

## **1 Introduction**

The vacancy in Pewsham Ward is a result of the retirement from the Council of Lord Lansdowne in September 2020. Wiltshire Council has been notified of the vacancy and the Notice of Vacancy has been issued. Wiltshire Council did not receive from 10 electors a request for the vacancy to be filled by election and therefore have notified the Council that it is to fill the through co-option. Letter attached at Appendix 1.

## **2 Parish Council Standing Orders**

The Parish Council's standing orders regarding co-option are as follows:

### **8 Councillor appointments**

- a When a Councillor vacancy occurs, it must first be advertised by Wiltshire Council. A by-election will be held, if within fourteen working days a poll is claimed by ten electors. If a poll is not claimed, the vacancy may be filled by co-option.

A meeting of the Council will be called immediately it becomes known that a poll has not been demanded and the Council will decide how to organise the advertising and process to fill the vacancy through co-option.

Any vacancy to be completed by Council co-option, will be advertised for not less than 2 weeks:

- at least once, in one or more local papers
- prominently in the parish council website
- on all council notice boards
- by any other appropriate means, agreed by council

All applicants shall be invited to meet Councillors and give a short presentation on why they would like to be a Councillor and what benefits they can bring to the community. Council will review and agree the acceptability of proposed applicants and by majority decision select a new Councillor. The co-opted person will complete the Declaration of Acceptance of Office and serve for the remainder of the term of the Councillor replaced.

- b Where more than two persons have applied for a position to be filled by the council through co-option and none of those persons has received an absolute majority of votes in their favour, the name of the person having the least number of votes shall be struck off the list and a fresh vote taken. This process shall continue until a majority of votes is given in favour of one person. A tie in votes may be settled by the casting vote exercisable by the chairman of the meeting.

There is no statutory requirement to give public notice of local council vacancies which remain unfilled after an ordinary election (s.21(2) Representation of the People Act 1985). The Parish Council, where such an instance does occur, will give public notice of vacancies which arise in these circumstances to encourage transparency and to attract more applicants. The co-option procedure will be as described in this document.

### **3 Remaining Term of Office**

All Councillors will retire in May 2021 when the current 4 year term ends. The Government has suspended all elections until May 2021 but at present is still expecting those elections to be able to go ahead. Any Councillor co-opted onto the Council will be co-opted to serve from their appointment until May 2021. The period of vacancy has more than 6 months to run therefore the Council must try and fill the vacancy through co-option.

Councillors may wish to consider this time frame when discussing the length of time that they wish to allow for the initial recruitment phase under Standing Order 8a above.

### **4 Advertising the Vacancy**

In accordance with Standing Order the vacancy is to be advertised at least once in a local paper.

1. The Council must decide which local paper and at what cost.
2. The placing of an advert on the Parish Council website and the Noticeboards is free and may therefore contain more information, however the wording of the advert should be agreed.
3. Any other means of advertising must be decided and agreed including any costs if applicable.

The approved advert should include the following:

- Any responses to the advert should be directed to the Clerk within the timeframe set by the Council should confirm the candidate's eligibility to stand as a Parish councillor and include a short statement about why they wish to become a Councillor.
- The date of the meeting at which the Council intends to make the decision should be included in the advertisement.
- Those applicants wishing to be considered for co-option will be asked to make a short presentation to Councillors. (This will have to be done remotely so applicants

will have to be able to join a Zoom Meeting) before the Council then vote to select a new Councillor.

Recommendation: That the Council confirms the following:

1. The Council Meeting at which applicants for co-option will be considered.
2. The detail and timescale for advertisements.
3. The cost and paper(s) and other places in which adverts should be placed.

Budget	Elections Provision (£2,400 in Running Costs available)
Power	Local Government Act 1972 s111