

## Okehampton Town Council Co-Option Voting Guidance

Guidance for the co-option of Councillors is contained within NALC legal topic note 8. Any debate and voting should be in the public domain in accordance with LTN 8, which states:

### **23. Decision making**

Decisions made by a local council about whether or not to co-opt when vacancies remain unfilled after an ordinary election and who to co-opt when any casual vacancy arises should be transparent. In NALC's view it would be difficult for a local council to argue that there are special reasons which justify excluding the public during a council meeting when it is making decisions about a matter of public interest such as co-option. Decisions about co-option which are made at council meetings when the public have been excluded will not eliminate the need for a council to explain, for example to unsuccessful candidates, the reasons for its decisions.

### **Voting**

An extract of OTC's stating orders with regard to the voting process for appointments is as follows:

#### **8. VOTING ON APPOINTMENTS**

*This paragraph does not apply to the election of the Mayor and Deputy Mayor; this is covered in Section 5 (h) and (i).*

a Where more than two 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. A tie in votes may be settled by the casting vote exercisable by the chairman of the meeting.

As with any council decision, a majority of councillors present and voting will need to vote in favour of the motion for it to pass.

Should there be a tie, the Mayor has the casting vote.

### **Procedure**

In June 2023 there are 8 candidates for the 3 vacancies. If all existing 11 Members of OTC are present and voting – the 'winning' candidates will need to get at least 6 votes in favour in order to be co-opted.

There will be a separate vote for each of the 3 vacancies. In each case the process if none of the candidates receives an initial majority vote is as follows:

#### Vacancy 1

For example, there are 8 candidates for the first of the 3 vacancies and 11 voting Members - a vote of 0, 1, 1, 2, 2, 2, 3 for the candidates would not elect a 'winner' because 3 is not the majority.

So, then there would need to be a 'run-off' vote of the lowest votes, with any candidate who didn't receive any votes being eliminated, to ascertain who progresses to the next stage.

The 'winner/s' of the 'run-off' vote and the candidate with the highest initial vote are voted on again. This process is followed until a candidate with a majority vote is co-opted.

#### Vacancies 2 and 3

There will be 7 candidates for the second of the 3 vacancies and 6 for the last.

The process as set out above will apply for these vacancies.