



Stanway

Parish Council

Victory Hall, Villa Road,
Stanway, Essex CO3 0RH
P: 01206 542221/07759 837111
E: clerk@stanwaypc.org.uk

Procedure for Conducting Co-options

Date of Review Dec 2022
Date of Next Review Dec 2023

Introduction

In local government legislation, a vacancy on a Parish Council can occur in two different ways and, therefore, the method of filling that vacancy differs. The two circumstances are Casual Vacancy and Insufficient Nominations.

a) Casual Vacancies

A casual vacancy arises when an elected (or co-opted) councillor leaves office mid-term. Colchester BC Electoral Services will be informed and will produce a Notice of Vacancy Form, inviting suitably qualified residents to apply for election to that vacancy within 14 days of the notice. If no application puts their name forward, on confirmation from Colchester BC Electoral Services that a casual vacancy must be now filled by co-option, the Parish Council will put an advertisement on its website and its noticeboards, notifying there is a vacancy (with the reason for it – eg., resignation, ill-health, death) and confirming there is to be a co-option. There will be a deadline for responses from the date of the insertion. The date of the meeting when the co-option is to be made will be stated in the advertisement.

b) After the Full Parish Council Elections

In the event of vacancies following the close of nominations for the Full Parish Council elections (**insufficient Nominations – Representation of the People Act 1985 s21 (2) (a)**), the process is much simpler. Where appropriate, the Clerk shall follow the above procedure to fill the vacancies and the co-option(s) will take place at the first possible Parish Council meeting, subject to completion of a Co-Option Application Form.

At the Meeting

At the Council meeting when the co-option is being considered, each applicant will be invited to speak for up to 3 minutes. When all the applicants have spoken they will be asked to retire outside of the meeting room and if the meeting is being recorded, this will cease, while the Chair seeks proposers for each nomination (whether or not they have spoken) and the vote will follow. The voting process will follow Standing Order 8 below. In order to be co-opted on to the Council, the candidate(s) must receive an absolute majority of the vote of those present and voting.

Standing Order 8: Voting on Appointments (where there are more candidates than vacancies)

Where more than two persons are being considered for one position to be filled by the Council and none of those 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.

Procedure for Conducting Co-options (Cont'd)

This process shall continue until a majority of votes is given in favour of one person. Any tie may be settled by the Chair's casting vote. (if there is more than one vacancy, but more candidates than vacancies, the process is repeated until all the vacancies are filled).

The Council reserves the right not to make a co-option

Canvassing of Councillors

Canvassing councillors or the members of a committee or sub-committee, directly or indirectly, for appointment to or by the Council shall disqualify the candidate from appointment. The Proper Officer shall disclose the requirements of this regulation to every candidate.

Assession to Office

Councillors only formally assume office at the next Parish Council meeting following their co-option. The Register of Interest will be completed within 28 days by the newly appointed councillor who will be provided with an internal Stanway Parish Council email address and links to the Code of Conduct, Standing Orders and Financial Regulations of the Council.