



Co-option Policy

INTRODUCTION

According to Section 87 of the Local Government Act 1972 a casual vacancy occurs when:

- A councillor fails to make his declaration of acceptance of office at the proper time
- A councillor resigns
- A councillor dies
- A councillor becomes disqualified
- A councillor fails for six months to attend meetings of a council committee or subcommittee or to attend as a representative of the Council a meeting of an outside body.

The Town Council has to notify Chelmsford City Council of a Casual Vacancy and then advertise the vacancy and give electors the opportunity to request an election. This occurs when ten electors write to Chelmsford City Council stating that an election is requested. If more than one candidate is then nominated a by-election takes place but if only one candidate is put forward they are duly elected without a ballot.

CO-OPTION TO THE TOWN COUNCIL

If ten residents do not request a ballot the Town Council is able to co-opt a volunteer.

Eligibility:

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

- He/she is over 18 years of age
- Is a UK, EU or Commonwealth citizen
- Is registered to vote in South Woodham Ferrers or has lived or worked in South Woodham Ferrers (or within three miles of its boundary) for one year

A person is disqualified from being a Town Councillor if within five years before his/her election or since election:

- He/she has served a prison sentence (including suspended sentences) of three months or more within the last five years
- Has been adjudged a bankrupt
- Is an employee of the Town Council
- Is disqualified under legislation

Applications

Applicants for co-option will be asked to submit information about themselves by way of completing a short application form and submitting a personal statement of no more than 300 words.

Copies of the application forms and personal statements will be circulated to all Members with the Council agenda where co-option applications will be considered.

Voting Process

Voting will be according to the statutory requirement in that a successful candidate must have received an absolute majority vote of those present and voting, abstentions do not count. If there is more than 1 candidate the vote will be taken in the order of receipt of application. If there are more than two candidates for one vacancy and no one of them receives an absolute 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. For example if Candidate A receives four votes and Candidates B and C receive two each, Candidate A is not elected as he has the same number of votes as B and C together. In such a case it is necessary to conduct a ballot between the tied candidate to eliminate one of them. In the case of a tie at such a point the Town Mayor would have a casting vote.

This process must, if necessary, be repeated until an absolute majority is obtained.

Voting can be by a show of hands.

Councillors have the right under Local Government Act 1972 Schedule 12 point 13 to request a recorded vote, if this is the case the name of each Councillor voting and their vote will be recorded within the minutes.