



# DOVER TOWN COUNCIL

## Co-option Policy

## Policy & Procedure

2026 Version

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## **SCOPE OF THE POLICY**

1.1 Where circumstances lead to a shortfall in Council's membership, making co-options to the vacant seats can be an opportunity for councils to address any imbalances in their members. – such as gender, age, geographical coverage, or other characteristics – to ensure that the Council is as representative as possible of the demographic and the views of residents of the town.

Unlike the conduct of elections, which are subject to stringent rules, the law gives local councils much freer rein to make co-options. This is a power and a privilege that should be exercised responsibly.

1.2 The following policy addresses how the Council will carry out co-options, to ensure that it meets its statutory duties and appoints the best candidate to fill the vacancy.

## **WHAT AND WHO IS COVERED BY THE POLICY**

2.1. For the purposes of this policy, 'co-option' is defined as the appointment of a candidate to a vacant seat on the Council by means of a vote of the Full Council, and this policy applies to any prospective candidates for co-option in the event of a vacancy on Dover Town Council.

## **LEGAL FRAMEWORK**

3.1 The legislation governing the process of co-option to a parish or town council vacancy are:

- (a) Representation of the People Act 1983
- (b) Representation of the People Act 1985
- (c) Local Government Act 1972
- (d) The Local Government Elections (Parishes and Communities) (England) Rules 2006

3.2 Co-option can occur in two ways:

- (a) Where there have been insufficient candidates to fill all the available seats at an election; or
- (b) Where a casual vacancy has arisen between elections, (Local Government Act 1972 s.87) and fewer than ten electors of that ward formally request a by-election, or the vacancy occurs within six months before the day on which the Councillor whose office is vacant would regularly have retired.  
(Local Government Act 1972 s.89)

3.3 Once the Council is in a position to co-opt, there is no legislation (other than that concerning Council voting and decisions in general) to dictate how this should take place. However, the public and press should not be excluded during decision-making. (National Associations of Local Councils (NALC) Legal Briefing L15-08)

3.4 The Council may only consider candidates who meet the eligibility criteria (Local Government Act 1972 s.79) and are not disqualified from standing. (Local Government Act 1972 s.80)

## **POLICY STATEMENT**

4.1 The Clerk shall ensure that all statutory processes are followed in the event of a vacancy arising on the Council.

4.2 On receipt of written confirmation from Dover District Council that no by-election has been claimed, the casual vacancy can be filled by means of co-option. The Clerk will: -

- (a) Advertise the vacancy for at least four (4) weeks or such other longer period as Dover Town Council may agree on the Town Council noticeboards and website; and
- (b) Advise Dover District Council that the co-option policy has been instigated.

4.3 This procedure will also apply in the case of an ordinary vacancy where Dover District Council has confirmed that there were insufficient nominations to fill all the seats but there are sufficient town Councillors elected to constitute a quorum.

4.4 In the event that the vacancy occurs within six months before the day on which the Councillor whose office is vacant would regularly have retired, the Council shall not seek to co-opt to this vacancy, unless it is resolved at a Full Council meeting to do so.

4.5 The Council shall advertise the vacancy across relevant local media platforms, including through the press, social media, website, newsletters, and notice boards.

4.6 Candidates will be requested to:

- (a) Submit information about themselves, by way of completing a short application form; and
- (b) Confirm their eligibility for the position of Town Councillor within the statutory rules.

4.7 The next suitable Full Council meeting will have an agenda item 'To receive applications for the office of Town Councillor and to co-opt a candidate to fill the existing vacancy.' Applications shall be included with the meeting agenda paperwork.

4.8 Eligible candidates will be provided with a copy of the Cooption Policy and be invited to attend the meeting.

4.9 At the Full Council meeting, each candidate will be given up to five minutes to introduce themselves, give information on their background and experience and explain why they wish to become a member of Dover Town Council.

4.10 Following the candidate presentations, members will proceed to a vote in the form of a show of hands in accordance with the Council's Standing Orders. The process will be carried out in the public session.

4.11 If there are more than two candidates, Councillors shall first vote on their preferred candidate. If there is no candidate with an overall majority in the first round of voting, the candidate with the least number of votes will be excluded, and voting shall continue until one candidate remains.

4.12 When one candidate remains, the Council shall vote on whether to co-opt that member to the vacant seat. The Council shall not be obliged to co-opt any or all candidates, should they not receive a simple majority.

4.13 In the event of multiple vacancies, 4.10 and 4.11 above shall be followed for each vacancy in turn.

4.14 The candidate who is co-opted will sign a Declaration of Acceptance of Office and will immediately take office thereafter.

4.15 The Clerk will notify Dover District Council of the co-option.

4.16 If insufficient candidates are co-opted, the process should continue, whereby the vacancies are again advertised.