

## OLD CATTON PARISH COUNCIL

### CO-OPTION POLICY

#### **1. INTRODUCTION**

1.1 There are two circumstances under which the Democratic Services Officer of Broadland District Council will notify Old Catton Parish Council that it may, if it so wishes, proceed to fill a casual vacancy by co-option:

- a. When a ward seat has been left vacant because no eligible candidate stood for election at the full elections for a new council (currently at four-yearly intervals), or
- b. During the life of a council when a ward seat has fallen vacant but the required 10 electors of the ward have not called for a poll (by-election) within the legally specified time period (currently 14 days) following publication of the Notice of Vacancy.

1.2 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.

1.3 However, it is not desirable that electors in a particular ward be left partially or fully unrepresented for a significant length of time. Neither does it contribute to effective and efficient working of the Council if there are insufficient councillors to share the workload equitably; to provide a broad cross-section of skills and interests; or to achieve meeting quorums without difficulty, given that some absence is unavoidable at times.

1.4 The electoral area of Old Catton Parish Council is a ward. At a full election a candidate may only stand for election in one ward. This may result in some wards having more candidates standing for election than there are seats available, while other wards may have insufficient candidates standing for election to fill the available number of seats. Under these circumstances, the Parish Council will be notified after the election that it may proceed to fill any remaining vacancies by co-option.

1.5 Councillors elected by co-option are full members of the Council.

To ensure that a fair and transparent process is undertaken this policy sets out the process to be followed by Old Catton Parish Council when co-option is under consideration.

#### **2. APPLICATION PROCESS TO BE FOLLOWED**

2.1 On receipt, of written notification, from the Democratic Services Officer at Broadland District Council, that a casual vacancy may be filled by means of co-option:

- a. The Clerk to the Council will advertise the vacancy or vacancies to be filled by co-option within 21 days of receipt of the written notification.

- b. The co-option advertisement will include the closing date for acceptance of requests for consideration (between 14 and 30 days after the date of the advertisement) and the number of vacancies.
- c. The co-option advertisement will also be displayed on the Council notice boards and website.
- d. The Clerk to the Council will advise the Council that the Co-option Policy has been instigated, by sending a memorandum to all Councillors.

2.2 Members may point out the vacancies and the process to any qualifying candidate(s).

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

2.4 Applicants for co-option will be asked to:

- a. Submit information about themselves, by completing a short application form (a copy of the application form is attached as Appendix 1) together with a written summary covering: their reasons for wishing to be a councillor; previous community/council work; any other skills they can bring to the Council, their interests and recent career history,

and

- b. Confirm their eligibility for the position of Councillor within the statutory rules (a copy of the confirmation of eligibility form is attached as Appendix 2).

### **3. VOTING PROCEDURE**

3.1 Voting will be according to the statutory requirements, in that a successful candidate must receive an absolute majority vote of those present and voting.

- a. If there are more than 2 candidates for one vacancy and no one of them at the first count receives a majority over the aggregate votes given to the rest, the candidate with the least number of votes will be removed from consideration and the remainder will then be put to the vote again
- b. This process will, if necessary, be repeated until an absolute majority is obtained
- c. This process will be followed separately for each individual vacancy for which co-option is under consideration
- d. If no candidate secures an absolute majority of votes cast for an individual vacancy, then that vacancy remains unfilled.

3.2 Councillors shall vote by show of hands, or, if at least 2 members so request, by paper ballot. If any member so requires, the Clerk shall record the names of members who voted on any question so as to show whether they voted for, against, or abstained.

3.3 In the case of an equality of votes, the Chairman of the meeting has a second or casting vote.

3.4 After the vote has been concluded, the Chairman will declare the successful candidate fully elected.

**4 ACCEPTANCE OF OFFICE**

The successful candidate(s) must sign their Declaration of Acceptance of Office before they can act as a Councillor. The Register of Interest must be completed within 28 days and the Clerk to the Council will forward a copy to the Monitoring Officer.

**5 REVIEW**

This policy will be reviewed every year (or earlier if required by changes to legislation or additional documentation) and amended as necessary based on good practice or evidence taken forward.

**Reviewed 11<sup>th</sup> March 2019**

### Co-option Application Form

Name .....

Address for Correspondence .....

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Telephone ..... Mobile .....

Email .....

Are you 18 or over? YES/NO

Please detail any experience you have that may be relevant to Old Catton Parish Council. (If necessary, please continue on a separate sheet of paper.)

Is there any other information you would like to disclose regarding your application? (If necessary, please continue on a separate sheet of paper).

Signed ..... Dated .....

Please return this form and the Eligibility Form on the next page by 12 noon on \*\*\*

### Co-Option Eligibility Form

1. In order to be eligible for co-option as an Old Catton Parish Councillor you must be a British Citizen, or a citizen of the Commonwealth or the European Union; and on the 'relevant date' (ie the day on which you are nominated or if there is a poll on the day of the election) aged 18 years or age or over; and additionally able to meet one of the following qualifications set out below.

- I am registered as a local government elector; and
- I have during the whole of 12 months on the relevant date resided in the parish or within 3 miles of it; or
- I have, during the whole of the 12 months, occupied as owner or tenant, land or other premises in the parish; or
- My principal or only place of work during those 12 months has been in the parish;

*Please indicate those qualifications which 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 5 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 3 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.

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 5 years from the date of discharge.

**I (name) ..... hereby confirm that I am eligible to apply for the vacancy of Old Catton Parish Councillor, and the information given on this form is a true and accurate record.**

**Signed** ..... **Dated** .....