

## **Norton on Derwent Town Council**

### Co-option Policy

This policy outlines the procedure to be followed by Norton on Derwent Town Council when a casual vacancy arises by virtue of councillor resignation, disqualification or death.

The Electoral Services Department at the Principal Authority is to be informed of the vacancy as soon as practicable after it arises.

Assuming there is no call for a bye-election the council will fill the vacancy by co-option using the following procedure:

1. A notice is erected in a conspicuous place in the parish inviting people who are interested in being a town councillor to write to the council and complete an application form. The Clerk will ensure that the vacancy is advertised as much and as widely as possible, using local press, social media, council website, and emailing voluntary groups such as Community First etc.
2. The notice advertising the vacancy will contain a closing date for receipt of applications.
3. Upon receipt, the council must check as far as reasonably possible that candidates are eligible in accordance with the Local Government Act 1972, section 79. In order to be eligible, the candidate must be over 18 years of age and must qualify in one of the following;
  - a) is on the electoral role
  - b) has resided in the parish for the past twelve months or rented/tenanted land in the parish; or
  - c) had principal place of work in the parish; or
  - d) lives within three miles (direct) of the parish.

**and** is not disqualified from being a councillor by virtue of section 80 of the Local Government Act 1972.

4. Following the closing date of applications, the next suitable council meeting will have an agenda item 'To receive written applications for the office of town councillor and to co-opt a candidate to fill the existing vacancy'.

It is important to remember that the process must be transparent, fair and equitable. All candidates will be made aware of the Council's Civility and Respect Councillor/Officer Protocol (adopted Dec 2022)

5. The council will consider all the applications at a meeting of the council and resolve to co-opt the most suitable candidate. The written submissions will be available to view by the Public, like all Council documents.

When the council is discussing the merits of the candidates and inevitably their personal attributes etc, this could be prejudicial and so for this part of the process, the council will exclude members of the press and public.

The councillors must vote in the normal way, i.e. proposer, seconder and vote by show of hands. Difficult though it may be because co-option is a very local issue, this part of the process is not prejudicial to the public interest and the public should be present for it.

6. Decisions of a local council are normally made on a simple majority vote. The only occasion where this differs is in the co-option process. If the council has more than two applicants for one vacancy it needs to ensure that the successful applicant receives not just a majority of the votes cast, but an ***absolute majority***. The difference is that the person elected receives more votes than the others added together
7. The successful candidate will sign a Declaration of Acceptance of Office before they can act as a town councillor (2012 model Code of Conduct).
8. The clerk will provide the new councillor with the council's code of conduct
9. The clerk will provide the new councillor with the council's councillor induction pack (if available)

**Approved: 20/05/2024**

**Review date: May 2026**