

CO-OPTION OF TOWN COUNCILLOR
for the
PARISH OF COAL ASTON
North East Derbyshire District Council

This pack contains:-

1. Candidate letter of application.
2. Candidate consent to co-option form.
3. Guidance notes, complete with addresses where more information can be acquired including website addresses.
4. Extracts from the LOCAL GOVERNMENT ACT 1972 - Part V (as amended)

CO-OPTION OF TOWN COUNCILLOR
for the
PARISH OF COAL ASTON
North East Derbyshire District Council

Name of Applicant:	
Address:	
E-mail Address:	
Phone Number:	

Please give your reasons for wishing to join Dronfield Town Council, and explain what you will bring to the Council for the benefit of the town.

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Please continue on reverse if required.

Please Note: You may be asked to elaborate on the contents of this application letter, and current councillors may also wish to ask you direct questions before taking a vote.

Signed:		Date:	
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Candidate's Consent to Nomination

Co-option of a Town Councillor

For

Coal Aston Parish Ward

North East Derbyshire District Council

I, *(name in full)*

of *(home address in full)*

hereby consent to being co-opted as a Town Councillor for Coal Aston Parish Ward.

I declare that on the day of my nomination I am qualified and that, if there is a poll on the day of election, I will be qualified to be so elected by virtue of being on that day or those days a qualifying Commonwealth citizen, a citizen of the Republic of Ireland or a citizen of another Member State of the European Community, who has attained the age of 18 years and that

* (a) I am registered as a local government elector for the administrative area of the Parish in respect of *(qualifying address in full)*

and my electoral number *(see note below)* is _____ ; or

* (b) I have during the whole of the twelve months preceding that day or those days occupied as owner or tenant of the following land or other premises in the Parish *(description and address of land or premises)*

_____ ; or

* (c) my principal or only place of work during those twelve months has been in that Parish at *(give address of place of work and, where appropriate, name of employer)*

_____ ; or

* (d) I have during the whole of those twelve months resided in that Parish or within 4.8 kilometres of it at *(give address in full)*

** delete whichever is inappropriate, (but you can include all those that apply)*

I declare that to the best of my knowledge and belief I am not disqualified from being elected by reason of any disqualification set out in Section 80 of the Local Government Act 1972, or any decision made under section 79 of the Local Government Act 2000, [copies of which sections are printed overleaf].

Signature: _____

Date of

consent: _____

Signed in my presence

Signature of

witness: _____

Name and address of witness (PLEASE PRINT)

- NOTES: 1. A person's electoral number is his number in the register to be used at the election (including the distinctive letters of the parliamentary polling district in which he is registered).
2. A candidate who is qualified by more than one qualification may complete any of those that may apply.

Councillor Co-option Notes

Interested in becoming a Parish or Town Councillor?

You can stand as a Parish or Town Councillor if you are a British citizen, a citizen of the Irish Republic, or national of another EU country; and on the day on which nominated as a candidate, are over 21 and an elector;

or

during the whole of the twelve months preceding the nomination day, or the day of election, resided or had the principal place of work in the parish or town, or within three miles of it.

What does being a Councillor involve?

A Councillor is a member of the Parish or Town Council and is normally elected for a term of four years. All Parish and Town Councils are elected in full every 4 years, at the same time as the District Council elections. It may be that a vacancy arises on the Council between the full elections cycle, and in this case a by-election may be called. For those elected at a by-election or by co-option during the four year term, their term of office may be anything up to the full four years.

A Parish or Town Councillor may be affiliated to one of the political parties, or can stand as an independent (not affiliated). What Parish and Town Councillors do all have in common is an active interest in their local community and a concern for it. Much of the role of the Parish or Town Councillor will be in representing and dealing with the issues of those who elected you, and considering the business of the Council through its formal meetings. Depending on the way the Council organises its business it may form committees to deal with specific areas of council business, such as playing field or village hall committee.

For more information NALC produce a booklet "Become a Councillor" which is available from <https://www.nalc.gov.uk/elections>

Local Government Act 1972

Section 80. - Disqualifications for election and holding office as a member of local authority

- (1) Subject to the provisions of section 81 below, a person shall be disqualified for being elected or being a member of a local authority if he –
 - (a) holds any paid office or employment (other than the office of chairman, vice-chairman or deputy chairman or, in the case of a local authority which are operating executive arrangements which involve a leader and cabinet executive, the office of executive leader or member of the executive) appointments to which are or may be made or confirmed by the local authority or any committee or sub-committee of the authority or by a joint committee or National Park authority on which the authority are represented or by any person holding such office or employment; or
 - (b) is a person who has been adjudged bankrupt, or made a composition or arrangement with his creditors; or
 - (c) ...
 - (d) has within five years before the day of election or since his election has been convicted in the United Kingdom, the Channel Islands or the Isle of Man of any offence and has passed on him a sentence of imprisonment (whether suspended or not) for a period of not less than three months without the option of a fine; or
 - (e) is disqualified for being elected or for being a member of that authority under Part III of the Representation of the People Act 1983 or under the Audit Commission Act 1998.
- (2) Subject to the provisions of section 81 below, a paid officer of a local authority who is employed under the direction of –
 - (a) a committee or sub-committee of the authority any member of which is appointed on the nomination of some other local authority; or
 - (b) a joint board, joint authority or joint committee on which the authority are represented and any member of which is so appointed;shall be disqualified for being elected or being a member of that other local authority.
- (2AA) A paid member of staff of the Greater London Authority who is employed under the direction of a joint committee the membership of which includes –
 - (a) One or more persons appointed on the nomination of the Authority Acting by the mayor, and
 - (b) One or more members of one or more London borough councils Appointed to the committee on the nomination of those councils shall be disqualified for being elected or being a member of any of those London borough councils.
- (2A) Subsection (2) above shall have effect as if the reference to a joint board included a reference to a national park authority.
- (2B) For the purpose of this section a local authority shall be treated as represented on a national park authority if it is entitled to make any appointment of a local of authority member of the National Park authority.
- (3) Teachers in a school maintained but not established by a local education authority shall be in the same position as respects disqualification for office as members of the authority as teachers in a school established by the authority.
- (4) ...
- (5) For the purposes of subsection (1) ... (d) above, the ordinary date on which the period allowed for making an appeal or application with respect to the ... conviction expires or, if such an appeal or application is made, the date on which the appeal or application is finally disposed of or abandoned or fails by reason of the non-prosecution thereof shall be deemed to be the date of the ... conviction, as the case may be.

Words were omitted from subsection (1)(a) by the Local Government and Housing Act 1989 and the words in square brackets in that subsection were inserted by Schedule 10 to the Environment Act 1995; subsection (1)(b) was substituted by the Enterprise Act 2002; the words in square brackets in subsection (1)(c) were inserted by Schedule 3 to the Audit Commission Act 1998 and Schedule 8 to the 1983 Act; subsection (2) was amended by the Local

Government Act 1985; subsection (2AA) was inserted by the Greater London Authority Act 1999; subsections (2A) and (2B) were inserted by Schedule 10 to the Environment Act 1995; subsection (4) was repealed by the Transport Act 1985 and the words omitted from subsection (5) were repealed by the Local Government Finance Act 1982.

Section 81. - Exception to provisions of section 80

(1) ... (2) ... (3) ...

(4) Section 80(2) and (3) above shall not operate so to disqualify –

(a) any person by reason of his being a teacher, or otherwise employed, in a school ... or other educational institution maintained or assisted by a county council for being a member of a district council by reason that the district council nominates members of the education committee of the county council;

Subsections (1) and (2) ceased to have effect from 1 April 2004 under section 267 of the Enterprise Act 2002; subsections (3) and (4)(b) were repealed by the Local Government Act 1985; and the words omitted from subsection (4)(a) were repealed by Schedule 13 to the Education Reform Act 1988.