

Council Meeting – 27 October 2016

Agenda Item CC1646/16

Council Casual Vacancies

Introduction

Members have been advised by email that three Councillors have resigned from the Parish Council, namely Cllr Frank Brand (Durrants Ward), Cllr Amanda Greenman (Durrants Ward) and Cllr Ian Taft (Durrants Ward). The resignations take effect from 31 October 2016.

Discussion Narrative

In accordance with the Local Government Act 1972 three Casual Vacancies, those which occur during the course of a term of office of a Councillor, will arise on 31 October 2016. A Casual Vacancy differs to a vacancy due to insufficient candidates at an election but the filling of the vacancies follows much the same procedure with the exception of the initial steps. The exception is that the law requires the Casual Vacancy to be notified to the Returning Officer of the District (Dr Steven Halls, TRDC) who in turn is required by law to advertise the vacancy (ies).

The Returning Officer and the TRDC Democratic Services have confirmed that the advertising for the Casual Vacancies will take place on Monday 31 October and the Public Notice of the vacancies will be advertised for a period of 14 days. If within those 14 days a poll, a bye-election, is called for by a minimum of ten (10) residents from within the Ward then the Returning Officer is required to arrange a bye-election within 60 days. The costs of any bye-election will fall directly on to the Parish Council and will have to be funded accordingly. If no poll is called within 14 days, the Council may fill the post by co-option – the procedures for insufficient candidates at elections.

The Council already has documented procedures for filling vacancies by co-option.

Recommendation(s)

- Members are asked to note that three Casual Vacancies will occur on 31 October 2016;
- Members to confirm that if a bye-election is called within 14 days of the Public Notice issued by the Returning Officer the costs of the bye-election will be drawn from the Council's reserves, be that Earmarked or general Reserves;
- If no bye-election is called, to note that the Clerk will proceed to advertise the vacancies for a further period of 14 days from a start date determined by the Clerk in order for Council to fill the vacancies under its co-option procedures.

David Allison
Clerk to the Council
12 October 2016