

Boyton Parish Council

Policy for co-opting councillors

1. Introduction

This policy complies with any government or district council guidance. The parish council's procedures adhere to this policy so that co-options will be made consistently and equitably. The co-option procedure is managed entirely by the parish council.

2. Events leading to a 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 is disqualified from serving
- a councillor fails to attend meetings of a council committee or subcommittee or to attend as a representative of the council a meeting of an outside body for six months.

Parish Council must notify the district council of a casual vacancy and then advertise the vacancy giving electors the opportunity to request an election. This occurs when 10 or more electors write to the district council stating that an election is requested.

If a by-election is called, this is organised by the district council. The parish council would pay the costs of the election.

If more than one candidate is nominated, a by-election takes place. However, if only one candidate is put forward that person is duly elected without a ballot.

If there is no request for a ballot within fourteen days of the vacancy notice being posted, as advised by the district council, Boyton Parish Council can co-opt a volunteer.

3. The co-option procedures

On receipt of written confirmation from the Electoral Services Office of the district council, the casual vacancy can be filled by means of co-option. The parish clerk will:

- advertise the vacancy for four weeks on the council notice boards and website
- advise the parish council that the co-option policy has been instigated

The parish 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, it is difficult for the council to work effectively and efficiently if there are insufficient councillors to share the workload. A range of skills and interests amongst councillors will add depth to the council's discussions and improve its decision making. A quorum at all meetings will be more easily achieved if the council has its full complement of councillors. (Currently the quorum for full council meetings is five.) Councillors elected by co-option are full members of the council

4. Eligibility of candidates

The parish council can consider any person to fill a vacancy provided that (s)he:

- is an elector for 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 a principal place of work in the parish; or
- has lived within three miles (direct) of the parish.

There are certain things which disqualify a person from co-option, of which the main are (S5. 80 of the Local Government Act 1972):

- 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 previous five years
- being disqualified under any enactment relating to corrupt or illegal practices

Also, candidates found to be offering inducements of any kind will be disqualified.

5. Applications

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

- submit information about themselves, by way of completing a short application form
- confirm their eligibility within the statutory rules.

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 any existing vacancy'.

Copies of the candidates' applications will be circulated to all councillors by the clerk. All such documents will be treated by the clerk and all councillors as strictly confidential.

Candidates will be invited to speak about their application at the meeting.

6. At the co-option meeting

At the co-option meeting, candidates will be given up to five minutes to introduce themselves, give information on their background and experience and explain why they wish to become a parish councillor. Councillors may question the candidates. This process will be carried out by adjourning the meeting to allow the candidate to speak.

As soon as all candidates have finished giving their submissions, the council will proceed to a vote on the acceptability of each candidate.

However, if councillors wish to discuss the merits of candidates and inevitably their personal

attributes, the council will resolve to exclude the members of the press and public from that part of the meeting.

By referring to the written applications, any personal statements provided and using the suitability checklist, councillors will vote in the ballot.

The meeting will be re-opened for the ballot. Each candidate will be proposed by a councillor to be co-opted and seconded by a councillor. These must be councillors attending the meeting. A paper ballot will be held. The result will be counted by the clerk and recorded, showing the number of votes cast for each candidate. For a candidate to be elected, it will be necessary for him or her to obtain an absolute majority of votes cast. (50% of the votes available at the meeting + 1). The chair will announce the results of the ballot.

If there are more than two candidates and there is no candidate with this absolute majority in the first round of voting, the candidate with the least number of votes will drop out.

Further rounds of voting will take place. The same process will be repeated until a candidate has an absolute majority. In the case of any equality of votes, the chair of the meeting has a casting vote. After the vote, the Chair will declare the successful candidate duly elected. If there is more than one vacancy, the ballot will be repeated with the remaining candidates.

At this point, the meeting could be closed to the public and press again for discussions between councillors.