

Vacancy in the Office of Parish Councillor for the Parish of Marston Sicca

NOTICE is hereby given, in accordance with Section 87(2) of the Local Government Act 1972, that a vacancy exists in the office of Parish Councillor for the Parish of Marston Sicca by reason of resignation of Councillor Lesley Kiener on the 21st day of November 2016.

Any ten local government electors for the Parish may require an election to be held to fill the said vacancy. To do this, they must send a written request to the Returning Officer, Stratford-on-Avon District Council, Elizabeth House, Church Street, Stratford-upon-Avon to reach him no later than the 15th day of December 2016. No set form of words is necessary.

If such a request is received by the Returning Officer, an election will be held. If no request is received, the vacancy will be filled in due course by co-option by the remaining members of the Parish Council.

Dated this 25th day of November 2016.

By order of the Parish Council

(Signed) _____

(Designation) _____

FILLING OF A CASUAL VACANCY IN THE OFFICE OF PARISH COUNCILLOR

1. When a casual vacancy arises, public notice shall be given by the Parish Council concerned. If it is a case in which the Parish Council declare the office to be vacant, notice must be published immediately after the declaration; and in any other case it must be published as soon as practicable after the vacancy has occurred.

(Local Government Act 1972 - Section 87(2))

2. Publication of the notice is performed by posting it in some conspicuous place or places within the area of the Parish Council and in such other manner, if any, as appears to the Parish Council to be desirable for giving publicity to the notice. It is obviously desirable, but not a requirement, that the notice shall be posted on the usual Parish Notice Board.

(Local Government Act 1972 - Section 232)

3. The notice must state that on a particular date a casual vacancy on the Parish Council arose. The notice itself must be dated with the date on which it is published and must state that any ten local government electors for the Parish may serve a notice in writing of their request for an election to be held to fill the vacancy. It must also state that the written notice of the electors' request *must be given to the Returning/Proper Officer of the Stratford-on-Avon District Council at Elizabeth House, Church Street, Stratford-upon-Avon within 14 days after publication of the Notice.*

In computing 14 days, the day of publication is not to be counted, Saturdays and Sundays and certain other days (e.g. days around public bank holidays and days appointed for public thanksgiving or mourning) are to be disregarded. If there is any doubt about the effect of this method of computing the timetable the Returning Officer's staff would be pleased to assist.

4. If a notice in writing is given to the Returning Officer in accordance with the above an election must be held to fill the vacancy. The arrangements for the election will be made by the Returning Officer.
5. If no notice in writing reaches the Returning Officer, the Parish Council themselves must fill the vacancy (i.e. by co-option) "as soon as practicable".

Note : If a casual vacancy arises not more than six months before the day on which the Councillor would regularly have retired the provisions for an election do not apply, but the Parish Council may (but is not obliged to) fill the vacancy by co-option.

(Local Elections (Parish and Communities) Rules 1986 - Regulation 8)

6. Parish Council Clerks are asked to let me know when casual vacancies occur among their Councillors and to send me a copy of the notice when published by the Parish Council. This will enable me to let them know in due course whether a written request for an election is received, and therefore whether an election is to be held or the vacancy is to be filled by co-option by the Parish Council.
7. A draft form of notice is printed on the reverse of this paper.

DAVID DALBY
Returning Officer