

Oulton Parish Council

Co-option Policy

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Introduction

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

Procedure

When a casual vacancy occurs the Parish Clerk will advise Electoral Services at East Suffolk Council who will provide the correct notification that a vacancy has arisen, and a poll may be claimed within 14 days of notification, not counting weekends, bank holidays or any day of public thanksgiving or mourning, or within six months of the day when the councillor whose office is declared vacant would originally have retired. If a poll is claimed by ten electors a by-election by nomination and poll takes place within 60 days of the notice of vacancy. If no poll is called, then the vacancy is filled by co-option.

On confirmation from Electoral Services that a casual vacancy must be filled by co-option a Notice of Vacancy will be put up by the Clerk immediately, unless the vacancy has occurred through the death of a Councillor in which case the Clerk will wait until after the funeral. The notice will be posted on the Parish Council noticeboards and the Parish website. (Candidates will be requested to supply a single sheet of typed A4 stating their background and reasons for wishing to serve on the Council and that there is no impediment to their becoming a councillor, as proscribed by law/statute). There will be a deadline for responses of not less than 21 days from the date the notice goes up. The date of the meeting when the co-option is to be made will be stated on the notice.

In the case of a casual vacancy occurring in the last six months before the ordinary elections the council is required to give notice of the casual vacancy but an election is not held. A resolution of the Council can decide whether to co-opt and can leave any unfilled vacancies to be filled at the ordinary election.

Following receipt of completed Applications, candidates will be summoned to attend the next Full Council meeting.

At the above Full Council meeting (with public and press excluded) the candidates will be given 5 minutes to elaborate on their submissions and to allow Members to ask questions of them.

Following interviews, the meeting will be reopened to the public. The Councils debate and vote on the co-option must be conducted in public.

When all the nominees have spoken the Chairman shall seek proposers and seconders for each nomination and the vote will follow. All Councillors must either vote¹ or withdraw. The decision must be made by a majority of members present voting. The person presiding over the meeting may vote, and if required the Chairman may exercise their casting vote². Members must vote by a show of hands.

If there is more than one vacancy, a councillor may nominate one person per seat. Each councillor will have only one vote per seat e.g. two vacancies will enable votes for two different people.

¹ For or Against the resolution but cannot abstain

² Local Government Act 1972, Sch 12. Para 39 (2)

Voting will be according to the statutory requirements, in that a successful candidate must have received an absolute majority vote of those present and voting³.

Where more than 2 people have been nominated for a position to be filled by the Council and none of the persons has received an absolute majority of votes in their favour, the name of the person having the least number of votes shall be struck off the list and a fresh vote taken. This process shall continue until a majority of votes is given in favour of one person. A tie may be settled by the Chairman's casting vote.

The Clerk will advise the Returning Officer at East Suffolk Council of the name(s) of anyone co-opted to the Council.

Before the successful candidate can participate in Council business s/he and the Proper Officer must sign the Declaration of Acceptance of Office.

The Clerk should ensure that all new councillors have read and understand Oulton Code of Conduct adopted by the Council and receive the same pack as elected members.

All new councillors must, within 28 days of appointment of office, Register their Interests with East Suffolk Council Monitoring Officer.

After the Full Parish Elections

If, following a Parish Council election there are insufficient persons nominated to fill all the available seats, the parish has 35 days from the date of the election to co-opt persons to fill those vacancies without the necessity of advertising for a potential by-election. If, following the election, there are insufficient councillors elected to form a quorum, the parish must advise East Suffolk Council who can either appoint persons to be parish councillors or order another election.

³ Local Government Act 1972, Sch12, para 39 (1)