



Woodstock Town Council Co-option Policy

1. Introduction

This policy sets out the procedure to ensure there is compliance with legislation and continuity of procedures in the co-option of members to the Town Council. The Co-option procedure is entirely managed by the Town Council and this policy will ensure that a fair and equitable process is carried out.

2. Co-option

The Co-option of a Town Councillor occurs when a casual vacancy has arisen on the Council and no poll (by-election) has been called. A casual vacancy occurs when:

- A councillor fails to make his declaration of acceptance of office at the proper time;
- A councillor resigns;
- A councillor dies;
- A councillor becomes disqualified; or
- A councillor fails for six (6) months to attend meetings of a council committee or subcommittee or to attend as a representative of the Council a meeting of an outside body.

Public Notice for by-election

The vacancy has been the subject of a public notice and not less than 10 registered electors have requested a by-election by a deadline date specified by the District Returning Officer.

Cooption

If after the deadline to call a by election one has not been called the Parish Councils are permitted to exercise the power to co-opt a person on to the Council to fill a casual vacancy when the requirements to hold an election have not been met

Timescale for by-election to be called

The people of the parish have fourteen days (not including weekends, bank holidays and other notable days), to claim the by-election, but the electoral officer will advise the clerk of the closing date.

If ten (10) residents do not request a ballot within fourteen (14) days of the vacancy notice being posted, as advised by the District Council Electoral Service Office, the Town Council is able to co-opt.

Candidates

If more than one (1) candidate is then nominated a by-election takes place but if only one (1) candidate is put forward they are duly elected without a ballot

By-election called

If a by-election is called, a polling station will be set up by the District Council and the electorate of the parish will be invited to go to the polls to vote for candidates who will have put themselves forward by way of a nomination paper. The Town Council may incur costs for a by-election.

3. Confirmation of co-option and process

On receipt, of written confirmation, from the District Council Electoral Services Office the casual vacancy can be filled by means of Co-option,.

The Town Clerk will:

- Advertise the vacancy for 21 days on the Council notice boards and website (this does not include the date of the notice and excludes Saturdays and Sundays)
- Advise the council at their next meeting that the Co-option Policy has been instigated Woodstock Town Council is not obliged to fill any vacancy. Even if the Council invites applications for co option, it is not obliged to select anyone from the candidates who apply.

However, it is not desirable that electors in a parish be left partially or full underrepresented for a significant length of time, neither does it contribute to the effective and efficient working of the Council if there are insufficient councillors to share the workload; equitably; to provide a broad cross-section of skills and interests; or the achieve meeting quorums without difficulty. Councillors elected by Co-option are full members of Woodstock Town Council.

4. Eligibility of Candidates

The Town Council is able to consider any person to fill a vacancy provided that:

- They are an elector for the parish; or
- has resided in the parish for the past twelve months or rented/tenanted land in the parish; or
- had his/her principal place of work in the parish; or • has lived within three miles (direct) of the parish.

There are certain disqualification's for election, of which the main are (see 5. 80 of the Local Government Act 1972):

- holding a paid office under the local authority;
- bankruptcy;
- having been sentenced to a term of imprisonment (whether suspended or not) of not less than three months, without the option of a fine during the five years preceding the election;
- being disqualified under any enactment relating to corrupt or illegal practices.

5. Applications

Members may point out the vacancies and the process to any qualifying candidate(s). Although there are no statutory requirements, candidates will be requested to:

- Submit information about themselves, by way of completing a short application form Appendix A

Confirm their eligibility for the position of Councillor within the statutory rules. Appendix B

The next Step

Following receipt of applications, the next suitable council meeting will have an agenda item

'To receive written applications for the office of Town councillor and to Co-opt a candidate to fill the existing vacancy'.

Copies of the candidates applications will be circulated to all Councillors by the Clerk at least 3 clear days prior to the meeting of the full Council, when the Co-option will be considered.

All such documents will be treated by the Clerk and all Councillors as Strictly Private and Confidential.

The Process

6.. The process will be carried out in the public session and there will be no private discussions between Members prior to a vote being taken.

However where the Council is discussing the merits of candidates and inevitably their personal attributes, this could be prejudicial and the Council should resolve to exclude the members of the press and public.

The Vote

1. A vote by a show of hands will then take place. The vote will be recorded so as to show whether each Councillor present has voted.
2. A recorded vote may be requested under Standing Orders so as to show whether each Councillor present has voted
3. The option for a signed ballot may be requested

In order for a candidate to be elected to the Council, it will be necessary for them to obtain an absolute majority of votes cast (50% + 1 of the votes available at the meeting). If there are more than two candidates and there is no candidate with an overall majority in the first round of voting the candidate with the least number of votes will drop out of the process.

Further rounds of voting will then take place with the process repeated until a candidate has an absolute majority. In the case of an equality of votes, the Chairman of the meeting has a second of casting vote.

After the votes have been concluded, the Chairman will declare the successful candidate duly elected and after signing their declaration of acceptance of office, they may take their seat immediately.

The Clerk will notify Electoral Services of the new Councillor appointment.

The successful candidate(s) must complete the 'registration of interests' within 28 days of being elected. The form should be handed to the Clerk for forwarding to the Monitoring Officer.

If insufficient candidates come forward for co-option, the process should continue, whereby the vacancies are again advertised.