

# Wortwell Parish Council Council Vacancies Policy

**Adopted: 27.2.18**

**Review date: 27.2.19**

## INTRODUCTION

Council vacancies are normally filled by election (every 4 years). However, in the event that an election fails to fill the full number of available seats on the Council (7 for Wortwell Parish Council), or that a Casual Vacancy arises, and subject to qualifying criteria: (i) a further poll may be called, (ii) vacancies may be filled by through co-option, or (iii) should South Norfolk Council order, they will appoint.

This note sets out the policy by which Council vacancies are filled through co-opting in respect of: (A) following an election that was non-contested because there were insufficient nominations; and (B) a Casual Vacancy.

**Qualification for Councillor:** In general terms to be a councillor, a candidate must be a British, Commonwealth, Irish or European Union citizen; 18 years of age or over; and fulfil one or more of the following four criteria: (a) being and remaining to be on the register of electors for the Parish: or, during the whole of the twelve months preceding the nomination: (b) have lived in, (c) worked in or (d) lived within 3 miles of the parish boundary. Further details can be obtained at <http://www.cpalc.org.uk/becoming-a-parish-councillor>

**Resignation:** A councillor may resign at any time by written notice delivered to the Chair of the Council. The Chair must accept the resignation: there is no procedure for withdrawing a notice of resignation once it is made. The resignation takes effect immediately upon receipt, even if some future date has been specified in the letter of resignation. A verbal statement of resignation will not be accepted unless made in a Full Council meeting and minuted as such.

**Disqualification:** Reasons for disqualification include bankruptcy; being employed by or doing paid work for the council; a criminal conviction with a prison sentence of three months or more; illegal expenditure; or being found guilty of corrupt or illegal practices in election law.

**Other causes of a vacancy:** Death, failure to sign the Declaration of Acceptance of Office, and failure to attend meetings for a period of six consecutive months without prior approval of the Council.

### A. Vacancies after ordinary Parish Council Elections

**A.1** If seven, or fewer, valid nominations were received for the Parish Council quadrennial elections, all those validly nominated will be declared elected.

**A.2** If enough Councillors were elected to form a quorum (3), the Council shall fill any remaining vacant seats by co-option.

**A.3** Should it fail to fill the vacant seats within 35 days (excluding bank holidays and weekends), or if not enough councillors were elected to form a quorum South Norfolk Council may order a fresh election.

## **B. Casual vacancies**

**B.1 Vacancy arising:** When a vacancy arises on the Council after a councillor's resignation, death, disqualification, or failure to remain qualified, the Clerk must notify the Returning Officer at South Norfolk Council of the vacancy. Then either:

- The Council must display a notice informing the residents of the parish of the vacancy. The notice runs for 14 days (not counting weekends or bank holidays) from the date it is displayed on parish notice boards, and gives residents the opportunity to call for an election to fill the vacancy during this period. The Council will also post the notice on the Council website and, if the publication schedule allows, in the Wortwell Mardler
- If the vacancy occurs within six months of the next scheduled elections for the Parish Council a poll cannot be claimed and the council may, but is not bound, to fill the vacancy by co-option.

**B.2 Election called:** During the period of fourteen days from the date the public notice of the vacancy was displayed, ten electors from the parish can claim for a poll to be held to fill the vacancy. They must make their request in writing to the Returning Officer. If such a request is received within the 14 days, the Returning Officer will set a date for the election (which must be within 60 days of the date of the vacancy notice). Notices will be displayed announcing the election and explaining how to apply to be a candidate for election. If there are not enough nominated candidates at the election to fill the vacancies, a further election must be called. Co-option is not an option. The cost of any election is borne by the Council

**B.3. Election NOT called:** If an election is not called the Council is notified by the Returning Officer, and must fill the position by co-option as soon as practicable.

## **General**

**Complaints:** Complaints made under this policy should be referred to the Clerk as identified under the Council's Complaints Policy.