

**Clerk to the Council/RFO: Julie Hodgkiss**

**Chairman: Cllr. Mark Underwood**

**“Protecting and improving the quality of life for all Bayston Hill residents”**

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Item 14.22/23

BHPC currently has 11 members from a possible 15.

The Clerk has sought advice from Fiona Howe, Electoral Services Officer, SCC as follows

“Hi Julie, I’ve checked our records and can confirm there were 10 seats filled in the May 2021 all out elections.

“These do not need to be advertised as a casual vacancy and the Parish would need to advertise to co-opt. and there was a sample co-option notice you could use in the guidance pack I provided.”

Guidance

Co-Option - Best Practice

- (i) Advertise the casual vacancy within the parish and local press. Wording for a suggested advert is contained in Appendix 3, setting a date by which prospective candidates must write into the chairman or clerk to the town/parish council expressing their interests in these casual vacancies.
- (ii) Notice of the election by co-option should be given in the Agenda for the meeting of the Town/Parish Council.
- (iii) When the item is reached, the Chair should call for nominations, which should be duly proposed and seconded.
- (iv) Candidates can be either interviewed, or their letter of interest can be read out to those present at the Town/Parish Council Meeting.
- (v) The prospective candidates must fulfil the same criteria requirements as those for qualifications for candidature for an election.
- (vi) When all the nominations have been received, a vote should be taken. It is usual for the candidates’ names to be put in alphabetical order.
- (vii) The successful candidate should have received an absolute majority vote of those present and voting.
- (viii) It follows therefore, that if there are more than two candidates for one vacancy, and no one of them at the first count receives a majority over the aggregate votes given to the rest, steps should be taken to strike off the candidate with the least number of votes and

the remainder should then be put to the vote again. This process should, if necessary, be repeated until an absolute majority is obtained.

- (ix) 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. However, if the number of candidates exceeds the number of vacancies, each vacancy should be filled by a separate vote or series of votes.
- (x) After the vote has been taken, the chairman should declare the candidate who received the highest number of votes duly elected.
- (xi) The person elected must make a Declaration of Acceptance of Office before, or at, the first meeting of the town/parish council following his election in the presence of a member of the town/parish council or the Proper Officer of the town/parish council.

Note: There is nothing preventing councillors from approaching persons asking them to offer themselves for co-option. Potential candidates should be invited to provide a written "application" or to speak to the relevant council prior to any voting. If such arrangements are to be applied, they should be carefully drafted and provided to applicants. It is imperative that all applicants are treated alike, in order that these arrangements are seen to be fair. Applicants under such arrangements should be discouraged from any personal lobbying.

#### Recommendation

Co-option advert goes live August 1<sup>st</sup> (for 28 days) with a view for candidates to be adopted at Full Council on September 12<sup>th</sup> 2022.