining shall be filled by Orkney Islands Council calling a public meeting, to be held within the Community Council area, giving a minimum of seven days' notice and specifying that the meeting is being held to fill the vacancy(ies) for Community Councillors.

3.3.

Nominations, which must be proposed and seconded by electors contained within the current electoral register for that Community Council area in which the vacancy or vacancies exist, will be called for at the public meeting, and the vacancies will be filled by secret ballot carried out at that meeting. Only electors on the current electoral register for that Community Council area can be nominated and have voting rights in the process. Where there is an equality of votes, the matter will be decided by lot. The consent of any nominated candidate, who is not present at the meeting, must be produced in writing to the Clerk prior to the vote being taken.

3.4.

Public meetings held to fill a vacancy or vacancies on any Community Council shall be held on a date to be determined by the Chief Executive of Orkney Islands Council but such meetings shall not be held in respect of that same Community Council at intervals of less than six months." Where the number of candidates is greater than the number of vacancies, a vote shall be taken by secret ballot. Voters will be entitled to vote for as many candidates as there are vacancies. Each eligible voter shall be given a voting slip on which they shall write the name or names, up to a maximum number of places to be filled, of their chosen candidates.

Where there are more than two candidates and the first vote does not produce an absolute majority in favour of any candidate, the name of the candidate having least votes will be removed from the list of candidates and a fresh vote will take place. A public count will be held so that everyone can see the recording of the votes received for each candidate. In the event of a tie, the matter shall be decided by lot.

This process will continue either until the number of candidates equals the number of vacancies or until one candidate has a majority of the votes cast and there is only one vacancy. Candidate/s will then be declared to be elected to fill the vacancy/ies.

In accordance with election law, the winning candidates are those who are “first past the post” – that is, the winners do not need to have any prescribed percentage of votes cast in their favour.