



# SAFFRON WALDEN TOWN COUNCIL

## Co-Option Policy

Version	Date Adopted Policy	Minute Reference	Review Date
1	Full Council March 2019	FC 609-19	December 2020
2	Full Council April 2021	FC 208-21 (readopted with no changes)	April 2023

## Introduction

In the event of no election being called to fill a Councillor vacancy for Saffron Walden Town Council, the Council will co-opt membership to the Town Council in accordance with legislation as defined in the Local Elections (Parishes and Communities) (England and Wales) Rules 2006, SI 2006/3305 r 8(3) and the Local Government Act 1972 Sch 12, para 3. Due and fair consideration will be also be given to advice and guidance as provided by bodies such as (but not limited to) the National Association for Local Councils (NALC), the Society of Local Council Clerks (SLCC) and the Essex Association for Local Councils (EALC).

Saffron Walden Town Council will follow a process which is fair, open and transparent and in compliance with the Equality Act 2010.

## Qualifying Criteria

Individuals must meet the eligibility criteria in accordance with the LGA 1972, s79 and must be:

- A British subject, or a citizen of the Commonwealth or the European Union **AND**
- On the 'relevant date'<sup>1</sup> (ie the day on which you are nominated, or if there is a poll on the day of the election) be 18 years of age or over

### ALSO

- Be a local government elector for the Council area for which you want to stand on the 'relevant date' **OR**
- Have occupied as owner or tenant any land or other premises in the Council area during the whole 12 months preceding that day **OR**
- Had your principal or only place of work in the Council area during that same period, **OR**
- Have resided in the Council area during that 12-month period **OR**
- Have lived within 4.8km (3 miles) of the Council area for the whole of the 12 months preceding the 'relevant date'

Saffron Walden Town Council will seek and encourage applications from any individual meeting the qualifying criteria as detailed above.

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<sup>1</sup> Relevant Date – for the process of co-option the relevant date is deemed as being the date on which the application is submitted by the applicant

## **Advertising the Co-option:**

The Town Council will advertise and promote the vacancy for co-option as follows:

- In Town Council, public notice boards
- On the Town Council website
- Using a range of social media including Face Book and Twitter
- Local press

The co-option notice / advert will include the following details:

- the method by which applications can be made
- the closing date for all applications
- a contact point to obtain more information (ordinarily this will be the Town Clerk)
- provide details of how to find further information either electronically or in paper format

## **Applying for Co-Option**

1. Candidates will be requested to complete a written application form – as per Appendix A. Applications will ordinarily be made by a written submission by the candidate using a co-option form (available from the Town Council and on line). The Council will have due consideration to the Equality Act 2010 and by discretion, may allow applications to be completed by 3<sup>rd</sup> parties and/or submitted by alternative means.
2. Candidates must complete a signed undertaking confirming that they meet the eligibility requirements as per those detailed above. This will form part of the application process and failure to complete this may render the co-option application invalid.
3. Candidates will be provided with an application and information pack, providing further details of Saffron Walden Town Council and the expectations of being a Town Councillor

4. Completed applications must be submitted to the Town Clerk no later than 7 calendar days before the date of the Full Council meeting for which applications are to be considered and by noon of that day. The precise dates and times for submission will be included in the application pack. Late applications will not be accepted.
5. Following the closing date for applications, all eligible candidates will be invited to attend the Full Council meeting at which co-options will be considered.
6. If candidates are unable to attend this meeting, their application will still be considered in their absence. No alternative date or time for a meeting will be arranged.
7. All Members will receive copies of candidate applications which will be considered as strictly confidential papers as they will likely contain personal information relating to the candidate.
8. The co-option process will be determined in a public session of Council and a specific agenda item will be set aside for applicants to make a brief, verbal presentation to Council in support of their application. A maximum of three minutes will be allowed per candidate.
9. Members may ask questions of the candidates following their presentations.
10. Following the conclusion of all presentations, Members present at the meeting will proceed to the vote which will be in accordance with the Town Council's Standing Orders. Standing Orders currently advise that voting must be by a show of hands.
11. Voting will be by individual candidate in alphabetical order and each Member will have one vote each
12. If a candidate is a relative of a Town Councillor, that Councillor may declare a prejudicial interest and withdraw from the meeting
13. A successful candidate must have received an absolute majority vote by those Councillors present<sup>2</sup>
14. If there are more than two candidates for one vacancy and not one of them at the first count receives a majority over the aggregate votes given to the rest, steps must be taken to strike off the candidate with the least number of votes and the remainder must then be put to the vote again
15. This process must, if necessary, be repeated until an absolute majority is obtained

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<sup>2</sup> In accordance with LGA 1972, Sch 12, , para 39. An absolute majority is where the number of votes cast to any preferred candidate receives a majority over the aggregate votes given to the rest, i.e. – 15 votes cast, an absolute majority would require a candidate to receive 8 votes with the other 7 being split amongst other candidates.

16. In accordance with Standing Orders, the Chair may exercise his/her right to use a casting vote
17. If there is more than one vacancy and the number of candidates equals the number of vacancies, all the vacancies may be filled by a single composite resolution, but if the number of candidates exceeds the number of vacancies each vacancy must be filled by a separate vote or series of votes
18. The Council is not obliged to fill all vacancies, but will take steps to advertise for further co-options
19. Successfully co-opted candidates become Councillors in their own right, with immediate effect (subject to the signing of the declaration of acceptance of office), and are no different to any other member
20. The co-opted members will be asked to sign a Declaration of Acceptance of Office to agree to be bound by the Council's adopted Code of Conduct. They may then take their seat at Council and will be appointed to a committee and as a representative to local organisations.
21. Any application can be considered in the candidate(s) absence, but if successful, members would need to agree for him/her to sign the Declaration of Office either before or at the next meeting
22. As soon as practicable following their co-option, any newly co-opted members will be invited to attend an Induction and Training session with the Town Clerk and/or other officers. This should take place where possible before the next Full Council meeting



## Appendix A – Co-Option Application Form

<b>First Name</b>	
<b>Surname</b>	
<b>Address</b>	
<b>Home Tel No:</b>	
<b>Mobile Tel No:</b>	
<b>Email address:</b>	

Please detail below why you consider you would be the best candidate for this vacancy. Points to cover should include the following:

- Length of residence in the area if appropriate
- Membership and involvement with any community associations within the town or elsewhere
- Particular interests and concerns relating to the town
  - Do you have any professional or work-related experience which could be utilised for the benefit of the town?

If you wish to provide additional written information in support of your application this will be copied to all Councillors and treated in strict confidence. Please continue overleaf or on a separate piece of paper if necessary.

Please also confirm that you are:

- A British subject, or a citizen of the Commonwealth or the European Union **AND**
- On the 'relevant date'<sup>3</sup> (ie the day on which you are nominated, or if there is a poll on the day of the election) be 18 years of age or over

**ALSO**

- Be a local government elector for the Council area for which you want to stand on the 'relevant date' **OR**
- Have occupied as owner or tenant any land or other premises in the Council area during the whole 12 months preceding that day **OR**
- Had your principal or only place of work in the Council area during that same period, **OR**
- Have resided in the Council area during that 12-month period **OR**
- Have lived within 4.8km (3 miles) of the Council area for the whole of the 12 months preceding the 'relevant date'

**You cannot become a councillor if you:**

- are subject to bankruptcy order or interim order
- have, within five years before the day of application, been convicted in the United Kingdom of any offence and have had a prison sentence for a period of over three months
- work for the Town Council
- Have been convicted of offences involving corrupt or illegal practices
- Have been convicted for the failure to register or declare disclosable interests under the Localism Act 2011

I confirm that the information as given in this application is true and accurate and that I meet the qualifying criteria to become a Town Councillor:

Signed .....

Dated.....

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<sup>3</sup> Relevant Date – for the process of co-option the relevant date is deemed as being the date on which the application is submitted by the applicant