



Question:

Can you inform me please what the process is for a referendum to take place for voters to have a say in the future of the Parish Council?

Answer:

In the parish sector, there is only one method of formal referendum and that is in the form of a parish poll. Such a poll can only be claimed at a parish meeting, i.e a meeting of the electors of the parish (Parish Assembly), which is convened under the Local Government Act 1972, Schedule 12, Part 3 (III), Paragraphs 14 to 22. Local Government Act 1972. I've included the link if you want to read more [Local Government Act 1972 \(legislation.gov.uk\)](https://www.legislation.gov.uk/ukpga/1972/12/schedule-12/part-3/section-3).

In terms of the process during the Parish Assembly I have bullet pointed below.

- Only electors of the parish may vote at an assembly of the parish meeting.
- Each elector can give one vote on any question and no more.
- A question to be decided by the parish meeting shall, in the first instance, be decided by the majority of those present and eligible to vote.
- In the case of an equality of votes, the person presiding at the assembly shall have a casting vote, in addition to any vote they may have.
- The decision of the person presiding at the assembly as to the result of the voting shall be final unless a poll is demanded.

As part of this process, I must advise for full transparency that the expenses of a parish poll will be met by the Parish Council and in turn, that means the council taxpayers of the parish of Ackworth.

Any electors that are thinking about convening a parish meeting and calling for a poll, should be aware that the cost for this may run into thousands of pounds, because the format for administration would need to include polling stations, polling officers etc – like that of a contested election. Any unplanned for additional costs to the Parish Council may result in a precept increase next year to pay for the poll.

It would be Wakefield Metropolitan District Council (WMDC) who would run the poll if it were claimed, and its subject is legitimate. It is also worth noting to you that the outcome of a parish poll is not binding on the Parish Council and is advisory only.

Next steps if dissolution was called for and the poll was successful would be a Community Governance Review by WMDC as a parish poll alone cannot dissolve a Parish Council. This is a completely separate process entirely and something that can be done without a parish poll and the associated costs of that if the elector requested directly with WMDC following their process.

It is always worth enquiring with WMDC if another process can be undertaken to do what the electorate requires (occasionally available) to prevent a parish poll as in these instances the poll could be a wasteful exercise.