TELSCOMBE TOWN COUNCIL

Councillor Co-option Policy

Introduction

This Policy sets out the procedure to ensure that there is compliance with legislation and continuity of procedures in the co-option of members to Telscombe Town Council (TTC). The Co-option procedure is entirely managed by TTC and this Policy will ensure that a fair and equitable process is carried out.

The co-option of a town councillor occurs in two instances:

- When an ordinary vacancy has arisen on a Parish/Town Council after the ordinary elections held every four years

- When a casual vacancy has arisen on a Parish/Town Council and no poll (by-election) has been called.

Ordinary Vacancy

An ordinary vacancy occurs when there are insufficient candidates to fill all the seats on a Parish/Town Council at the ordinary elections held every four years. Any candidates who were nominated are automatically elected to the Parish/Town Council and any remaining vacancies are known as 'ordinary vacancies.' Provided there are enough Parish/Town Councillors to constitute a quorum, the Parish/Town Council is able to co-opt a volunteer to fill the vacancies.

Casual Vacancy

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;
- A Councillor fails for six (6) months to attend meetings of a Council committee or sub-committee or to attend as a representative of the Council a meeting of an outside body.

TTC has to notify the District Council of a Casual Vacancy and then advertise the vacancy and give electors the opportunity to request an election. This occurs when ten electors notify the District Council stating that an election is requested.

If a by-election is called, a polling station will be set up by the District Council and the electors will be asked to vote for candidates who will have put themselves forward by way of a nomination paper. TTC will pay the costs of the election. The electors have fourteen days (not including weekends, bank holidays and other notable days) to claim the by-election but the Electoral Officer will advise the Clerk of the closing date.

If more than one candidate is then nominated a by-election takes place, but if only one candidate is put forward, they are duly elected without a ballot.

If ten residents do not request a ballot within fourteen days of the vacancy notice being posted, as advertised by the District Council, TTC is able to proceed to co-opt a volunteer.

Confirmation of Co-option

On receipt of written confirmation from the Electoral Services Office of the District Council, the casual vacancy can be filled by means of Co-option. The Town Clerk will:

- Advertise the vacancy for four weeks on the Council notice boards and website;
- Advise TTC that the Co-option Policy has been instigated.

This procedure will also apply in the case of an ordinary vacancy where the Electoral Services office has confirmed that there were insufficient nominations to fill all the seats, but there are sufficient Town Councillors elected to constitute a quorum.

TTC 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 that apply.

However, despite this it is not desirable that electors be left under-represented 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 TTC.

1. Eligibility of Candidates

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

- He/she is 18 or over
- He/she is a British Citizen, qualifying Commonwealth Citizen or a Citizen of any other member state of the European Union

and at least one of the following apply:-

- He/she is an elector of the parish and continues to be an elector;
- Or has resided in the parish for the past twelve months or rented/tenanted land or other premises in the parish;
- Or had his/her principal place of work in the parish for the past 12 months;
- Or has lived within three miles (direct) of the parish within the past 12 months.

There are certain disqualifications for election, of which the main are:

- Holding a paid office under the Town Council;
- 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 be disqualified.

TELSCOMBE TOWN COUNCIL

Applications

Although there is no Statutory Requirement to do so, candidates will 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 (Appendix B)

Following receipt of applications, 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 application will be circulated to all Councillors by the Clerk at least three clear days before the meeting of the full Council when the Co-option will be considered. All such documents will be treated as strictly confidential by the Clerk and Councillors.

Candidates will be invited to attend the full Council meeting at which co-option will be considered and will be sent an agenda of the meeting. Candidates will also be informed that they will be invited to speak about their application at the meeting. If a candidate has any special need or concern which will affect them speaking about their application, please let the Town Clerk know before the meeting so reasonable adjustments can be made.

At the Co-option Meeting

At the Co-option meeting, candidates will 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 TTC. The process will be carried out in the public session. Where TTC is discussing the merits of candidates and inevitably their personal details, this could be prejudicial and TTC may resolve to exclude members of the press and public. Any candidate has the right to ask for the reasons they were/were not accepted and they will be notified accordingly.

As soon as all candidates have finished giving their submissions the Council will decide whether to proceed with co-option by a show of hands. Should full Council resolve that there are suitable candidates and to proceed, Councillors will vote on the acceptability of each candidate utilising the Person Specification criteria as set out in Appendix C and any personal statements provided by the candidate(s), with each candidate being proposed and seconded by the Councillors in attendance and a vote by show of hands. The vote will be recorded.

In order for a candidate to be elected to TTC 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 absolute majority. In the case of an equality of votes the Chairman of the meeting has a casting vote.

TELSCOMBE TOWN COUNCIL

After the vote has been concluded the Chairman will declare the successful candidate duly elected and, after signing their Declaration of Acceptance of Office, he/she may take their seat immediately. A co-opted Councillor cannot vote or act as a Councillor until the form is signed in front of the Clerk. They are also not permitted to take an allowance.

The Clerk will notify Electoral Services of the new appointment. The successful candidate(s) must complete their 'Registration of Interests' within 28 days of being elected. The form should be handed to the Clerk for forwarding to the Monitoring officer.

Any newly co-opted member will be provided with a welcome pack and invited to attend an induction/training session with the Town Clerk and/or other officers. This should take place as soon as possible.

If insufficient candidates come forward for co-option, the process should continue whereby the vacancies are advertised on a 6 monthly basis, unless there is only 6 months or less until the next ordinary local election.

Policy	Co-option
Review Cycle	Every 3 years, or earlier in the event of legislative changes
Date Last Adopted	22nd July 2026
Previous Adoption Dates	18.9.19, 28.9.22, 19.7.23
Responsibility	Policy & Resources Committee and then adoption by Full Council

TELSCOMBE TOWN COUNCIL

APPENDIX A

Application for Co-option

Thank you for your interest in becoming a Town Councillor. Please provide the below information to assist the Council in making their decision.

Full Name & Title	
Home Address	
Home Telephone	
Mobile Telephone	
Email Address	
Which Ward are you Applying For?	

About You Please provide the Council with some background information about yourself.

TELSCOMBE TOWN COUNCIL

Reasons for Applying Please provide the Council with your reasons for wanting to become a Town Councillor.

Signature	

Your application also requires signatures of 2 registered electors (known as a proposer and seconder) from the parish area:

	Proposer	**Seconder**
Name		
Address		
Signature		

Please return your completed application including Appendix A, Appendix B and corroborating information, to the Clerk to the Council. Your application will be considered at the next available Council meeting where a vote will be held to decide whether the Council agrees to co-opt you onto Telscombe Town Council.

How the information you provide will be used

General Data Protection Regulations - Any personal information such as name, postal address, telephone number, and email address given via this form will only be used to provide a requested service, kept for as long as necessary to provide that service and will not be disclosed to any other third party without your prior permission or unless we are required to do so by law. I consent to the information provided being held for the administration of my term of office as Councillor

TELSCOMBE TOWN COUNCIL

APPENDIX B

Co-option Eligibility Form

1. In order to be eligible for co-option as a Telscombe Town Councillor you must be a British subject, or a citizen of the Commonwealth or the European Union; and on the 'relevant date' (i.e. the day on which you are nominated or if there is a poll, the day of the election) 18 years of age or over; and additionally able to meet one of the following qualifications set out below. **Please tick which applies to you**:

    a) I am registered as a local government elector for the parish; or ☐

    b) I have, during the whole of the twelve months preceding the date of my co-option occupied as owner or tenant land or other premises in the parish; or ☐

    c) My principal or only place of work during those twelve months has been within the parish; or ☐

    d) I have during the whole twelve months resided in the parish or within 3 miles of it ☐

Please provide evidence in support of the above

2. Please note that under Section 80 of the Local Government Act a person is disqualified from being elected as a Local Councillor or being a member of a Local Council if he/she:

    a) Holds any paid office or employment of the local council (other than the office of Chairman) or of a joint committee on which the Council is represented; or

    b) Is a person who has been adjudged bankrupt or has made a composition or arrangement with his/her creditors (but see below); or

    c) Has within five years before the day of election, or since his/her election, been convicted in the UK, Channel Islands or Isle of Man of any offence and has been sentenced to imprisonment (whether suspended or not) for not less than three months without the option of a fine; or

    d) Is otherwise disqualified under Part III of the representation of the People Act 1983 for corrupt or illegal practices.

This disqualification for bankruptcy ceases in the following circumstances:

i. If the bankruptcy is annulled on the grounds that either person ought not to have been adjudged bankrupt or that his/her debts have been fully discharged;

ii. If the person is discharged with a certificate that the bankruptcy was caused by misfortune without misconduct on his/her part;

iii. If the person is discharged without such a certificate.

TELSCOMBE TOWN COUNCIL

In i and ii above, the disqualification ceases on the date of the annulment and discharge respectively.
In iii, it ceases on the expiry of five years from the date of discharge.

Declaration

I……hereby confirm that I am eligible for the vacancy of

Telscombe Town Councillor, and the information given on this form is true and accurate

record.

Signature……

Telscombe Town Council is duty bound to treat this information as strictly confidential.

TELSCOMBE TOWN COUNCIL

APPENDIX C

CO-OPTED COUNCILLOR PERSON SPECIFICATION

COMPETENCY	ESSENTIAL	DESIRABLE
Personal Attributes	Sound knowledge and understanding of local affairs and the local community Forward thinking	Can bring a new skill, expertise or key local knowledge to the Council
Experience, Skills, Knowledge and Ability	Ability to listen constructively A good team player Ability to pick up and run with a variety of projects Solid interest in local matters Ability and willingness to represent the Council and their community Good interpersonal skills and able to contribute opinions at meetings whilst willing to see others views and accept majority decisions Ability to communicate succinctly and clearly Ability and willingness to work closely with other members and to maintain good working relationships with all members and staff Ability and willingness to work with Council's partners (e.g. voluntary groups, other parish Councils, principal authority, charities) Ability and willingness to undertake induction training and other relevant training	Experience of working or being a member in a local authority or other public body Experience of working with voluntary and or local community/interest groups Basic knowledge of legal issues relating to town and parish Councils or local authorities Experience of delivering presentations
Circumstances	Ability and willingness to attend meetings of the Council (or meetings of other local authorities and local bodies) at any time and events in the evening and at weekends	