Calstock Parish Council
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Co-Option Procedure for the Filling of Councillor Vacancies (Casual Vacancies)

Calstock Parish Council – Statement of Intent

This policy sets out the procedure to ensure there is compliance with legislation and continuity of procedures to fill vacancies on Calstock Parish Council. The Co-option procedure ensures that a fair and equitable process is carried out.

Co-option to fill a vacancy will take place where a casual vacancy occurs on the council and no poll (by-election) has been called.

Reviewed and Approved: Full Council 14-10-2025

MODEL CO-OPTION PROCEDURE FOR THE FILLING OF CASUAL VACANCIES

1) **Casual Vacancies**
   a) A casual vacancy occurs when :
      - A councillor fails to make his declaration of acceptance of office at the proper time.
      - A councillor resigns.
      - A councillor dies.
      - A councillor becomes disqualified.
      - A councillor fails for six (6) months to attend meetings of a council committee or subcommittee or to attend as a representative of a meeting of an outside body.
      - Seat/s remain vacant after an election cycle.

   b) The Parish Council will notify Cornwall Council of a Casual Vacancy and publish the formal notice giving electors the opportunity to request an election. If ten (10) or more electors request an election to be held, then Cornwall Council will proceed to organise for one to be held in the parish/parish ward.

   c) If Cornwall Council receives less than ten (10) requests for an election it will notify Calstock Parish Council that it is able to fill the vacancy by co-option.

2) **Advertising Casual Vacancies for Co-option**

   a) Where Cornwall Council advises that the vacancy can be filled by co-option the parish council will seek and encourage applications from those who meet the qualifying criteria and are eligible to stand as a councillor.

   b) The vacancy will be advertised for a period of at least four (4) weeks on the Council's website, noticeboards and local publications with details of :

      - How to apply for an application pack
      - The closing date for applications
      - A contact point for further information

3) **Eligibility of Candidates**

   a) The Council can consider any person to fill a vacancy provided that they
      - are an elector for the parish; or
      - have resided in the parish for the past twelve months or rented/tenanted land or other premises in the parish; or
      - had their principal place of work in the parish; or
      - have lived within three miles (direct) of the parish boundary.

   b) There are certain disqualifications for election, including :
      - 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.
- Being a serving member of the armed forces.

c) Candidates found to be offering inducements of any kind will be disqualified.

4) Co-option Procedure

a) Candidates will be required to submit a statement by email giving background information on who they are and why they would like to be a Councillor. The statement should not exceed 300 words.

b) The Clerk will notify all candidates of the date, time and venue for the meeting where co-option will be considered and will provide a copy of the full agenda pack for the meeting.

c) Statements received will be circulated to Councillors in advance of the relevant Full Council meeting at which the co-option is to take place. This will need to be included on the agenda and resolved to be formally moved to Part 2

d) Candidates will be asked to attend the relevant Full Council meeting and invited to say something about themselves. Councillors will have the opportunity to ask questions of the candidates. A maximum of 5 minutes per candidate will be allotted (including potential questioning).

5) Voting

a) The vote will be taken by written ballot

b) Each candidate will be taken in turn and the successful candidate must achieve an overall majority in order to be appointed to a vacancy. Where more than two candidates are standing for the vacancy, and no overall majority is obtained, then the lowest polling candidate will drop out and a new vote taken with the remaining candidates. This process will continue until one candidate has an overall majority.

c) Where there are two candidates and no clear majority can be achieved, the Chair shall have a casting vote.

d) Members will have the option to vote for 'none' if they feel that there is a strong case for not appointing an eligible candidate.

e) Where there is only one candidate, the Council will conduct an interview and take a vote to determine their suitability. Provided the candidate is eligible to stand, the Council would ordinarily be expected to appoint them.

6) Other Matters

If no candidates come forward for a vacancy, or otherwise the vacancy is not filled, this process will be reactivated six months after the initial deadline for responses, or at such a time as requested by a prospective candidate.