



## **Co-Option Guidance for Applicants**

### **1. Introduction**

Co-option is the process whereby serving Corsham Town Councillors select a new Councillor. This occurs when a vacancy exists which is not filled by the electoral process.

The process for co-option is not prescribed in law. These guidelines help ensure that applicants are treated alike in an open, fair and transparent way, and that the process runs as smoothly as possible.

### **2. The Process**

Whenever the need for co-option arises, Corsham Town Council will seek and encourage applications from anyone in the parish area who is eligible to stand as a Town Councillor. An application form has been produced to assist Councillors in their selection of suitable candidates.

#### **Eligibility of Candidates**

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

- they are 18 or over; and
- they are a British citizen, a qualifying Commonwealth citizen or a citizen of any other member state of the European Union;

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 12 months or rented/tenanted land in the parish; or
- have had their principal or only place of work in the parish for the past 12 months; or
- have lived within three miles of the parish for the past 12 months.

There are certain disqualifications for being a parish councillor, of which the main are (see s80 of the Local Government Act 1972):

- holding a paid office or employment under 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;
- being subject to the notification requirement of or under Part 2 of the Sexual Offences Act 2003, or

- being convicted of an intimidatory criminal offence motivated by hostility towards a candidate, future candidate or campaigner or holder of a relevant elective office.

A person may also be disqualified from being or becoming a member of certain authorities following a conviction under the Localism Act 2011. This relates to failure to disclose pecuniary interests.

Councillors or parishioners can approach individuals to suggest that they might wish to consider putting their names forward for co-option.

Vacancies will be publicised widely in the local area via noticeboards; public amenity spaces, such as play areas and allotments in the relevant ward; the Town Council's website, and on social media.

All applicants must complete an application form and be proposed and seconded by serving Town Councillors. There is no limit on the number of applicants a Town Councillor can propose and/or second and they do not have to vote for the person or people they have proposed or seconded. Councillors may refuse to propose or second anybody who approaches them, and no reason has to be given for refusal.

All Town Councillors will receive copies of application forms with the agenda and summons to attend the next full Council meeting following the application deadline. Certain personal information will be redacted for data protection reasons.

### **3. Co-opting at Meetings**

- i) Only Town Councillors present at the meeting may vote upon a person to fill the vacancy. Councillors will have one vote per vacancy to be filled.
- ii) Councillors must decide if any of the candidates are unsuitable. If felt unsuitable by the Council, they shall be removed from the list.
- iii) The Council shall decide the voting mechanism. This is usually through slips of paper and a ballot box or a show of hands. If a recorded vote is demanded in accordance with Standing Orders, voting **MUST** be by show of hands and **ALL** votes shall be recorded in the Minutes.
- iv) For consistency, voting must be positive. Therefore, Councillors are voting for who they want, **NOT** against people they do not want. This is important if Councillors need to eliminate candidates where there is no absolute majority and a tied number of fewest votes.
- v) If an absolute majority is not reached, the candidate with the fewest number of votes gets removed from the list and voting continues. If there is an equal number of candidates with the fewest votes, e.g. 4, 3, 2, 2, the Chair must use their casting vote to state which candidate moves to the next round of voting. This process continues until there is an absolute majority.
- vi) When there are two candidates remaining, in the event of the votes being tied the Chair has a casting vote.

Once co-opted, the new Councillor/s will be required to sign a Declaration of Acceptance of Office before they can take part in meetings and vote.