

## ALDERHOLT PARISH COUNCIL COUNCILLOR VACANCY – CO OPTION POLICY

There is legislative procedure that must be followed regarding a Council vacancy. The points below set out the legal procedure including APC policy for dealing with vacancies, particularly if there is more than 1 applicant.  
Alderholt Parish Council (min ref; PC 49/16 & revisited P&F 17/16).

1. The Clerk will carry out the following procedures;
  - Notice of vacancy and bye- election to be displayed and copied to Monitoring Officer Dorset Council
  - Council advised of vacancy at next meeting.
  - If no by election called within set timescale, Co Option notice to be displayed.
  - All applications to be eligible under set criteria. After closing date passed, add to Council meeting agenda
2. Cllrs must pass a resolution to vote on and accept the new Councillor. Note; If Cllrs do not accept new applicant for non-legislative reasons, the reason why must be made clear and available to the applicant and possibly the public and should only be the case in EXCEPTIONAL circumstances. In the unlikely event that this does happen, the advertising process will need to start again.
3. If there is more than 1 applicant per vacancy, applicants will be individually requested to make their presentations to full council at an extraordinary council meeting. The clerk to organise the meeting as per legislation for any extraordinary meeting but with a proposal to exclude the public and press. At the meeting, each applicant will be invited to an interview at separate times. Following the completion of all interviews, a vote of who to Co Opt onto the Council will then be taken by all Councillors present. The result of the vote will be minuted as a resolution and form part of the meeting's minutes. See detail below on voting in casual vacancies.
4. The newly co-opted member (whether by process point 2 or 3) may take his seat as soon as Council has passed a resolution of acceptance **and** he has signed the Declaration of acceptance of office form witnessed by the clerk. He must also complete a Register of Interest form which must be returned to the monitoring officer within 28 days of signing the declaration of office

**Note 1 Closed meeting** Cllrs took the decision to make the extraordinary meeting a closed one. The main reason for this is that if open to public, other applicants can listen to the other interviews putting the first person at a disadvantage.

**Note 2 Voting on Casual Vacancies** A successful candidate must have received an absolute majority vote of those present and voting (LGA 1972 Sch12, para39) It follows that if there are more than two candidates for one vacancy and not 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 be put to the vote again; this process must, if necessary, be repeated until an absolute majority is obtained. Subject to those provisions in the case of equality of votes, the person presiding shall have a second or casting vote

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<b>Date</b>	<b>Min</b>	<b>Action</b>
14/03/16	PC 49/16	Adopted
06/06/16	P&F17/16	Reviewed
Next Review	2019	