

STALBRIDGE TOWN COUNCIL

Clerk: T Watson

TheHub@Stalbridge, Station Rd, Stalbridge, Sturminster Newton, Dorset, DT10 2RG.

Tel 01963 364276.

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STALBRIDGE TOWN COUNCIL COUNCILLOR CO-OPTION POLICY

Introduction

This policy sets out the procedure to ensure there is compliance with legislation and continuity of procedures with regard to the filling of vacancies by co-option to Stalbridge Town Council (STC). The co-option procedure is entirely managed by STC and this policy will ensure that a fair and equitable process is carried out.

Co-option

There are two situations when co-option may take place:

1. A full council for Stalbridge Town is eleven members. STC may co-opt one or more Town Councillors following the election of a new full council if insufficient nominees have applied to become councillors. In this situation it is not necessary to advertise the vacancy/s and the co-option procedure, as described in this document, can proceed immediately in order to fill any vacancies on the council.
2. The co-option of a Town Councillor also occurs when a casual vacancy has arisen on the council and no poll (by election) has been called. 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, or
 - A councillor fails for six (6) months to attend meetings of a council committee or subcommittee or to attend as a representative of the council at a meeting of an outside body

In this situation the following procedure is followed:

Filling a vacancy by poll or co-option

- a) STC notify Dorset Council that a casual vacancy has occurred, and they will then provide the necessary notices to advertise the vacancy and give electors the opportunity to request the vacancy be filled by means of a poll (by election).
- b) A poll will take place if ten electors from the Town write to Dorset Council within the prescribed time to request a by-election. If this occurs a polling station will be set up by Dorset Council and the people of the Town will be asked to go to the poll to vote for candidates who will have put themselves forward by way of a nomination paper. STC will pay the costs of the election.
- c) If more than one candidate is nominated a by election takes place but if only one candidate is put forward they are duly elected without a ballot.
- d) If ten electors do not request a ballot within fourteen days of the vacancy notice being posted, when advised by Dorset Council, STC is able to co-opt a volunteer.

Co-option procedure

On receipt of written confirmation from elections@dorsetcouncil.gov.uk that the casual vacancy can be filled by co-option, the Town Clerk will:

- a) Advertise the vacancy for four weeks on the Town Council's website and notice boards
- b) Advise STC that the co-option policy has been instigated

Note that STC is not obliged to fill any vacancy. Even if the council invites applications for co-option, it is not obliged to select anyone from the candidates who apply. However it is not desirable that

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electors in the Town be left with a council that is partially or fully underrepresented for a significant length of time. Neither does it contribute to effective and efficient working of the council if there are insufficient councillors to share the workload; to provide a broad cross-section of skills and interests or to achieve meeting quorums without difficulty. Councillors elected by co-option are full members of STC.

Eligibility of candidates

STC is able to consider any person to fill a vacancy provided that:

- He/she is an elector for the Town; or
- Has resided in the Town for the past twelve months or rented/tenanted land or other premises in the Town; or
- Had his/her principal place of work in the Town; or
- Lives within three miles (direct) of the Town

There are certain disqualifications for election, of which the main are (see S.80 of the Local Government Act 1972):

- Holding a paid office under the local authority
- 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 five years preceding the election; and
- Being disqualified under any enactment relating to corrupt or illegal practices.

Candidates found to be offering inducements of any kind will also be disqualified.

Applications

Town Council members may point out the vacancies and the process to any qualifying candidate(s). Although there is no Statutory Requirement to do so, candidates will normally be requested to:

- Submit information about themselves, by way of completing a short application form (Appendix A)
- Confirm their eligibility for the position of councillor within the statutory rules

Following receipt of applications, the candidates will be invited to an informal chat with members. The aim being to ensure that candidates are fully informed of the scope and the commitment of the role of Town Councillor and can ask questions in an informal environment. In addition to this candidates will be encouraged to attend a number of Town Council meetings as observing members of the public.

Should the candidates indicate that they wish to proceed the next suitable council meeting will have an agenda item "To receive written applications for the office of Town Councillor and to co-opt a candidate to fill the existing vacancy."

Copies of the candidate's applications will be circulated to all councillors by the clerk at least 3 clear days prior to the meeting of the full council, when the co-option will be considered. All such documents will be treated by the clerk and all councillors as strictly private and confidential and will therefore NOT be posted on the website with other documents for the said meeting.

Candidates will be notified of the meeting at which they are to be considered for appointment, and that the Agenda together with the Code of Conduct, Standing Orders and Financial Regulations are to be found on the STC website. Candidates will also be informed that they will be invited to speak about their application at the meeting.

At the co-option meeting under the appropriate item on the agenda candidates will, if they wish, be given five minutes maximum to introduce themselves to members, give information on their background and experience and explain why they wish to become a member of STC. The process

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will be carried out by adjourning the meeting to allow the candidate to speak. Where the council wishes to discuss the merits of candidates and inevitably their personal attributes, this could be prejudicial, and the council will resolve to exclude the members of the press and public and any applicants present.

As soon as all candidates have finished giving their submissions, the council will proceed to a vote on the suitability of each candidate utilising the Co-option Application Form and any personal statements provided by candidates, with each candidate being proposed and seconded by the councillors in attendance. A vote will then be taken on the candidates so proposed. The vote will take the form of a written secret ballot.

In order for a candidate to be elected by co-option to STC, it will be necessary for them to obtain an absolute majority of the votes cast (50%+1 of the votes available at the meeting). In the case of equality of votes, the chairman of the meeting has a second or casting vote. If there are two or more candidates and there is no candidate with an overall majority in the first round of voting, the candidate with the least number of votes will drop out of the process and further rounds of voting will then take place, with the process being repeated until a candidate has an absolute majority.

After the voting has been concluded, the chairman will declare the successful candidate duly elected and after signing their declaration of acceptance of office, they may take their seat immediately.

The clerk will notify the Electoral Services Office of Dorset Council of the new councillor appointment. The successful candidate(s) must complete the "registration of interests" within 28 days of being elected. The completed form being handed to the clerk for forwarding to the appropriate office of Dorset Council.

If insufficient candidates come forward for co-option, the process should continue, whereby the vacancies are again advertised.

APPENDIX A

Application for Co-option onto the Town Council of Stalbridge

Approved TCM 21.07.21 amended TCM 15.05.24

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Thank you for your interest in becoming a Town Councillor.

Please provide the below information to assist the council in making their decision.

Name and Title	
Home Address	
Home Telephone	
Mobile Telephone	
Email Address	

About You Please provide the council with some background information about yourself

Reasons for Applying : Please provide the council with your reasons for wanting to become a Town Councillor

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Signature	

Your application also requires signatures of two registered electors (known as proposer and seconder) from to Town area.

	Proposer	Seconder
Name		
Address		
Signature		

Please return your completed application to the clerk to the council. Your application will be considered at the next available Town Council meeting where a vote will be held to decide whether the council agrees to co-opt you on to the Stalbridge Town Council.

Data Protection

The information provided on this application will remain private and confidential under the Town Council's Privacy and Data Protection Policy.