



Alcester Town Council

Co-option Policy

Introduction

This policy sets out the procedure to ensure that there is compliance with legislation and continuity of procedures in the co-option of members to Alcester Town Council.

The co-option procedure is entirely managed by the Town Council, and this policy aims to ensure that a fair and equitable process is carried out.

The co-option of a Town Councillor occurs in two instances:

1. When an ordinary vacancy has arisen on a Town Council after the ordinary elections held every four years; or
2. When a casual vacancy has arisen on a Town Council and no poll (by-election) has been called.

The Council is composed of two wards - Alcester West and Alcester East. The candidate will need to confirm which ward they are standing for prior to a co-option being considered.

Ordinary vacancy

An ordinary vacancy occurs when there are insufficient candidates to fill all the seats on the Town Council at the ordinary elections held every four years.

Any candidates who were nominated are automatically elected to the Town Council and any remaining vacancies are known as "ordinary vacancies". Provided there are enough town councillors to constitute a quorum, the Town Council is usually able to co-opt a volunteer to fill the vacancies.

Casual vacancy

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,
- A councillor fails for six (6) months to attend meetings of a council committee or sub-committee or to attend as a representative of the council a meeting of an outside body. This requirement is waived, and the time limit extended if any failure to attend was due to a reason/apology approved by the council, in advance of the **six-month** period expiring.

The Town Council must notify the District Council of a casual vacancy and then advertise the vacancy to give electors of the ward the opportunity to request an election. This occurs when ten (10) electors write to the District Council stating that an election is requested.

The electors of the ward have fourteen days (not including weekends, bank holidays and other notable days), to claim the by- election.

If a by-election is called, a polling station will be set up by Stratford on Avon District Council and the electors of the ward will be asked to go to the polls to vote for candidates who will have put themselves forward by way of a nomination paper. Alcester Town Council will pay the costs of the election.

If more than one candidate is nominated, a poll takes place but if only one candidate is put forward they are duly elected without a ballot.

If electors do not request a ballot within fourteen days of the vacancy notice being posted, then the Town Council can co-opt a replacement Councillor to fill the vacancy.

Confirmation of Co-Option

On receipt of confirmation from Stratford on Avon District Council that no by- election has been claimed, the casual vacancy can be filled by means of co-option.

The Town Clerk will advertise the vacancy on the Town Council website, notice boards and social media.

This procedure will also apply in the case of an ordinary vacancy where the District Council has confirmed that there were insufficient nominations to fill all the seats but there are sufficient town councillors elected to constitute a quorum.

The 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 ward are under-represented 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, to provide a broad cross-section of skills and to meet quorum requirements without difficulty.

Eligibility of Candidates

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

- They are 18 or over,

- They are a 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**; and at least one of the following apply:
 - They are an elector for the Parish and continue to be an elector,
 - Or have resided in the Parish for the past twelve months or rented/tenanted land in the Parish,
 - Or have had their principal or only place of work in the Parish for the past twelve months,
 - Or has lived within three miles of the Parish for the past twelve months.

There are certain disqualifications for being a town councillor, of which the main are (see s 80 of the Local Government Act 1972):

- Holding a paid office or employment in the Town Council,
- 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 preceding five years,
- Being disqualified under any enactment relating to corrupt or illegal electoral practices.

Applications

Candidates will be requested to:

- Submit information about themselves, by way of completing a short application form in the form set out in Appendix 1.
- Confirm their eligibility for the position of Town Councillor within the statutory rules.

Following receipt of applications, the next suitable Full Council meeting will have an agenda item 'Co-option of a Councillor' to fill the existing vacancy'.

Eligible candidates will be invited to attend the meeting.

Copies of the eligible candidates' applications will be circulated to all Town Councillors by the Town 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 Town Clerk and all Town Councillors as strictly private and confidential.

Co-Option of a Councillor

At the Full Council meeting, candidates will be allowed a maximum of five minutes to introduce themselves to the Town Councillors, give information on their background and experience and explain why they wish to become a member of the Town Council.

The process will be carried out by adjourning the meeting to allow the candidates to speak. Where the Council wishes to discuss the merits of candidates and inevitably their personal attributes which could be prejudicial, the Council may resolve to exclude members of the press and public.

Candidates will be called to speak by alphabetical order of surname. For this part of the proceedings, other candidates will be asked to leave the room.

Councillors may ask candidates for clarifications regarding aspects of the application form or the statement they have delivered. Questions should relate to aspects of the Person Specification or areas of the candidate's experience and expertise which might be directly pertinent to the candidate's ability to perform the role.

Councillors are reminded of their obligations under the Council's Code of Conduct.

When asking questions, councillors will be mindful of the needs of the candidates. They may be unused to speaking at a public meeting and may need positive reinforcement whilst responding. The Mayor will be mindful to ensure that questioning is conducted so as to give candidates a good opportunity to articulate their experience and expertise in a supportive atmosphere and in compliance with the Council's Equality and Diversity Policy.

There will be no private discussions between members prior to a vote being taken.

For a candidate to be co-opted to the Town 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 event of a tied ballot, the Mayor has the casting vote.

Voting will be by secret ballot in accordance with the Standing Orders. The ballot(s) will be counted by the Town Clerk, being observed by **all Town Councillors present**.

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

The Town Clerk will notify Stratford on Avon District Council of the co- option of the new Town Councillor.

Amended by F & GP Committee – 26th November 2024

Approved by Full Council –

Review due – November 2026

Appendix 1

ALCESTER TOWN COUNCIL

Application for Co-option

Thank you for your interest in becoming a Town Councillor. Please provide the information requested below to assist the council in making their decision.

Full Name

Home address

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Phone (home)

Phone (mobile)

Email address

Which ward are you applying for? Alcester East/Alcester West (please circle)

I confirm that I am:

- Over 18 years of age
- 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

And one of the following applies:

- I am an elector for the Parish and continue to be an elector, or
- I have resided in the Parish for the past twelve months or rented/tenanted land in the Parish, or
- I have had my principal or only place of work in the Parish for the past twelve months, or
- I have lived within three miles of the Parish for the past twelve months.

(Please indicate which category applies to you)

About You

Please provide the Council with some background information about yourself and explain why you would like to be a Town Councillor.

Signed.....

Dated.....

Appendix 2

Co-opted Councillor Person Specification

| Competency | Essential |
|--|---|
| Personal Attributes | <ul style="list-style-type: none">• Sound knowledge and understanding of local affairs and the local community.• Forward thinking. |
| Experience, Skills, Knowledge and Ability | <ul style="list-style-type: none">• Ability to listen constructively.• A good team player.• Ability and willingness to become a Lead Councillor.• Solid interest in local matters.• Ability and willingness to represent the Council and their community.• Good interpersonal skills and able to contribute opinions at meetings whilst willing to see others views and accept majority decisions.• Ability to communicate succinctly and clearly.• Ability and willingness to work closely with other members and to maintain good working relationships with all members and staff.• Ability and willingness to work with the Council's partners (e.g. voluntary groups, other parish Councils, principal authority, charities)• Ability and willingness to undertake induction training and other relevant training.• Appropriate competency in using email/IT |
| Circumstances | Ability and willingness to attend meetings of the Council (or meetings of other local authorities and local bodies) at any time and events in the evening and at weekends. |