Stretton on Dunsmore Parish Council
Co-option Policy

1. INTRODUCTION

The process for co-option is laid out in the Local Elections (Parishes and Communities Rules 2006) and the Local Government Act 1972.

This document sets out the circumstances and legislation relating to the co-option of persons to fill vacancies within the Parish Council. It takes into account NALC Legal Briefing which recommends good practice to be taken in respect of a co-option process.

2. NOTIFICATION

2.1 There are two circumstances under which the Electoral Officer of Rugby Borough Council *('RBC')* will notify Stretton on Dunsmore Parish Council *('the Council')* that it may proceed to fill a vacant seat by co-option, *namely* -

a) When a seat has been left vacant because no eligible candidate stood for election at the full elections for a new council.

In this instance, RBC notifies the Parish Clerk ('*the Clerk*') that efforts should be made to fill the vacancies by co-option. The Council will then decide if they wish to fill the vacancy by giving public notice of such vacancy.

b) During the life of a council when a seat has fallen vacant (because of a resignation, death or a person ceases to qualify to be a councillor).

The Clerk will immediately notify the Electoral Officer and the casual vacancy will be advertised. If the required 10 electors of the Parish have not called for a poll (by-election) within the legally specified time following publication of the Notice of Vacancy (currently 14 days), the Clerk would be notified by RBC that the vacancies can be filled by co-option. The Council must then give public notice of the vacancy and the intention to co-opt.

2.2 The Council must start the process to fill the Casual Vacancy by co-option as soon as practicable thereafter. The public notice may include a deadline for applications and a person specification list if the Council feels that there is a gap in its skill set – e.g. in project management, HR or finance.

2.3 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 but it must have good reason not to do so.

2.4 It is not desirable that electors be left partially or fully unrepresented for a significant length of time. It does not contribute to the 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 quorum without difficulty, given that some absence is unavoidable at times.

2.5 Councillors elected by co-option are full members of the Council and are volunteers who receive no remuneration or allowances.

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

3. APPLICATION PROCESS TO BE FOLLOWED

3.1 On receipt of written notification from the Electoral Office at RBC that a vacancy may be filled by means of co-option:-

a. The Clerk will announce the vacancy (vacancies) within 21 days of receipt of the written notification by displaying this notice on noticeboards and the website and any other medium the Clerk deems appropriate.

b. The co-option notice will include the closing date of requests for consideration (between 14 and 30 working days after the date of display). It will also include the person specification (if one exists) and the details of how to apply.

c. The Clerk will email a copy of the displayed notice to all councillors.

3.2 Councillors may point out the vacancy to any qualifying applicants.

3.3 Those who express an interest in filling the vacancy will receive an email from the Clerk thanking them for their expression of interest and giving the following details:

- Usual meeting pattern of Stretton on Dunsmore Parish Council
- The eligibility criteria
- A copy of the Good Councillor Guide (electronic format)
- The application process.

3.4 Candidates who wish to apply must complete the Application Form (Appendix A). These documents will be treated as confidential by the Councillors and will not be shared with anyone.

3.5 On receipt of the application, the Council should perform a brief check to ensure that the candidate does indeed meet the eligibility criteria e.g. by checking the electoral register or land registry.

3.6 If the eligibility criteria for any candidate cannot be confirmed, the Clerk will contact the individual by email, copying in the Chair and Vice-Chair.

3.7 The Clerk must share all the completed applications by email with the Councillors who will be reminded that these are confidential documents.

3.8 The Clerk will report the names of candidates to the Council at the next appropriate meeting so they may be heard by any members of the public attending.

3.9 However many candidates are presented voting will be in accordance with Standing Orders and normally by a show of hands. When a candidate received an absolute majority of those councillors present they will be declared co-opted. (An absolute majority meaning more than 50% of eligible votes in favour.) Should no single candidate receive a majority on the first vote, the candidate with the lowest number of votes is eliminated. Voting will then take place for the remaining candidates until one person receives an absolute majority.

3.10 Voting should be by a show of hands. However, it maybe by closed ballot if requested by two members on email or letter form, at least three working days before the meeting at which co-option is to be considered. Closed ballot is undertaken by councillors voting on paper, which are collected by the Clerk who, with an impartial witness, leaves the meeting to count the votes.

3.11 The result of the vote will be recorded in the minutes of the meeting.

3.12 The Clerk will inform the successful candidate by email, within 48 hours after the meeting and provide them with copies of the following documents: -

- Standing Orders
- Financial Regulations
- Code of Conduct
- Declarations of Interest
- Declarations of Acceptance of Office

3.13 The Clerk will inform the unsuccessful applicants via email within 48 hours after the meeting.

3.14 Only when the newly appointed councillor has signed their Declaration of Acceptance of Office, Declaration of Interest and the Code of Conduct will he/she be issued with a Parish Council email address and be summoned to the meetings.

3.15 The Clerk will inform RBC of the appointment within 48 hours of the Parish Council meeting and email the signed declarations.

Document adopted September 2023

APPENDIX A

Stretton on Dunsmore Parish Council
Co-option & Eligibility Application Form

PART 1.

Contact Details (Block Capitals please)

Name:

Address:

Postcode:

Email address:

Telephone:

Please briefly outline why you are interested in becoming a Parish Councillor

What are the skills you feel you will bring the Parish Council? e.g.: professional qualifications, knowledge of the village, local government experience, financial management experience.

Please add any further information you would like to include to support your application.

PART 2

Councillor Eligibility

In order to be eligible for co-option as a Stretton on Dunsmore Parish Councillor you must be:-

A British subject, or a citizen of the Commonwealth or the European Union
And
Be 18 years of age or over on the 'relevant date' (when you are co-opted)

You must additionally be able to meet one of the following qualifications, please tick any that apply:-

☐ **I am registered as a local government elector for the Parish of Stretton on Dunmore Parish Council**

☐ **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 of Stretton on Dunsmore**

☐ **Or my principle or only place of work during those twelve months has been in the parish of Stretton on Dunsmore**

☐ **I have during the whole twelve months preceding the date of the co-option resided in the parish of Stretton on Dunsmore or within 3 miles of it.**

Please note that under section 80 of the Local Government Act 1972 a person is disqualified from being elected as a Local Councillor if he/she:-

a) holds any paid office or employment of the Parish 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 co-option, or since his/her co-option, 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.

*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 Stretton on Dunsmore Parish Councillor, and the information given on this form is a true and accurate record.

Signed……..

Dated ……..

Please return your completed application form to:-

The Parish Clerk
3 Orchard Way,
Stretton on Dunsmore
CV23 9HP

Or via email (preferred) strettonondunsmoreclerk@gmail.com