

Hargrave Parish Council

Policy for insufficient candidates at an ordinary election

1. Introduction

- 1.1 The Representation of People Act 1985, section 21 specifies the procedure to be followed when an insufficient number of persons are or remain validly nominated to fill the vacancies in respect of which the election was held.

2. Procedures to be followed where the Council is quorate

- 2.1 Where the number of newly elected members constitutes a quorum for meetings of the council those members may co-opt any person or persons to fill the vacancy or vacancies remaining unfilled.
- 2.2 There will be an agenda item stating “To consider whether and how to fill vacancies following the ordinary election and to consider co-opting any persons who are immediately available.”
- 2.3 The council may co-opt persons under that agenda item, although the co-optees cannot take part at that meeting as councillors since, by definition, they will not have received formal notice of the business to be transacted.
- 2.4 Where candidates are not immediately available for co-option, the council will follow Co-option for casual vacancy policy from clause 2.2 onwards.
- 2.5 The council may choose not to attempt to fill the vacancies, in which case the unitary council has powers to hold a further election or to take other appropriate action to fill the vacancies (but this power may not be exercised before the expiry of 35 days beginning with the day on which the election was held).

3. Procedures to be followed where the council is not quorate

- 3.1 If the number of newly elected members is less than the number that constitutes a quorum the returning officer must order a fresh election to fill the vacancy or vacancies remaining unfilled (Representation of peoples Act 1983 section 39 (1))

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