



CASUAL VACANCY POLICY

The following procedure will be followed when a casual vacancy for a Town Councillor arises.

Stage 1

When a vacancy arises on the Town Council due to a Town Councillor's death, disqualification or resignation, the process to fill the vacancy is as follows:

The Town Council notifies the Returning Officer at Rotherham Borough Council of the vacancy who 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 bye election. This is displayed on the Town Council's noticeboard as a minimum.

If ten or more electors call for a bye-election then an election is organised by Rotherham Borough 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 bye-election is borne by the Town Council.

Stage 2

If an election is not called the Town Council is notified by Rotherham Borough Council to fill the position by co-option as soon as is practicable. Or, if vacancies remain following a recent election the following procedure applies.

The Town Council post a notice on the notice boards and/or in the newsletter to advertise a casual vacancy for a Town Councillor. This may have a closing date for applications to be received by the Clerk.

When applications have been received the Town Council will consider the application letter(s). If the applicant is eligible and not disqualified they will be co-opted on to the Council only if the Council resolve that they agree to accept the applicant.

If there is more than one applicant, the decision will be decided by vote.

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.

Applying for a Casual Vacancy If you are interested in applying to the Town Council to fill the casual vacancy by co-option you need not wait until the notice (described in Stage 2) appears or its time limit expired.

You can write to the Town Council directly expressing your interest in the casual vacancy and requesting it considers your application when it has authority to co-opt for the vacancy.

Minute Number

Date.....