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PROCEDURE FOR THE FILLING OF CASUAL VACANCIES BY CO-OPTION

This policy sets out the procedure for co-opting a councillor following a casual vacancy.

1.0 Introduction

1.1 A casual vacancy occurs when there is a vacancy that is a result of the following:

- 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
- A councillor fails for six (6) consecutive months to attend meetings of a council, committee, or subcommittee or to attend as a representative of the council at a meeting of an outside body

1.2 The proper officer must notify the elections department at the Unitary Council of the vacancy who will advise on how to advertise the vacancy. Following the display of notice to inform residents that they can request a poll, if no request for a poll is received by South Gloucestershire Council by the date on the Notice of Vacancy, the Unitary Council will advise the Town Council that it may co-opt to the vacancy. Co-option is the process by which the Town Council selects a new Councillor, and it is done as an agenda item within a monthly Town Council meeting.

1.3 The Town Council manages the process of co-option and strives to demonstrate that it is fair and equitable by following the procedure set out below.

2.0 Procedure

2.1 Kingswood Town Council will advertise the vacancy or vacancies on its notice boards and website and social media to encourage people to consider becoming a councillor. The advert will include the method of how to apply (application form), the closing date to receive applications and a contact name and number for further information. The advert will also include the date of the meeting at which the co-option will be considered. The Town Clerk must check the eligibility of each candidate when they have completed the application form and reject those who do not meet the criteria.

2.2 The completed application forms where the criteria are met will be circulated to councillors in advance of the meeting at which the co-option is to be considered.

2.3 If an applicant does not present themselves to the Town Council meeting and they cannot provide a valid reason for not attending then they will not be considered for the vacancy/vacancies.

2.4 At the Town Council meeting, whether there is one vacancy or several vacancies to fill and regardless of the number of candidates, candidates are invited to introduce themselves and explain why they would like to be a councillor and councillors have the opportunity to ask questions of the candidates. Each candidate will be allocated a maximum of three minutes.

2.5 The Town Council may resolve to exclude members of the press and public under the Public Bodies (Admissions to Meetings) Act 1960 to enable it to discuss the merits or otherwise of the applicants.

2.6 The Town Council meeting will re-convene as an open meeting and a vote will take place. The Chair will place the names of those nominated into alphabetical order and request the Councillors present to nominate any of the candidates. Candidates will require a proposer and seconder to progress to the voting stage.

2.7 Councillors will have one vote per vacancy to be filled. Voting will be in accordance with Standing Orders by a show of hands and will continue until one candidate has received an absolute majority of those Councillors present. At this stage, the successful candidate will be declared co-opted.

2.8 Should no single candidate receive a majority on the first vote, the candidate with the lowest number of votes is eliminated. Voting will then take place for the remaining candidates until one person receives an absolute majority.

2.9 An absolute majority of the votes cast is required. (In the case of more than two applicants this means that the person elected receives more votes than the others added together) No proxy votes are allowed.

2.10 If there is more than one vacancy, this process is repeated.

2.11 The Chairman will declare the result.

2.12 The result will be recorded in the Minutes of the Town Council meeting.

2.13 The Town Clerk will notify all Town Councillors of the voting count and the result of the selection process as soon as possible afterwards.

2.14 No feedback will be given to any applicant in respect of the Town Council discussions that took place in the closed part of the meeting unless agreed by the Town Council.

3.0 Becoming a Councillor

3.1 The successful candidate/s is declared co-opted to the Town Council and will be asked to join the meeting. The successful candidate/s is/are a councillor in their own right and no different to any other member; co-option is a legitimate form of election.

3.2 The successful councillor/councillors will need:

- To sign a Declaration of Acceptance of office form
- To complete a Declaration of Interest form and submit this to the Town Clerk who will submit to the Monitoring Office at the Unitary Council within 28 days.