



# APPLICATION FOR CO-OPTION AS A MEMBER OF THE COUNCIL FOR THE PARKGATE WARD

A **vacancy** has arisen for the position of Town Councillor in the Parkgate Ward.

If you would like to be considered by the Council for co-option, please complete an application form, which is available at the address below or from our website. This will help members of the Council in making nominations from which to select a new member of the Council.

The deadline for return of the co-option application form is Monday 30<sup>th</sup> September 2024 at 12 noon.

**Please note that all information contained in Part 1 of the application will be published in the same manner as other documents for consideration at a meeting of the Council and be available to the public at the Council's office and on its website.**

**This form may be completed on a computer. Only certain cells may be completed. Please use the TAB key to move from cell to cell.**

**Alternatively, you may print the form to complete it by hand.**

**Part 1**

Your FULL name			
Address of applicant	Line 1		
	Line 2		
	Line 3		
		Postcode	CH64
Ward vacancy	<b>PARKGATE WARD</b>		
Present or most recent occupation			
Please give details of any academic, professional, or work qualifications you feel would be of value to the Council			
Please give details of any personal qualities you feel would be of value to the Council when considering your application			
Please set out any life experiences that you may wish to declare in support of your application or anything else you consider as appropriate information you feel would be of value to the Council			
Please set out the reasons why you consider the Council should co-opt you			

<b>Part 2</b>	<b>Full Name</b>		
<p><b>Please indicate whether you would wish to speak to the council in support of your application during that part of the proceedings set aside for residents' statements or questions.</b></p> <p>You are invited to attend the meeting at which your co-option is being considered. Please accept this as notification that you may have questions put to you by members.</p>			<b>Yes OR No</b>
<p><b>The details asked for below are not intended for publication, but are required to confirm that you are eligible for co-option</b></p>			
Please confirm that you are			<b>Yes OR No</b>
<ul style="list-style-type: none"> <li>at least 18 years of age <b>AND</b></li> </ul>			
<ul style="list-style-type: none"> <li>a British citizen, OR an eligible Commonwealth citizen, OR a citizen of any other member state of the European Union</li> </ul>			
Please confirm that you fulfil <b>at least one</b> of the conditions listed below:			<b>Yes OR No</b>
<ul style="list-style-type: none"> <li>You are registered as an elector for local government elections in the Neston Town Council area</li> </ul>			
<ul style="list-style-type: none"> <li>You have occupied as owner or tenant any land or premises in the Neston Town Council area during the whole of the 12 months before the date of this application</li> </ul>			
<ul style="list-style-type: none"> <li>Your main or only place of work during the 12 months prior to the date of this application has been in the Neston Town Council area</li> </ul>			
<ul style="list-style-type: none"> <li>You have lived in the Neston Town Council area during the whole of the 12 months prior to the date of this application</li> </ul>			
<p>I confirm that;</p> <p>I have read the qualification and disqualification information on page 4</p> <ul style="list-style-type: none"> <li>I am willing to undertake the duties of a Town Councillor</li> <li>I meet the criteria for eligibility, set out in s79 of the 1972 Local Government Act</li> <li>I am not disqualified in accordance with section 80 of the 1972 Local Government Act</li> </ul> <p>To the best of my ability I confirm that all the details on all the pages of this application are correct.</p>			
Signed		Dated	/ /
<b>Contact phone number</b>			
<b>Contact email address</b>			
<p>When completed and signed the application should be sent to  The Chief Officer  Neston Town Council  Town Hall  High Street  Neston CH64 9TR  council@nestontowncouncil.org.uk  www.neston.org.uk</p>			

## **Extracts from the Local Government Act 1972 as amended**

### **79 Qualifications for election and holding office as member of local authority.**

(1) A person shall, unless disqualified by virtue of this Act or any other enactment, be qualified to be elected and to be a member of a local authority if he is a qualifying Commonwealth citizen or a citizen of the Republic of Ireland or a relevant citizen of the Union and on the relevant day he has attained the age of eighteen years and—

- (a) on that day he is and thereafter he continues to be a local government elector for the area of the authority; or
- (b) he has during the whole of the twelve months preceding that day occupied as owner or tenant any land or other premises in that area; or
- (c) his principal or only place of work during that twelve months has been in that area; or
- (d) he has during the whole of those twelve months resided in that area; or
- (e) in the case of a member of a parish or community council he has during the whole of those twelve months resided either in the parish or community or within three miles of it.

(2) In this section "relevant day", in relation to any candidate, means—

- (a) except in the case of an election not preceded by the nomination of candidates, the day on which he is nominated as a candidate and also, if there is a poll, the day of election; and
- (b) in the said excepted case, the day of election.

2A) In this section the expression "citizen of the Union" shall be construed in accordance with Article 8.1 of the Treaty establishing the European Community (as amended by Title II of the Treaty on European Union), and "relevant citizen of the Union" means such a citizen who is not a qualifying Commonwealth citizen or a citizen of the Republic of Ireland.

2B) For the purposes of this section, a person is a qualifying Commonwealth citizen if he is a Commonwealth citizen who either—

- (a) is not a person who requires leave under the Immigration Act 1971 to enter or remain in the United Kingdom, or
- (b) is such a person but for the time being has (or is, by virtue of any enactment, to be treated as having) indefinite leave to remain within the meaning of that Act.

(2C) But a person is not a qualifying Commonwealth citizen by virtue of subsection (2B)(a) if he does not require leave to enter or remain in the United Kingdom by virtue only of section 8 of the Immigration Act 1971 (exceptions to requirement for leave in special cases).

### **80 Disqualifications for election and holding office as 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 or elections 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 any such office or employment; or
- (aa) holds any employment in a company which, in accordance with Part V of the Local Government and Housing Act 1989 other than section 73, is under the control of the local authority; or

(b) is the subject of a bankruptcy restrictions order or interim order;

(d) has within five years before the day of election or since his election been convicted in the United Kingdom, the Channel Islands or the Isle of Man of any offence and has had 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 a member of the relevant council under Part III of the Representation of the People Act 1983 or for being a charter trustee under the Audit Commission Act 1998, and in this paragraph "the relevant council" means the council of the county or district in which is comprised the area for which charter trustees are established by any statutory instrument made under Part II of the Local Government Act 1992.

(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 economic prosperity board, combined authority, joint waste 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 purposes 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 authority member of the National Park authority.

(3) Subsection (1)(a) shall have effect in relation to a teacher in a school maintained by the local authority who does not hold an employment falling within that provision as it has effect in relation to a teacher in such a school who holds such an employment.

(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. Updated 31/05/2023.