

# Bacton Parish Council

## Co-option of Councillor's

Adopted:

Minute reference:

### Policy and Procedure

Vacancies may exist following an election in which there were insufficient candidates, or during the term of a council due to resignation etc. The later 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 at least 18 years old and a British, Commonwealth, Irish, or eligible EU citizen,.

You must also meet *one* of four criteria:

- **Residence:** Lived in the parish/community area, or within 3 miles of it, for the entire 12 months before the day of nomination and election.
- **Work:** Your main or only place of work has been in the parish/community area for the 12 months prior to nomination and election.
- **Property/Land:** Owned or rented land or premises in the parish/community area for the 12 months before nomination and election.
- **Electors:** Registered as a local government elector for the parish.

### 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.

Procedure for conducting co-options:

### **Casual vacancies**

On confirmation from Electoral Services that a casual vacancy must be filled by co-option, the Clerk will advertise there is a vacancy for a co-opted Councillor. The advert will state the rules for eligibility and direct interested parties to submit the application form on pages 3-5 of this document. There will be a deadline for responses of not less than 6 week from the date of the advert. The date of the meeting when co-option is to be made will be stated in the advert.

### **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.

Each nominee will be invited to speak for up to 3 minutes. When all nominees have spoken the Chairman shall seek proposers and seconders for each nomination (whether or not they have spoken) and the vote will follow standing order 8(a) below. In order to be co-opted onto the Council, the candidate must receive an absolute majority of the vote of those present and voting.

### **After the full Parish Council Elections**

In the event of vacancies following the close of nominations for the full Parish Council elections, the Clerk shall follow the above procedure to fill the vacancies and the co-option(s) will take place at the first possible Parish Council meeting.

The selection will be an open, fair process 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.

### **Standing Order 8(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.*

**Additional information**

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.

**Co-option Application Form**

**Name**

**Address**

**Telephone number**

**Email**

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 of 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-optation occupied, 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 the parish
  - I have during the whole of those twelve months resided in or within 3 miles of the parish

Signed..... Name .....

Date.....

Please return this completed form to:

The Clerk to Bacton Parish Council either by email to [parishclerk@bacton-pc.gov.uk](mailto:parishclerk@bacton-pc.gov.uk) or by post to Bacton Parish Council, Meadow View, Oak Farm Lane, Mendlesham, Suffolk IP14 5TE

## **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 visit our website.