



SCOTHERN PARISH COUNCIL

Councillor Co-option Policy, Procedure and Application Form

1. Introduction

This policy sets out the procedure to ensure there is compliance with legislation and continuity of procedures in the co-option of members to the Parish Council. The Co-option procedure is entirely managed by the parish council and this policy will ensure that a fair and equitable process is carried out.

2. Co-option

The Co-option of a Parish Councillor after an ordinary election and there are vacant seats to fill and also occurs when a casual vacancy has arisen on the Council and no poll (by- election) has been called. A casual vacancy occurs when:

- A councillor fails to make his declaration of acceptance of office at the proper time;
- A councillor resigns;
- A councillor dies;
- A councillor becomes disqualified; or
- A councillor fails for six (6) months to attend meetings of a council committee or subcommittee or to attend as a representative of the Council a meeting of an outside body.

Following a casual vacancy the parish council Clerk will notify West Lindsey District Council and then using the notices provided by WLDC they will advertise the vacancy and give electors the opportunity to request an election. An election occurs when ten electors write to the District Council stating that an election is requested. If an election is called and if more than one candidate is validly nominated a by-election takes place but if only one candidate is put forward they are duly elected without a ballot. If the election for a vacancy is contested then a ballot is called, a polling station will be set up by the District Council and the electorate of the parish will be able to vote for validly nominated candidates.

If the casual vacancy is advertised and an election is not called by electors the District Council will inform the parish council in writing to co-opt someone who is eligible and not disqualified to fill the vacant seat.

The advertising and election process for a casual vacancy is covered in S.89 Local Government Act 1972 (6) *A casual vacancy among parish or community councillors shall be filled by election or by the parish or community council in accordance with rules made under section 36 of the Representation of the People Act 1983 in the case of a parish council.*

3. Confirmation of Co-option

Once notified that co-option is possible to fill vacant seats the Parish Clerk will:

- Advertise the vacancy for 21 days on the Council notice boards and website
- Advise the parish council that these procedures have been implemented.

Councillors elected by co-option are full members of the parish council throughout the remainder of their term of office until ordinary elections are due.

4. Eligibility of Candidates

Candidates must satisfy the current eligibility criteria set out in S.79 Local Government Act 1972

- He/she is an elector for the parish; or
- has resided in the parish for the past twelve months or rented/tenanted land or other premises in the parish; or
- had his/her principal place of work in the parish; or
- has lived within three miles of the parish boundary.

Candidates must also ensure that they are not disqualified from standing as a councillor listed under Ss.80-81 Local Government Act 1972:

- holding a paid office under the local authority;
- bankruptcy;
- 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 five years preceding the election;
- being disqualified under any enactment relating to corrupt or illegal practices; or
- not registered as a sex offender

Candidates found to be offering inducements of any kind will be disqualified.

5. Applications

Councillors may encourage applications from those eligible to be co-opted but it is the responsibility of the person seeking co-option to demonstrate they satisfy they are eligible and not disqualified.

Candidates will be requested to:

- Submit information about themselves, by way of completing a short application form
- Confirm their eligibility for the position of Councillor within the statutory rules

Following receipt of applications, the next suitable council meeting will have an agenda item 'To receive written applications for the office of Parish councillor and to Co-opt a candidate to fill the existing vacancy'. Copies of the candidate's application form will be circulated to all Councillors by the Clerk at least 3 clear days prior to the meeting of the full Council, when the Co-option will be considered. All such documents will be treated by the Clerk and all Councillors as Strictly Private and Confidential.

Candidates will be sent a full agenda of the meeting at which they are to be considered for appointment. Candidates will also be informed that they will be invited to speak about their application at the meeting. Candidates for co-option will be advised where to view and obtain the Councillors Code of Conduct, Standing Orders and Financial Regulations which apply to them if successful.

6. At the meeting where co-option candidate's applications are considered

At the meeting, candidates will be given five minutes maximum to introduce themselves to Members, give information on their background and experience and explain why they wish to become a councillor. The Chair may invite each candidate to speak in accordance with Standing Orders. The Chair may allow councillors to ask questions of each candidate.

Where the Council wishes to discuss the merits of candidates and their personal attributes, this could be prejudicial, and the Council will resolve to exclude the members of the press and public including the candidates being considered for co-option while that discussion takes place. Once that discussion comes to an

end the members of the press, public and the candidates may return to observe the voting process which must be completed in public.

Once all candidates have finished giving their submissions and if the council does not wish to discuss the merits of candidates privately as outlined in the previous paragraph, the council will proceed to a vote on the acceptability of each candidate, utilising the personal statements provided by the candidates on their application forms.

Each vacant seat will be considered in turn and all candidates may receive votes if they are successfully proposed and seconded with the co-opted candidate being successful with a majority vote by show of hands. In the event of an equality of votes the Chair may have the casting vote if they wish to cast it. If a candidate is not successfully proposed and seconded they may not receive votes for that vacant seat. If only one candidate is standing for a vacant seat they must still be proposed and seconded and a majority vote by show of hands must still take place.

In order for a candidate to be co-opted, 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 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 for that vacant seat. In the case of an equality of votes, the Chairman of the meeting may exercise a second or casting vote.

After the votes has been concluded, the Chairman will declare the successful candidate duly elected and after signing their declaration of acceptance of office, may take their place immediately after signing their Declaration of Acceptance of Office.

The Clerk will notify West Lindsey District Council of the new Councillor appointment. The successful candidate(s) must complete the

Register of Interests form within 28 days of being elected. The form should be handed to the Clerk for forwarding to the Monitoring Officer.

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

Reviewed & Approved: 11th December 2024

Application for Co-option	
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Full name and title	
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About you	<i>In the box below tell us a little about your background, skills and experience that might be useful if you join the parish council.</i>
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Reasons for applying	<i>Please explain here your reasons why you want to be a member of the Town/ Parish Council</i>
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Signature	
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Date	
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Return this form to the Parish Clerk once you have completed it.
clerk@scothern-pc.gov.uk

Eligibility to be a Parish Councillor	
Full name and Title	
Home address	
Home telephone	
Mobile telephone	
Email address	
It is a condition of being a Parish Councillor that your name will be made public via notice boards and the parish council website. You may need to disclose your phone and email address to deal with parish council matters. Do you agree to this? Yes / No	
Are you a British, Commonwealth or other European Union Citizen and not require leave to enter or remain in the United Kingdom or have indefinite leave to remain? Yes / No	
Are you aged over 18? Yes / No	
<i>To qualify you must be able to answer 'Yes' to at least one of the questions below</i>	
a) Are you on the electoral register for Scothern Council?	Yes / No
b) Have you lived either in parish of Scothern or within 3 miles of its boundary, for at least a year?	Yes / No
c) Have you been the owner or tenant of land in Scothern parish for at least a year?	Yes / No
d) Have you had your only or main place of work in parish of Scothern for at least a year?	Yes / No
<i>You must be able to answer 'No' to all the questions below to be eligible to serve as a councillor.</i>	
i) Are you the subject of a bankruptcy restrictions order or interim order?	Yes / No
ii) Have you within the last five years been convicted of an offence in the UK, the Channel Islands or Isle of Man and has been sentenced (whether suspended or not) to imprisonment for three months or more without the option of a fine?	Yes / No
iii) Are you disqualified by order of a court from being a member of a local authority?	Yes / No
iv) Employed by Scothern Parish Council, a joint committee or holds a paid office?	Yes / No
v) Subject to the notification requirements of the Sexual Offences act 2003 or Sexual Risk Orders?	Yes / No
Signature	
Date	

When completed return this form to the Clerk of Scothern Parish Council.

clerk@scothern-pc.gov.uk

The Parish Council will treat this information as strictly confidential.