



# New Alresford Town Council

Alresford Recreation Centre, The Avenue, Alresford, Hants, SO24 9EP

Website: [www.newalresford-tc.gov.uk](http://www.newalresford-tc.gov.uk)

# Councillor Vacancy Policy

## Table of Contents

1	Introduction
2	Process
3	Co-Option
4	Taking up Office
5	Appendices
	Related Policies – Standing Orders, Code of Conduct

## Version Control

Version	Owner	Date Approved	Minute Ref	Website updated	Next Review
V1	Town Council	17/09/19	19/128	07/10/19	01/10/20
V1	Town Clerk		Committee update Appendix E	05/01/22	01/10/22

## **1. Introduction**

New Alresford Town Council (NATC) aims to ensure that all seats on the Council are occupied at all times; however, there are circumstances under which vacancies arise.

According to Section 87 of the Local Government Act 1972 Act the date on which a vacancy occurs shall be in the case of:

- non-acceptance of Office
- resignation
- death
- disqualification
- an election being declared void
- a person ceasing to be qualified.

Where the vacancy occurs within 6 months prior to an election year, the Council has no obligation to fill the vacancy; however, it must still provide Public Notice of the vacancy.

Where insufficient candidates have stood for election during an election year, these vacancies should then be filled in pursuance of the Representation of the Peoples Act 1985 S21 [2][a].

Where a vacancy occurs following an ordinary election, the vacancy should be advertised but without the necessity of advertising a potential by-election.

It is part of the political process to elect members to local government and, as such, local councils should maintain sufficient funds to cover the cost of elections in the event of an election being called whenever a casual vacancy occurs.

The successful candidate is a councillor in their own right and is no different to any other member; co-option is a legitimate form of election as part of the election process.

## **2. Process**

### **2.1 Notice of Casual Vacancy**

When a casual vacancy occurs, The Town Clerk will immediately notify the Electoral Officer of the vacancy and advertise as soon as practicable after the casual vacancy is deemed to have occurred, by giving Public Notice (Appendix A) in New Alresford on NATC noticeboards, via its website and social media.

The Press Notice (Appendix B) should specify the date from which the 14 days runs which is the date the Notice of Vacancy was put up around the Parish, which might be different from the date actually on the Notice of Vacancy.

If within the legally specified time period (14 days from the date of the Notice), 10 electors for the parish give notice in writing to the Returning Officer requesting an election, a by-election will take place. The casual vacancy must then be filled by election.

If the Returning Officer notifies the Town Clerk that no such request has been made, then the casual vacancy may be filled by co-option.

When the vacancy is to be filled by co-option the Town Clerk will issue a Public Notice, advertising the casual vacancy by co-option (Appendix C).

### **3. Co-option**

Co-option is the process by which the Town Council selects a new Councillor and it is done as an agenda item within a monthly Town Council meeting.

The Town Council manages the process of co-option by itself and strives to demonstrate that it is fair and equitable.

The Town Council is not obliged to co-opt any prospective candidate and, if it does not, it must continue to seek a suitable candidate to fill the vacancy.

#### **3.1 Applying to be a co-opted Councillor**

Prospective candidates must complete the Council's application form (Appendix C), available upon request from the Town Clerk. The application must be completed and returned by the closing date advertised on the Public Notice by post or hand delivery to the Council Office or by email to: [townclerk@newalresford-tc.gov.uk](mailto:townclerk@newalresford-tc.gov.uk)

Although it is accepted candidates will liaise with individual councillors to seek information about the running of the council, it is requested that they do not lobby councillors for votes

All applications will be treated in accordance with the Data Protection Act 2018 and General Data Protection Regulations (GDPR). All applications will be considered at the Town Council meeting advertised on the Notice to which all candidates will be invited to attend. Town Councillors may ask questions of the prospective candidates.

#### **3.2 Co-option procedure at Town Council meeting**

The Town Clerk will confirm that all applicants are eligible to become a member of the Town Council.

It is incumbent on Councillors to declare any pecuniary and or non-pecuniary interest in any candidate at the beginning of the meeting.

The whole procedure will be carried out in public. All candidates are members of the public and are entitled to be present throughout the meeting;

The Candidate may deliver a presentation of no more than three minutes in length

Only Councillors present at the meeting may nominate, second or vote upon a person to fill the vacancy. Voting must be carried out according to the Council's Standing Orders.

At the meeting, members will be informed of the names and addresses of the applicants. A copy of the applicant's application form will have been circulated to the Councillors with the agenda documents. Councillors present at the meeting must then decide if they wish to nominate any of the persons named at the meeting.

### **3.3 Where there is only one vacancy**

A Councillor may only nominate or second one candidate.

Councillors may choose to ask questions in relation to the role of the candidates in Council meeting.

Following the questions, the Town Council will undertake a vote, in accordance with Standing Orders, to determine the successful candidate.

The Chairman puts the names of those properly nominated into alphabetical order and takes a vote. Councillors have only one vote each. The first candidate to receive an absolute majority of those present and voting is declared elected.

In the event of no single candidate receiving a majority on the first vote, the person with the lowest number of votes is eliminated, and voting takes place on the remainder, one vote per Councillor. This continues until one person receives an absolute majority.

A tie in votes may be settled by the casting vote exercisable by the chairman of the meeting.

The successful candidate will be notified of their appointment to the Council by the Town Clerk.

### **3.4 Where there is more than one vacancy:**

A Councillor may nominate one person for each seat.

Each Councillor has one vote per seat, i.e. two votes or three votes according to the number of vacancies.

The Chairman puts the names of those properly nominated into alphabetical order and takes a vote prior to moving on to the next nomination.

The same procedure is adopted as in 3.3 above to fill each separate vacancy.

## **4. Taking up Office**

Newly co-opted Members have a duty to attend all future Council meetings and must sign a 'Declaration of acceptance of office', made in the presence of the Proper Officer, either

before their first Council meeting, or at a later date fixed by the Council. Failure to do so leaves the office vacant. (LGA 1972 s83) Newly co-opted Members must complete their 'Register of Interest' within 28 days.

## APPENDIX A



# New Alresford Town Council

Alresford Recreation Centre, The Avenue, Alresford, Hants, SO24 9EP  
Tel: 01962 732079. Email: [townclerk@newalresford-tc.gov.uk](mailto:townclerk@newalresford-tc.gov.uk) Website:  
[www.newalresford-tc.gov.uk](http://www.newalresford-tc.gov.uk)

## CASUAL VACANCY FOR A COUNCILLOR

1. **There is one vacancy on the above Council**
2. **A by-election to fill the vacancy will be held if, within 14 days** (not counting a Saturday or Sunday, Christmas Eve, Christmas Day, Maundy Thursday, Good Friday, a Bank Holiday and a day appointed for public thanksgiving or mourning) from the date below, ten electors for the ward/parish give notice in writing claiming such an election to the Returning Officer.
3. **The address of the Returning Officer is:**  
City Offices, Colebrook Street, Winchester, Hampshire. SO23 9LJ
4. **If no such notice is given, the Town Council will fill the vacancy by co-option**

Dated:

Signed:

Town Clerk/RFO-



# New Alresford Town Council

Alresford Recreation Centre, The Avenue, Alresford, Hants, SO24 9EP  
Tel: 01962 732079. Email: [townclerk@newalresford-tc.gov.uk](mailto:townclerk@newalresford-tc.gov.uk) Website:  
[www.newalresford-tc.gov.uk](http://www.newalresford-tc.gov.uk)

## PRESS NOTICE VACANCY FOR A COUNCILLOR

A vacancy exists on the above Council.

Any request for an election by ballot must be made in writing by ten electors of the parish within 14 days (excluding Christmas Eve, Christmas Day, Maundy Thursday, Good Friday, bank holidays, any day appointed for public thanksgiving, Saturdays and Sundays) from ..... 20.. [specify date]

Such request should then be sent to the Returning Officer  
City Offices, Colebrook Street, Winchester, Hampshire. SO23 9LJ

APPENDIX C



## New Alresford Town Council

Alresford Recreation Centre, The Avenue, Alresford, Hants, SO24 9EP  
Tel: 01962 732079. Email: [townclerk@newalresford-tc.gov.uk](mailto:townclerk@newalresford-tc.gov.uk) Website:  
[www.newalresford-tc.gov.uk](http://www.newalresford-tc.gov.uk)

### CASUAL VACANCY FOR A COUNCILLOR

1. **There is one vacancy on the above Council**
2. This vacancy will be filled by co-option at a Town Council meeting to be held on .....
3. Nominations are invited and should be sent in writing to the Town Clerk at [townclerk@newalresford-tc.gov.uk](mailto:townclerk@newalresford-tc.gov.uk) before .....
4. A copy of this Notice has been sent to the Returning Officer at:  
City Offices, Colebrook Street, Winchester, Hampshire. SO23 9LJ

Dated:

Signed:

Town Clerk/RFO-

**APPENDIX D**

**Co-opted Councillor Person Specification**

<b>COMPETENCY</b>	<b>REQUIRED</b>	<b>DESIRABLE</b>
Personal Attributes	<ul style="list-style-type: none"> <li>▪ Interest and understanding of local affairs and the local community.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Can bring a new skill, expertise or key local knowledge to the Council.</li> </ul>
Experience, Skills, Knowledge and Ability	<ul style="list-style-type: none"> <li>▪ A good team player</li> <li>▪ Forward thinking</li> <li>▪ Ability to pick up and run with a variety of projects</li> <li>▪ Ability and willingness to represent the Council and their community</li> <li>▪ Good interpersonal skills and able to contribute opinions at meetings, listen constructively and willing to see others' views and accept majority decisions.</li> <li>▪ Ability to communicate succinctly and clearly.</li> <li>▪ Ability and willingness to work closely with other members and Council partners (eg voluntary groups) and to maintain good working relationships with all staff.</li> <li>▪ Ability and willingness to undertake induction training and other relevant training.</li> <li>▪ Good reading and analytical skills</li> </ul>	<ul style="list-style-type: none"> <li>▪ Experience of working or being a member in a local authority or other public body</li> <li>▪ Experience of working with voluntary and or local community / interest groups</li> <li>▪ Basic knowledge of legal issues relating to town and parish Councils or local authorities</li> <li>▪ Experience of delivering Presentations</li> <li>▪ Good standard of computer literacy skills</li> <li>▪ Good standard of numeracy skills</li> </ul>
Circumstances	<ul style="list-style-type: none"> <li>▪ Ability and willingness to attend meetings of the Council (or meetings of other local authorities and local bodies) at any time including events in the evening and at weekends.</li> <li>▪ Enthusiasm for the benefit of the local community</li> </ul>	

APPENDIX E



# New Alresford Town Council

Alresford Recreation Centre, The Avenue, Alresford, Hants, SO24 9EP

Tel: 01962 732079. Email: [townclerk@newalresford-tc.gov.uk](mailto:townclerk@newalresford-tc.gov.uk)

Website: [www.newalresford-tc.gov.uk](http://www.newalresford-tc.gov.uk)

## Application for Co-Option

Please complete this form to be considered as a candidate for membership of the Town Council then return to Town Clerk by email with a covering letter detailing how your experience and skills may be of benefit to the Town Council.

NAME : (Mr/Mrs/Other).....

ADDRESS: .....

E-mail address:.....

Telephone: landline..... Mobile.....

**Qualifications** (as provided in the Local Government Act 1972, s79): All applicants must be eligible to stand as a Councillor A British, Irish or qualifying Commonwealth citizen, or a citizen of any other member state of the European Union and on the relevant day (the day of nomination or election) have reached 18 years of age or over.

You must be able to answer "YES" to at least one of the following four questions;

- 1 Are you registered as a Local Government Elector for the area of New Alresford YES / NO
- 2 During the whole of the last 12 months have you resided in the Parish of New Alresford, or within 3 miles (4.8 kilometres) of it? YES / NO
- 3 During the whole of the last 12 months have you occupied as owner or tenant land or premises in the Parish of New Alresford? YES / NO
- 4 During the whole of the last 12 months has your main place of work been within the Parish of New Alresford? YES / NO

**Disqualifications** (as provided in the Local Government Act 1972, s80):

If you answer "YES" to any of the following questions then, it is likely that it will not be possible to co-opt you to the Parish Council. All information will be treated as confidential.

- 1 Do you now hold, or have you in the last 12 months held, any paid office or any other position of profit with this Council? YES / NO
- 2 Have you ever been the subject of a bankruptcy restrictions order or interim order. YES / NO
- 3 Have you ever been disqualified by a Court from holding Public Office? YES / NO
- 4 Have you ever been convicted of any offence where the sentence of imprisonment was more than 3 months (even if sentence suspended)? YES / NO
- 5 Have you ever been disqualified under the Representation of the People Act 1983 (corrupt or illegal electoral practices and offences relating to donations)? YES / NO

<b>Committees</b>	
<b>If you are co-opted, which committees would you like to serve on?</b>	
Community and Tourism	
Operations and Resources	
Planning	
Recreation and Enviroment	

<b>What are your main areas of interest which are relevant to the Town Council</b>

<b>Please set out what skills, experience and knowledge you feel you will bring to the council</b>

**What you would like to achieve as a councillor?**

**Please set out any further information you feel supports your application to be a Councillor**

*Examples: Your career or current job, involvement with community organisations,*

**Are you putting yourself forward for co-option as a member of a Political Party? If so, please specify.**

Signed ..... Date .....