

Elections 2017; administration and co-option procedure

Background

1. It is appropriate to provide councillors with a quick guide to processes after the election in May 2017 in relation to the council annual meeting and the composition of council.
2. Even in a situation where there are enough candidates to fill all the vacant seats at an election, it is sometimes the case that not all the candidates entitled to take office do so.
3. This is a slightly long winded way of reminding councillors, and others, that the declaration of election results does not mean the elected individuals hold the office of councillor. They only do so after signing their acceptance of office.
4. Given that the Interim Town Clerk leaves office on 30th April 2017, it is proposed that Steve Cozens, Assistant to the Town Clerk is appointed as Proper Officer for the period 1 May 2017 to 31 May 2017. This will enable him, as Proper Officer, to receive acceptance of office forms from newly elected members, and to distribute, collect and return to Northumberland County Council the declaration of interest forms.
5. In the event of there being vacancies after the elections, through an insufficiency of candidates, council at its first meeting, provided it is quorate, may appoint individuals to the vacant seat(s). Where council cannot be quorate, because insufficient candidates have been elected to constitute a quorum, council must proceed to a fresh round of elections. These elections will be entirely at the cost of the parish concerned.
6. Council may if it so chooses decline to fill vacancies at its first meeting, and choose to do so at a subsequent meeting; this is what appears to have happened in 2013. However, in such a case a formal notice does not appear to be required, and a poll cannot be claimed (as it can for a casual vacancy).
7. Where the vacancy arises for other reasons, then the vacancy should be treated as a casual vacancy, and a notice published in the standard form, enabling a poll to be claimed if residents so desire it.
8. Attached below are the minutes of two council meetings, in 2013 and in 2014. Their distinctive feature is that the co-option process was held in private. There does not appear to be any good or lawful reason for this. Also missing from the minutes is any record of whether the candidates achieved the required absolute majority of those eligible members attending the meeting.
9. Council is therefore invited to resolve to adopt the proposed procedure, as follows;
 - a. that individuals willing to be co-opted be invited to nominate which ward(s) they wish to be co-opted for,
 - b. that would be co-optees be invited to make a presentation to council, for no more than three minutes, on their vision for Berwick,
 - c. that the questioning of co-optees be restricted to the issues raised by them during their presentation, and

- d. that, where there is more than one co-optee for a ward, an eliminating ballot be used to choose the successful candidate, with the voting numbers for each round of the eliminating ballot recorded in the minutes.

Recommendations

1. That council appoint Steve Cozens to act as Proper Officer from 1st May 2017 to 31st May 2017, inclusive, and
2. That council adopt the procedure outlined at paragraph 9, above, for co-option of councillors in the event of there being unfilled seats.

Excerpts from minutes

Minute C023/13

7. CO-OPTION OF MEMBERS

Members were advised that one seat on Grove Ward remained vacant following the election on 2 May; and as a result of one seat not having been taken up following the election there was a casual vacancy on Magdalene Ward. Following publication of a public notice four candidates had applied to be appointed to the vacancies.

RESOLVED: To exclude the press and public during the following discussion, which included issues of a personal and confidential nature.

It was proposed, seconded and

RESOLVED: That there should be a ballot to appoint the two co-optees.

RESOLVED: (i) Alan Turnbull to be appointed to Magdalene Ward; and (ii) Joe Lang to be appointed to Grove Ward.

Councillors Turnbull and Lang signed their Declaration of Acceptance of Office.

The Town Mayor congratulated Mr Turnbull and Mr Lang and welcomed them as members of the Town Council. The unsuccessful applicants were thanked for their interest in the Council and for standing for co-option.

RESOLVED: To re-open the meeting to the press and public for the remainder of the meeting.

Minute C079/14

7. CO-OPTION OF MEMBER

Due to the passing away of Councillor John Stephenson one seat remained vacant in Grove Ward. Following publication of a public notice one candidate had applied to be appointed to the vacancy within the deadline advertised and one candidate had applied after the deadline. Members agreed that only the candidate who had applied within the timescale should be considered.

RESOLVED: To exclude the press and public during the following discussion, which included issues of a personal and confidential nature.

It was proposed and seconded that

RESOLVED: Gary Smith to be appointed to Grove Ward.

RESOLVED: To re-open the meeting to the press and public for the remainder of the meeting.

The Town Mayor congratulated Mr G Smith and welcomed him as a member of the Town Council.

Councillor G Smith signed his Declaration of Acceptance of Office.