

CASTLEREAGH BOROUGH COUNCIL

Minutes of the proceedings of the special meeting of Castlereagh Borough Council, held in the Council Chamber, Castlereagh Borough Council, Civic & Administrative Offices, Bradford Court, Upper Galwally, Castlereagh, BT8 6RB, on Thursday, 22 February 2010, at 7.00 p.m.

PRESENT: Councillor M Copeland
(in the Chair)

ALDERMEN: M Henderson
J Norris MBE
Mrs G Rice MBE

COUNCILLORS: Mrs A Beattie
J Beattie
Ms J Bunting
Mrs M Chambers
Mrs J Cochrane
D Drysdale
C Hall
B Hanvey
Miss R Hughes MBE
T Jeffers
Mrs V McCoy
G Robinson
J Spratt MLA
C Tosh

IN ATTENDANCE: Acting Chief Executive (Director of Administration & Community Services), Director of Technical & Environmental Services and Members' Services Officer

APOLOGIES: An apology was received on behalf of Councillors Duncan, Long and Walker

Members agreed to allow television camera crews and photographers to enter the Council Chamber for a photo opportunity prior to the meeting.

Following the photo opportunity, the television camera crews and photographers left the Council Chamber and the meeting commenced.

2010/67 : CONSIDERATION OF THE FILLING OF THE CASUAL VACANCY, ARISING FROM THE RESIGNATION OF MRS IRIS ROBINSON, IN ACCORDANCE WITH SECTION 4 (B) ELECTORAL LAW ACT (NORTHERN IRELAND) 1962 (CHAPTER 14)

The Acting Chief Executive outlined that the purpose of the special meeting of Council was to consider filling the casual vacancy that had arisen from the resignation of Mrs Iris Robinson, in accordance with Section 4 (B) of the Electoral Law Act (Northern Ireland) 1962 (Chapter 14).

Councillor Spratt drew Members' attention to Minute 2006/71, when it had been proposed by Alderman Peter Robinson, seconded by Alderman White and resolved unanimously 'That vacancies in Council be filled by the party of the vacating Member'. He added that this Minute had not been rescinded. Furthermore, in light of the cost involved in holding a by-election, the DUP was seeking co-option to the vacancy as previously agreed. Councillor Spratt also referred to the times when Alderman Rice and Councillor Tosh had been unable to attend meetings due to illness. At that time, Alderman Robinson had obtained agreement to suspend Standing Orders to allow them to retain their seats.

Councillor Spratt went on to state that the cost of a by-election would be approximately £20,000 to £25,000 and, during the current economic situation, he hoped that Members would not want to incur additional costs and that it would be more beneficial for ratepayers if this money could be spent in the community. He also pointed out that the RPA was close and the organisation of a by-election would place even greater strain on Council staff.

Councillor Spratt emphasised that claims that Mrs Robinson was no longer a member of the DUP at the time of her resignation from the Council were not true.

Councillor Spratt then proposed that Sharon Skillen, a local resident who was well known for her work in Ballybeen and Tullycarnet, be co-opted to the seat left vacant by Mrs Robinson.

The Acting Chief Executive informed Members that she had sought legal advice regarding Minute 2006/71 and had been advised that this Minute did not adhere to electoral legislation. She continued to say that electoral legislation required that the requisite declaration be served on the Chief Executive in advance of the meeting and that she had received two declarations to date. However, one of the requisitions used was, in her opinion, the incorrect form, referring to out-of-date legislation. Unfortunately, this had only been presented to her five minutes prior to the meeting.

Councillor Copeland requested that the form be passed to him and confirmed that a properly completed form in the name of Sharon Skillen had been presented. He then stated that he was now required to establish whether there were any objections to the name proposed via co-option.

Councillor Tosh rose to state his objection to the nomination. He felt that, in a democracy, the public were entitled to cast their vote for a party or person of their choosing to represent them. Furthermore, as there were already two co-opted Members in Council, he was not in favour to co-opt a third one.

Alderman Rice also stated her objection to the proposal. She advised that she had consulted with residents and the majority of them had confirmed a preference to hold a by-election. In respect of the cost of a by-election, she advised that this equated to 0.07p in the pound.

Councillor Copeland confirmed that, as there were two objections to the proposal of co-option, the Council could not fill the post via co-option.

The Acting Chief Executive advised that she would inform the Chief Electoral Officer that Castlereagh Borough Council had failed to fill the seat left vacant by

Mrs Robinson in accordance with Section 4 (B) of the Electoral Law Act (Northern Ireland) 1962 (Chapter 14), the result of which would mean a by-election.

RESOLVED:

- (a) That the Council reject the proposal to co-opt Ms Sharon Skillen to the seat left vacant by the resignation of Mrs Iris Robinson.
- (b) That the Acting Chief Executive inform the Electoral Office that the Council had been unable to fill the seat left vacant by the resignation of Mrs Iris Robinson, in accordance with Section 4 (B) of the Electoral Law Act (Northern Ireland) 1962 (Chapter 14).

There being no further business, the meeting ended at 7.20 pm.

CHIEF EXECUTIVE

MAYOR