

Prudhoe Town Council: Vacancy pursuant to resignation of Councillor K Graham

Outcome of Notification of Vacancy, and Actions to follow

The Council is advised that, following the agreement of the October Ordinary Meeting to declare the Vacancy, the Notice of Vacancy was displayed with effect from 27 October, and the Returning Officer at NCC was notified in accordance with the procedure laid down.

The Returning Officer advised that the closing date for a poll to be claimed in accordance with the law would be 16 November 2016. That officer has now advised that no poll has been claimed by the minimum number of 10 electors.

Following the poll not being claimed, the provisions of the Local Elections (Parishes and Communities) (England and Wales) Rules 2006, SI2006/3305 apply, as follows:

Rule 5, "Filling of Casual Vacancies"

"(5) Subject to paragraph (6) below, where a casual vacancy in any such office is not required to be filled by election, the parish or community council must, as soon as practicable after the expiry of the period of 14 days referred to in paragraph (2)(c), co-opt a person to fill the vacancy.

(6) In the case of a casual vacancy occurring in the office of a parish or community councillor within six months before the day on which that councillor would regularly have retired, paragraph (5) shall have effect with the substitution of the word "may" for "must"; and any vacancy not so filled must be filled at the next ordinary election."

The effect of subsection (6) on subsection (5) is that, as there are less than six months to go before the date of the local authority elections in the County of Northumberland, *the Council is not obliged or required to fill the vacancy by co-option*: it has a discretion to decide whether to do so or not.

Accordingly, the Council is requested to consider whether or not it wishes to arrange for a co-option to take place.

Richard Whinney, Executive Officer

November 2016