

Easton Parish Council

Vacancy Procedure

Once the vacancy has arisen the Council must display the notice as soon as practicable. However, if the vacancy has arisen due to a death, it is courteous that the notice is not displayed until after the funeral has taken place.

A copy of the vacancy notice must be sent to the Returning Officer, South Norfolk Council, Swan Lane, Long Stratton, Norwich, NR15 2XE, so that the progress can be monitored.

The vacancy notice must be displayed on the Parish noticeboard for 14 working days (not counting Saturdays, Sundays, Christmas Eve, Christmas Day, Good Friday or bank holidays). During this time 10 electors may request an election by writing to the Returning Officer.

After the 14 days, the Returning Officer will notify the Clerk in writing of the outcome. An election will only take place if 10 electors have requested it in writing.

If no election has been requested then the Parish Council must co-opt to fill the vacancy if it is not within 6 months of the Parish ordinary elections.

If a vacancy occurs within 6 months of the Parish Council's ordinary elections then the election will not be held, however, the vacancy may be filled by co-option if wished, but the Council is not obliged to do so.

Co-option Procedure

If an election is not required, the Clerk will place an advert on the noticeboard requesting that anyone interested should write to the Clerk with a CV and their reasons for becoming a Parish Councillor by a certain date.

The applications will be considered at the next meeting of the Parish Council.

Only Parish councillors present at the meeting may nominate, second or vote upon the person to fill the vacancy.

Councillors should be informed of the names and addresses of anyone wishing to be considered as a councillor.

Councillors must then decide if they wish to nominate any of the persons named at the meeting or any other persons known to them.

A Councillor does not have to nominate any of the persons named. Any Councillor may nominate someone for the vacancy, provided the nomination is seconded, that name may be voted upon.

Voting to fill the vacancy is done by a show of hands. If there is only one vacancy, a Councillor may only nominate or second one candidate.

The Chairman should place the names of those properly nominated into alphabetical order and take a vote. Councillors only have one vote each.

The first candidate to receive an absolute majority of those present and voting is declared elected.

Should no single candidate receive a majority on the first vote, the person with the lowest number of votes is eliminated.

Voting takes place on the remainder of the candidates (one vote per Councillor) until one person receives an absolute majority.

Adopted at a Parish Council meeting on 11 January 2016

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.