



Casual Vacancy

A casual vacancy occurs following the resignation or death of a serving member.

Three Rivers District Council are notified of the vacancy and the Electoral Services Department post a formal Notice of Vacancy. The notice will be displayed for fourteen days during which ten members of the parish can demand an election takes place. If called the by-election is then organised by the District Council.

If an election is not called then the Parish Council will fill the seat by co-option.

Process

The vacancy by co-option will be advertised on notice boards within the parish and via social media for a minimum of four weeks.

Eligibility

The Parish Council is able to consider any person to fill a vacancy provided that:

- He/she is an elector for the parish; or
- has resided in the parish for the past twelve months or rented/tenanted land in the parish; or
- had his/her principal place of work in the parish; or
- has lived within three miles (straight line) of the parish.

There are certain disqualifications for election, of which the main are (see 5. 80 of the Local Government Act 1972):

- holding a paid office of the Parish Council
- bankruptcy;
- having been sentenced to a term of imprisonment (whether suspended or not) of not less than three months, without the option of a fine during the five years preceding the election; and
- being disqualified under any enactment relating to corrupt or illegal practices.

Applications

Candidates will be requested to:

Submit information about themselves, by way of completing a short application form (a copy of the application form is attached as Appendix A). Applicants will also be asked to confirm the eligibility to serve, based on the above criteria.

Parish Council Meeting

If there is more than one applicant the Council will employ a process for election.

The Parish Council will consider the candidates for co-option to fill the vacancy in open session at a Parish Council meeting. The Clerk will report the names of the candidates to the Council and will circulate the application forms with the normal meeting papers.

Prospective candidates will be invited to address the Parish Council for a maximum of three minutes. Candidates who cannot attend the meeting are asked to submit a statement to the Clerk which will be read on their behalf.

The process will be carried out in the public session and there will be no private discussions between members prior to a vote being taken. However where the Council is discussing the merits of candidates and inevitably their personal attributes, this could be prejudicial and the Council should resolve to exclude the members of the press and public.



Voting

The successful candidate must receive an absolute majority vote of those members present at the Parish Council meeting.

If a member is not at the meeting the legislation does not provide for a proxy or postal vote.

An absolute majority is 50% + 1 of the votes available at the meeting. Assuming all remaining fourteen Parish Councillors are present eight votes are required to secure the co-option.

Voting will be by a show of hands. Members are asked to respect the authority of the Chairman to allow the Clerk to accurately record the votes, to ensure any outcome cannot be challenged due to lack of proper process. Any member can request a recorded vote.

Co-opted Member

If the successful candidate is present at the meeting where the co-option is agreed they will sign the Declaration of Acceptance of Office and be able to participate in the meeting.

The Clerk will notify Electoral Services at Three Rivers District Council of the new member appointment and request the new member completes a Registration of Interests form within 28 days of being co-opted.

Questions

Any questions about the procedure for co-option, eligibility to serve or the roles and responsibilities of a Parish Councillor should be directed to the Clerk to the Council.

Tim Perkins
Clerk to the Parish Council

12th January 2017

Document Revision History

Date	Version	Revision
23/12/2016	1.0 draft	Initial draft based on HAPTC/NALC and PC/TC procedures.
09/01/2017	1.1 final	Parish Council approval, updates as per minute 312.

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