

Old Bolingbroke with Hareby Parish Council

Co-option Policy

Adopted: 21.09.23

Last Review: 09.24

Next Review: 09.25

1. Introduction

- 1.1 Although the process for co-option to vacancies of local councils is not prescribed in law, NALC's Legal Briefing LTN 08 provides guidance.
- 1.2 Of paramount importance is that all applicants are treated alike so that arrangements are seen to be open, fair and transparent. This policy sets out the process to be followed by Old Bolingbroke Parish Council when co-option is under consideration.
- 1.3 Whenever the need for co-option arises, Old Bolingbroke Parish Council will seek and encourage applications from anyone who is eligible to stand as a Parish Councillor (see section 3). Councillors and parishioners can legally approach individuals to suggest they might wish to consider putting their names forward for co-option and encourage them to register their expression of interest.
- 1.4 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.
- 1.5 Any candidate(s) found to be offering inducements or any kind of undue pressure will be disqualified.
- 1.6 However, it is not desirable that electors of the Parish be left partially or unrepresented for a significant length of time; neither does it contribute to the effective and efficient working of the Parish Council if there are insufficient Councillors to share the workload equitably, provide a broad cross-section of skills and interests, or to achieve meeting quorums without difficulty, given that some absence is unavoidable at times.
- 1.7 Councillors elected by co-option are full members of the Parish Council.

2. Co-option Process:

- 2.1 In the event of a vacancy occurring due to the resignation, death or ineligibility of a Councillor, the Clerk will immediately inform the Monitoring Officer at East Lindsey District Council (ELDC).
- 2.2 Should the requisite 10 electors of the Parish have not called for a poll (by-election) within the legally specified time period (currently 14 days) following the publication of the Notice of Vacancy, the Parish Clerk is notified by ELDC that the vacancy(ies) may be filled by co-option. The Parish Council may then proceed to co-opt within 28 days.

2.3 On receipt of written notification from the Monitoring Officer at CBC that a casual vacancy can be filled by means of co-option, the Clerk will place a notice announcing that the vacancy(ies) can be filled by co-option and invite expressions of interest. The notice will be placed on the Noticeboards and on the Parish Councils website, and will include:

- A contact point so that people considering putting their names forward for co-option can obtain more information on the role of a parish councillor.
- Contact details to where expressions of interest should be made (usually the Clerk, via email or hard copy)

3. Qualifications / Disqualifications:

Qualification Criteria:

Be 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
- had their principal place of work in the parish; or
- has lived within three miles (direct) of the parish.

There are certain disqualifications for election (see 5. 80 of the Local Government Act 1972), of which the main 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.

4. Application Process:

- 4.1 When expressions of interest are received, the Clerk will provide all applicants with the Parish Council's Application & Eligibility Form (*Appendix A*). The form is also available to download from the Parish Councils website.
- 4.2 The Clerk will then consider completed forms to check that the individual(s) meets with the qualification requirements.
- 4.3 All candidates are asked to complete the Councillor Application & Eligibility Form (*Appendix A*) and redacted copies will be circulated to all Parish Councillors with the agenda packs prior to a full meeting of the Council where the co-option is to be considered. All such documents will be treated by the Clerk and Councillors as strictly private and confidential.

- 4.4 Co-option Candidates will be informed of the date of the meeting at which the Parish Council will make its decision based on the application form submitted. Notice of the Intention to consider Co-option will be included on the agenda as a separate item at a Parish Council meeting.
- 4.5 Candidates will be invited to the meeting to introduce themselves and speak in support of their application. It will also provide Councillors with the opportunity to seek, through the Chair, clarification on submissions within the application form that they are not sure of, or the Council may decide to rely on the written submissions alone.
- 4.6 Only Councillors present at the meeting may vote upon a person to fill the vacancy. Councillors will have one vote per vacancy to be filled.
- 4.7 If a candidate is a relative of a Councillor or has connections with any candidate which may be perceived as prejudicial, that Councillor should declare an interest and withdraw from the meeting. Under any of these circumstances a vote by the Councillor concerned is not allowed.
- 4.8 The Parish Council will appoint co-opted members by voting according to Standing Orders
- 4.9 If there are exactly as many as, or fewer candidates than vacancies, the Parish Council may vote on a composite motion, duly proposed and seconded, that all candidates be co-opted. If there are more candidates than vacancies, it will be necessary for existing Councillors present at the meeting to vote.
- 4.10 If there are more candidates than vacancies, Arnold Baker's "Local Council Administration" recommends that:
- i) Where more than two persons have been nominated for a position to be filled by the Council and none of those persons has received an absolute majority of votes in their favour, the name of the person having the least number of votes shall be struck off the list and a fresh vote taken. This process shall continue until a majority of votes is given in favour of one person. A tie in votes may be settled by the casting vote exercisable by the chairman of the meeting.
 - ii) Where the council is considering the co-option of a councillor to fill a vacancy under s.89 of the Local Government Act 1972, it shall be under no obligation to accept any candidate.
- 4.11 After the vote:
- i) Any Candidates that are not present at the meeting, will be notified of the results by the Clerk, as soon as is reasonably possible (usually within 24 hours)

Successfully co-opted candidates become Councillors in their own right, with immediate effect, and are no different to any other member. As such, they must sign the Declaration of Acceptance of Office and Registration of Interests Form at their first meeting, or within 28 calendar days of election whichever is the sooner.

The successful candidate(s) will also confirm that they will comply with and abide by the Parish Council's Code of Conduct, as they had previously indicated on their Application and Eligibility Form. Should the new

Councillor not comply with or breach the Code of Conduct, then the Monitoring Officer at East Lindsey District Council will be advised, who will then deal with the matter

- ii) The successful candidate's term of office runs until the next quadrennial elections for the Parish Council.

End

Application for Co-option	
Full name and title	
About you	<i>In the box below tell us a little about your background, skills and experience that might be useful if you join the parish council.</i>
Reasons for applying	<i>Using the Person Specification on page 3 as a guide, please explain why you consider yourself to be a suitable candidate:</i>
Signature	
Date	

Please return this form to the Parish Clerk once you have completed it.

oldbolingbrokewithhareby.pc@gmail.com

Eligibility to be a Parish Councillor	
Full name and Title	
Home address	
Home telephone	
Mobile telephone	
Email address	
It is a condition of being a Parish Councillor that your name will be made public via notice boards and the parish council website. You may need to disclose your phone and email address to deal with parish council matters. Do you agree to this? Yes / No	
Are you a British, Commonwealth or other European Union Citizen and not require leave to enter or remain in the United Kingdom or have indefinite leave to remain? Yes / No	
Are you aged over 18? Yes / No	
<i>To qualify you must be able to answer 'Yes' to at least one of the questions below</i>	
a) Are you on the electoral register for Old Bolingbroke Parish Council? Yes / No	
b) Have you lived either in parish Old Bolingbroke or within 3 miles of its boundary, for at least a year? Yes / No	
c) Have you been the owner or tenant of land in Old Bolingbroke parish for at least a year? Yes / No	
d) Have you had your only or main place of work in parish of Old Bolingbroke for at least a year? Yes / No	
<i>You must be able to answer 'No' to all the questions below to be eligible to serve as a councillor.</i>	
i)	Are you the subject of a bankruptcy restrictions order or interim order? Yes / No
ii)	Have you within the last five years been convicted of an offence in the UK, the Channel Islands or Isle of Man and has been sentenced (whether suspended or not) to imprisonment for three months or more without the option of a fine? Yes / No
iii)	Are you disqualified by order of a court from being a member of a local authority? Yes / No
iv)	Employed by Old Bolingbroke Parish Council, a joint committee or holds a paid office? Yes / No
v)	Subject to the notification requirements of the Sexual Offences act 2003 or Sexual Risk Orders? Yes / No
Signature	
Date	

When completed please return this form to the Clerk to Old Bolingbroke Parish Council.

oldbolingbrokewithhareby.pc@gmail.com

ROLE OF PARISH COUNCILLOR - PERSON SPECIFICATION

	ESSENTIAL	DESIRABLE
Relevant Knowledge Education Professional Qualifications & Training	A willingness to understand local affairs and the local community	Specific Vocational training or professional qualification (e.g. accountant, teacher, surveyor, architect) may be specified
Relevant Experience, Skills, Knowledge and Ability	<p>Interest in local matters</p> <p>Ability and willingness to represent the Council and their community</p> <p>Good interpersonal skills</p> <p>Ability to communicate clearly both orally and in writing</p> <p>Ability and willingness to work closely with other members and to maintain good working relationships with all members of staff</p> <p>Ability and willingness to undertake relevant training</p>	<p>Experience of working in another public body or not for profit organisation</p> <p>Experience of working with voluntary and or local community/interest groups</p> <p>Experience in financial control/budgeting</p>
Other requirements	<p>Committed to attend meetings of the council in the evening and events in the evening and at weekends</p> <p>Flexible</p> <p>Enthusiastic</p>	