

BUXHALL PARISH COUNCIL

CO-OPTION PROCEDURE

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This policy sets out in detail the circumstances which permit and legislation relating to the co- option of persons to fill the vacancies within the parish council and is based on NALC Legal Briefing L15-08 which recommends good practice to be taken in respect of a co-option process.

Notification

A casual vacancy occurs 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 the Parish Clerk would be notified of vacancies by MSDC Electoral Services. Efforts must be made to fill the vacancies by co- option.
- When a Councillor vacates their post.
The Parish Council is not obliged to co-opt 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 not desirable that electors be left partially or fully unrepresented 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; to provide a broad cross-section of skills and interests; or to achieve meeting quorums without difficulty, given that some absence is unavoidable at times.

Application Process to be Followed

Upon receipt of written notification from the Electoral Officer at Mid Suffolk District Council that a casual vacancy may be filled by means of co-option the Parish Clerk will announce the vacancy/vacancies to be filled by co-option within 21 days of receipt of the written notification by means of displaying a Notice on the Council Notice boards, website and social media page. If appropriate a copy of the notice will also be sent to the Parish Magazine. The Co-option Notice will include the closing date of requests for consideration (between 14 and 21 days after the date of the display) and the number of vacancies. The Parish Clerk will advise the council when the Co- option process has been instigated by notifying all councillors.

Applicants will be emailed and are recommended to read the publication, "The Good Councillor Guide" which explains more about the role and the responsibilities of councillors.

Applications will be considered at the next appropriate full Council meeting following the application closure date. An agenda item will be included 'to receive written application/s for the office of Parish Councillor and consider a candidate to fill the existing vacancy'.

Copies of the applications will be circulated to all Councillors by the Clerk with the agenda. All documents will be treated by the Clerk and Councillors as private and confidential.

Candidates will be sent the agenda of the meeting at which they are to be considered for appointment together with a copy of the Councils adopted Code of Conduct.

At the meeting where the co-option is to be considered each candidate will be given the opportunity to introduce themselves to the Councillors and give any information to support their application.

Once the applicants have completed their presentations the Council will then proceed to a vote on the acceptability of each applicant using the person specification, and any personal statements provided.

Each candidate will be proposed and seconded by the Councillors in attendance. Councillors shall vote by show of hands, or, if at least two members so request, by signed ballot. At the request of a Councillor, the voting on any question shall be recorded so as to show whether each Councillor present and voting gave his vote for, against or abstained.

For an applicant to be elected onto BPC it will be necessary for them to obtain an absolute majority of votes cast. If there are more than two candidates and there is no candidate with the overall majority in the first round of voting the candidate with the least number of votes will drop out of the process and further rounds of voting will take place until a candidate has an overall majority. In the case of an equality of votes the Chairman of the meeting has a second and casting vote.

After the vote has been concluded the Chairman of the meeting will declare the successful candidate duly co-opted and after signing their declaration of acceptance of office take their seat immediately. Within 28 days of co-option the successful applicant is also required to complete a Register of Disclosable Pecuniary Interests which will be provided by the Parish Clerk

If insufficient or unsuitable candidates come forward for co-option the process should continue and the vacancy advertised.

Person Specification

The National Association of Local Councils (NALC) legal briefing suggests a personal specification that identifies attributes that a Parish Council should be looking for when co-opting a councillor. In addition BPC welcome people with a wide range of life skills and experience that reflects the local community PC are looking for councillors who can bring enthusiasm and commitment as well as some of the following:

Competency demonstrated by:

Experience, Skills, Knowledge and Ability	<ul style="list-style-type: none">• Knowledge and understanding of local affairs and the local community.• Ability and willingness to represent the Council and their community.• Good interpersonal skills.• Ability to communicate succinctly and clearly.• Ability and willingness to work closely with other members and to maintain good working relationships with all members and staff.• Ability and willingness to work with the council's partners (e.g. voluntary groups, other parish councils, principal authority, charities).• Ability and willingness to undertake relevant training.
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Circumstances	<ul style="list-style-type: none">• Ability and willingness to attend meetings of the council (or the meetings of other local authorities and local bodies) in the evening and events in the evening and at weekends.• Flexible and committed to the Council. • Enthusiastic.
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Buxhall Parish Council Co-option & Eligibility Application Form

Name:

Address:

Postcode:

Email address:

Home Tel. No:

Mobile Tel. No:

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

Please tell us something about the skills you feel you will bring to the Council, for example experience, interests and skills:

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

Please inform us of any other information you would like to disclose regarding your application? (e.g. if you are related to an employee of the Council / would require assistance during Council meetings with a disability):

Buxhall Parish Councillor Eligibility

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

- A British subject, or a citizen of the Commonwealth or the European Union
- 18 years of age or over on the 'relevant date' (i.e. the day on which you are co-opted).
- You must additionally be able to meet one of the following qualifications, please tick all that apply:
 - I am registered as a local government elector for the parish of Buxhall
 - 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 Buxhall
 - My principal or only place of work during those twelve months has been in the parish of Buxhall
 - I have during the whole of the twelve months preceding the date of my co-option resided in the parish of Buxhall or within three miles .

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:

- 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
- Is a person who has been adjudged bankrupt or has made a composition or arrangement with his/her creditors or
- 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
- Is otherwise disqualified under Part III of the Representation of the People Act 1983 for corrupt or illegal practices.

I (insert name) hereby confirm, that I am eligible to apply for the vacancy of Buxhall Parish Councillor, and the information given on this form is a true and accurate record.

Signed Dated Please return your completed application form to:

Tina Newell
Clerk to Buxhall Parish Council, 25 Shakespeare Road, Stowmarket, Suffolk IP14 1TU
parishclerk@buxhall-pc.gov.uk