

EAST GOSCOTE PARISH COUNCIL

COUNCILLOR VACANCIES AND CO-OPTION POLICY



Approved by:	Full Council	Date: 16.2.26
Last reviewed:	24.7.23	
Next review due:	February 2028	

Councillor Vacancies Policy and Procedure for Co-Option of New Councillors

1. Purpose

East Goscote Parish Council has ten seats, elected on a four-year cycle. Where seats are not filled by election, or where a casual vacancy arises, the Council may fill vacancies by co-option in accordance with legislation and best practice.

This policy sets out:

- how vacancies arise
- the statutory process for filling vacancies
- the Council's procedure for co-option
- the standards of fairness, transparency and equality expected throughout

The Council will seek to fill vacancies at the earliest practicable opportunity.

2. How Vacancies Arise

2.1 Scheduled Elections

A vacancy may arise when:

- fewer nominations are received than available seats
- nominations equal the number of seats (uncontested election)
- nominations exceed seats (contested election)

If fewer nominations are received than seats but the number is sufficient for quorum, elected members take office and remaining seats may be filled by co-option.

If fewer nominations are received than required for quorum, the principal authority must call another election.

2.2 Resignation

A councillor may resign at any time by written notice to the Chair (or Clerk acting on behalf of the Chair). Resignations take effect immediately and cannot be withdrawn or post-dated.

2.3 Disqualification

A councillor may be disqualified for reasons including:

- bankruptcy restrictions
- being employed by the council
- criminal conviction with a sentence of three months or more
- illegal expenditure or corrupt practices
- failure to attend meetings for six consecutive months

- failure to sign the Declaration of Acceptance of Office

2.4 Death

A vacancy also arises upon the death of a councillor.

Best practice: the vacancy notice should not be displayed until after the funeral.

3. Notification of a Vacancy

When a vacancy occurs, the Clerk must:

1. **Notify the Returning Officer at Charnwood Borough Council.**
2. **Consult the Elections Team** to confirm the correct notice period and dates.
3. **Display the statutory vacancy notice** as soon as practicable.
4. **Send a copy of the notice to the Returning Officer** for monitoring.

3.1 Publication of the Notice

The notice must be displayed for **14 working days**, excluding:

- Saturdays and Sundays
- Bank holidays
- Christmas Eve, Christmas Day, Good Friday
- National days of mourning

Publication methods include:

- Parish Council noticeboards
 - Parish Council website
 - Social media or other appropriate channels
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4. Election or Co-option

4.1 If an Election is Requested

If **ten electors** request an election in writing within the 14-day period:

- the Returning Officer will call an election within 60 days
- the Parish Council bears the cost
- if insufficient candidates stand, a further election must be called (co-option is not permitted)

4.2 If an Election is Not Requested

If no valid request is received the Returning Officer notifies the Clerk, for which there are then 2 options:

- If a vacancy occurs **within six months** of the next ordinary election, the Council **may** fill the vacancy by co-option but is not required to do so.
 - If a vacancy occurs **more than six months** before the next ordinary election, the Council **must** fill the vacancy by co-option.
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5. Qualifications for Co-option

A candidate must be **18 or over**, a **British, Commonwealth, Irish or EU citizen**, and meet at least one of the following:

- on the electoral register for the parish
- lived in the parish or within 3 miles of it for the previous 12 months
- worked in the parish for the previous 12 months
- owned or occupied land in the parish for the previous 12 months

If a candidate qualifies only by being on the electoral register and later comes off the register, the qualification lapses.

6. Co-option Procedure

The Council's co-option process is designed to be open, fair and transparent.

6.1 Initial Consideration

Where applicable, the Council will first invite individuals who stood for election but were not elected to indicate whether they wish to be considered for co-option.

If they decline, or if no such candidates exist, the Council will advertise the vacancy.

6.2 Advertising the Vacancy

The Council may invite volunteers to fill the vacancy by co-option. A notice will be published on the Council's website and noticeboard(s) and will include:

- the Clerk's contact details
- an explanation that the Council is seeking expressions of interest from individuals wishing to serve as a councillor
- a request for applicants to complete the Council's short application form, including their reasons for wishing to become a councillor, their legal qualifications (citizenship, electoral register status, etc.), and the required declarations and consents

6.3 Applications

Applicants must:

- submit a completed application form
- provide a brief statement outlining their reasons for seeking co-option
- confirm that they meet the statutory eligibility criteria for office

The Clerk will verify eligibility and circulate all valid applications to councillors prior to the meeting at which the co-option will be considered.

6.4 Attendance and Presentations

- Candidates will be invited to attend the meeting.
 - Each candidate may speak for up to **three minutes**.
 - Candidates do not have to attend to be considered.
 - Councillors may ask questions in public session.
 - The Council may move into private session to discuss candidates, but voting must take place in public.
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7. Voting Procedure

7.1 General Principles

- Only councillors present may nominate, second or vote.
- Each vacancy is filled by a separate vote.
- Councillors have one vote per vacancy.
- Candidates must receive an **absolute majority** of those present and voting.

7.2 Number of Candidates

If candidates ≤ vacancies:

NALC guidance states that all eligible candidates should be co-opted; the Council cannot be selective.

If candidates > vacancies:

The Council will follow the elimination process:

1. All properly nominated candidates are listed alphabetically.
2. A vote is taken.
3. If no candidate receives an absolute majority, the candidate with the fewest votes is eliminated.
4. Voting continues until one candidate achieves a majority.
5. In the event of a tie for elimination, the matter may be decided by drawing lots.

7.3 Voting Method

- Voting will normally be by **show of hands**, unless Standing Orders specify otherwise.
 - Where Standing Orders require a signed ballot, that method will be used.
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8. After Co-option

A successfully co-opted councillor:

- takes office immediately

- must sign the **Declaration of Acceptance of Office** before or at their first meeting
- must complete a **Register of Interests** within 28 days
- the Register of Interests must be submitted to Charnwood Borough Council

The Clerk will notify unsuccessful candidates as soon as reasonably possible.

9. Legislative References

This policy is informed by:

- Local Government Act 1972
- Representation of the People Act 1983
- Local Elections (Parishes and Communities) (England and Wales) Rules 2006
- NALC Legal Topic Note 8
- Arnold-Baker, *Local Council Administration*
- SLCC 2025 Model Procedure

Unless otherwise stated, “days” means **working days**.

10. Review

This policy will be reviewed every two years or sooner if legislation or best practice changes.

Signed.....

(Chair)

Date.....