

Littlebury Parish Council Co-option Policy

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Littlebury Parish Council Co-option Policy

Introduction

This policy sets out the procedure to be followed by Littlebury Council in the co-option of members to the Council. The co-option process is entirely managed by the Parish Council and this policy will ensure that it is transparent, equitable and compliant with legislation.

1. Co-option

1.1 The co-option of a Parish Councillor(s) can occur in two instances:

- (i) When an ordinary vacancy has arisen on the Parish Council after the ordinary elections held every four years;
- (ii) When a casual vacancy has arisen on the Parish Council and no poll (by-election) has been called.

1.2 Ordinary vacancy

1.2.1. An ordinary vacancy occurs when there are insufficient candidates to fill all the seats on the Parish Council at the ordinary elections held every four years.

1.2.2 Any candidates who were nominated are automatically elected to the Parish Council and any remaining vacancies are known as “ordinary vacancies”.

1.2.3. Provided there are enough parish councillors to constitute a quorum (3) the Parish Council may co-opt one or more volunteers to fill the vacancies.

1.2.4. If the Parish Council does not exercise this right within a prescribed timescale Uttlesford District Council (UDC) has the right to intervene to fill the vacancies and make an appointment or order a further election.

1.3. Casual vacancy

A casual vacancy occurs when:

- (i) a councillor fails to make his declaration of acceptance of office at the proper time;

- (ii) a councillor resigns;
- (iii) a councillor dies;
- (iv) a councillor becomes disqualified; or
- (v) a councillor fails for six (6) months to attend meetings of the Council.

1.4. Notification of casual vacancies

1.4.1 The Clerk must notify Uttlesford District Council of a casual vacancy. UDC will advertise the vacancy on its website.

1.4.2. The Clerk will also advertise the vacancy on Parish Council noticeboards, website and Village Views. Councillors may also wish to raise awareness of the vacancy by word of mouth.

1.4.3. Within 14 days (not including weekends, bank holidays and other notable days) of the advertisement ten (10) electors may write to UDC requesting a by-election to fill the vacancy.

1.4.4. If a by-election is called, it will be managed by UDC with the costs covered by the Parish Council.

1.4.5. If more than one (1) candidate is nominated a by-election takes place but if only one (1) candidate is put forward they are duly elected to the Council without a ballot.

1.4.6. If ten (10) residents do not request a ballot within fourteen (14) days of the vacancy notice being posted, as advised by the Electoral Services Office, the Parish Council is able to co-opt a member.

1.5. Confirmation of co-option process

On receipt of written confirmation from the Electoral Services Office that no by-election has been called, the casual vacancy can be filled by means of co-option. The Clerk will advise Uttlesford District Council that the co-option policy has been instigated.

2. Eligibility of candidates for co-option

2.1 The Parish Council is able to consider any person to fill a vacancy provided that:

(i) he/she is 18 or over; and

(ii) he/she is a British citizen, a qualifying Commonwealth citizen or a citizen of any other member state of the European Union;

and at least one of the following apply:

(i) he/she is an elector for the Parish and continues to be an elector; or

(ii) has resided in the Parish for the past twelve months or rented/tenanted land in the Parish; or has had his/her principal or only place of work in the Parish for the past twelve months

(iii) has lived within three miles of the Parish for the past twelve months.

2.2. There are certain disqualifications for being a parish councillor, of which the main are (see S80 of the Local Government Act 1972):

(i) holding a paid office or employment under the Parish Council;

(ii) bankruptcy;

(iii) having 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

(iv) being disqualified under any enactment relating to corrupt or illegal electoral practices.

2.3. The Parish Council may wish to indicate that people with particular skills, experience or interests are particularly welcome to apply but it must be made clear that this does not preclude others from applying.

3. Applications

3.1. Candidates for co-option will be requested by the Clerk to:

- (i) Attend at least one Parish Council meeting as an observer before submitting a formal application
- (ii) Submit information about themselves and how they can contribute to the work of the Parish Council, by completing a short application form (Appendix A)
- (iii) Confirm their eligibility for the position of Parish Councillor within the statutory rules (Appendix B).

3.2. Candidates should be encouraged to meet informally with current Councillors to discuss the role.

3.3. The Clerk will circulate copies of the eligible candidates' applications to all Parish Councillors no less than five (5) days prior to the next meeting of the full Parish Council, when the co-option(s) will be considered. All such documents will be treated by the Clerk and all Parish Councillors as strictly private and confidential.

3.4. If any Councillor has reason to believe that a candidate is not fit to be co-opted to the Parish Council, he or she must notify the Clerk immediately.

3.5. Assuming there are no reasons to question the applicant(s)' suitability the Clerk will include "Co-option of new Councillor(s)" as an agenda item at the next full meeting of the Parish Council and will invite the candidate(s) to attend the meeting.

4. Co-option meeting

4.1. At the co-option meeting, candidates will be given five minutes maximum to introduce themselves to the members of the Parish Council, give information on their background and experience and explain why they wish to become a member of the Parish Council.

4.2. The process described in 4.1. will be carried out in the public session and there will be no private discussions between members prior to a vote being taken.

4.3. Where the Parish Council is discussing the merits of candidates and inevitably their personal attributes and this is deemed to be prejudicial, the Parish Council should resolve to exclude the members of the press and public.

4.4. As soon as all candidates have finished giving their submissions, the Parish Council will proceed to a vote with each candidate being proposed and seconded by the Councillors in attendance and a vote by a show of hands.

4.5. In order for a candidate to be co-opted to the Parish Council, it will be necessary for them to obtain an absolute majority of votes cast (50% + 1 of the votes available at the meeting). If there are more candidates than positions 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.

5. After co-option

5.1. A newly co-opted Councillor will sign the Declaration of Acceptance of Office, including an undertaking to abide by the Parish Council's Code of Conduct, either before or at the next meeting of the Parish Council.

5.2. The Clerk will notify Uttlesford District Council Electoral Services Office of the co-option of the new parish councillor.

5.3. The co-opted parish councillor will complete a Notification of Disclosable Pecuniary and Other Interests form which the Clerk will lodge with the Monitoring Officer at Uttlesford District Council within 28 days of the co-option.

APPENDIX A

APPLICATION FOR CO-OPTION TO LITTLEBURY PARISH COUNCIL

Name:
Address:
Telephone Number:
Email Address:
Are you 18 or over? Yes / No

Please give a brief summary of your background and any experience or skills that you have that are relevant to Littlebury Parish Council (if necessary, continue onto a separate sheet).

APPENDIX A (Cont.)

Please state any potential conflicts of interest that could impact on your ability to serve as a Councillor. This should include memberships, directorships, ownerships or employment by any organisation that might interact with the Parish Council or be impacted by its decisions.

Use of Personal Information

The Parish Council will use your information, including that which you provide on this application form, to assess your suitability to be a parish councillor.

Declaration & Consent

I have read the section entitled “Use of Personal Information” and by signing this form I consent to the use and disclosure of my information included in this application form.

I declare the information given on this form to be true and correct.

SIGNED.....

NAME.....

DATE.....

Please complete and return this form, together with the completed Co-option Eligibility Form to:

Tracy Coston, Littlebury PC Clerk, 33 Rivey Way, Linton,
Cambridge, CB21 4LH

Clerk@littlebury.org.uk

01223 894462 / 07929 930385

APPENDIX B

LITTLEBURY PARISH COUNCIL CO-OPTION ELIGIBILITY FORM

1. In order to be eligible for co-option as a Littlebury Parish Councillor you must satisfy certain criteria. You must satisfy (a) and (b) below and at least one of the options (c) – (f). Please tick which apply to you:

- (a) be 18 or over; and
 - (b) be a British citizen, a qualifying Commonwealth citizen or a citizen of any other member state of the European Union;
- and at least one of the following apply:
- (c) be an elector for the Parish and continue to be an elector; or
 - (d) have resided in the Parish for the past twelve months or rented/tenanted land in the Parish;
 - (e) had your principal or only place of work in the Parish for the past twelve months; or
 - (f) have lived within three miles of the Parish for the past twelve months.

2. Please note that under Section 80 of the Local Government Act 1972 a person is disqualified from being a parish councillor if he/she:
- a. Is employed by the Parish Council or holds paid office (other than chairman, vice-chairman or deputy chairman) under the parish council (including joint boards or committees);
 - b. Is employed by an entity controlled by the Parish Council;
 - c. Is the subject of a bankruptcy restrictions order or an interim bankruptcy restrictions order or a debt relief restrictions order or an interim debt relief restrictions order; or
 - d. Has within five years before the day of co-option, or since his/her co-option, been convicted in the UK, Channel Islands or Isle of Man of any offence and has been sentenced to imprisonment (whether suspended or not) for not less than three months without the option of a fine;
 - e. Is otherwise disqualified under Part III of the Representation of the People Act 1983 (relating to corrupt or illegal electoral practices and offences relating to donations) or the Audit Commission Act 1998.

Use of Personal Information

The Parish Council will use the information provided on this form to assess your eligibility to be a Parish Councillor.

Declaration & Consent

I..... hereby confirm that I am eligible for the vacancy of Littlebury Parish Councillor and I am not disqualified under section 80 of the Local Government Act 1972 from being a Parish Councillor and that the information given on this form is true and correct.

Littlebury Parish Council Co-option Policy

I have read the section entitled “Use of Personal Information” and by signing this form I consent to the use and disclosure of my information included in this form.

Signature.....

Name.....

Date.....

Please complete and return this form, together with the completed Application for Co-option Form to:

Tracy Coston, Littlebury PC Clerk, 33 Rivey Way, Linton, Cambridge, CB21 4LH
Clerk@littlebury.org.uk

01223 894462 / 07929 930385