FILKINS & BROUGHTON POGGS PARISH COUNCIL

Casual Vacancy Appointment Procedure

Adopted Date	**November 2018**
Review Date	**November 2020**
Chairman Signature	Jeremy Irwin-Singer

Casual Vacancies

When a vacancy arises on a Parish Council due to a Parish Councillor's death, disqualification or resignation, it is called a Casual Vacancy and the process to fill the vacancy is as follows:

The Parish Council notifies the Returning Officer at the District Council of the vacancy and the Clerk posts a notice to the electorate. This notice runs for 14 days from the date the notice is displayed and gives the electorate the opportunity to call for a by-election. This is displayed on the Parish Council's noticeboard and website.

If ten or more electors call for a by-election then an election is organised by the District Council and further notices are posted informing interested persons of how to apply to enter as a candidate in the election. The cost of a by-election is borne by the Parish Council.

Co-option

If an election is not called the Parish Council is notified by the District Council to fill the position by co-option as soon as is practicable (or if vacancies remain following a recent election) and the following procedure applies.

The Parish Council posts a notice on the notice boards and anywhere else considered suitable advertising a casual vacancy for a Parish Councillor. This will usually have a closing date for applications to be received by the Clerk.

When applications have been received two Parish Councillors, on behalf of the Parish Council, will consider the application letter(s) and invite candidates to interview. If the applicant is eligible and not disqualified they will be co-opted on to the Council. If there is more than one applicant, the Parish Councillors conducting the interviews will make recommendation on the preferred candidate to the Parish Council who will vote on whether to accept the recommendation.

Eligibility for Office

To qualify for election as a local councillor, and to hold such office, an applicant must be a Commonwealth citizen (which includes a British subject) or Euro national and on the relevant day (defined below) has reached 18 years of age AND

a) on that day he/she is, and thereafter continues to be, a local government elector for the area or the authority; or

b) he/she has during the whole of the 12 months preceding that day occupied, as owner or tenant, any land or other premises in that area; or

c) his/her principal or only place of work during that 12 months has been in the area; or

d) he/she has during the whole of those 12 months resided in the area; or

e) he/she has during the whole of the 12 months preceding the relevant date resided within three miles of the parish or community.

The relevant day will be the day on which the person is nominated as a candidate and, if there is a poll, the day of election.

A person is disqualified for being elected as a local councillor or being a member of a local council if he/she:

a) holds any paid office or employment of the local council (other than the office of Chairman) or of a joint committee on which the council is represented; or

b) is a person who has been adjudged bankrupt or has made a composition or arrangement with his/her creditors

c) has within 5 years before the day of election, or since his/her election, been convicted in the UK, Channel Islands or Isle of Man of any offence and has been sentenced to imprisonment (whether suspended or not) for not less than 3 months without the option of a fine; or

d) is otherwise disqualified under Part III of the Representation of the People Act 1983 for corrupt or illegal practices, or under the Audit Commission Act 1998 consequent upon audit proceedings.

Filkins and Broughton Poggs
Parish Council