

# Canvey Island Town Council

## Casual Vacancy / Co-option Policy

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1. If a casual vacancy occurs due to:
  - a member's failure to make his/her Declaration of Acceptance of Office within the proper time.
  - resignation.
  - Death
  - a member fails for 6 months to attend meetings of the council, committees, or sub-committees or to attend as a representative of the council at a meeting of an outside body.
  - a member is disqualified by virtue of a criminal conviction or has been subject to any relevant notification requirements or relevant order in relation to any sexual offence's acts.
  - on the date of a report or certificate of an election court that declares an election void
2. The Town Clerk on behalf of the Council shall declare the office vacant and start the proceedings to fill the vacancy without referring to a meeting of the Town Council or a committee.
3. If a casual vacancy arises within six months of an ordinary election when the Councillor whose office is declared vacant would have ordinarily retired, then no by-election may be demanded.
4. The Council is permitted either to advertise the vacancy for co-option or to leave the office vacant until the date of the next election, the Council will be asked at its next suitable meeting which option it wishes to pursue.
5. Except in the circumstances described in paragraph (3), notice of the vacancy will be issued by the Town Council in consultation with the Electoral Services section of Castle Point Borough Council. Notices will be placed in the Town Council window; all Councils notice boards in the ward where the vacancy has arisen and on the Councils web site.
6. If 10 or more electors give written notice of a request for an election, then a by-election is called, Electoral Services will inform the Town Council and will make all the necessary arrangements for the by-election. Poll cards for the by-election will be issued by Electoral Services to all relevant residents. Poll cards are optional, and the Town Council will incur a cost for issuing them.
7. If within 14 days after the public notice less than 10 electors give written notice to the Proper Officer of the District Council, then no by-election is called, Electoral Services will inform the Town Council and the Town Council can advertise and co-opt a new member. The Clerk will invoke the procedure to do this immediately without referring to a meeting of the Council or committee.
8. Applications for co-option will be considered at the next suitable meeting of the Council.
9. Casual vacancies will be advertised on the Councils notice boards and through any other medium which the Council or the Town Clerk consider suitable.

### **Co-option**

The Town Council will consider any person to fill a vacancy provided that:

- The candidate is 18 years or older
  - The candidate is an elector for the town.
  - During the whole 12-month proceeding the candidate has resided in the town or have occupied as an owner or tenant any land or other premises in the area.
  - The candidates principal place of work is in the town.
  - The candidate has lived within 3 miles of the boundary of the town.
10. Applicants for co-option will be asked to submit information about themselves and must confirm their eligibility for the position of Councillor within the statutory rules.
  11. Copies of candidate's details will be circulated to the council prior to the council meeting at which the co-option will be considered, and all candidates will be invited to give a presentation of up to two minutes to that meeting.
  12. At the meeting there will be no further discussion following the presentations. The Council shall vote upon the applicant(s). The Council will suspend Standing Order No 8 and agree to conduct the vote by signed ballot. Ballot papers will be distributed, and the Council will proceed immediately to a vote.
  13. Voting will be according to the statutory requirements i.e. a successful candidate must have received an absolute majority vote of those present and voting.
  14. If there are more than two candidates for one vacancy and no-one at first count, receives a majority vote then steps must be taken to strike off the candidate with the least votes and the remainder must then be put to vote again. This should be repeated, if necessary, until an absolute majority is obtained.
  15. In the case of an equality of votes, the Town Mayor of the meeting has a second or casting vote.
  16. The first candidate to receive a majority vote of those present and voting will be duly elected.
  17. The Town Mayor will declare that the successful candidate is duly elected. The successful candidate is then declared co-opted to the council.
  18. The successful applicant will execute the Declaration of Acceptance of Office within the specified time limit after the decision has been made and will thereafter receive summonses to meetings of the Council and may act as a member of the Council.