



WESTGATE-ON-SEA TOWN COUNCIL

COUNCILLOR CO-OPTION POLICY

Adopted: September 2025

Review due: September 2027

1. Introduction

This policy sets out the procedure to ensure there is compliance with legislation and continuity of procedures in the co-option of members to Westgate-on-Sea Town Council (WOSTC). The Co-option procedure is entirely managed by WOSTC and this policy will ensure that a fair and equitable process is carried out.

2. Co-option

The Co-option of a Town Councillor occurs when a casual vacancy has arisen on the Council and no poll (by-election) has been called. 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; or
- A councillor fails for six (6) months to attend meetings of a Full Council, committee or subcommittee meeting or to attend as a representative of the Council a meeting of an outside body.

WOSTC has to notify Thanet District Council of a Casual Vacancy and then advertise the vacancy and give electors the opportunity to request an election. This occurs when ten electors write to the District Council stating that an election is requested.

If a by-election is called, a polling station will be set up by Thanet District Council and the people of the town will be asked to go to the polls to vote for candidates who will have put themselves forward by way of a nomination paper. WOSTC will pay the costs of the election. The residents of the town have fourteen days (not including weekends, bank holidays and other notable days), to claim the by-election, but the electoral officer will advise the clerk of the closing date.

If more than one candidate is then nominated a by-election takes place but if only one candidate is put forward they are duly elected without a ballot.

If ten residents do not request a ballot within the stated timeframe of the vacancy notice being posted, as advised by Thanet District Council, WOSTC is able to co-opt a volunteer.

3. Confirmation of Co-option

On receipt of written confirmation from the Electoral Services Office from the District Council that the casual vacancy can be filled by means of Co-option, the Town Clerk will:

- Advise Thanet District Council that the Co-option Policy has been instigated
- Advertise the vacancy for four weeks or such other period as the Town Council may agree on the Town Council notice boards and website.

WOSTC is not obliged to fill any vacancy. Even if the Council invites applications for co-option, it is not obliged to select anyone from the candidates who apply.

4. Eligibility of Candidates

WOSTC is able to consider any person to fill a vacancy provided that:

- He/She is over 18 years old
- He/she is an elector for the town; or
- has resided in the town for the past twelve months or rented/tenanted land or other premises in the town; or
- had his/her principal place of work in the town; or
- has lived within 4.8km (3 miles) (direct) of the town.

There are certain disqualifications for election, of which the main are (see 5.80 of the Local Government Act 1972):

- holding a paid office under the Town Council;
- 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.

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

5. Applications

Members may point out the vacancies and the process to any qualifying candidate(s).

Although there is no Statutory Requirement to do so, candidates will be requested to:

- Submit information about themselves, by way of a letter including a short personal statement and CV detailing their skills, experience and why they want to join the Council
- Confirm their eligibility for the position of Councillor within the statutory rules (Appendix A).

Applications will be considered at a Full Council meeting on a date to be confirmed after the application period expires. This meeting will include an agenda item 'To receive written

applications for the office of Town Councillor and to Co-opt a candidate to fill the existing vacancy'.

Copies of the candidates' applications will be circulated to all Councillors by the Town Clerk at least 3 clear days prior to the meeting of the Full Council, when the Co-option will be considered. All such documents will be treated by the Clerk and all Councillors as Strictly Private and Confidential and in accordance with General Data Protection Regulations.

Candidates will be sent a full agenda of the meeting at which they are to be considered for appointment, together with a copy of the Code of Conduct, Standing Orders and Financial Regulations of WOSTC. Candidates will also be informed that they will be invited to speak about their application at the meeting.

6. At the Co-option Meeting

At the co-option meeting, candidates will be given five minutes maximum to introduce themselves to Members, give information on their background and experience and explain why they wish to become a Member of WOSTC. The process will be carried out by adjourning the meeting to allow the candidate to speak. This part of the meeting will take place in public session.

Where the Council wishes to discuss the merits of candidates and inevitably their personal attributes, this could be prejudicial and the Council will resolve to exclude the members of the press and public. As soon as these discussions have concluded, members of the press and public will be invited to rejoin the meeting.

The Council will proceed to a vote on the acceptability of each candidate utilising the 'person specification' criteria set out in Appendix B and any personal statements provided by candidates, with each candidate being proposed and seconded by the councillors in attendance and a vote by a show of hands. Each vacancy will be voted on in turn.

In order for a candidate to be elected to WOSTC, it will be necessary for them to obtain an absolute majority of votes cast ($50\% + 1$ of the votes available at the meeting). If there are more than two candidates and there is no candidate with an overall majority in the first round of voting the candidate with the least number of votes will drop out of the process.

Further rounds of voting will then take place with the process repeated until a candidate has an absolute majority. In the case of an equality of votes, the Chairman of the meeting has a second casting vote.

After the vote has been concluded, the Chairman will declare the successful candidate duly elected and after signing their declaration of acceptance of office, may take their seat immediately but may not vote.

The Clerk will notify Electoral Services of the new Councillor appointment. The successful candidate(s) must complete the 'registration of interests' within 28 days of being elected. The form should be handed to the Clerk for forwarding to the Monitoring Officer.

If insufficient candidates or no suitable candidates come forward for co-option, the process should continue, whereby the vacancies are again advertised.

Appendix A: Co-option Eligibility Form

1. In order to be eligible for co-option as a Westgate-on-Sea Town Councillor you must be a British subject, or a citizen of the Commonwealth or the European Union; and on the 'relevant date' (i.e. the day on which you are nominated or if there is a poll the day of the election) 18 years of age or over; and additionally able to meet one of the following qualifications set out below.

Please tick all which apply to you:

a) I am over 18 years old.	
b) I am registered as a local government elector for the town; or	
c) I have, during the whole of the twelve months preceding the date of my co-option, occupied as owner or tenant, land or other premises in the town; or	
d) My principal or only place of work during those twelve months has been in the town; or	
e) I have during the whole of twelve months resided in the town or within 3 miles of it	

2. Please note that under Section 80 of the Local Government Act 1972 a person is disqualified from being elected as a Local Councillor or being a member of a Local Council if he/she:

- a) Holds any paid office or employment of the local council (other than the office of Chairman) or of a joint committee on which the Council is represented; or
- b) Is a person who has been adjudged bankrupt or has made a composition or arrangement with his/her creditors (but see below); or
- c) Has within five years before the day of election, or since his/her election, been convicted in the UK, Channel Islands or Isle of Man of any offence and has been sentenced to imprisonment (whether suspended or not) for not less than three months without the option of a fine; or
- d) Is otherwise disqualified under Part III of the representation of the People Act 1983 for corrupt or illegal practices.

This disqualification for bankruptcy ceases in the following circumstances:

- I. If the bankruptcy is annulled on the grounds that either the person ought not to have been adjudged bankrupt or that his/her debts have been fully discharged;
- II. If the person is discharged with a certificate that the bankruptcy was caused by misfortune without misconduct on his/her part;
- III. If the person is discharged without such a certificate.

In (i) and (ii) above, the disqualification ceases on the date of the annulment and discharge respectively.

In (iii), it ceases on the expiry of five years from the date of discharge.

Declaration:

I..... hereby confirm that I am eligible for the vacancy of Westgate-on-Sea Town Councillor, and the information given on this form is a true and accurate record.

Signature.....

Date.....

Data Protection Act: The information provided on this application will remain Private and Confidential.

**Appendix B: Co-opted Councillor Person Specification
Westgate-on-Sea Town Council**

COMPETENCY	ESSENTIAL	DESIRABLE
Personal Attributes	• Sound knowledge and understanding of local affairs and the local community. • Forward Thinking	• Can bring a new skill, expertise or key local knowledge to the Council.
Experience, Skills, Knowledge and Ability	• Ability to listen constructively • A good team player • Ability and willingness to represent the Council and their community • Good interpersonal skills and able to contribute opinions at meetings whilst willing to see others' views and accept majority decisions. • Ability to communicate succinctly and clearly. • Ability and willingness to work closely with other members and to maintain good working relationships with all members and staff. • Ability and willingness to work with the Council's partners (e.g. voluntary groups, other town Councils, principal authority, charities).	• Experience of working or being a member in a local authority or other public body • Experience of working with voluntary and or local community / interest groups • Basic knowledge of legal issues relating to town and town Councils or local authorities
Circumstances	• Ability and willingness to attend meetings of the Council (or meetings of other local authorities and local bodies) at any time.	