

AGENDA ITEM 10

Chichester City Council

Casual vacancy caused by the death of Councillor Kevin Hughes

The Returning Officer has confirmed that no poll has been claimed following the casual vacancy in the City Council's East Ward caused the untimely death of Councillor Kevin Hughes.

The Council may now proceed to fill this vacancy by co-option.

To most of the Council, the co-option process is something new. Councillor Scicluna will remind us that she is the City Council's only current co-opted member.

The next step would be for the Council to post a notice on its notice boards advertising the vacancy and seeking expressions of interest.

The notice will also include the closing date for expressions of interest to be received.

When the applications have been received, the Town Clerk will consider the application letter(s). If there is a sole applicant and they are not disqualified, see below, they may be co-opted on to the City Council.

If there is more than one applicant, then the decision will be decided by a vote of the City Council. It is suggested the Council would then invite all applicants to attend a special meeting and give, say a 10-minute presentation on why they wish to become a member of the City Council. The vacancy would be filled by the candidate receiving a clear majority e.g., if there are three applicants, three are voted on, this then reduces to two and then to one.

To qualify for election as a Parish Councillor, and to hold this position, an applicant must be:

A British, Irish or qualifying Commonwealth citizen, or a citizen of any other member state of the European Union and on the relevant day (the day of nomination or election) have reached 18 years of age or over. They must also meet at least one of these four qualifications:

- on the relevant day and thereafter they continue to be on the electoral register for the Parish
- during the whole of the twelve months before that day, they have owned or tenanted land or premises in the parish
- during the whole of the twelve months before that day their principal or only place of work has been in the parish
- during the whole of the twelve months before that day, they have lived in the parish or within 4.8km (3 miles) of the parish boundary

An applicant may be disqualified from standing (or being co-opted), if they are a paid officer or employee of that parish, have had bankruptcy restriction orders made

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against them or they have a previous criminal conviction with a prison sentence of three months or more.

The co-option process does not attract any fees charged by the Returning Officer.

If any doubt exists whether a candidate would be able to stand for election or co-option, the Electoral Commission website has more information.

In the case of any further casual vacancy occurring post 9th November i.e. the six months preceding the May 2023 elections, the Council are not obliged to fill it in the usual way by the public notice and the two stage process of ten local government electors being able to call for a poll within 14 days of the notice. Co-option would still be possible under these circumstances if City Council so wished.

A co-opted Councillor exercises the same rights as one who has been elected, there are no special rules applying to them because they have not been elected by a public poll.

Rodney Duggua
Town Clerk