



## CO-OPTION POLICY

This policy was adopted at a Full Council meeting on 12 July 2021.

The co-option of a Town Councillor occurs when a casual vacancy has arisen on the Town Council and no poll (by-election) has been called.

To ensure that a fair and transparent process is undertaken, the procedure below will be followed by West Mersea Town Council:

1. On receipt of written confirmation from the Electoral Service of the Borough Council, the casual vacancy can be filled by means of co-option. In this instance the Clerk will:
  - a. Advertise the vacancy for four weeks on the council notice boards and website, and place an advertisement in the Town Council newsletter.
  - b. Advise the Town Council that the co-option policy has been instigated by sending a memorandum to all Councillors.
  - c. Speak with any prospective candidates to advise them on the role, responsibilities and conduct required of the office.
2. Applicants for co-option will be asked to:
  - a. Provide information about themselves by way of completing a short application form (A copy of which is attached).
  - b. Confirm their eligibility for the position of Town Councillor within the statutory rules (A copy of which is attached).
  - c. Attend several council and committee meetings in advance of the interview meeting.
  - d. Consider the committee and working party structure and advise the council at the interview which they would wish to be members.
  - e. Consider the current action plan and advise the council on the application form which projects are of interest to them.
3. An extraordinary Co-option meeting of the Full Council will be convened to take place on the same day as a Full Council meeting for the purpose of meeting with the prospective Councillors and voting on their appointment.
4. Copies of the application forms will be circulated to all Councillors by the Clerk, with the agenda and meeting pack prior to the meeting of the Full Council where the co-option will be considered. All such documents will be treated by the Clerk and Councillors as strictly private and confidential.
5. Voting procedure - Voting will be according to the statutory requirements, in that, a successful candidate must have received an absolute majority vote of those present and voting. It should be noted that the council does not have to appoint a candidate if they are considered unsuitable. Therefore Councillors may decline to vote for a candidate if they wish. For this procedure only, Standing Orders will be set aside, and Councillors will vote by a secret ballot and not by show of hands. In the case of an equality of votes, the Chairman of the meeting has a second or casting vote.
6. After the vote has been concluded, the Chairman will declare the successful candidate duly elected.

	<b>One candidate</b>	<b>Multiple candidates</b>
<b>One position</b>	Candidate must receive the absolute majority vote of those present and voting.	If no one, at the first count, receives a majority over the aggregate votes given to the rest, steps must be taken to strike off the candidate with the least number of votes and the remainder must then be put to the vote again; this process must, if necessary, be repeated until an absolute majority is obtained.
<b>Multiple positions</b>	Candidate must receive the absolute majority vote of those present and voting.	<p><b>If the number of candidates equals the number of positions</b> Each candidate must receive the absolute majority vote of those present and voting. Councillors will have the same number of votes as positions but are not required to use all of their votes if they wish.</p> <p><b>If the number of candidates is greater than the number of positions</b> If no one, at the first count, receives a majority over the aggregate votes given to the rest, steps must be taken to strike off the candidates with the least number of votes in order to obtain an equal number of candidates to positions, then the above procedure will be followed.</p> <p><b>If the number of candidates is less than the number of positions</b> Each candidate must receive the absolute majority vote of those present and voting.</p>

Adopted: 12 July 2021  
Minute reference: 21/153

Next review: May 2022



10 Melrose Road, West Mersea, Colchester, CO5 8JD  
Telephone: 01206 382128 - Email: [town.clerk@westmersea.org](mailto:town.clerk@westmersea.org) – [www.westmersea.org](http://www.westmersea.org)

**CO-OPTION APPLICATION FORM**

Name: \_\_\_\_\_

Address for Correspondence: \_\_\_\_\_

\_\_\_\_\_

Tel: \_\_\_\_\_

Mobile: \_\_\_\_\_

Email: \_\_\_\_\_

Are you over 18?      Yes / No

What experience can you bring to West Mersea Town Council. (If necessary, please continue on a separate sheet of paper)

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How would you like to get involved with the Town Council? (If necessary, please continue on a separate sheet of paper)

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What projects on the current action plan interest you? (If necessary, please continue on a separate sheet of paper)

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Is there any other information you would like to disclose regarding your application? (If necessary, please continue on a separate sheet of paper)

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Signed: \_\_\_\_\_

Dated: \_\_\_\_\_

Please return your completed form, together with your eligibility form to:

The Town Clerk, West Mersea Town Council, 10 Melrose Road, West Mersea, Colchester CO5 8JD.

no later than: \_\_\_\_\_

Alternatively, please email your completed form to [town.clerk@westmersea.org](mailto:town.clerk@westmersea.org)



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### CO-OPTION ELIGIBILITY FORM

1. In order to be eligible for co-option as a Town Councillor you must be a British subject, or a citizen of the Commonwealth or European Union. You must be 18 years of age or over on the “relevant date”, that being the day on which you are nominated. You must additionally be able to agree with the following qualifications set out below;
  - a. I am registered as a local government elector for the Town OR
  - b. I have, during the whole twelve months preceding the date of my co-option, occupied as owner or tenant, land or other premises in the Town OR
  - c. My principal or only place of work during those twelve months has been within the Town OR
  - d. I have, during the whole twelve months resided in the Town, or within three miles of it

**Please circle all those criteria that apply to you.**

2. Please note that under Section 80 of the Local Government Act 1972, a person is disqualified from being elected as Local Councillor or being a member of a Local Council if they;
  - a. Holds any paid office or employment of the local council (other than the office of Chairman) or of a joint committee on which the Council is represented OR
  - b. Is a person who has been adjudged bankrupt or has made a composition or arrangement with their creditors (but see below) OR
  - c. Has within five years before the day of election, or since their election, been convicted in the UK, Channel Islands or Isle of Man of any offence and has been sentenced to imprisonment (whether suspended or not) for not less than three months without the option of fine OR
  - d. Is otherwise disqualified under Part III of the Representation of People Act 1983 for corrupt or illegal practices.

This disqualification for bankruptcy ceases in the following circumstances

- a. If the bankruptcy is annulled on the grounds that either the period ought not to have been adjudged bankrupt or that their debts have been fully discharged OR
- b. If the person is discharged with a certificate that the bankruptcy was caused by misfortune without misconduct on their part OR
- c. If the person is discharged without such a certificate.

In a and b above, the disqualification ceases on the date of the annulment and discharge respectively.

In c above, it ceases on the expiry of five years from the date of discharge.

I (insert name) \_\_\_\_\_ hereby confirm, that I am eligible to apply for the vacancy of Town Councillor and that this information given on this form is a true and accurate record.

Signed: \_\_\_\_\_ Dated: \_\_\_\_\_