

CRESSWELL PARISH COUNCIL STATEMENTS OF GUIDANCE AND POLICY

Councillor Co-option Policy.v1 June 2021

Introduction

This policy sets out the process to ensure that there is compliance with legislation and continuity of procedures in the co-option of councillors to the Cresswell Parish Council (CPC).

Co-option

The co-option of a parish councillor occurs when a casual vacancy has arisen on the council and no poll (by-election) has been called. A casual vacancy occurs when:

A councillor fails to make his declaration of acceptance of office at the proper time;

A councillor resigns

A councillor dies

A councillor becomes disqualified

A councillor fails for six (6) months to attend Ordinary Meetings of the council.

CPC has to notify Northumberland County Council (NCC) of a Casual Vacancy and then advertise the vacancy and give electors the opportunity to request an election. This occurs when ten electors notify NCC stating that an election is requested. If a by-election is called, a polling station will be set up by NCC and the electors will be asked to vote for candidates who will have put themselves forward by way of a nomination paper. If more than one candidate is then nominated a by-election takes place but if only one candidate is put forward, they are duly elected without a ballot. If ten residents do not request a ballot within fourteen days of the vacancy notice being posted, as advertised by NCC, CPC is able to co-opt. If, following an ordinary election there are insufficient persons nominated to fill all the available seats, the parish has 35 working days from the date of the election to co-opt persons to fill those vacancies without the necessity of advertising for a potential by-election.

Confirmation of Co-option

On receipt of written confirmation from the Electoral Services Office of NCC, that the casual vacancy can be filled by means of co-option, or if there are vacancies following an ordinary election, the parish clerk will:

- Advertise the vacancy for three weeks on the council notice boards and website
- Advise CPC that the Co-option Policy has been instigated. CPC 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 that apply. However, despite this, it is not desirable that electors be left under represented 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. Councillors elected by co-option are full members of CPC.

Eligibility of Candidates

CPC may consider any person to fill a vacancy provided that:

He/she is an elector of the parish or

Has resided in the parish for the past twelve months or rented/tenanted land or other premises in the parish or has his/her principal place of work in the parish; or

Lives within three miles (direct) of the parish. There are certain disqualifications for election, of which the main ones are:

Holding a paid office under the Local Authority

Bankruptcy

Having 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 five years preceding the election; and being disqualified under any enactment relating to corrupt or illegal practices.

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

Applications

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

Although there is no Statutory Requirement to do so candidates may be requested to:

Submit information about themselves by way of completing a short introductory letter of application.

Confirm their eligibility for the position of councillor within the statutory rules of Co-Option.

At the close of the three-week advertisement period, a working group comprising the Chairman, Vice-Chairman and one other councillor will meet, together with the Clerk, to review all applications received and ensure they are valid. The working group may, at their discretion, invite candidates for an informal interview. The working group will then prepare a brief confidential report for CPC to consider, listing the valid applications and commenting on any interviews that may have been conducted. The comments resulting from an interview will be made available to the candidate concerned. Following receipt of applications, the next suitable CPC meeting will

receive written applications for the office of Parish Councillor and Co-opt a candidate to fill the existing vacancy(s).

Copies of application forms and the working group report will be circulated to all Councillors by the Clerk.

Candidates will be informed of the meeting at which they are to be considered for appointment and will also be informed that they will be invited to speak about their application at the meeting, if they so wish.

At the Co-option meeting, candidates wishing to address the Council will be given five minutes maximum to introduce themselves to councillors, give information on their background and experience and explain why they wish to become a councillor. As soon as all candidates have finished giving their submissions, and if the Council wishes to discuss the merits of the candidate(s), the Council will then resolve to exclude the members of the press and public. This discussion will remain confidential.

When the press and public have been readmitted, the Council will proceed to vote on the acceptability of each candidate by secret ballot, using ballot papers prepared in advance by the Clerk. Each councillor will be able to vote for as many candidates as there are vacancies or may choose not to use all their votes. In order for a candidate to be elected to CPC it will be necessary for them to obtain an absolute majority of votes cast by councillors (that is, 50% plus 1 of the votes of councillors present at the meeting).

The Clerk and the Chairman of the meeting will count the votes, and the candidates may observe the count if they wish. If there are more candidates than the number of vacancies, and there are no candidates with an overall majority in the first round of voting, the candidate with the fewest 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. Candidates getting more than 50% of votes from the councillors present are elected.

The process continues until all vacancies are filled or until it is clear that no candidate, or no further candidate, is going to exceed 50% plus 1 of votes cast by councillors. If this happens the position(s) will not have been filled and the co-option process for the remaining vacancy(s) will start again from scratch with vacancies being advertised once again. In the case of an equality of votes the Chairman of the meeting has a casting vote.

After the vote has been concluded the Chairman will declare the successful candidate(s) duly elected and, after signing their Declaration of Acceptance of Office, the new parish councillor(s) will take their seat. The Clerk will notify NCC Electoral Services of the new appointment. The successful candidate(s) must complete their 'Registration of Interests' within 28 days of being elected. The form should be handed to the Clerk for forwarding to the monitoring officer.

If insufficient candidates come forward for co-option the process should continue, whereby the vacancies are advertised again.

CPC is not obliged to fill any vacancy and a candidate not receiving 50% plus 1 of the votes of parish councillors present will not be co-opted.