Spooner Row, Suton & Wattlefield
Community Council
Where community matters

Co-Option Policy & Procedure

The process for co-option is only partially prescribed in law but there is best practice advice and guidelines around certain aspects of the process. Items marked in bold are prescribed in law. The council are able to co-opt new councillors when either a councillor resigns, is disqualified or dies. This can also occur following an election if there are vacancies still left unoccupied. It is acknowledged that the council should endeavour to fill the seat as quickly as possible.

Scope & Purpose.

This policy aims to explain the procedure regarding co-option. The information contained in it is to be used by members of the council and members of the public. The aim of the policy is also to show that the council endeavours to treat all applicants fairly and alike, and to ensure that the process is also seen as fair, open and transparent. This policy details the processes to be followed regarding co-option.

When a vacancy arises.

A co-option vacancy arises when a member of the Council leaves, and the position is formally advertised for 14 days by the District Council. At the end of this 14-day period if insufficient names have submitted a request to the District Council to call for an election (this is 10 names) then the Council is notified by the District Council that it can fill the vacancy by co-option. (Refer Local Government Act 1972 s86 and 87)
The Clerk notifies the District Council and is responsible for all notices as required by the District Council.

Applications.

We aim to encourage applications from anyone in the parish who is eligible to stand. Councillors or residents can approach individuals to suggest that they might wish to consider putting their names forward for co-option. Co-option vacancies will be advertised on the website and on the community notice boards. The advertisement for the co-option will include:

a) Method by which applications can be made. This will be in writing to the Clerk.
b) The closing date for applications.
c) Contact point for potential candidates to obtain more information, this being the Clerk.
d) Advice that further information is available electronically via the website - a form to complete which includes a maximum of 300 words asking the candidate why they would like to be a councillor; name; address and other contact details.

When applications are received, the Clerk will confirm eligibility. Any candidate found to be offering inducements will be disqualified.

Attendance following an application.

All eligible candidates shall be invited to attend the next council meeting following the application deadline. They will be asked to confirm their attendance at the meeting. In the event of candidates being unable to attend, this meeting will not be rearranged. All members of the council will receive copies of applications ahead of the meeting. Applications are to be treated as confidential. A candidate, on confirming that they will attend the meeting will be sent a copy of the agenda and agenda papers. The Clerk is the point of contact.

Commitment.

The Council is keen that potential candidates understand the commitment which is required from Councillors. Anyone interested in standing will be encouraged to look at the website for more information on the role of being a councillor and the responsibilities of the council. Further information will be provided to the successful candidate. Candidates will also be told that they are expected to attend an Induction training event for new councillors which may be held externally or in the parish.

The process of Co-option at the Council meeting.

Co-option will be an early agenda item at which each candidate will be asked to make a brief verbal presentation on why they would like to be a councillor and the skills they can offer the council (5 minutes maximum per candidate). All of this, including the voting for the candidate will be in public. Candidates may be asked questions by council members. In the event of a candidate being unable to attend, his/her application will still be considered by members. In the event of a candidate being related to a councillor, then the councillor would be expected to declare an interest and request a dispensation to speak and vote.

Voting.

Only councillors present at the meeting may vote. There will be one vote per vacancy to be filled. (Chairman may have a casting vote). The successful candidate must receive an absolute majority of those present and voting (Local Government Act 1972 Sch 12). If there are more than two candidates for one vacancy and no one of them at the first count receives a majority over the aggregate votes given to the rest, steps must be taken to strike off the candidate with the least number of votes and the remainder must then be put to the vote again. The process is to be repeated until an absolute majority is obtained.

More than one vacancy.

If there is more than one vacancy and the number of candidates is equal to the number of vacancies, all the vacancies may be filled by a single composite resolution. If the number of candidates exceeds the number of vacancies, each vacancy must be filled by a separate vote or series of votes.

Any previous Election.

The Council does not consider claims of candidates who were unsuccessful at previous elections

Starting as a Councillor.

The successful candidate is asked to start as a councillor immediately after completing their declarations of acceptance of office. If the candidate is present this can be completed immediately following the voting. The candidate is then able to take part in the council meeting should they choose. They may choose to observe and then formally attend from the next meeting. The fact that the new member has not received a summons does not make his/her attendance as a councillor illegal (Local Government Act 1972 Sch 12, para 10(3)). Where appropriate they will also be appointed to any Council committee. If an absent candidate is successful, members must agree to him/her signing the declaration of acceptance of office before or at the very start of the next meeting. New councillors will also be made aware of the fact that Register of Interests Forms will need to be completed within 28 days of co-option.

Term of office of persons filling casual vacancies.

A candidate elected or appointed to fill any casual vacancy shall hold office until the date upon which the person in whose place he/she is elected would regularly have retired and he/she shall then retire.

Filling a Co-option Vacancy.

The council must fill co-option vacancies within 90 days of the notice of vacancy. There is no obligation to do this if the council only has 6 months left of its 4-year term

Adopted: [illegible] February 2023
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Application Form for Co-Option to the Council

This form should be used in the event that a casual vacancy arises on the Community Council. Residents who are eligible to apply should complete the form below and submit to the Clerk by the date advertised on the website and community notice boards in order to be considered. All information provided will treated in strict confidence and will only be shared with current Councillors prior to the meeting at which the co-option will take place.

Full Name:	
Home Telephone:	
Mobile:	
Address:	
Email:	

Section 1 - To be eligible to become a Parish Councillor please confirm that;

- You are a British Citizen or a citizen of the commonwealth or the European Union and are aged 18 or over at the time of your application

- For the whole of the 12 months prior to your application you must; (one option must be answered as Yes to be eligible)

- Have been an elector of the parish and either occupied or owned/rented premises in the parish, or

- Have resided within 3 miles of the boundary of the parish, or

- Had your principal or only place of work in that area

Section 2 - You are not eligible to become a councillor if you;

- Are subject of a bankruptcy restriction order or interim order

- Have, within five years before the day of application, been convicted of any offence in the United Kingdom, and have had a prison sentence (whether suspended or not) for a period of over three months without the option of a fine

- Work for the Community Council which you want to become a councillor for.

If the answer is **Yes** to any questions in Section 2 your application **will not be valid**. By signing and submitting this application you are confirming that the criteria in Section 2 do not apply to you.

Please detail below, in no more than 300 words, why you consider you would be an appropriate candidate for the vacancy of Community Councillor. Useful points to include are;

- How long you have lived in the parish
- If you are involved in any community groups or activities, particularly within the parish
- Are there any areas of the parish and its responsibilities that you are particularly interested in?
- Do you have any work-related skills or experience which would be of benefit to the council?

Should you wish not to do this by filling in the form, please contact the clerk to make alternative arrangements.

I confirm that I meet the required criteria to become a Community Councillor and all information submitted on this application is correct to the best of my knowledge;

Signed……

Print Name……

Date…….

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