



Policy Title	Casual Vacancy Co-option Policy
Policy No.	021
Policy Aim	This policy sets out the procedure to ensure there is compliance with legislation and continuity of procedures in the co-option of members to Cullompton Town Council. The Co-option procedure is entirely managed by Cullompton Town Council and this policy will ensure that a fair and equitable process is carried out.
Approval Date	Approved by Town Council 22 October 2020
Review Date	July 2029
Responsible Officer	Town Clerk
Approving Body	Full Council
Minute Reference	C25/060

Version History

Date	Version	Author / Editor	Comments
May 2025	v2	Deputy Clerk	SLCC Model Policy

Review Record

Date	Type of Review Conducted	Summary of Actions Taken or Decisions Made	Completed By

1. Once a Councillor vacancy has arisen the notice must be displayed as soon as practicable, but in consultation with Mid Devon District Council Elections Team to check the dates. However, if the vacancy has arisen due to a death, it is courteous that the notice is not displayed until after the funeral has taken place.
2. A copy of the vacancy notice must be sent to the Returning Officer at Mid Devon District Council, so that the progress can be monitored.
3. The vacancy notice must be displayed on the noticeboard for 14 working days (not counting Saturdays, Sundays, Christmas Eve, Christmas Day, Good Friday, bank holidays or national days of mourning). During this time 10 electors may request an election by writing to the Returning Officer.
4. After the 14 days, the Returning Officer will notify the Clerk in writing of the outcome. An election will only take place if 10 electors have requested it in writing.
5. If no election has been requested, then the Town Council must co-opt to fill the vacancy – unless it is within 6 months of the forthcoming Town ordinary elections.
6. If a vacancy occurs within 6 months of the Town Council's forthcoming ordinary elections, then the election will not be held, however, the vacancy may be filled by co-option if wished, but the Council is not obliged to do so.

7. Co-option Procedure

- 7.1. If a by-election has not been called, the Council may ask for volunteers to fill the co-option. It should be by a notice on the website and notice boards asking for anyone wishing to serve as a Councillor to complete a short application form which will include their reasons for becoming a Town Councillor together with their legal qualifications (citizenship/electoral register etc.), and a declaration and consent by a set date. The Town Council will then consider all applications at a meeting.
- 7.2. Only Councillors present at the meeting may nominate, second or vote upon the person to fill the vacancy.
- 7.3. Councillors will receive a copy of the application form of those wishing to be considered as a Councillor.
- 7.4. Councillors should be informed of the names of anyone wishing to be considered as a Councillor.
- 7.5. At the Council meeting when the co-option takes place, each nominee will be invited to speak for up to three minutes – standing orders do not need to be suspended for this to occur. Nominees do not have to be in attendance to put themselves forward for co-option. When all the nominees who wish to have spoken, the Chair shall seek proposers and seconders for each nomination
- 7.6. A Councillor does not have to nominate any of the persons named. Any Councillor may nominate someone for the vacancy, provided the person is willing to be nominated and the nomination is seconded; that name may

then be voted upon.

- 7.7. Voting to fill the vacancy should comply with the Council's Standing Orders but would usually be done by a show of hands (unless the Council has adopted Standing Orders which allow any other form of voting in Council). If there is only one vacancy, a Councillor may only nominate or second one candidate.
- 7.8. The Chair should place the names of those properly nominated into alphabetical order and take a vote. Councillors only have one vote each.
- 7.9. The first candidate to receive an absolute majority of those present and voting is declared elected.
- 7.10. Should no single candidate receive a majority on the first vote, the person with the lowest number of votes is eliminated. Voting takes place on the remainder of the candidates (one vote per Councillor) until one person receives an absolute majority.
- 7.11. Once elected, the co-opted Councillor must sign a Declaration of Acceptance of Office form and complete the Register of Members' Interests Form which is sent to Mid Devon District Council for recording and publication.