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**CHURCHSTOKE
COMMUNITY COUNCIL**

HOW TO BECOME A COMMUNITY COUNCILLOR

ELIGIBILITY TO BE A COUNCILLOR

A candidate for Community Councillor must meet certain eligibility criteria as follows;

- A person is qualified to be elected and to be a councillor if he/she is a British, Commonwealth, Irish or European Union citizen and on the relevant day (that is, the day of nomination or election) he/she is 18 or over.

AND the person must meet at least one of the following criteria:

- on the relevant day he/she must be on the electoral register for the community, or
- during the whole of the twelve months before that day he/she has occupied as owner or tenant land or premises in the community, or
- during the whole of the twelve months before that day his/her principal or only place of work has been in the community, or
- during the whole of the twelve months before that day he/she has resided in the community or within three miles of it.

You cannot be a councillor if you

- are subject of a bankruptcy restriction order or interim order or
- have, within five years before the day of the election, been convicted in the United Kingdom of any offence and have had a sentence of imprisonment (whether suspended or not) for a period of over three months without the option of a fine or
- you work for the council you for which you want to become a councillor for (you can work for other local authorities, including the principal authorities that represent the same area).

ATTAINING OFFICE OF COUNCILLOR

By Ordinary Elections

Community councillors are elected by the public and may serve five-year terms. Following elections, councils appoint a chair, or town mayor in town councils.

The Procedure

- Ordinary elections of local councillors usually take place on the first Thursday in May every five years. For most local councils in Wales election year is 2022, 2027, 2032, etc. but where the unitary authority councillor is elected in some other year that is also the year of the local council election. Reorganisation of local government may cause alteration of the election day and election year in some cases.

A typical election timetable is as follows:

- Publication of Notice of Election: Not later than the twenty-fifth day before the day of election
- Delivery of Nomination papers: On the nineteenth day before the day of election
- Publication of list of candidates: On the nineteenth day before the day of election
- Delivery of notices of withdrawals of candidature: On the nineteenth day before the day of election.

If there is only one candidate, then that candidate is elected unopposed.

If there is more than one candidate an election will be held as follows:

- Notice of Poll: Not later than the sixth day before the day of election
- Polling: Between 07:00 and 22:00 on the day of election
- In calculating the timetable, the Bank holidays and weekends are disregarded.

If there is only one candidate, then that candidate is elected unopposed

If there are no candidates, then the council is required to fill the vacancy by Co-Option (see below).

Nomination process

- A prospective candidate must deliver or send by post to the Returning Officer a valid nomination paper. This form is obtained from the Returning Officer. The candidate's surname, forenames, residence and description (if required) must be entered and his or her number and prefix letter from the current register of electors. The Returning Officer has a copy of this register, and the clerk of the local council normally has one.
- The nomination paper must also contain similar particulars of a proposer and a seconder. They must be electors for the area for which the candidate seeks election (i.e. the community or town or the ward if it is divided into wards): they must sign it.

By Mid Term Elections – Casual Vacancies

If a seat becomes vacant mid-term there this is known as a 'Casual Vacancy'. A casual vacancy occurs when for example,

- A councillor fails to make his declaration of acceptance of office at the proper time
- A councillor resigns
- A councillor becomes deceased
- A councillor becomes disqualified
- An election being declared void
- A councillor fails for six months to attend meetings of a council, committee or sub-committee or to attend as a representative of the council a meeting of an outside body unless for reasons approved by Council.

After declaring the vacancy by public notice, the council informs the office of the Returning Officer. There is then a period of 14 working days from date of notice in which ten electors for the electoral area may call for an election. If an election is called the process is the same as for ordinary elections outlined above. If no election is called, the council must co-opt to fill the vacancy as soon as practicable as outlined below. In the case of a casual vacancy occurring in the last six months before the ordinary elections, the council is required to give a notice of the casual vacancy, but an election is not held. The council may co-opt if it wishes, leaving any unfilled vacancies to be filled at the ordinary elections

By Co-Option

If no election has been called, or there are no candidates in an election or by-elections, the council must co-opt members to the council to fill the vacancy provided the vacancy is not falling within six months of a future election date.

The procedure:

- The office of the Returning Officer informs the council that there is no election called or there are no candidates, and it is required to co-opt
- The Local Government (Wales) Measure 2011 requires councils to give public notice where vacancies are to be filled by co-option, so the council declares and displays a 'Notice of Co-Option' inviting expressions of interest by a deadline specified in the notice.
- The council may require that interested persons submit expression of interest and statement of eligibility.
- Co-option takes place from the list of Interested Persons at a meeting of the council
- The council may co-opt whomever it pleases to fill a casual vacancy, however, that person must be qualified to serve as a councillor. The person co-opted must receive an absolute majority vote of the councillors present and voting. Where there are more than two candidates for the vacancy, it may be necessary to run a series of votes, each time removing the candidate who has the least number of votes until one candidate secures an absolute majority.

If there is more than one candidate, council will vote for the candidate it wishes to co-opt.

If there is only one candidate, that person is usually co-opted unopposed unless there are extraordinary reasons not to do so.

If there are no candidates, then the vacancy remains.

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