



CHICHESTER CITY COUNCIL

CO-OPTION POLICY

1) Introduction

This policy sets out the procedures for co-option to the City Council.

According to section 86 of the Local Government Act 1972 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 months to attend meetings of a council committee or sub-committee or to attend as a representative of the Council a meeting of an outside body.

The City Council must notify Chichester District Council's Monitoring Officer of the Casual Vacancy and then advertise the vacancy on the City Council's notice boards, ward boards and website.

The closing date will be fourteen days from the date of the advert (excluding Bank Holidays, Christmas Eve, Christmas Day, Good Friday, Saturdays and Sundays).

Advertising the vacancy will give electors the opportunity to request an election.

An election occurs if ten electors write to Chichester District Council stating that an election is requested. If more than one candidate is nominated a by-election takes place but if only one candidate is put forward then they are duly elected.

2) Co-option to the City Council

If ten residents do not request an election the City Council is able to co-opt, unless the casual vacancy occurs within a 6 month period prior to the local elections to the City Council, in which case the Council may decide not to co-opt.

3) Eligibility

The City Council is able to consider any person to fill a vacancy provided that:

- a) He/she is over 18 years of age
- b) Is a UK, EU or Commonwealth citizen and at least one of the following criteria is met:
 - i) Is registered to vote in Chichester
 - ii) Has lived in (or within three miles of its boundary) for the whole of the previous 12 months
 - iii) Has had their main or only place of work in Chichester for the whole of the previous 12 months
 - iv) Has occupied as owner or tenant any land or premises in Chichester for the whole of the previous 12 months

A person is disqualified from being a City Councillor if within five years before his/her election or since election, they:

- i) have served a prison sentence (including suspended sentences) of three months or more within the last five years
- ii) have been subject to a bankruptcy restriction order
- iii) are an employee of the City Council
- iv) are disqualified under legislation

4) Applications

Applicants for co-option will be asked to submit information about themselves by way of completing a short application form (**Appendix '1'**) and submitting a personal statement to set out key points of the application. As an indication, this statement should be no more than a single side of A4 paper.

Applications will be considered by the Town Clerk to check validity and copies of the forms and personal statements will be circulated to all Members for consideration at a Special Meeting of the City Council.

If there is only one candidate then, providing they meet the criteria and are not disqualified, they are appointed unopposed.

At the Special Meeting of the City Council, applicants will be asked to give a short presentation of no more than five minutes, after which they will be asked to leave the room for a short period while the Members discuss the applications. This may take place in closed session, after which the meeting will return to public session.

Applicants will then be invited back in to the room and a vote held in public session.

5) Voting Process

The successful candidate must receive an absolute majority vote of those present and voting.

If there are more than two candidates for one vacancy and neither one of them receives an absolute majority over the aggregate votes given to the rest, steps must be taken to 'strike off' the candidate with the least number of votes.

Voting must continue until one candidate receives more votes than the total votes for the other remaining candidates.

For example, if Candidate A receives four votes and Candidates B and C receive two each, Candidate A is not elected as they have the same number of votes as B and C added together. In such a case it is necessary to conduct a ballot between the tied candidates to eliminate one of them. In the case of a tie at such a point the Mayor/Chairman of the meeting would have a casting vote.

This process must, if necessary, be repeated until an absolute majority is achieved.

In accordance with Standing Orders 1cc and 12 of Chichester City Council's Standing Orders (September 2020 – revised April 2022), each round voting will be by show of hands and counted by the senior City Council Officer present or the minuting Officer if appropriate.



CHICHESTER CITY COUNCIL

APPLICATION FOR CO-OPTION TO CHICHESTER CITY COUNCIL

Name:	
Address:	
Telephone numbers:	
Email address:	

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- Is disqualified under legislation

I confirm that I am eligible to apply for the vacancy of Chichester City Councillor in accordance with the above provisions:

Signed: _____ **Date:** _____

Data provided on this form is subject to Chichester City Council's Data Protection policy. It will only be held for as long as necessary and will not be disclosed to any third party without your prior permission or unless we are required to do so by law.