



Co-option Policy

1.0 Introduction

1.1 Roade Parish Council ("the Council") must give public notice of a casual vacancy as soon as possible in accordance with section 232 of the Local Government Act 1972.

1.2 The Clerk shall duly publish 'a notice of vacancy' giving 14 working days within which a by-election may be called.

1.3 Following expiry of the 14 working days' notice, West Northamptonshire Council will advise the Council if a by-election is to be held or if the vacancy is to be filled by co-option.

1.4 To ensure good decision making, meet its responsibilities under equality legislation and to provide a fair and transparent process, the following procedure has been adopted by the Council.

2.0 The co-option procedure

2.1 Where no by-election is called, the Council must meet and fill the vacancy within a reasonable period following expiry of the initial 14-day period. The only exception is where a by-election is not called and the vacancy occurs within 6 months of when the Councillor would retire, then the post may be left vacant.

2.2 The Clerk will advertise the vacancy for 4 weeks on the Council notice board and website, inviting eligible candidates to come forward.

2.3 Applicants for co-option will be asked, by no later than the end of the 4-week period, to:

- submit information about themselves and their reasons for applying (on the attached application form);
- confirm their eligibility for the position of Councillor by certifying a copy of the eligibility criteria on the attached application form.

2.4 An application form received by the Clerk after the end of the 4-week period will not be accepted.

2.5 A copy of each applicant's application form will be circulated by the Clerk to all Councillors, prior to the relevant full Council meeting where the co-option is to be considered. All such documents shall be treated as Private and Confidential.

2.6 Candidates who have submitted application forms will be invited to attend the next ordinary meeting of the Council and given the opportunity, if they wish, to address the Council at the meeting for no longer than three minutes in support of their application.

2.7 Candidates must be proposed and seconded. The Chairman asks councillors present to propose and second candidates, and a list of those candidates is recorded in alphabetical order. This process must be followed even where the number of candidates is equal to or less than the number of vacancies. Any applications not being nominated and seconded will fail at this point.

2.8 Voting will be made by anonymous ballot.

2.10 If the number of candidates is equal to or less than the number of vacancies, then all the vacancies can be filled with a composite vote.

2.11 Where there are more candidates than vacancies, each vacancy is taken in turn, and each councillor present and voting has one vote per vacancy.

2.12 Voting will be in accordance with statutory requirements. This means that a successful candidate must receive an **absolute majority** of votes to be co-opted. i.e., receive more than 50% of the votes cast.

2.13 If there are more than two candidates for one vacancy and should no single candidate receive an absolute majority on the first round of voting, the candidate with the least votes will be eliminated and the remaining candidates voted on again. This process shall be repeated until an absolute majority is obtained.

2.14 After the vote has been concluded, the Chairman of the meeting will declare the successful candidate(s) duly co-opted to the council.

2.15 The newly co-opted candidate(s) cannot take part in the remaining business on the agenda since they will not have been properly summonsed to attend that meeting. They will be permitted to stay at the meeting as a member of the public.

2.16 They will begin acting as a Councillor from the council's next meeting and must sign a Declaration of Acceptance of Office at or before that meeting.

ROADE PARISH COUNCIL CO-OPTION APPLICATION FORM

Section 1

Name:

Address:

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Postcode Phone Number

Email:

Please tell us about any skills and experience you have that may be relevant to Roade Parish Council. (If necessary, please continue on a separate sheet of paper).

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Please tell us why you'd like to become a Councillor for Roade Parish Council (If necessary, please continue on a separate sheet of paper).

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Section 2 - Essential qualification criteria – to be considered for co-option you must meet the criteria below:

Note: It is the sole responsibility of the Candidate to ensure they meet the legal criteria contained in Sections 79, 80, 81 & 85 of the Local Government Act 1972. Warning: It is an electoral offence to make a false declaration. If in any doubt you should seek appropriate legal advice. See www.electoralcommission.org.uk for further advice.

1. In order to be eligible for co-option as a Roade Parish Councillor you must be a British subject, or a citizen of the Commonwealth or the European Union; and on the 'relevant date' (i.e. the day on which you are elected) be 18 years of age or over; **and** additionally able to meet at least one of the following qualifications set out below:

- ☐ I am registered as a local government elector for the parish and continue to be; or
- ☐ 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
- ☐ My principal or only place of work during the last twelve months has been in the parish; or
- ☐ I have during the whole of the last twelve months resided either in the parish or within 4.8 kilometres of it.

Please tick which of the above apply to you.

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 he/she:

- 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) is a person who has been adjudged bankrupt or has made a composition or arrangement with his/her creditors (but see below); or
- c) has within five years before the day of election, or since his/her election, 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; or
- d) is otherwise disqualified under Part III of the Representation of the People Act 1983 for corrupt or illegal practices.

The 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 his/her debts have been fully discharged;
- ii) if the person is discharged with a certificate that the bankruptcy was caused by misfortune without misconduct on his/her part;
- iii) if the person is discharged without such a certificate.

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 years from the date of discharge.

I (insert name) hereby confirm, that having read and understood the above criteria I am eligible to be considered for the vacancy on Roade Parish Council and the information given on this form is a true and accurate record.

Signed:..... Dated:.....

Please return your completed form to:

clerk@roadeparishcouncil.gov.uk or deliver a paper copy to the Parish Office, located at Roade Village Hall, Bailey Brooks Lane, NN7 2SL during opening hours.

No later than: 12 noon on (*insert date*)