

Tattingstone Parish Council

Co-Option Policy

Version 1.0

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CO-OPTION POLICY

ABOUT THIS POLICY

This policy details the procedure and requirements for Co-Opting a Councillor following a Casual Vacancy arising on the Parish Council.

INTRODUCTION

Vacancies may exist following an election in which there were insufficient candidates, or during the term of a council due to resignation etc. The latter are known as 'casual vacancies' which must be notified to the local community. If a by-election is not required, the Council must endeavour to fill the vacancies by co-option.

QUALIFYING CRITERIA

Unless disqualified, under s.79, Local Government Act 1972 a person is qualified to be elected (or co-opted) to a council if they are a qualifying Commonwealth citizen, or an EU citizen, are 18 years of age or over and:

- on that day they are and continue to be an elector for the parish; **or**
- during the whole of the previous 12 months have occupied as owner/tenant any land or other premises in that area; **or**
- their principal or only place of work during that 12 months has been in that area; **or**
- has resided in, or within three miles of, the Parish for the past twelve months

DISQUALIFICATION

Under s.80 of the 1972 Act, a person is disqualified from being a Parish Councillor if they:

- hold any paid office or employment with the Parish Council; **or**
- is the subject of a bankruptcy restrictions order, an interim restrictions order, a debt relief restrictions order, or interim order; **or**
- have been sentenced to a term of imprisonment (whether suspended or not) of not less than three months, without the option of a fine during the preceding five years; **or**
- have been disqualified under any enactment relating to corrupt or illegal electoral practices.

APPLICATIONS

Candidates are asked to submit the attached form which enables them to confirm that they meet the qualifying criteria and are not disqualified, as well as to provide some basic information to help the Council choose in the event of there being more applicants than vacant seats.

AT THE MEETING

When applications have been received, the co-option will be placed on the agenda of a suitable meeting of the Parish Council.

If there are the same number of, or less, eligible candidates than vacancies then the Council simply resolves to co-opt them on to the Council. Where there are more candidates than vacant seats, the Council will select the required number.

If a candidate is a relative of a Councillor, that Councillor should declare an interest and withdraw from the meeting unless that would make the meeting inquorate, when they should seek a dispensation to participate from those present.

The selection process will be open and fair, with the public present, including candidates (unless they choose to leave). Each candidate will be given an opportunity to briefly address the Council should they wish. All valid applications will be considered, including those of candidates not present.

As soon as all candidates have finished giving their submissions, the Council shall proceed to a vote. The vote will be through a ballot. Only Councillors present at the meeting may vote upon a person to fill the vacancy. Councillors will have one vote per vacancy to be filled. The Chair also has a casting vote if it is required.

If there are more than two candidates and there is no candidate with an overall majority in the first round of voting the candidate with the least number of votes will drop out of the process. Further rounds of voting will then take place with the process repeated until a candidate has an absolute majority. The ballots will be collected by the Clerk and those proceeding to the next round of voting shall be announced. The votes cast for each candidate shall not be announced at the meeting although they will be available for public inspection afterwards.

For a candidate to be elected to the Council, it will be necessary for them to obtain an absolute majority of votes cast (50% + 1 of the votes available at the meeting). (Local Government Act 1972, Schedule 12, Paragraph 39).

The Council will be invited to vote in the candidate or candidates who have been successful in the final round. This shall be done by show of hands at the meeting. This shall provide a formal record of the candidates to be co-opted, which shall be recorded in the minutes.

Once the process has been completed, the Council then co-opts them to the Council with a formal resolution. The successful candidates take office immediately and can participate in the remainder of the meeting should they wish to do so. New councillors must make a declaration of acceptance of office and, where possible, this will be dealt with at that meeting.

NB: The law only requires it to be made at/before the next meeting (or a later meeting agreed by Council).

All councillors are required under the Localism Act 2011 to complete a Notification of Disclosable Pecuniary and Other Interests form within 28 days of taking office. The Clerk to the Council will forward this to the Monitoring Officer of the district council.

If insufficient candidates come forward for co-option, the process should continue, whereby they are again advertised.

Co-option Application Form

Name	
Address	
Telephone number	
Email address	

Please detail any experience you may have that is relevant to the Parish Council (continue onto a separate sheet if necessary).

Is there any other information you would like to disclose regarding your application (continue onto a separate sheet if necessary) ?

Declaration and Consent

I confirm that I am not disqualified from being a councillor and meet the criteria under s.79, Local Government Act 1972, as below:

- ✓ I am over 18 yrs age
- ✓ I am a qualifying commonwealth citizen or an EU citizen
- ✓ I meet one or more of the other requirements, as indicated below.
 - I am registered as a local government elector for the parish
 - I have, during the whole of the twelve months preceding the date of my co- optionoccupied, as owner or tenant, land or other premises in the parish
 - My principal or only place of work during those twelve months has been in theparish
 - I have during the whole of those twelve months resided in or within 3miles of the parish

Signed..... Name

Date.....

Please return this completed form to:

Rachel Belcher-Nairn, Clerk to Tattingstone Parish Council

clerk@tattingstoneparishcouncil.gov.uk

Use of personal information

The Parish Council will use your information, including that which you provide on this application form, to assess your suitability as a Parish Councillor. For full details of how we manage personal information please use this link to visit our website and our privacy notice.