

# MIDDLETON STONEY PARISH COUNCIL

## Councillor Vacancy Procedure

Once a Councillor vacancy has arisen, the notice must be displayed as soon as practicable but in consultation with CDC's 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.

A copy of the vacancy notice must be sent to the Returning Officer, Cherwell District Council, Bodicote House, Banbury, OX15 4AA, so that the progress can be monitored.

The vacancy notice must be displayed on the Parish noticeboard for 14 working days (not counting Saturdays, Sundays, Christmas Eve, Christmas Day, Good Friday, or bank holidays). During this time 10 electors may request an election by writing to the Returning Officer.

After 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.

If no election has been requested, then the Parish Council must co-opt to fill the vacancy unless it is within 6 months of the forthcoming Parish ordinary elections. The next ordinary elections will be in May 2023.

If a vacancy occurs within 6 months of the Parish 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.

## Co-option Procedure

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 noticeboard asking for anyone wishing to serve as a Councillor to complete a short application form which will include their reasons for becoming a Parish Councillor together with their legal qualifications (citizenship / electoral register etc), a declaration and consent by a set date. The Parish Council will then consider all applications at a meeting.

Only Parish councillors present at the meeting may nominate, second or vote upon the person to fill the vacancy.

Councillors will receive a copy of the application form of those wishing to be considered as a councillor.

Councillors must then decide if they wish to nominate any of the persons named at the meeting or any other persons known to them.

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 be voted upon.

Date agreed at Council Meeting: Ref: 07/24 – 7<sup>th</sup> March 2024

Voting to fill the vacancy is 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.

The Chairman should place the names of those properly nominated into alphabetical order and take a vote. Councillors only have one vote each.

The first candidate to receive an absolute majority of those present and voting is declared elected.

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.

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 Cherwell District Council for recording.