

Baginton Parish Council

Co-Option Policy

Introduction

1. A casual vacancy may occur for various reasons and Baginton Parish Council should seek to fill it at the earliest opportunity. This process must be fair, open and transparent.
2. The Clerk will notify Warwick District Council (WDC) when a vacancy occurs. If this is within six months of the next elections, the Parish Council may either leave the seat vacant or co-opt to fill the vacancy.
3. The Parish Council is able to consider any person to fill a vacancy provided that they meet the prevailing qualification criteria laid down by the Electoral Commission. The Parish Council is not obliged to co-opt any of the candidates who apply. In addition to this, there is no "co-opted uncontested" provision within the law.
4. If the number of casual vacancies leaves the Council without a quorum, WDC will order an election to be held and in the meantime may appoint people to fill all or any of the vacancies until other Councillors are elected and take up office.

Filling a Casual Vacancy Between Elections

5. The Parish Council has to notify WDC of a casual vacancy and then advertise the vacancy as soon as possible and give electors the opportunity to request an election. The Clerk shall publish 'a Notice of Vacancy' and electors have 14 working days to request an election by writing to WDC. If ten residents do not request a ballot, the Parish Council is able to co-opt.

Filling a Vacancy Following an Election

6. Where an insufficient number of candidates have been nominated to fill the vacancies, provided the number constitutes a quorum, those Councillors may co-opt anyone to fill the remaining vacancies, without the necessity of advertising for a potential by-election.
7. The Parish Council must exercise their power to co-opt within 35 days from the day by which a person elected would have taken up office i.e. the fourth day after Election Day. If the Parish Council fails to fill the vacancies, then WDC may order a fresh election.

Co-Option Procedure

8. The advertisement to co-opt will be posted on the council notice board and website with a minimum 21 day deadline from the date posted. It will explain the need for co-opting, i.e. statutory notice of vacancy posted and no by-election called for; method by which people can express an interest; a deadline to do so; reference it is a voluntary position; reference to the village website for co-option procedure, qualification criteria and further information about the roles and responsibilities of the Council. Candidates will be requested to submit information about themselves, e.g. by way of letter or e-mail, outlining the reasons for their application, although there is no Statutory Requirement to do so.
9. Details of the applicants will be circulated to all Councillors. Candidates will be informed that they have the opportunity speak about their application at the meeting.

Voting

10. There will be an agenda item set aside for the co-option. Candidates will be invited to address the Council and Councillors can ask them questions.
11. The Chairman will request the Councillors present to nominate any of the candidates. Candidates will require a proposer and seconder to progress to the voting stage. A Councillor may only nominate or second one candidate per vacancy to be filled. The Chairman will then place the names of those nominated into alphabetical order and proceed to the vote.
12. All candidates are considered for co-option by voting with a show of hands. This vote must be carried out in public. All Councillors present at the meeting will have one vote per vacancy to be filled. Any successful candidate **MUST** receive an absolute majority e.g. If there are six Councillors present, then a successful candidate must get four votes. Even if there are fewer candidates than vacancies, each candidate must receive an absolute majority. It is not a case of who gets the most votes - no absolute majority, no co-option.
13. Should no single candidate receive an absolute majority on the first vote, the candidate with the lowest number of votes is eliminated. Voting will then take place again for the remaining candidates until one person receives an absolute majority. This procedure will be repeated until each vacancy has been filled by a candidate with a majority vote. The Chairman may only use his casting vote if two successive voting rounds are stalemated. If, after this process, there is no candidate with an absolute majority vote for a vacancy, then the candidate(s) will be informed that they have been unsuccessful and the vacancy will remain unfilled.
14. After completion of the co-option process for all vacancies, if the successful candidate(s) is present at the meeting, they will sign the Declaration of Acceptance of Office and be invited to join the meeting.
15. The Clerk will pass the details of the co-opted member and their Declaration of Interests form to WDC within 28 days of appointment.