



Weeley Parish Council

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Co-Option Policy

This policy sets out the procedure to ensure compliance with legislation and continuity of process in the co-option of members to Weeley Parish Council.

The Parish Council must first notify Tendring District Council Election office that they have published a Notice of Vacancy in the Office of Parish Councillor. If no by-election is called for after the publishing of this notice (14 days) then the co-option process can be followed by the Council.

Co-Option

On receipt of confirmation from the District Council that no by-election has been claimed the Clerk will:

1. Notify TDC that the co-option process has been instigated
2. Advertise the vacancy on the Council Noticeboards and Website and Social Media (for a period not less than 14 days).

Eligibility of Candidates

The following are the legal requirements the Council must follow to fill a vacancy:

- Applicant must be 18 or over
- Applicant must be a British, qualifying Commonwealth or qualifying EU citizen.

And at least one of the following must be met:

- Applicant is an elector for the parish and continues to be an elector
- Has resided in the parish for the past twelve months or rented/tenanted land in the Parish
- Has had their principal place of work in the parish for the past twelve months
- Has lived within three miles of the parish for the past twelve months

There are certain disqualifications from being a parish councillor as set out in s.80 of the Local Government Act 1972. Some of these are (but not limited to):

Bankruptcy, paid employment by the Parish Council, imprisonment within the last 5 years

Applications

Candidates will be requested to :

- Submit information about themselves using either the form in Appendix A or via email to the Clerk
- And confirm their eligibility for the position of parish councillor under s.79 and s.80 of the Local Government Act 1972 by sending back the form in Appendix B to the Clerk or confirming via email that they are eligible.

Following receipt of applications, the next suitable Parish Council meeting will have an agenda item 'To co-opt candidate to fill existing vacancy'. Eligible candidates will be invited to attend the meeting.

Co-Option Meeting

At the co-option meeting, candidates will be given five minutes maximum to introduce themselves to the parish councillors, 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.

As soon as all candidates have finished giving their submissions, the Parish Council will proceed to a vote with each candidate being proposed and seconded by the councillors in attendance and a vote via secret ballot.

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.

Where the number of candidates is less than or equal to the number of vacancies, the candidates shall be appointed to the council if they meet the s.79 eligibility criteria and they are not disqualified under s.80.

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 will be invited to join the Council at the next meeting. 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 Clerk will notify Tendring District Council of the co-option of the new parish councillor.

The co-opted parish councillor will complete a Notification of Disclosable Pecuniary and Other Interests form which the Clerk will lodge with the Monitoring Officer at Tendring District Council within 28 days of the co-option.

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

Appendix A

Weeley Parish Council Co-Option Application Form

Name:
Address:
Telephone Number:
Email Address:
Are you 18 or Over?
Please detail any experience you may have of relevance and what you may bring to the Council:

Appendix B

Weeley Parish Council Co-Option Eligibility Declaration

In order to be eligible for co-option as a Weeley Parish Councillor you must satisfy certain criteria. You must satisfy (a) and (b) below and at least one of the options (c) – (f). Please tick which apply to you:

- a) I am 18 years of age or over; and ☐
- b) I am a British citizen or a qualifying Commonwealth or qualifying EU citizen ☐
- c) I am registered as a local government elector for the parish; or ☐
- d) 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; or - ☐
- e) My principal or only place of work during those twelve months has been in the parish; or ☐
- f) I have during the whole of those twelve months resided in the parish or within 3 miles of it. ☐

Please note that under Section 80 of the Local Government Act 1972 a person is disqualified from being a parish councillor if he/she:

- a) Is employed by the parish council or holds paid office under the parish council (including joint boards or committees);
- b) Is employed by an entity controlled by the parish council;
- c) Is the subject of a bankruptcy restrictions order or an interim bankruptcy restrictions order or a debt relief restrictions order or an interim debt relief restrictions order; or
- d) Has within five years before the day of co-option, or since their 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
- e) Is otherwise disqualified under Part III of the Representation of the People Act 1983 (relating to corrupt or illegal electoral practices and offences relating to donations) or the Audit Commission Act 1998.

Declaration & Consent

Ihereby confirm that I am eligible for the vacancy of Weeley Parish Councillor and I am not disqualified under s80 of the Local Government Act 1972 from being a parish councillor and that the information given on this form is true and correct.

By signing this form I declare my statements to be true and give Weeley Parish Council consent to the use and disclosure of my information included in this form.

Signature:.....

Name (PRINT):

Dated:.....