



QUEENBOROUGH

T O W N C O U N C I L

Co-option Policy

Introduction

This policy is based on NALC Legal Briefing L15-08 – Good Practice for the Selection of Candidates for Co-option to Local Councils. Town Councils are permitted to exercise the power to co-opt a person on to the Council to fill a casual vacancy when the requirements to hold an election have not been met (i.e., the vacancy has been the subject of a public notice and less than 10 registered electors have requested an election by a deadline date specified by Swale Borough Council Electoral Officer).

Casual Vacancy

According to section 87 of the Act 1972, the 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 to attend meeting for six consecutive months.

Co-option

If no by-election is called, the council must as soon as practicable after the expiry of the 14 day period fill the vacancy by co-option.

Eligibility of Candidates

The Town council can consider any person to fill a vacancy provided that:

- The candidate is an elector for the town; or
- has resided in the town for the past twelve months or rented/tenanted land in the town; or
- had his/her principal place of work in the town; or
- has lived within three miles (direct) of the town.

There are certain disqualifications for election, as follows:

- 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;
- being disqualified by order of a court from being a member of a local authority

- being disqualified under any enactment relation to corrupt or illegal practice.
- Holding a paid office or employment within the Town Council

The Clerk will confirm eligibility of the candidates, as per the Local Government Act 1972, s79 and s80.

All eligible candidates will be invited to attend a meeting of the Full Council following the application deadline. If candidates are unable to attend, the meeting will not be rearranged.

A local council may wish to indicate that people with specific skills and expertise (e.g., planning, fundraising, environment, project management) are particularly welcome to apply. This should not be part of the formal notice and it must be clear that people without those skills are still eligible to apply. In cases where there are more candidates than vacancies, a council will need to fairly consider who to co-opt and such skills and expertise may be taken into account according to a council's particular needs.

Applications

Candidates will be requested to:

Submit an application form and confirm their eligibility for the position of town councillor within the statutory rules within the application form.

Candidates will be informed in the application form that it is a condition of a being a Town Councillor that a means of contact by email will be public information and that being a Town Councillor entails having contact details in the public domain. However, for the purpose of co-option, private email addresses and other personal data will not be in the public domain, except for their name and the supporting information above.

Applications must be received by the closing date on the Casual Vacancy notice which will be prior to a Full Council meeting. This timescale is to allow for copies of the candidates' applications to be circulated to all Councillors by the Town Clerk, at least three 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 Town Clerk and all Councillors as Strictly Private and Confidential.

If a candidate applies for a Casual Vacancy and at any time from application to the Co-option meeting date, they withdraw for whatever reason. The candidate will withdraw the right and will not be eligible to stand for Co-option at that time. Should they wish to stand again they must wait for another vacancy to arise and re-apply.

Candidates will be sent a full agenda of the meeting at which they are to be considered for appointment together with a copy of this Co-option Policy. Candidates will also be informed that they will be invited to speak about their application at the meeting, for a maximum of five minutes.

At the co-option meeting

At the co-option meeting, candidates will be given five minutes maximum to introduce themselves to Councillors, give information on their background and experience and explain why they wish to become a Queenborough Town Councillor.

All discussions will be in public and the Town Council will proceed to a vote on the acceptability of each candidate by the Town Councillors in attendance by a paper vote.

For a candidate to be elected to the Town Council, it will be necessary for them to obtain an absolute majority of votes cast (50% + 1 of the votes available at the meeting). If there are more than two 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. Further rounds of voting will then take place with the process repeated until a candidate has an absolute majority. In the case of an equality of votes, the Chair of the meeting, typically the Mayor, has a second casting vote.

The decision of Full Council is final.

Once the Chair has declared the successful candidate(s) duly elected and after their declaration of acceptance of office in accordance with section 83(4) of the 1972 Act in the presence of another councillor or the clerk has been signed they can vote and they agree to be bound by the Queenborough Town Council Code of Conduct they may take their seat immediately and become a Town Councillor.

(The declaration must be delivered before or at the first meeting of the council. If a councillor fails to deliver the signed declaration, he thereupon vacates office, and a casual vacancy arises. There is no provision allowing a declaration to be delivered retrospectively).

The successful candidate on taking their seat will confirm of any declarations on the remainder of the Full Council Agenda.

The Town Clerk will notify Swale Borough Council of the new Councillor appointment. The successful candidate(s) must complete the 'register of interests' within 28 days of being elected. The form should be submitted to the Monitoring Officer at Swale Borough Council or may be completed on-line, the Town Clerk may help the new Councillor in submitting this information.

If insufficient candidates come forward for co-option, the vacancies will be re-advertised.



Councilor Co-option Eligibility Form		
1	Are you a British subject?	Yes/No
2	Are you 18 or over?	Yes/No
3	To qualify you must be able to answer ‘Yes’ to at least one of the questions below)	
3a	Are you on the electoral register for Queenborough Town Council?	Yes/No
3b	Have you lived either in Queenborough Town, or within three miles of its boundary, for at least a year?	Yes/No
3c	Have you been the owner or tenant of land in Queenborough Town for at least a year?	Yes/No
3d	Have you had your only or main place of work in Queenborough Town for at least a year?	Yes/No
4	You must be able to answer No to all the questions below to be eligible to serve as a Councilor)	
4a	Are you the subject of a bankruptcy restrictions order or interim order?	Yes/No
4b	Have you within the last five years been convicted of an offence in the UK, the Channel Islands or the Isle of Man which resulted in a sentence of imprisonment (whether suspended or not) for a period of three months or more without the option of a fine?	Yes/No
	Are you disqualified by order of a court from being a member of a local authority?	Yes/No
4d	You have been convicted for the failure to register or declare disclosable interest under the Localism Act 2011 (England)	Yes/No
	Declaration I,..... that I am eligible for the vacancy of Queenborough Town Councillor, and the information given on this form is a true and accurate record.	
	Signature:	

Print name:

Date:

QUEENBOROUGH TOWN COUNCIL

Application for Co-option (Casual Vacancy - Councilor)

First Name	
Surname	
Address including postcode.	
Telephone numbers.	
Mobile	
Landline	
Email address.	

Please tell us something about what experience you can bring to Queenborough Town Council, for example, previous local government experience, work in the voluntary or charitable sector, business experience. Please continue on an additional page, if required.

Please tell us something about the skills that you can bring to Queenborough Town Council, for example, professional qualifications, financial or project management expertise.
Please continue on an additional page, if required.

Please include any other information you would like to add in support of your application.
Please continue on an additional page, if required.

DECLARATION

I declare that the information I have provided in this application is, to the best of my knowledge, accurate and true.

Signature:

Print Name:

Date:

Please email completed applications, including the co-option eligibility form to Queenborough Town Council Clerk: townclerk@queenborough-tc.gov.uk

