



YAXHAM PARISH COUNCIL

CO-OPTION POLICY AND PROCEDURE

Reviewed and agreed by the Council at its meeting in May 2021

Due to be reviewed by May 2024

1. INTRODUCTION

- 1.1 There are two circumstances under which the Returning Officer of Breckland Council will notify Yaxham Parish Council that it may, if it so wishes, proceed to fill a casual vacancy by co-option:
- a. When a seat has been left vacant because no eligible candidate stood for election at the full elections for a new council (currently at four-yearly intervals), or
 - b. During the life of a council when a seat has fallen vacant but the required 10 electors of the have not called for a poll (by-election) within the legally specified time period (currently 14 days) following publication of the Notice of Vacancy.
- 1.2 The Parish Council is not obliged to co-opt 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.
- 1.3 However, it is not desirable that electors are partially or fully unrepresented 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 equitably; to provide a broad cross-section of skills and interests; or to achieve meeting quorums without difficulty, given that some absence is unavoidable at times.
- 1.4 Councillors elected by co-option are full members of the Council.

To ensure that a fair and transparent process is undertaken this policy sets out the process to be followed by Yaxham Parish Council when co-option is under consideration.

2. APPLICATION PROCESS TO BE FOLLOWED

- 2.1 On receipt, of written notification, from the Returning Officer at Breckland Council, that a casual vacancy may be filled by means of co-option:
- a. The Clerk to the Council will advertise the vacancy or vacancies to be filled by co-option within 21 days of receipt of the written notification.
 - b. The co-option advertisement will include the closing date for acceptance of requests for consideration (between 14 and 30 days after the date of the advertisement) and the number of vacancies.
 - c. The co-option advertisement will also be displayed on the Council notice boards and website.
 - d. The Clerk to the Council will advise the council that the Co-option Policy has been instigated, by sending a memorandum to all councillors.
- 2.2 Members may point out the vacancies and the process to any qualifying candidate(s).
- 2.3 Candidates found to be offering inducements of any kind will be disqualified.
- 2.4 Applicants for co-option will be asked to:
- a. Submit information about themselves, by completing a short application form (a copy of the application form is attached as Appendix 1) together with a written summary covering: their reasons for wishing to be a councillor; previous community/council work; any other skills they can bring to the Council, their interests and recent career history,

and

- b. Confirm their eligibility for the position of Councillor within the statutory rules (a copy of the confirmation of eligibility form is attached as Appendix 2).

3. VOTING PROCEDURE

- 3.1 At the appropriate business item during the Council meeting, the press and public will be asked to leave the Council Chamber, in order to protect candidates' personal data during discussions of the applications under consideration.
- 3.2 Voting will be according to the statutory requirements, in that a successful candidate must receive an absolute majority vote of those present and voting.
 - a. If there are more than 2 candidates for one vacancy and no one of them at the first count receives a majority over the aggregate votes given to the rest, the candidate with the least number of votes will be removed from consideration and the remainder will then be put to the vote again
 - b. This process will, if necessary, be repeated until an absolute majority is obtained
 - c. This process will be followed separately for each individual vacancy for which co-option is under consideration
 - d. If no candidate secures an absolute majority of votes cast for an individual vacancy, then that vacancy remains unfilled.
- 3.3 Councillors shall vote by show of hands, or, if at least 2 members so request, by paper ballot. If any member so requires, the Clerk shall record the names of members who voted on any question so as to show whether they voted for, against, or abstained.
- 3.4 In the case of an equality of votes, the Chairman of the meeting has a second or casting vote.
- 3.5 After the vote has been concluded, the Chairman will declare the successful candidate fully elected.

4. ACCEPTANCE OF OFFICE

The successful candidate(s) must sign their declaration of acceptance of office before they can act as a councillor. The Register of Interest must be completed within 28 days and the Clerk to the Council will forward a copy to the Monitoring Officer.

5. REVIEW

This policy will be reviewed every three years (or earlier if required by changes to legislation or additional documentation) and amended as necessary based on good practice or evidence taken forward.