

4. ELECTION OF CHAIRPERSON

The Legal Services Manager (Peter Mitchell) reports as follows:

A Introduction

1. The Local Government Act 1974 requires that every Community Board **shall** elect one of its members to be its Chairperson at its first meeting.
2. The Act provides that for the election of the Chairperson the election shall be on the basis of open voting with one vote by each Board member (and no person having a casting vote) unless the Board resolves to use the voting system described in Section 114K.
3. Before considering nominations the Board should decide whether to utilise open voting or the alternative Section 114K method.

B. Description of Alternative Method in Section 114K

4. Section 114K empowers the Board to adopt a specified alternative voting system for the election of the Chairperson.
5. The Board may, **by resolution**, determine that the person be elected by a *“system of voting that requires...the person to be elected...to receive the votes of a majority of the membership of the Board present and voting, and that requires that, where more than one round of voting is required, the least successful candidate in a round of voting shall not be a candidate in the next round of voting.”*
6. There is no casting vote and every equality of votes that are not to be determined by a further round of voting shall be determined by lot in such manner as the Board decides.

C. Practical Application of Section 114K

7. What Section 114K envisages is that nominations for the position of Chairperson would be called for.
8. The Board Members are then asked to vote on each candidate and the candidate polling the lowest number of votes would not go into the next round.
9. The following example may be useful to illustrate the system :

Example:

3 nominations are received and upon the votes being counted for each candidate the result is :

A (4) B (3) C (2)

Candidate C would not be a candidate in the next round.

A second round of voting would then be held for candidates A, and B. The result may then be :

A (5) B (4)

As A has received the votes of the majority of the Board present and voting, A is elected to the position.

If at any round of voting there is an equality of votes, then Section 114K expressly provides that the election shall be determined by lot.

10. This alternative method **may** also be adopted to elect the Deputy Chairperson of the Community Board.
11. If the Board does not wish to use that alternative voting system then it could resolve “that the election of Chairperson be by the open voting system” and then go on to vote for a Chairperson.