

# Gainford & Langton Parish Council

## Co-option Policy

### 1. Introduction

1.1 There are two circumstances under which the Electoral Officer of Durham County Council (DCC) will notify Gainford & Langton Parish Council that it may, if it so wishes, proceed to fill a casual vacancy by co-option:

a. when a seat has been left vacant because no eligible candidate stood for election at the full elections for a new council. In this instance the Parish Clerk would be notified of vacancies by DCC and that efforts must be made to fill the vacancies by co-option. The parish council will be notified, and they will decide if they wish to proceed to Stage 2

b. during the life of a council when a seat has fallen vacant (because of a resignation, death or ineligibility). The parish clerk will notify the Electoral Officer and the vacancy will be advertised. If the required 10 electors of the parish have not called for a poll (by-election) within the legally specified time period (currently 14 days) following publication of the Notice of Vacancy, the parish clerk would be notified by DCC and that the vacancies can be filled by co-option. The parish council will be notified and they will decide if they wish to proceed to Stage 2 *within 28 days or wait a period of 6 months before proceeding*.

1.2 The parish council is **not** obliged to co-opt to fill any vacancy.

1.3 Councillors elected by co-option are full members of the parish council.

To ensure that a fair and transparent process is undertaken this policy sets out the process to be followed by Gainford & Langton Parish Council when co-option is under consideration.

### 2. Application process to be followed

2.1 On receipt, of written notification, from the Electoral Officer at DCC, that a casual vacancy may be filled by means of co-option: and on instruction from the council

a. The parish clerk will announce the vacancy or vacancies to be filled by co-option within 21 days of receipt of the written notification by means of displaying a Notice on the council noticeboard and website.

b. The co-option Notice will include the closing date for acceptance of requests for consideration (between 14 and 30 days after the date of display) and the number of vacancies.

c. The co-option Notice may be displayed in other locations if instructed by the council

d. The Parish Clerk will advise the council when the co-option policy has been instigated.

2.2 Members may point out the vacancy or vacancies and the process to any qualifying candidates

2.3 Candidates found to be offering inducements of any kind will be disqualified.

2.4 Although there is no Statutory Requirement to do so, applicants for co-option will be asked to:

a. submit information about themselves, by completing a short application form (Appendix 1) together with a written summary covering: their reasons for wishing to be a councillor; previous community/council work; any other skills they can bring to the council, their interests and recent career history, similar to that which they would produce if standing for election.  
And

b. confirm their eligibility for the position of councillor within the statutory rules (Appendix 2)

2.5 Copies of the applicant's application form and written summary will be circulated to all councillors by the parish clerk with the agenda of the meeting of the full council when the co-option will be considered. All documents will be treated by the clerk and all councillors in accordance with Data Protection requirements in force where they contain personal information.

2.6 Candidates will be sent an agenda of the meeting at which they are to be considered for appointment, together with a copy of the adopted Code of Conduct.

2.7 Applicants can withdraw not later than 24 hours prior to the meeting where the co-option is to be considered

### 3. Voting Procedure

3.1 At the appropriate business item councillors will proceed direct to voting.

3.2 Voting will be according to the statutory requirements, in that a successful candidate must receive a majority vote of those present and voting.

- If there are more than two candidates for one vacancy and no one of them at the first count receives a majority over the aggregate votes given to the rest, the candidate with the least number of votes will be removed from consideration and the remainder will be put to the vote again

- This process will, if necessary, be repeated until a majority is obtained.
- This process will be followed separately for each individual vacancy for which co-option is under consideration
- If no candidate secures an absolute majority of votes cast for an individual vacancy, then that vacancy remains unfilled

3.3 Councillors shall vote by show of hands, or, if at least two members so request, by paper ballot. However, if any member so requires, the Clerk shall record the names of members who voted on any question so as to show whether they voted for, against, or abstained.

3.4 In the case of an equality of votes, the Chair of the meeting has a second or casting vote.

3.5 After the vote has been concluded the Chair will declare the successful candidate duly elected and after signing their Declaration of Acceptance of Office may take their seat on the council.

#### 4. Acceptance of Office

The successful candidate(s) **must** sign their Declaration of Acceptance of Office before they can act as a councillor. The Register of Interest must be completed within 28 days. This will be published on the council's website and the website of DCC.

#### 5. Review

This policy will be reviewed every 12 months and amended as necessary based on good practice or evidence taken forward.

Adopted 6<sup>th</sup> November 2017