



## Co-option Policy

The Co-option of a Town Councillor occurs when a casual vacancy has arisen on the Council and no poll (by-election) has been called.

To ensure that a fair and transparent process is undertaken the following procedure will be followed by Credition Town Council:

- 1) On receipt of written confirmation from the Electoral Services Office at Mid Devon District Council, the casual vacancy can be filled by means of Co-option, the Town Clerk will:
  - a) advertise the vacancy for 4 weeks on the Council notice boards and website, and place an advert in the local press,
  - b) advise the Council that the Co-option Policy has been instigated, by sending an e-mail to all Councillors.
- 2) Applicants for co-option will be asked to:
  - a) submit information about themselves, by way of completing a short application form.
  - b) confirm their eligibility for the position of Councillor within the statutory rules, by completing an Eligibility Form
- 3) Copies of the applicant's application form will be circulated to all Councillors by the Clerk at least seven days prior to the meeting of the full Council, when the Co-option will be considered.
- 4) Applicants will be required to attend the meeting of the full Council, when the Co-option will be considered. At the meeting, applicants will be asked to give a short presentation and may be asked questions.
- 5) Discussion about the applications will take place in council session without intervention from the candidates or public. Voting will be according to the statutory requirements, in that, a successful candidate must have received an absolute majority vote of those present and voting. 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 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; this process must, if necessary, be repeated until an absolute majority is obtained. Councillors shall vote by show of hands, or, if at least two members so request, by signed ballot. If any member so requires, the Clerk shall record the names of members who voted on any question so as to show whether they voted for, against, or abstained. In the case of an equality of votes, the Chairman of the meeting has a second or casting vote.
- 6) After the vote has been concluded, the Chairman will declare the successful candidate duly elected.



**Co-option Application Form**

Name.....

Address for Correspondence .....

.....

.....Postcode .....

Tel. .... Mobile .....

Are you 18 or over? YES/NO

Which Ward(s) would you like to be Councillor of .....

Please detail any experience you have that may be relevant to Crediton Town Council. (If necessary, please continue on a separate sheet of paper).

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Is there any other information you would like to disclose regarding your application? (If necessary, please continue on a separate sheet of paper).

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Signed ..... Dated .....

**Please return your completed form, together with the Co-option Eligibility Form to:** Mrs Clare Dalley, Town Clerk, Crediton Town Council, Market Street, Crediton, Devon, EX17 2BN by no later than **Thursday, 4<sup>th</sup> May 2017**



## Co-option Eligibility Form

1. In order to be eligible for co-option as a Crediton 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.

- I am registered as a local government elector for the town; or
- 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 town; or
- My principal or only place of work during those twelve months has been in the town; or
- I have during the whole of twelve months resided in the town or within 3 miles of it.

**Please circle which of the above applies to you.**

2. Please note that under Section 80 of the Local Government Act 1972 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 the 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.

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.

I (*insert name*) ..... hereby confirm, that I am eligible to apply for the vacancy of Crediton Town Councillor, and the information given on this form is a true and accurate record.

Signed ..... Dated .....