KINGS SUTTON PARISH COUNCIL: CO-OPTION POLICY

1. Introduction

1.1 Although the process for co-option to vacancies of local councils is not prescribed in law, NALC's Legal Briefing L15-08 provides guidance.

1.2 It is of paramount importance that all applicants are treated equally so that arrangements are open, fair and transparent. This policy sets out the process to be followed by King's Sutton Parish Council when co-option is under consideration.

1.3 Whenever the need for co-option arises, King's Sutton Parish Council will seek and encourage applications from anyone who is eligible to stand as a Parish Councillor. Councillors and parishioners can legally approach individuals to suggest they might wish to consider putting their names forward for co-option and encouraging them to register their expression of interest. The vacancy will be advertised on social media, the Parish Council website and in King's Sutton Times where appropriate.

1.4 The Parish Council is not obliged to co-opt to fill any vacancy. Even if the Council invites applications for co-option, it is not obliged to select anyone from the candidates who apply.

1.5 Any candidate(s) found to be offering inducements or any kind or undue pressure will be disqualified.

1.6 Whilst it is undesirable that electors of the Parish be left partially or unrepresented for a significant length of time and impacts upon the effective and efficient working of the Parish Council if there are insufficient Councillors to share the workload equitably, this must not be used as an excuse to co-opt inappropriately. The vacancy will remain an agenda item until filled.

1.7 Councillors appointed by co-option are full members of the Parish Council.

2. Process

2.1 In the event of a vacancy occurring due to resignation, death or ineligibility, the Clerk will immediately inform the Elections Officer at West Northamptonshire Council and use their most up to date Notice of Vacancy for posting details on noticeboards and the website.

2.2 On receipt of written notification from the Elections Officer at WNC that a casual vacancy can be filled by means of co-option (i.e. that the requisite 10 electors of the Parish have not called for a poll (by-election) within the legally specified time period (currently 14 days)), the Clerk will place a notice announcing that the vacancy is to be filled by co-option and inviting expressions of interest.

The notice will include:-

- A contact point so that people considering putting their names forward for co-option can obtain more information on the role of a parish councillors
- Contact details as to where expressions of interest should be made (usually the Clerk, via email or hard copy)
- The closing date for all expressions of interest

3. Application Process

3.1 When expressions of interest have been received, the Clerk will provide all applicants with:

KINGS SUTTON PARISH COUNCIL: CO-OPTION POLICY

- A copy of the latest Good Councillors Guide (NALC)
- Details of where to find Agendas and Minutes
- The latest Statement of Key Objectives
- The applicable Code of Conduct
- Advice regarding the register of interests
- Eligibility Declaration form (for completion and return)
- Application form (for completion and return)

3.2 On receipt of the completed Eligibility Declaration form and Application Form, the Clerk will forward the information to Parish Councillors in advance of a full meeting of the Council where the co-option will be considered. All such documents will be treated by the Clerk and Councillors as strictly private and confidential.

3.3 Candidates will be informed of the date of the meeting at which the Parish Council will make its decision on the co-option. Notice of the Intention to Co-opt will be on the Parish Council meeting agenda.

3.4 Candidates will to be invited to the meeting to introduce themselves and to provide Councillors the opportunity to ask questions, or the Parish Council may rely on the written submissions alone if candidates are unable to attend.

3.5 Only those Councillors present at the meeting may vote upon a person to fill the vacancy. Councillors will have one vote per vacancy to be filled.

3.6 If a candidate is a relative of a Councillor or has connections with any candidate that Councillor should declare an interest and withdraw from the meeting. Under these circumstances a vote by the Councillor concerned is not allowed.

3.7 The Parish Council will appoint co-opted members by voting according to Standing Orders.

3.8 If there are exactly as many as, or fewer candidates than vacancies, the Parish Council may vote on a composite motion, duly proposed and seconded, that all candidates be coopted. If there are more candidates than vacancies, it will be necessary for existing Councillors present at the meeting to vote.

3.9 Voting will be by a show of hands. Voting will take place as follows:

i) A successful candidate should have received an absolute majority vote of those present and voting. (Where a councillor abstains or must declare an interest and not vote, their number will not be included in the total of Councillors for the purposes of calculating a majority). If there are more than two candidates for one vacancy and none of them at the first count has an overall majority, the candidate with the fewest votes should be eliminated and another vote taken. The process should be repeated as necessary until one candidate has an overall majority.

ii) Each vacancy should be filled by a separate vote or series of votes. If there is a tie, the Chair has the casting vote.

4. After Co-option

4.1 The Clerk will notify the candidates of the results by email, as soon as is reasonably possible (usually within 24 hours)

4.2 The newly co-opted Councillor(s) must sign the Declaration of Acceptance of Office and Declaration of Pecuniary Interests forms at their first meeting, or within 28 calendar days of

election whichever is the sooner. The successful candidate must also sign to accept the Parish Council's Code of Conduct. An acceptance form to receive notices of summons electronically will also be provided.

4.3 The newly co-opted Councillor will be provided with details of the training courses available and encouraged to attend the next "Fly to a Flying Start" course in the first instance. All Councillors are encouraged to obtain the Foundation and Core levels of the Councillor Development framework within the first two years of becoming a Councillor.

Appendix A – Application Form

Appendix B – Eligibility Declaration Form

This policy is to be reviewed every two years or sooner if legislation dictates.

Reviewed on 14th May 2024 Minute Reference FGP12.24/25 B

Approved on 6th June 2024 Minute Reference52.24/25 B5

Approved on 5th September 2024 Minute Reference 95 .24/25 B3

KINGS SUTTON PARISH COUNCIL: CO-OPTION POLICY

Appendix A - Application Form

Thank you for your interest in becoming a Parish Councillor. Please provide the following information to assist the Council when making its decision.

Name	
Home Address	
Telephone number	
Email address	

About You Please provide the Council with some information about yourself which may include responses to the following questions: *What are your current skills and how do you think they will be utilised within the council?* *Why do you wish to become a Parish Councillor?* *What are some of the initiatives and actions you would like to take to improve our community?* *Are you involved in any form of community work?* *Can you commit to attending evening meetings on the first Thursday of the month?*

KINGS SUTTON PARISH COUNCIL: CO-OPTION POLICY

I confirm that I would like to be considered for co-option at the Parish Council meeting on xxxxxxxxx in the Astrop Room in King's Sutton Millennium Memorial Hall.

I will/will not be attending the meeting in person.

Signature: _____

Date: _____

Appendix B – Eligibility Declaration Form

1. In order to be eligible for co-option as a Parish Councillor you must be at least 18 years old, a British citizen, an eligible Commonwealth citizen, a qualifying EU citizen or an EU citizen with retained rights and additionally able to meet one of the following qualifications set out below.

Please highlight which applies to you:

a) I am registered as a local government elector for the parish; or

b) I have, during the whole of the twelve months preceding the date of my co-option, occupied as owner or tenant, land or other premises in the parish; or

c) My principal or only place of work during those twelve months has been in the parish; or

d) I have during the whole of twelve months resided in the parish or within 3 miles of it.

2. Please note that under Section 80 of the Local Government Act 1972 a person is disqualified from being elected as a Local Councillor or being a member of a Local Council if they:

a) Holds any paid office or employment of the local council (other than the office of Chairman) or of a joint committee on which the Council is represented; or

b) Are a person who has been adjudged bankrupt or has made a composition or arrangement with their creditors (but see below); or

c) Have within five years before the day of election, or since their election, been convicted in the UK, Channel Islands or Isle of Man of any offence and have been sentenced to imprisonment (whether suspended or not) for not less than three months without the option of a fine; or

d) Have otherwise disqualified under Part III of the representation of the People Act 1983 for corrupt or illegal practices.

KINGS SUTTON PARISH COUNCIL: CO-OPTION POLICY

This disqualification for bankruptcy ceases in the following circumstances:

i) If the bankruptcy is annulled on the grounds that either the person ought not to have been adjudged bankrupt or that their debts have been fully discharged;
ii) If the person is discharged with a certificate that the bankruptcy was caused by misfortune without misconduct on their part;
iii) iii) If the person is discharged without such a certificate.

NOTES: In i) and ii) above, the disqualification ceases on the date of the annulment and discharge respectively. In iii), it ceases on the expiry of five (5) years from the date of discharge

DECLARATION

I, ……. hereby confirm that I am eligible for the vacancy of King's Sutton Parish Councillor, and the information given on this form is a true and accurate record.

Signature: ……

Date: ……