Sturminster Newton Town Council

Co-option Policy

1. Purpose

This policy sets out how Sturminster Newton Town Council will fill councillor vacancies by co-option where an election is not required. The aim is to provide a process that is fair, transparent, accessible and consistent with statutory requirements and good practice.

2. When co-option applies

Co-option may be used when a casual vacancy has arisen and the statutory requirements for holding an election have not been met.

A casual vacancy may arise where a councillor resigns, dies, becomes disqualified, fails to make a declaration of acceptance of office, or fails to attend meetings for six consecutive months without approval.

The Town Clerk will notify the relevant electoral services team, publish the required notice of vacancy and advise councillors.

If ten electors from the relevant ward do not request a by-election within the statutory period, currently 14 working days from publication of the notice, the Returning Officer will confirm that the vacancy may be filled by co-option.

Where vacancies remain following an ordinary election because there were insufficient candidates, the Council may also fill those seats by co-option in accordance with the applicable legal requirements.

3. Publicity and applications

The Council will agree a timetable for the co-option process, including the closing date for applications and the meeting at which applications will be considered.

The vacancy will be advertised as widely as reasonably practicable, including on the Council's website, noticeboards and other appropriate local communication channels.

The advertisement will explain how to apply, the closing date, where further information can be obtained, and the eligibility criteria for becoming a councillor.

Applicants will be asked to complete an application form and confirm that they meet the statutory eligibility criteria and are not disqualified from holding office.

4. Eligibility

To be eligible for co-option, a candidate must be at least 18 years old and be a British citizen, an eligible Commonwealth citizen, a citizen of the Republic of Ireland, a qualifying EU citizen, or an EU citizen with retained rights.

A candidate must also meet at least one of the following criteria:

be, and continue to be, a local government elector for the Council's area;

have occupied land or premises in the Council's area as owner or tenant during the whole of the previous 12 months;

have had their principal or only place of work in the Council's area during the whole of the previous 12 months; or

have lived in the Council's area, or within 4.8 kilometres (3 miles) of it, during the whole of the previous 12 months.

Applicants must also confirm that they are not disqualified from being a councillor under relevant legislation.

5. Consideration of applications

Applications received by the deadline will be reported to the next appropriate Full Council meeting.

Candidates may be invited to attend the meeting, give a brief statement and answer questions from councillors.

The co-option decision will be made by Full Council. The final decision cannot be delegated.

The Council is not obliged to co-opt any applicant, even where applications have been invited. However, vacancies should be filled as soon as practicable so that electors are not left under-represented for longer than necessary.

6. Voting procedure

Voting will take place at a Full Council meeting in accordance with the Council's Standing Orders.

Only councillors present and entitled to vote may vote.

Voting will normally be by show of hands unless the Council's Standing Orders provide otherwise.

To be co-opted, a candidate must receive an absolute majority of those present and voting.

If there are more than two candidates and no candidate receives an absolute majority, the candidate with the fewest votes will be eliminated and a further vote will be taken. This process will continue until one candidate receives the required majority.

The successful candidate will be declared co-opted by resolution of the Council.

7. After co-option

The Town Clerk will arrange for the successful candidate to complete the declaration of acceptance of office.

The new councillor may take their seat once the declaration of acceptance of office has been signed.

The Town Clerk will notify electoral services and provide the new councillor with the information required to complete their register of interests within the required timescale.

The new councillor will be given induction information and details of relevant training opportunities.

Adopted: 22 July 26

Review Due: July 28