



CASUAL VACANCIES AND CO-OPTION OF COUNCILLORS

1. Purpose

This document sets out the procedure for filling a casual vacancy (or vacancies) in the office of Town Councillor.

2. Declaration of a Vacancy

2.1 Upon the occurrence of a casual vacancy as defined by Section 87(1) of the Local Government Act 1972 (or any replacement legislation) the Council shall declare the casual vacancy in accordance with Subsection (2) of the said Section in accordance with the following procedure.

2.2 The Town Clerk shall:

- a) in accordance with the requirements of Section 232 of the said Act display a public notice in or upon the Council's notice boards and on the Council's website declaring the vacancy.
- b) send a copy of the notice to the Democratic Services Manager at Purbeck District Council.
- c) inform members as soon as possible in writing of the vacancy.

3. Filling a Vacancy by Election

If a written request for an election is received by the Purbeck District Council within the specified time from ten local government electors of the town then the Returning Officer will put in place the procedure for a by-election.

4. Filling a Vacancy by Co-option

The vacancy shall be filled by co-option in the following circumstances:

- 4.1 if an election is not called for under paragraph 3 above.
- 4.2 if the vacancy arises within six months of the next ordinary elections.
- 4.3 if insufficient members are elected at an ordinary election, but the Council nevertheless has a quorum, the Council can fill the vacancies by co-option without the need to advertise the vacancy or vacancies. Notwithstanding this legal provision the Council will implement the co-option procedure set out below.

5. Inviting Applications for Co-option

The Town Clerk shall:

- 5.1 display a public notice in or upon the Council's notice boards and on the Council's website inviting applications from any person(s) who wish to be considered to fill the vacancy.
- 5.2 specify in the public notice:
 - a) where and how an application form may be obtained, which shall include the Council's website.
 - b) the end date of the term of office to which the co-option relates.
 - c) the closing date for receipt of the application, which shall not be less than 14 working days from the date the notice was first displayed.
- 5.3 send the following to all applicants, which shall also be available on the Council's website:
 - a) the application form.
 - b) information on eligibility to be a Town Councillor.
 - c) information regarding the availability of the National Association of Local Councils publications on local councils and becoming a councillor.
 - d) notice of the requirement to provide a brief statement preferably on not more than one side of A4 size paper of suitability for the role, which shall include a disclosure as to which political party they are a member of, if any.
 - e) the date of the Council Meeting at which the co-option will take place.

6. Procedure for Selection

- 6.1 Details of all candidates and whether they are eligible shall be circulated to all members with the agenda for the next Ordinary Council Meeting following close of nominations.
- 6.2 All valid candidates shall be eligible for election by the members present at the meeting.
- 6.3 Voting shall be in accordance with Standing Order 7.5 – Voting on Appointments.
- 6.4 In the event of there being more than one vacancy to be filled the above procedure will be modified as follows:
 - a) each member shall have one vote for every vacancy to be filled.
 - b) any candidate securing an absolute majority shall be deemed elected and if further vacancies remain to be filled then a further ballot shall take place.

- c) if no candidate receives an absolute majority then the candidate with the least number of votes shall be excluded and a further ballot shall take place.
- d) the requirement of an absolute majority will equate to half the number of members voting plus one or a fraction there of.

7. Acceptance of Office

Once selected the successful candidate(s) having signed the Declaration of Acceptance of Office in the presence of the Council may take part in the remainder of the meeting.