

Sleaford Town Council

CONSTITUTION Chapter 23 Filling of a Casual Vacancy



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Adopted Annual Meeting 15th May 2019
Re-adopted: FC 11th May 2022

FILLING A CASUAL VACANCY ON SLEAFORD TOWN COUNCIL

1. NOTIFICATION

There is a legal requirement to declare the office of Councillor vacant within a “reasonable time” after it has occurred. The period within which a poll may be claimed begins with the date given on the notice and, therefore, the proper notification is important and steps should be taken to ensure that all notices are posted on the same date.

The Acting Town Clerk will therefore notify the NKDC Returning Officer as soon as possible after the vacancy has occurred and will prepare and publish the Notice. The format of the Notice to be used is attached at the end of this Chapter and the Notice will be placed on the Council’s website and the Council’s notice boards.

2. CLAIMED POLL

Ten electors in the Ward where the Town Councillor vacancy has occurred may submit a request in writing to the Returning Officer to claim a poll. The poll must be claimed within 14 days of the public notification of the vacancy. The period of 14 days does not include Saturdays, Sundays, Christmas Eve, Christmas Day, Good Friday, a Bank Holiday and any day of Public Thanksgiving or Mourning.

The Returning Officer will determine an election date, following a request to fill the vacancy by a poll. The poll must take place within 60 days of the date given on the notice of vacancy.

3. NO POLL CLAIMED

If no poll is claimed within the 14 day period of public notification, the Parish Council may fill the vacancy by co-option. The Parish Clerk will be notified in writing by the Returning Officer.

4. VOTING ON CASUAL VACANCIES

In filling a vacancy by co-ption, the Parish Council is not obliged to consider the claims of candidates who were unsuccessful at a previous election.

It may be good practice to publish a notice giving the date of the meeting which any applications will be considered by the Town Council. This can also ask for any person who wishes to be considered for co-option, to confirm their name to the Clerk and that they are qualified to be a Town Councillor.

When filling the vacancy by co-option, a successful candidate must receive a majority of those present and voting at a meeting of the Parish Council. If there is more than one candidate for a vacancy, and candidate receives a majority of the votes cast, the candidate with the least number of votes should be taken off the list of candidates and the vote taken again. This procedure should be repeated until a majority is obtained for a particular candidate.

If there is more than 1 vacancy and the number of candidates equals the number of vacancies, all the vacancies may be filled by a single resolution of the Council.

5. IF A VACANCY OCCURS WITH SIX MONTHS OF THE NEXT ORDINARY PARISH ELECTIONS

A poll cannot be claimed if a vacancy occurs within six months of the next ordinary Parish elections. The Town Council may, but is not bound, to fill the vacancy by co-option.

6. POLLING CARDS

Should a poll be claimed and an election held, the cost of that election will be borne by Sleaford Town Council.

To ensure the local democratic process and a proper engagement with the Town's voters and taxpayers, Sleaford Town Council has resolved that Polling Cards will always be used in any election to fill a casual vacancy. Normal postal/proxy voting arrangements will also apply.

SLEAFORD TOWN COUNCIL

TOWN COUNCILLOR VACANCY

Sleaford Ward

NOTICE IS HEREBY GIVEN THAT :

A Vacancy has arisen in the Office of Town Councillor for the Sleaford Ward.

If you are a Local Government Elector for the above Ward you may request that an election is held to fill the vacancy. To request an election, you must write to (The Chief Executive, North Kesteven District Council, Kesteven Street, Sleaford NG34 7EF) by no later than

If ten local government electors make this request an election will be held.

If a request for an election is not received by the above date then the Town Council will co-opt a person to fill the vacancy as soon as practicable in accordance with the Local Elections (Parishes & Communities) Rules 2006.

Signed
Clerk
Sleaford Town Council