

Appendix G

SECTION 63(1) OF THE LOCAL GOVERNMENT ACT 1933

Section 63(1) of the Local Government Act 1933 provided that if a member of a local authority failed throughout a period of six consecutive months to attend any meetings of the local authority (including meetings of committees and sub-committees) they should, unless such failure was due to some reason approved by the local authority, cease to be a member of that body, and the Council had to proceed to declare the office vacant.

It was implicit in the terms of the section that any member to whom the provision may have applied be given an opportunity of submitting an explanation or reasons for non-attendance.

Harrow Urban District Council at its meeting on 6 December 1941 considered the cases of three Councillors who had not attended any meetings for six months. They were Mrs. H.M.A. Leech (Headstone), L.C. Pugh (Wealdstone South) and A. O'Loughlin (West Harrow). The explanations given by Mrs. Leech and Pugh were unacceptable to the Council and they were unseated under the terms of the Act. O'Loughlin's explanation that he was engaged on essential war work in Kendal, Westmorland, was accepted and he retained his seat on the Council.

Appendix H

LOCAL AUTHORITY ELECTIONS DURING THE SECOND WORLD WAR

The preamble of the Local Elections and Register of Electors (Temporary Provisions) Act 1939, which received its Royal Assent on 31 October 1939, described it as: "An Act to postpone elections of local authorities, to postpone the preparation of the Register of Electors, to suspend certain powers relating to the alteration of the areas or of the constitution of local authorities, and for the purposes connected with the matters aforesaid."

The first clause of the Act explained that while the Act was in force no local elections would be held and that Aldermen and Councillors would continue in office — in other words the passage of time could not cause the vacation of office of a public representative. In the case of the death or resignation of a Councillor the Act decreed that "a person to fill the vacancy shall be elected as soon as conveniently may be *by the Council among the members of which the vacancy occurred*" [editor's emphasis].

The Act was due to expire on 31 December 1940, but it was renewed by Parliament for the duration of the Second World War with the passage of the Local Elections and Register of Electors (Temporary Provisions) Acts of 1940, 1941, 1942 and 1943.

Part II of the Representation of the People Act 1945 allowed for the resumption of local elections. In the case of Urban Districts in 1946 the Councillors whose term of office concluded would be those elected at the ordinary election of 1937 (or subsequently elected under the Local Government Act 1933 to fill a casual vacancy in the office of any Councillor elected at the 1937 election) and *all* those elected under the provisions of the Local Elections and Register of Electors (Temporary Provisions) Act 1939.

After 1946 the 'rotation by thirds' provision of the Local Government Act 1933 operated normally. Councillors elected in 1938 found their term of office concluded in 1947, and those elected in 1939 had their term of office draw to a conclusion in 1948.

In wards where two Councillors were elected in 1946, the candidate receiving most votes was deemed elected for a three year term of office, and the second successful candidate for a two year term. Consequently, the third councillor for the ward, if elected in 1939, had their term of office reduced by one year and would thus retire or seek re-election in 1947.