

East Grinstead Town Council

Co-option Policy and process

A Casual Vacancy arises once a Councillor has resigned, fails to meet the criteria, dies in office or the their fail to be enough candidates put forward in each ward to fill positions during a normal election. The Following Procedure is then followed :

Step 1 – If the vacancy arises through resignation of a member(s) this must be received by the Town Mayor who acknowledges this and advises the Clerk, who notifies the District/Borough Council.

Step 2 - At this stage a Casual Vacancy has occurred. A notice/poster is created to show the following information -

- * the full name of the Local Council

- * the name of the resigned member(s)

- * the number of vacancies

- * a sentence inviting electors to write to the Returning Officer requesting a Bye-Election within 14 days of the notice - the closing date for requests is calculated and shown - and the full address to write to is clearly given.

- * the signature of the Proper Officer of the Council

This notice is provided by Mid Sussex DC election team and is then posted on the Town Council notice boards and Website

Step 3 - If a Bye-Election is called - the District/Borough Council must do so and will then proceed, no further action other than the advertising of the poll is undertaken by the Town Council until the election is concluded. Following the bye-election the successful candidate signs their declaration of office before or at the start of the next Council Meeting and completes their declaration of interest which is added to the Council website and advised to the District Council.

If no Bye-Election is called – the Local Council exercises its power to Co-Opt and a Co-Option notice is created showing the following -

- * the full name of the Local Council stating that you are Co-Opting due to the resignation of Cllr.....

- * the eligibility criteria to be a Councillor -

- [a] Be aged 18 years or over and included in the Electoral Register

- [b] A British or Commonwealth subject or an EU state national

- [c] Resides in the Parish or within 3 miles of its boundary

or

- [d] Occupies land or property within the Parish

or

- [e] Has his/her principal place of work within the Parish

and

Prospective candidates are advised to familiarise themselves with the disqualification restrictions under Section 80 of the Local Government Act 1972 relating to Bankruptcy Restrictions Orders and Criminal Convictions carrying a sentence of more than 3 months imprisonment, without the option of a fine.

- * A request for an application (1 sided A4 letter giving background and experience and what the candidate can bring to the role)

- * the closing date for applications (a minimum of 2 weeks from the date of posting the notice)

- * the signature, address and email of the Proper Officer (clerk)

Step 4 - applications are received by the Clerk who then puts on the next full council agenda "co-option to fill the vacancy(s) on the Council" the applicants are invited and advised this is when the co-option will take place.

Step 5 - at the full council meeting the Local Council receives the applications submitted, the Council will offer to hear from each of the candidates for up to five minutes in support of their application and then have the opportunity to ask questions of the applicant. The Council will then vote on a new member - in public with no prior meetings. There is no exclusion of public or "secret" ballot. If a ballot is requested and resolved to take place it is a signed ballot.

The new member is elected by having the majority vote. If you have more candidates for seats you keep voting until you have one left

An example -

3 candidates for 2 seats - 10 voting members on the council -

Tom Jones receives 3 votes

Tina Turner receives 3 votes

Kate Moss receives 4 votes - takes the 1st seat

Another vote then takes place to fill the 2nd seat -

Tom Jones receives 3 votes

Tina Turner receives 7 votes - takes the 2nd seat

In the event of a tie the Chairman can exercise a casting vote.

New Councillors then sign their declaration of acceptance of office and may then join the meeting. They will need to fill in their declarations of interest forms which the clerk then adds to the website and advises the District Council.

Date adopted by Council and minute: 5th February 2018 (Minute : 61 05.02.18)