

Cyngor Cymuned PONTYCLUN Community Council

Addendum to Standing Orders

Adopted May 2017

Addendum to Standing Orders relating to Co-opting a council member

Background

If, following an ordinary election there are insufficient persons nominated to fill all the available seats, the Council can co-opt persons to fill those vacancies without the necessity of advertising for a potential bye-election.

If, following the election, there are insufficient councillors elected to form a quorum, the Council must advise RCT Council who can either appoint persons to be councillors or order another election.

In the case of a casual vacancy occurring in the last six months before the ordinary elections, the council is required to give a notice of the casual vacancy but an election is not held. The council may co-opt if it wishes, leaving any unfilled vacancies to be filled at the ordinary elections.

Casual Vacancy

In the event that a casual vacancy is created and the Returning Officer at RCT Council confirms that a poll has not been claimed, the following procedure shall be followed.

1. A notice shall be placed on the community notice boards and website advertising the vacancy, requesting that interested parties submit a letter to PCC via the clerk stating their interest, together with details of why they would like to be a member of the council. A response time of 21 days after the date of the notice shall be given with a deadline time of midnight.

2. On receipt of an expression of interest, the clerk will send to the candidate

- a copy of the Welsh Government's code of conduct and a declaration form for return to verify that the individual is qualified to be a member of the council.

A person is qualified to be elected and to be a councillor if s/he is a British, Commonwealth, Irish or European Union citizen and on the relevant days (that is, the day of nomination and election) s/he is 21 or over. In addition, the person must meet at least one of the following criteria

(1) on the relevant days he must be on the electoral register for the community, or

(2) during the whole of the twelve months before that day s/he has owned or tenanted land or premises in the community, or

(3) during the whole of the twelve months before those days her/his principal or only place of work has been in the community, or

(4) during the whole of the twelve months before those days s/he has resided in the community or within 3 miles of it.

The clerk shall keep this declaration form confidentially until after the vacancy has been filled, whereupon the form for the successful candidate shall be retained and forms for unsuccessful candidates shall be destroyed as confidential waste.

- Candidates must be made aware that canvassing of Council members will disqualify them from standing for the vacancy as per PCC Standing Orders
- Guidance regarding content of speech to be made at selection meeting eg. reason for application, relevant experience, involvement in local groups or similar.

4. Before the meeting when co-option will take place, copies of correspondence from all candidates shall be circulated to all councillors. All qualified Candidates will be invited to attend and present at this meeting.

5. At the council meeting when the co-option takes place, it will be suggested that candidates withdraw. Each Nominee will then be asked to speak for up to 3 minutes. When the Candidates have all spoken a discussion will take place amongst Council members. A signed vote will then take place.

The voting process will follow –

- Where more than 2 persons have been nominated for a position to be filled by the Council 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. Any tie may be settled by the Chairman's casting vote.

Note - A signed vote is not a secret vote. A signed vote just ensures that Councillors can vote without immediate influence from those around them and vote only once.

6. The minutes must record that an absolute majority was achieved.

7. The successful candidate must sign a declaration of acceptance of office and must undertake to abide by the council's code of conduct before acting as a member of the council.

8. The Clerk should write to the Elections Officer advising them of the successful candidate. The successful candidate should receive a copy of policies and regulations in the same manner as those Councillors Elected in an ordinary election.