

# (DRAFT) Burgh and Tuttington Parish Council Co-option Policy

The co-option of a Parish Councillor occurs when a casual vacancy has arisen on the Parish Council and no poll (by-election) has been called.

To ensure that a fair and transparent process is undertaken, the procedure below will be followed by Burgh and Tuttington Parish Council.

## CONFIRMATION OF CO-OPTION

On receipt of written confirmation from the Electoral Service of the District Council, the casual vacancy can be filled by means of co-option.

In this instance the Clerk will:

- a. Advertise the vacancy for 4 weeks on the Council notice boards and website.
- b. Advise the Council that the co-option policy has been instigated.

Members may point out the vacancies and the process to any interested persons.

## ELIGIBILITY

Although there is no statutory requirement to do so candidates will be requested to

- a. Provide information about themselves by way of completing a short application form. A copy of the application form is attached.
- b. Confirm their eligibility for the position of Councillor within the statutory rules. A copy of the eligibility form is attached.

## APPLICATIONS

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 applications received will be circulated to all councillors by the Clerk, at least 3 days prior to the 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.

## MEETING

At the meeting, each candidate will be allocated five minutes to address members introducing themselves and to give information on their background and experience and explain why they wish to become a member of Burgh and Tuttington Parish Council.

Where the Council wishes to discuss the merits of candidates and inevitably their personal attributes, this could be prejudicial and the council will resolve to exclude the members of the press and public.

## VOTING

Voting will be according to the statutory requirements, in that, a successful candidate must have received an absolute majority vote of those present and voting. If there are more than two

candidates for one vacancy and no one, at the first count, receives a majority over the aggregate votes given to the rest, steps must be taken to strike off the candidate with the least number of votes and the remainder must then be put to the vote again; this process must, if necessary, be repeated until an absolute majority is obtained. The Council is not obliged 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. However Burgh and Tuttington Parish Council is mindful that it is not desirable that electors be left partially or fully under-represented for a significant length of time. This does not contribute to effective and efficient working of the Council with insufficient councillors to share responsibility and partake in the decision making processes or achieve meeting quorums without difficulty.

#### CONCLUSION

After the vote has been concluded, the Chairman will declare the successful candidate duly elected and after signing a Declaration of Acceptance of Office they may take their seat immediately.

# BURGH AND TUTTINGTON PARISH COUNCIL

## CO-OPTION APPLICATION FORM

Name: .....

Address: .....

.....

.....

Postcode: .....

Tel: .....

Mobile: .....

Email: .....

Please detail any experience you have that may be relevant to Burgh and Tuttington 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 your completed application form, together with the Co-option Eligibility Form to: Mr Joseph Winterbourne 2 Chapel Close, Clerk to Burgh and Tuttington Parish Council, or by email to burgh.tuttingtonparishcouncil@gmail.com to arrive no later than the expiry of the 4 week advertisement. Data Protection Act. The information on this form will remain Private & Confidential and we will only use the information for Co-option purposes.

# BURGH AND TUTTINGTON PARISH COUNCIL

## CO-OPTION ELIGIBILITY FORM

Name: .....

1. In order to be eligible for co-option as a Burgh and Tuttington Parish Councillor you must be a British subject, or a citizen of the Commonwealth, or the European Union. You must also be 18 years of age or over on the "relevant date", that being the day on which you are seeking co-option. You must additionally be able to agree with the following qualifications set out below.

**Please circle which of the following four points applies to you.**

- a. I am registered as a local government elector for the parish;
- 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;
- c. My principal or only place of work during those twelve months has been within the parish;
- d. I have, during the whole 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 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);

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;

d. Is otherwise disqualified under Part III of the Representation of the People Act 1983 for corrupt or illegal practices. 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 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 I am eligible to apply for the vacancy of Burgh and Tuttington Parish Councillor and that the information given on this form is a true and accurate record.

Signed: .....

Dated: .....