



# DARTMOUTH TOWN COUNCIL

## **DARTMOUTH TOWN COUNCIL CO-OPTION POLICY**

Agreed at Full Council on 10<sup>th</sup> January 2022.

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

To ensure that a fair and transparent process is undertaken the following procedure will be followed by Dartmouth Town Council:

1. On receipt of written confirmation from the Electoral Services Office at South Hams District Council, the casual vacancy can be filled by means of Co-option and the Town Clerk will:
  - a. advertise the vacancy for 4 weeks on the Council notice boards and website, and if necessary place an advert in the local press.
  - b. advise the Council that the Co-option Policy has been instigated, by sending an e-mail to all Councillors.
2. Applicants for co-option will be asked to:
  - a. submit information about themselves, by way of completing a short application form.
  - b. confirm their eligibility for the position of Councillor within the statutory rules, by completing an Eligibility Form
3. Copies of the applicant's application form will be circulated to all Councillors by the Clerk prior to the meeting of the full Council, when the Co-option will be considered.
4. Canvassing councillors or the members of a committee or sub-committee, directly or indirectly, for appointment to or by the Council shall disqualify the candidate from appointment.

### **CO-OPTION PROCESS**

5. Applicants will be required to attend the meeting of the full Council, when the Co-option will be considered. At the meeting, applicants will be asked to give a short presentation and may be asked questions by Councillors.
6. Discussion about the applications will take place in council session without intervention from the candidates or public. However, if it is necessary for the Council to discuss the merits of candidates and inevitably their personal attributes, this could be considered prejudicial, and the Council should resolve to exclude the members of the press and public.

## **COUNCILLORS CONFLICT OF INTEREST**

7. Declarations of interest must be made by Town Councillors as each candidate is considered, (e.g.: family ties, friendships, business relationships etc). This does not prevent Councillors from voting, but a Councillor may exempt themselves from the process if there is considered a serious conflict of interest.
8. Where a Councillor feels they have a serious conflict of interest, they must declare this interest and request to be exempt from the co-option process. The Councillor will be invited to leave the room at the commencement of the co-option process, and re-join the meeting once all voting has been completed and decisions made.

## **VOTING**

9. Voting must take place in a public meeting, if the press and public were excluded previously, they should now be allowed back into the chamber.
10. Only Councillors present at the meeting may vote.
11. Voting will be according to the statutory requirements, in that, each successful candidate must have received an absolute majority vote of those present and voting (50% + 1 of the votes available at the meeting).
12. Even if there are fewer candidates than vacancies, each candidate must receive an absolute majority vote of those members present at the meeting, no majority, no co-option. There is no "co-opted uncontested" provision within the law.
13. Where there is the same number of candidates as vacancies, each candidate must still receive an absolute majority vote of those members present at the meeting, no majority, no co-option.
14. If there are more candidates (with a majority vote) than vacancies then the voting process will take place again to determine the successful candidate.
15. The vote will take place as per Standing Orders for Voting on Appointments
  - a. Where more than two persons have been nominated for a position to be filled by the Council and none of those persons has received an absolute majority of votes in their favour, the name of the person having the least number of votes shall be struck off the list and a fresh vote taken. This process shall continue until a majority of votes is given in favour of one person. A tie in votes may be settled by the casting vote exercisable by the chairman of the meeting.
  - b. Voting will take place via a paper ballot.
16. If at the end of voting, there is a vacancy where no candidate has received a majority vote, then the vacancy may remain unfilled. The Council will then reconsider at the next suitable Full Council Meeting what steps they wish to take to continue with the co-option process.

17. After the vote has been concluded, the Chairman will declare the successful candidate/s duly elected.

**DECLARATION OF ACCEPTANCE OF OFFICE:**

18. Those co-opted must sign a declaration of acceptance of office before they join any meeting of the Council as a member.

**TERM OF OFFICE:**

19. A person elected or co-opted to fill a casual vacancy holds office until the person in whose place they are elected or appointed would regularly have retired.

**NOTIFICATION OF CO-OPTION:**

20. The Clerk will notify Democratic & Electoral Services Team at South Hams District Council of the new member appointment and the new member must complete a Declaration of Disclosable Pecuniary Interest within 28 days of being co-opted. Which must be sent to Democratic & Electoral Services Team at South Hams District Council for formal confirmation.