



Stanton under Bardon Parish Council

## DOCUMENT CONTROL

Organisation	<b>Stanton under Bardon Parish Council</b>
Title	<b>Co-option Policy</b>
Policy Version	<b>1</b>
Creator	<b>Joanne Lowe – Parish Clerk</b>
Adopted	<b>February 2024</b>
Minute Reference	<b>216/2023-2024</b>
Last review Date	<b>N/A</b>
Next Review date	<b>February 2027</b>

## CO-OPTION POLICY

### INTRODUCTION

This policy sets out the procedure to be followed by Stanton under Bardon Parish Council when co-option is under consideration and provides guidance to ensure arrangements are open, fair and transparent.

### COOPTION PROCESS

The co-option of a Parish Councillor occurs under two instances:

- 1) during the life of a Council when a seat become vacant due to resignation, death, disqualification or failure to remain qualified and no by-election has been called.
- 2) when a seat has been left vacant because no eligible candidate stood for election during an ordinary election held every 4 years for a new Council

### CO-OPTION DURING THE COUNCIL TERM

A Councillor may resign at any time by written notice delivered to the Chairman to the Parish Council (Local Government Act 1972 section 84). The resignation must be accepted: there is no procedure for withdrawing a notice of resignation once it is made. The resignation takes effect immediately upon receipt. Other causes of a vacancy include death, failure to sign the Declaration of Acceptance of Office and failure to attend meetings for a period of six consecutive months without prior approval of the Parish Council.

In the event of a vacancy occurring due to resignation, death, disqualification or failure to remain qualified, the Clerk will immediately inform the Elections Office at Hinckley and Bosworth Borough Council who will then supply the required **Notice of Vacancy** for publication to give residents the opportunity to call for a by-election. The notice will be displayed on noticeboards and the Parish Council website, as well as other locations as instructed by the Council.

The Notice of Vacancy will be displayed for the legally specified time period of 14 days (excluding weekends or bank holidays). If this notice does not initiate the **10 electors** required by legislation to call for a by-election, the Parish Clerk is notified by HBBC that they must fill the position by co-option as soon as practicable.

All co-option vacancies will then be advertised within **21 days** of being advised by HBBC that there has been no call for a by-election. All co-option publicity will include a closing date for applications (35 days after the date of notice) and the number of vacancies.

If the vacancy occurs within **six months** of the next scheduled election for the Parish Council, there is no option to hold an election. The Parish Council may fill the vacancy by co-option.

## **COOPTION FOLLOWING AN ELECTION**

Alternatively, following an election where there has been fewer nominations than seats, then all those validly nominated will be automatically declared elected. If enough Councillors were elected to form a quorum, then the Parish Council should fill any remaining vacant seats using the co-option route. Only under this circumstance is there no statutory requirement to give public notice of vacancies which remain unfilled after an **ordinary election** (Representation of the People Act 1985, Section 21 para 2). However, Stanton under Bardon Parish Council will always give public notice of all vacancies that arise under these circumstances to encourage transparency and to attract more applicants.

It is permissible for Parish Councillors (or any parishioner) to approach individuals to suggest that they might wish to consider putting their names forward for co-option.

## **APPLICATION PROCESS**

Further information that is provided as part of the application to candidates will be supplied as **Appendix A**.

All candidates will be expected to put their request for consideration in writing using the application form (**Appendix B**) that will be available from the Clerk and to download via the Parish Council's website.

## **VOTING PROCESS**

A vote will be taken either by a show of hands or by signed ballot, whichever is requested by a majority of members. All candidates will be considered.

The applicant with the least number of votes cast for the first round will be ruled out and the vote taken again and again until the number of candidates equals the number of vacancies.

Candidates will be issued with a copy of the agenda for the meeting at which they are to be considered for selection. The successful candidates will immediately sign their Declaration of Acceptance of Office and can then act as councillors. They are to be reminded that their Register of Interest must be filled in within 28 days and passed on to Hinckley and Bosworth Borough Council's Monitoring Officer.

Copies of the Members' Code of Conduct, Standing Orders of the Council and the Financial Regulations will be issued to the newly co-opted member(s) and arrangements will be made for induction training as soon as possible.

## **APPLICATION PROCESS**

When application forms have been received after the closing date, the Clerk will consider completed forms to check eligibility and confirm that, if successful, they would be willing to accept the Code of Conduct and other obligations of a Parish Councillor.

All completed forms will be circulated to Parish Councillors prior to 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.

“Notice of the Intention to Co-opt” should be given as an agenda item for the meeting of the Parish Council.

Candidates will be informed of the date of the meeting at which the Parish Council will make its decision on the co-option and are invited to the meeting to introduce themselves and to provide Councillors the opportunity to ask questions of them during the public participation sessions.

The Council is not obliged to co-opt any candidate but will provide reasons for such a decision.

If a candidate is a relative of a Councillor or has connections with any candidate which may be perceived as prejudicial, that Councillor should declare an interest and withdraw from the meeting and voting process. A vote will be taken either by a show of hands or by signed ballot, whichever is requested by a majority of members.

All eligible candidates must be considered. The applicant with the least number of votes cast will be ruled out and the vote taken again and again etc. until the number of candidates equals the number of vacancies.

## **AFTER THE VOTE**

Successfully co-opted candidates become Councillors with immediate effect and are no different to any other member. As such, they must sign the Declaration of Acceptance of Office and Registration of Interests Form at their first meeting, or within 28 calendar days of election whichever is the sooner.

The successful candidate's term of office runs until the next quadrennial elections for the Parish Council.



## Supporting Information for Prospective Councillors

Thank you for your interest in applying for the role of Parish Councillor at Stanton under Bardon Parish Council.

There are no educational qualifications needed to become a parish councillor, however as the Parish Council is a statutory body, to stand validly nominated you must fulfil the following:

You must be:

- 18 years of age or over at the date of application;
- A Commonwealth citizen, a citizen of the Republic of Ireland or a citizen of another Member State of the European Community; and
- A local government elector within the parish; or
- Have worked in the parish for the last 12 months; or
- Have lived in the parish, or within 3 miles of it, for the last 12 months; or
- Owned land/property in the parish area for the last 12 months.

You cannot stand if you hold a paid office or any other position of profit with this Parish Council or if you are disqualified from being elected by reason of any disqualification set out below.

You cannot stand if you have been:

1. Surcharged by the District Auditor for £500 or more.
2. Disqualified by a court from holding public office.
3. Declared bankrupt at some point in my life.
4. Convicted of an offence where the sentence of imprisonment was more than 3 months (even if sentence suspended)
5. Found guilty of corrupt or illegal practices under Election Laws.

It is desirable for members to have an interest in and understanding of local affairs and the local community, with a willingness to represent the Council and its residents and the ability to communicate clearly and effectively. Members should be willing and able to work with the parish council's partners such as local charities and voluntary groups, other parish councils and principal authorities as well as with fellow members.

The Parish Council's Members' Code of Conduct, provided with this application form, relates to the standards required of members of the Council and includes an outline of the Ten General Principles of Public Life.

If your application to be co-opted is successful you will be required to complete the Members' Register of Interests. The completed forms are held by the Monitoring Officer at Hinckley and Bosworth Borough Council and are published on both councils' websites. A blank copy is provided with this application form.

As a councillor you will be expected to attend all scheduled meetings; the Parish Council meets 10 times per year alongside other committees as scheduled whom report back to the full council. Basic councillor training will be available.



Stanton under Bardon Parish Council

**APPLICATION FORM TO JOIN STANTON UNDER BARDON PARISH COUNCIL THROUGH CO-OPTION**

Name	
Address	
Email Address	
Telephone Number	

**QUALIFICATIONS**

As outlined in the Local Government Act 1972 section 79, to qualify as Parish Councillor you must be:

- At least 18 years old
- Be a British citizen, and eligible Commonwealth citizen or a citizen of any member state of the European Union, and
- Meet at least one of the following four qualifications (please tick as many that apply to you)

You are, and will continue to be, registered as a local government elector for the Parish area in which you wish to stand from the day of your application onwards.	<input type="checkbox"/>
You have occupied as owner or tenant any land or other premises in the Parish area during the whole of the 12 months before the day of your application.	<input type="checkbox"/>
Your main or only place of work during the 12 months prior to the day of your application has been in the Parish area.	<input type="checkbox"/>
You have lived in the Parish area or within three miles of it during the whole of the 12 months before the day of your application.	<input type="checkbox"/>

**DISQUALIFICATIONS**

Please review the disqualifications listed in the Supporting Information attached to this application pack. Actively submitting this form means that you meet the above qualifications and, having read the list of disqualifications, you confirm that you are suitably qualified to hold office as a Parish Councillor.

I confirm that, having read the list of the disqualifications outlined in the Supporting Information, I am suitably qualified to hold office as a Parish Councillor	<input type="checkbox"/>
---	--------------------------

**BACKGROUND INFORMATION**

Please provide some brief background details as to why you wish to become a Parish Councillor and what skills and experience you would be able to bring to the role.

By signing this form, you agree that:

1. You have read and understood the information within the Supporting Information document attached to this pack
2. If you are elected as a Parish Councillor, you will sign the Declaration of Office form, as well as your Register of Interests form within 28 days of being co-opted onto the Parish Council.
3. Understand that failure to attend Parish Council meetings for a continuous period of six months will result in your disqualification.

Signed:	Date:
---------	-------

If you have any further questions, please contact the Parish Clerk on 01530 243987 or email [subparishclerk@gmail.com](mailto:subparishclerk@gmail.com) who will be happy to provide further information and support.

Thank you for your interest in becoming a Parish Councillor for Stanton under Barden Parish Council.