



Moulton Parish Council

<https://moultonpc.org.uk>

Co-Option Policy

Introduction

This policy defines the procedure to ensure there is compliance with legislation and continuity of procedures in the co-option of members to Moulton Parish Council. The co-option procedure is entirely managed and administrated by the Parish Council, and this policy will ensure that a fair and equitable process is conducted.

The co-option of a parish councillor occurs when a vacancy persists on the Parish Council after the parish council elections (every four years), or when a casual vacancy has arisen on the Parish Council and no poll (by-election) has been called.

Ordinary vacancy

An ordinary vacancy occurs when there are insufficient candidates to fill all the seats on the Parish Council at the ordinary election. Any candidates who were nominated are automatically elected to the Parish Council and any remaining vacancies are known as ordinary vacancies.

While there are enough parish councillors to constitute a quorum, the Parish Council is usually able to co-opt a volunteer to fill the vacancies, although in some cases, the Unitary Authority may appoint an individual or order an election to fill the vacancy.

Casual vacancy

A casual vacancy occurs when an elected or co-opted councillor fails to make their declaration of acceptance of office at the proper time, a councillor resigns, a councillor dies, a councillor is disqualified or a councillor fails for six months to attend meetings of a council committee or sub-committee.

The Parish Council has to notify the Unitary Authority of a casual vacancy and advertise the vacancy to give electors for the ward the opportunity to request an election. An election occurs when ten electors write to the Unitary Authority requesting a by-election.

The Unitary Authority will issue notification of the election and the electors of the ward have fourteen working days to nominate candidates. If the number of nominated individuals exceeds the number of vacancies, the Unitary Authority must hold a by-election in Moulton, the costs of which are borne by the council.

If ten electors do not request a by-election then the Parish Council can co-opt a qualifying individual onto the council.

Notification of vacancies

If there any vacancies on the council – either casual or ordinary – then these must be publicised on the Parish Noticeboard.

Elegibility of candidates

The Parish Council is able to consider any person to fill a vacancy that is permitted to serve on a parish council. All persons must meet the following criteria:

- They are 18 or over
- They are a British, commonwealth or European Union citizen
- At least one of the following apply:
 - They are an elector in the parish
 - They have resided in the parish for the past twelve months
 - They have rented land or property in the parish
 - They have their principal or sole employment within the parish for the past twelve months.
 - They have lived within three miles of the parish for the last twelve months.
- None of the following disqualifications (under Local Government Act 1972) apply:
 - They hold a paid office or employment at Moulton Parish Council
 - They are a bankrupt
 - They have been sentenced to a term of imprisonment (whether suspended or not) of not less than three months, without the option of a fine during the preceding five years
 - They are disqualified under any enactment relating to corrupt or illegal electoral practices

Applications

Candidates are requested to attend at least one Parish Council meeting as observers and complete the approved application form that details their background and eligibility in accordance with the Co-opted councillor person specification, provided by NALC. Upon receipt of a completed application, the applicant will be interviewed by the Chair and one other member of the council,

All applications submitted to the Parish council are treated in utmost confidence

Co-Option

Following receipt of applications, the next suitable Parish 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". Eligible candidates will be invited to attend the meeting. Copies of the eligible candidates' applications will be circulated to all parish councillors prior to the meeting of the full Parish Council, when the co-option will be considered. Any information given to prove eligibility must not be circulated and will only be seen by the Chair and the clerk.

At the co-option meeting, candidates will be permitted up to five minutes maximum to introduce themselves to the parish councillors (members), give information on their background and experience and explain why they wish to become a member of the Parish Council. The process will be carried out in the public session and there will be no private discussions between members prior to a vote being taken.

However, where the Parish Council is discussing the merits of candidates and inevitably their personal attributes, this could be prejudicial, and the Parish Council should resolve to exclude the members of the press and public. As soon as all candidates have finished giving their submissions, the Parish Council will proceed to a vote.

In order for a candidate to be co-opted to the Parish Council, it will be necessary for them to obtain an absolute majority of votes cast (50% + 1 of the votes available at the meeting).

If there are more than two candidates and there is no candidate with an overall majority in the first round of voting the candidate with the least number of votes will drop out of the process. Further rounds of voting will then take place with the process repeated until a candidate has an absolute majority. If present, a candidate who is co-opted will sign at the co-option meeting a Declaration of Acceptance of Office, including an undertaking to abide by the Parish Council's Code of Conduct, and may take office thereafter. If not present, a co-opted candidate will sign the Declaration of Acceptance of Office either before or at the next meeting of the Parish Council.

The Parish Council will notify the Unitary Authority of the co-option of the new parish councillor once the co-opted parish councillor has completed the appropriate forms.

If insufficient candidates are co-opted, the process should continue, whereby the vacancies are again advertised.