

Alfrick and Lulsley Parish Council Standing Order for Filling a Casual Vacancy via Election & Co-Option

June 2023

In the event of a Casual Vacancy arising on Alfrick & Lulsley Parish Council, the Parish Council will abide by the Electoral Law process set out in the Malvern Hills District Council document:

“GUIDE TO ELECTION PROCEDURES FOR TOWN AND PARISH COUNCILS”

FILLING THE VACANCY BY CO-OPTION

If no by-election is called by the relevant date shown on the Notice of Vacancy, Malvern Hills District Council will notify the Clerk that the Parish Council must co-opt a member to fill the vacancy as soon as practicable. This notification will either be by letter or by email.

Alfrick & Lulsley Parish Council Procedure for Co-Option:

- (i) Advertise the casual vacancy via the Parish Notice Boards and PC Social Media. Wording will be as followed:

INSERT: Name of Parish/Town Council and/or its Coat of Arms or Logo

**CO-OPTION OF A COUNCILLOR FOR
[INSERT NAME OF WARD OF (if applicable)]
[INSERT NAME OF COUNCIL]**

[INSERT NAME OF COUNCIL] recently advertised a casual vacancy for the statutory notice period, but not enough requests were received for a by-election to be held.

Applications are now being sought from any suitably qualified person who wishes to stand for co-option onto the Council.

Written applications should be made to the Clerk of the Council by no later than [DATE] and these will be considered at the Town/Parish Council Meeting to be held on [DATE].

For an informal discussion, please contact the Clerk to the Council.

[INSERT NAME AND CONTACT DETAILS OF PARISH/TOWN CLERK]

This notice is dated [INSERT DATE]

- (ii) Notice of the election by co-option must be given in the Agenda for the meeting of the Parish Council. The period for Parishioners to apply to be considered for co-option will be exactly 21 days after the notice for a casual vacancy arising.
- (iii) Where valid requests for co-option are received, the next co-option must take place at the next Parish Council meeting after the 21 day period has expired.

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- (iv) To apply to be co-opted, candidates must contact the Clerk within the 21 day period expressing their desire to be put forward for the opportunity to be co-opted. The clerk must ensure the candidate fits Statutory criteria at the time the casual vacancy arises.

AT THE MEETING:

- (v) When the item is reached in the Agenda, each candidate must be interviewed individually and asked the same pre-agreed questions. When one candidate is being interviewed, all other candidates must vacate the room. The Chair will decide the questions in advance – in co-operation with the rest of the Council.
- (vi) When all interviews have finished, the Clerk will issue each candidate with a ballot paper. The Parish Council will vote anonymously. The Candidates must not be present whilst the vote, counting and announcement takes place. This provision will supersede the general right of the public to attend the Council Meeting. The voting procedure, counting and announcement will be deemed a closed session.
- (vii) Once all ballots are completed and collected by the Clerk, the votes will be counted. The count will be verified by the Chair.
- (viii) The Clerk will then reveal who has been successful. The successful candidate should have received an absolute majority vote of those present and voting.
- (ix) This process of anonymous voting should, if necessary, be repeated until an absolute majority is obtained.
- (x) If there is more than one vacancy, and the number of candidates equals the number of vacancies, all the vacancies may be filled by a single composite resolution. However, if the number of candidates exceeds the number of vacancies, each vacancy should be filled by a separate vote or series of votes.

AFTER THE MEETING:

- (xi) All candidates will be notified the next working day via email by the Clerk. They will be told if they are “successful” or “unsuccessful”. The vote count will not be disclosed or stated in the minutes.
- (xii) The co-opted councillor will sign their Declaration of Acceptance of Office after the meeting in which they have been successful in their co-option. The successful candidate will take Office at the next meeting.

Once the co-option has taken place:-

The name and address of the person co-opted must be sent to Malvern Hills District Council’s Democratic Services Team marked for the attention of Val Hinds by email to Val.Hinds@malvern hills.gov.uk or by post.

A completed, signed copy of their “Register of Members Disclosable Pecuniary Interests Form” must also be sent to Malvern Hills District Council’s Monitoring Officer by email to Meesha.Patel@malvern hills.gov.uk or by post as detailed