



THETFORD TOWN COUNCIL

Councillor Vacancy Policy

1. Introduction

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

2. Co-option

The Co-option of a Parish Councillor occurs either

- a) When a **Casual Vacancy** has arisen on the Council and no poll (by-election) has been called.
- or**
- b) A vacancy occurs at a normal election because fewer candidates are nominated in a ward compared to the number of seats in that ward. **(Election Vacancy)**.

3. Casual Vacancy

A casual vacancy occurs when:

1. A councillor fails to make his declaration of acceptance of office at the proper time;
2. A councillor resigns;
3. A councillor dies;
4. A councillor becomes disqualified; or
5. A councillor fails for six (6) months to attend meetings of a council committee or subcommittee or to attend as a representative of the Council a meeting of an outside body.

Thetford Town Council 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 write to 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 people of the ward will be asked to go to the polls to vote for candidates who will have put themselves forward by way of a nomination paper.

Thetford Town council will pay the costs of the election. The people of the parish 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 residents do not request the by-election the Breckland district council will inform the Town Clerk that the co-option process may be used to fill the vacancy and that this process can start immediately.

4. Election Vacancy

An election vacancy occurs when there are not enough candidates for seats at a general election. Breckland District Council will formally advise the Town Clerk of this, and as it is not considered a casual vacancy, co-option is the first process considered in filling the vacancy, however the council may decide to seek an election.

Following the decision to co-opt

The Town Clerk will:

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

Following the decision to seek election

The Town Clerk will:

Inform Breckland District Council of the Councils decision (including minute number) to seek an election to fill a vacancy.

Request that the request be presented to Breckland Full Council at the first available date.

5. Eligibility of Candidates

Thetford Town Council can consider any person to fill a vacancy provided that:

- He/she is an elector for the parish; 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; or
- has lived within three miles (direct) of the parish.

There are certain disqualification's for election , of which the main are (see 5. 80 of the Local Government Act 1972):

- holding a paid office under the local authority;
- 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.

6. Co-option

Thetford Town Council 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 who apply.

However, it is not desirable that electors in a ward be left partially or full underrepresented for a significant length of time. Neither does it contribute to effective nor efficient working of the Council if there are insufficient councillors to share the workload; equitably; 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 Thetford Town council for the remainder of the four (4) year term.

Members may point out the vacancies and the process to any qualifying candidate(s).

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 Parish councillor and to Co-opt a candidate to fill the existing vacancy'.

Copies of the candidates' applications will be circulated to all Councillors by the Clerk at least 3 clear days prior to the meeting of the full Council, when the Co-option will be considered. All such documents will be treated by the Clerk and all Councillors as Strictly Private and Confidential.

Candidates will be sent a full agenda of the meeting at which they are to be considered for appointment, and informed they will be invited to speak about their application at the meeting.

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 Thetford Town Council

The process will be carried out by adjourning the meeting to allow the candidate to speak. When the Council wishes to discuss the merits of candidates and inevitably their personal attributes, this could be prejudicial and the Council will resolve to exclude the members of the press and public during this debate.

Once the debate is concluded the meeting will be reopened with press and public being invited back in, and the council will proceed to a vote on the acceptability of each candidate utilising the 'person specification' criteria set out in Appendix C and any personal statements provided by candidates, with each candidate being proposed and seconded by the councillors in attendance and a vote by a show of hands. The vote will be recorded so as to show whether each Councillor present and voting gave his/her vote for or against that question. Any abstentions will not be recorded & will not count as votes cast.

In order for a candidate to be elected to Thetford Town Council, it will be necessary for them to obtain a **majority** of votes cast.

If there are more than two candidates and there is no candidate with a 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 a majority.

In the case of an equality of votes, the Chairman of the meeting may use a second or casting vote.

After the votes has been concluded, the Chairman will declare the successful candidate duly elected and after signing their declaration of acceptance of office, may take their seat immediately.

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

If insufficient candidates come forward for co-option, the process can continue, whereby the vacancies are again advertised or the council can meet to decide whether to repeat the co-option process or to request an election.

7.Request for election

The request goes from the Town Clerk to the Elections Officer at Breckland District Council who puts the request in front of the Full Council.

If the request is agreed, then Breckland District council will initiate and carry out an election.

If the request is denied, then Breckland District Council may leave the vacancy open until the next election or appoint a representative.

APPENDIX A

Application for Co-option

Full Name & Title	
Home Address	
Home Telephone	
Mobile Telephone	
Email Address	
Reasons for applying	
What skill sets do you bring to the council?	
Signature	Date

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 to the Town Clerk either electronically via email tinacunnell@thetfordtowncouncil.gov.uk or by post to The Carnegie Cage Lane IP24 2SD

Your application will be considered at a Full Council meeting, where a vote will be held to decide whether the council agrees to co-opt you in to Thetford Town Council.

Data Protection Act: The information provided on this application will remain private and confidential.

APPENDIX B

Co-option Eligibility Form

1. In order to be eligible for co-option as a Thetford Town Councillor you must be:

- a) 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)
- b) 18 years of age or over

And additionally able to meet one of the following qualifications set out below. Please circle which applies to you:

- a) I am registered as a local government elector for the parish; Yes/No
- 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; Yes/No
- c) My principal or only place of work during those twelve months has been in the parish; Yes/No
- d) I have during the whole of twelve months resided in the parish or within 3 miles of it. Yes/No

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.

DECLARATION

I..... hereby confirm that I am eligible for the vacancy of Thetford Town Councillor, and the information given on this form is true and accurate record.

Signature.....

Date.....

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

APPENDIX C

CO-OPTED COUNCILLOR PERSON SPECIFICATION

Competency	Essential	Desirable
Personal Attributes.	<ul style="list-style-type: none"> • 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	<ul style="list-style-type: none"> • 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 the Council's partners (e.g. voluntary groups, other parish Councils, principal authority, charities). • Ability and willingness to undertake induction training and other relevant training. 	<ul style="list-style-type: none"> • 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	<ul style="list-style-type: none"> • 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.	
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