



CO-OPTION POLICY

Approved by Council: December 2024

Date to be Reviewed: December 2026

Co-option to a Casual Vacancy Policy

In the event no election is called to fill a Councillor vacancy for Offa Community Council, the Council may co-opt membership to the Community Council in accordance with legislation defined in the Local Elections (Communities and Communities) (England and Wales) Rules 2006, the Representation of the People Act 1983, the Localism Act 2011 and the Local Government Act 1972. The Community Council will follow a process which is fair, open and transparent and in compliance with the Equality Act 2010

Consideration will also be given to advice and guidance provided by bodies such as the National Association of Local Councils (NALC), the Society of Local Council Clerks (SLCC) and One Voice Wales (OVW).

1. Introduction

1.1 This policy sets out the procedure to ensure there is compliance with legislation and continuity of procedures in the co-option of members to Offa Community Council.

1.2 The co-option procedure is entirely managed by the Council, and this policy will ensure that a fair and equitable process is carried out.

1.3 The co-option of a Community Councillor occurs in two (2) instances:-

1.3.1 When an ordinary vacancy has arisen on a Community Council after the ordinary elections held every four (4) years,

1.3.2 When a casual vacancy has arisen on a Community Council and no poll (by-election) has been called.

1.4 The Council is composed of four (4) wards:-

- Brynffynon
- Erddig
- Hermitage
- Offa

2. Ordinary Vacancy

2.1 An ordinary vacancy occurs when there are insufficient candidates to fill all the seats on a Community Council at the ordinary elections held every four (4) years. Any candidates who were nominated are automatically elected to the Community Council and any remaining vacancies are known as "ordinary vacancies". Provided there are enough Community Councillors to constitute a quorum, the Community Council is usually able to co-opt a volunteer to fill the vacancies.

3. Casual Vacancy

3.1 In accordance with the Local Government Act 1972, a casual vacancy occurs when:-

- A Councillor fails to make their declaration of acceptance of office with the proper time,
- A Councillor resigns,
- A Councillor dies,
- A Councillor becomes disqualified,
- A Councillor fails for six (6) months to attend meetings of a council committee, sub-committee or to attend as a representative of the Council a meeting of an outside body.

3.2 A Community Council has to notify the County Borough Council, Wrexham, of a casual vacancy and then advertise the vacancy and give electors for the ward the opportunity to request an election. This occurs when ten (10) electors write to the County Borough Council stating that an election is requested.

3.3 If a by-election is called, a polling station will be set up by Wrexham County Borough Council and the people of the Ward will be asked to go to the polls to vote for candidates who will have put themselves forward by way of a nomination paper. Offa Community Council will pay the costs of the election. The people of the ward have fourteen (14) days (not including Saturdays, Sundays, Christmas Eve, Christmas Day, Maundy Thursday, Good Friday, a Bank Holiday and any day of public thanksgiving or mourning), to claim the by-election, but the Electoral Services Office of Wrexham County Borough Council will advise the Clerk of the closing date.

3.4 If more than one (1) candidate is then nominated, a by-election takes place but if only one (1) candidate is put forward they are duly elected without a ballot.

3.5 If ten (10) residents do not request a ballot within fourteen (14) days of the vacancy notice being posted, as advised by the Electoral Services Office of Wrexham County Borough Council, the Community Council is able to co-opt a volunteer.

4. Confirmation of Co-Option

4.1 On receipt of written confirmation from the Electoral Services Office that no byelection has been claimed, the casual vacancy can be filled by means of cooption.]

4.2 The Clerk will:-

- Advertise the vacancy for four weeks (28 days including Saturdays, Sundays, Christmas Eve, Christmas Day, Maundy Thursday, Good Friday, a Bank Holiday and any day of public thanksgiving or mourning) on the Council Noticeboard and the Councils website
- Advise Wrexham County Borough Council that the Co-Option Policy has been instigated.

4.3 This procedure will also apply in the case of an ordinary vacancy where the Electoral Services Office at Wrexham County Borough Council has confirmed that there were insufficient nominations to fill all the seats but there are sufficient Community Councillors elected to constitute a quorum.

5. Eligibility of Candidates

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

- They are 18 years old or over
- They are a British citizen or qualifying commonwealth citizen;

And, at least one of the following apply:-

- They are an elector for the Community and continues to be an elector,
- Or has resided in the Community for the past twelve (12) months or rented/tenanted land in the Community,
- Or has had their principal or only place of work in the Community for the past twelve (12) months,
- Or has lived within three (3) miles (4.8km) of the Community for the past twelve (12) months.

5.2 In accordance with the Local Government Act 1972, there are certain disqualifications for being a Community Councillor which are:-

- Holding a paid office or employment under the Community Council,
- Bankruptcy or interim order,
- 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 preceding five years,
- Being disqualified under any enactment relating to corrupt or illegal electoral practices,
- Being convicted for failure to register or declare disclosable interests under the Localism Act 2011

6. Applications

6.1 Candidates will be requested to:

- Submit information about themselves, by way of completing a short application form,
 - Confirm their eligibility for the position of Community Councillor within the statutory rules.
- 6.2 Following receipt of applications, the next suitable Council meeting will have an agenda item 'To receive written applications for the office of Community Councillor and to co-opt a candidate to fill the existing vacancy'.
- 6.3 Eligible candidates will be invited to attend the meeting.
- 6.4 Copies of the eligible candidates' applications will be circulated to all Community Councillors by the Clerk at least three (3) clear days prior to the meeting of Council, when the co-option will be considered.
- 6.5 All such documents will be treated by the Clerk and all Community Councillors as strictly private and confidential.

7. Co-Option

- 7.1 At the Council meeting, candidates will be given five (5) minutes maximum to introduce themselves to the Community Councillors, give information on their background and experience and explain why they wish to become a member of the Community Council. The process will be carried out in the public session and there will be no private discussions between Members prior to a vote being taken. However, where the Community Council is discussing the merits of candidates and inevitably their personal attributes, this could be prejudicial, and the Community Council should resolve to exclude the members of the press and public.
- 7.2 Following the candidate presentations/addresses, members will proceed to a vote in the form of an anonymous ballot.
- 7.3 In order for a candidate to be co-opted to the Community Council, 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 (2) 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. If there is no successful candidate (e.g. if one applicant, but fails to receive a majority of support for their candidacy) the vacancy will be advertised again and the co-option process repeated (as per this policy) until a candidate is successfully co-opted to Council (or until the vacancy is filled by normal election)
- 7.4 Further rounds of voting will then take place with the process repeated until a candidate has an absolute majority. In the event of a tied ballot, the Chair has the casting vote.
- 7.5 Where there is more than one ward in consideration for co-option, ballots will be held in ward alphabetical order. A co-option applicant can indicate on their application which ward (or all wards) they wish to be considered for and may, if unsuccessful in preceding ballots, be included in later ballots (based on ward alphabetical order).
- 7.6 The ballot(s) will be counted by the Clerk, being observed by an independent party.

- 7.7 If present, a candidate who is co-opted will sign a Declaration of Acceptance of Office, including an undertaking to abide by the Community Council's Code of Conduct, and may take office thereafter. If not present, a co-opted candidate will sign the Declaration of Acceptance of Office either before or at the next meeting of the Community Council.
- 7.8 The Clerk will notify the Electoral Services Office at Wrexham County Borough Council of the co-option of the new Community Councillor.
- 7.9 The co-opted Community Councillor will complete a Register of Interests form.
- 7.10 If insufficient candidates are co-opted, whereby the vacancies are again advertised and the process is repeated.

ANNEX 1: CO-OPTED COUNCILLOR PERSON SPECIFICATION

This table suggests essential and desirable skills for candidates of the casual vacancy.

Competency	Essential	Desirable
Personal Attributes	• Sound understanding and knowledge 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 to pick up and run with a variety of projects • Solid interest in local matters • Ability and willingness to represent the Council and their community • Good interpersonal skills and able to contribute opinions at meetings whilst willing to see the views of others and accept the majority decisions Ability to • communicate succinctly and clearly Ability and willingness • to work closely with other members and to maintain good working relationships with members and staff Ability and willingness • to work with the Council's partners (e.g. voluntary	• Experience of working or being a member in a Local Authority or other public body • Experience of working with voluntary or local community / interest groups Basic knowledge of • legal issues relating to Town and Community Councils or Local Authorities Experience of • delivering presentations
	groups, other Community Councils, Principle Authorities and Charities) • Ability and willingness to undertake induction training and any other relevant training	

Circumstances	Ability and willingness to attend meetings of the Council (or meetings of other local authorities and local bodies) at any time as well as events and in the evening and at weekends	
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NOTE: The above specification is purely a guide to indicate some form of suitability and cannot be used as a measure to exclude a candidate