



Linton Parish Council

COUNCILLOR CO-OPTION POLICY

INTRODUCTION

This policy sets out the procedure to ensure there is compliance with legislation and continuity of procedures in the co-option of members to Linton Parish Council. The co-option procedure is entirely managed by the Parish Council, and this policy will ensure that a fair and equitable process is carried out.

The Parish Council is composed of the rural Parish of Linton.

CO-OPTION

The co-option of a parish councillor occurs in two instances:

1. When an ordinary vacancy has arisen on the Parish Council after the ordinary elections held every four years
2. When a casual vacancy has arisen on the Parish Council and no poll (by-election) has been called.

Ordinary vacancy

An ordinary vacancy occurs when there are insufficient candidates to fill all the seats on the Parish Council at the ordinary elections held every four years. Any candidates who were nominated are automatically elected to the Parish Council and any remaining vacancies are known as "ordinary vacancies". Provided there are enough parish councillors to constitute a quorum, the Parish Council is usually able to co-opt a volunteer to fill the vacancies. In some cases, Craven District Council may intervene and make an appointment or order an election to fill the vacancies.

Casual vacancy

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 meetings of a council committee or sub-committee or to attend as a representative of the council a meeting of an outside body.

The Parish Council has to notify Craven District Council of a casual vacancy and then advertise the vacancy and give electors for the ward the opportunity to request an election.

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This occurs when ten electors write to the Borough Council stating that an election is requested.

If a by-election is called, a polling station will be set up by Craven District Council and the people of the parish will be asked to go to the polls to vote for candidates who will have put themselves forward by way of a nomination paper. The Parish Council will pay the costs of the election. The people of the parish have fourteen days (not including weekends, bank holidays and other notable days), to claim the by-election, but the Electoral services Officer of Craven District Council will advise the clerk of the closing date.

If more than one candidate is nominated then a by-election will take place. If only one candidate is nominated then 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 advised by the Electoral Services Officer, the Parish Council is able to co-opt a volunteer.

CONFIRMATION OF CO-OPTION

On receipt of written confirmation from the Electoral Services Officer that no by election has been claimed, the casual vacancy can be filled by means of co-option. The Clerk will:

- Advertise the vacancy for four weeks or other such period as the Parish council may agree on the Parish noticeboards and website.

ELIGIBILITY OF CANDIDATES

Linton Parish Council is able to consider any person to fill a vacancy provided that:

- He/she is over 18
- He/she is a British citizen, a qualifying Commonwealth citizen or a citizen of any member state of the EU

And at least one of the following apply:

- He/she is an elector of Linton Parish and continues to be an elector.
- He/she has resided in Linton Parish for the last 12 months or rented/tenanted land in the parish
- He/she has had his/her principal place of work within Linton Parish for at least 12 months
- He/she has lived within three miles of Linton parish for the last 12 months.

There are certain disqualifications for being a parish councillor of which the main are:

- Holding a paid office under the Parish Council
- Bankruptcy
- Having been sentenced to a term of imprisonment (whether suspended or not) of not less than 3 months, without the option of a fine during the preceding five years.
- Being disqualified under any enactment relating to corrupt or illegal electoral practices.

APPLICATIONS

Candidates will be requested to:

- Attend at least one council meeting as an observer
- Submit information about themselves, by way of completing a short application form (copy attached in Appendix A)
- Confirm their eligibility for the position of Parish Councillor (eligibility Form Appendix B)

Following receipt of applications, the next suitable Parish 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 the existing vacancy" Eligible candidates will be invited to attend the meeting. Copies of eligible candidates' applications will be circulated to all councillors at least three days before the meeting. When the co-option will be considered. All such documents will be considered by the Clerk and parish councillors as strictly private and confidential.

AT THE 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 parish councillor for Linton Parish. The process will be carried out in the public session and there will be no private discussion between councillors prior to a vote being taken. However, where the Parish Council is discussing the merits of candidates and inevitably their personal attributes, this could be prejudicial, and the Parish Council should resolve to exclude members of the public and press.

As soon as all candidates have completed 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 by show of hands (LGA Sec12, para 13).

In order for a candidate to be co-opted they must have an absolute majority i.e. more than 50 % of votes. If there are more than two candidates and no overall majority is obtained in the first round the candidate with lowest number of votes will drop out. Voting will continue until a candidate has an absolute majority.

If present, a candidate who is co-opted will sign a Declaration of Acceptance and Notice of Pecuniary and Other interests form. If the candidate is not present, they will complete the forms before the next meeting of the Parish Council.

The Clerk will notify Craven District Council of the elections and co-option of the new councillor and lodge the Pecuniary interest form with Craven District Council Monitoring Officer within 28 days of the election.

APPENDIX A

LINTON PARISH COUNCIL CO-OPTION APPLICATION FORM

Name:	
Address:	
Telephone Number:	
Email Address:	
Are you 18 or over? Yes / No	
Please detail any experience you may have that is relevant to Linton Parish Council. (If necessary, continue on a separate sheet)	

Is there any other information you would like to disclose regarding your application?
(If necessary, continue on a separate sheet)

Use of Personal Information:

Linton Parish Council will use your Information, including that which you provide on this application form to assess your suitability to be a Parish Councillor.

Declaration and Consent:

I have read the section entitled Use of Personal information and by signing this form I consent to the use and disclosure of my my information included in this application form.

I declare the above to be true and correct

SIGNED _____

NAME _____

DATE _____

Please complete and return this form with the completed Eligibility Form to:

The Clerk, Linton Parish Council, 21 Raines Meadows, Grassington, BD23 5NB

Email: lintonparishcouncil@yahoo.co.uk

APPENDIX B

LINTON PARISH COUNCIL ELIGIBILITY FORM

- 1. In order to be eligible for co-option to Linton Parish Council you must satisfy certain criteria. You must satisfy (a) and (b) below and at least one other option (c) –(f). Please tick all that apply to you:**
- a) I am 18 years of age or over
 - b) I am a British Citizen or a citizen of the Commonwealth or any other member state of the EU.
 - c) I am registered as a local government elector for the Parish of Linton
 - d) I have during the whole of the preceding 12 months occupied as owner or tenant land or property in the parish
 - e) My principle or only place of work has been in the parish
 - f) I have during the whole twelve months resided in Linton Parish or within 3 miles of it.
- 2. Please note under Section 80 of the Local Government Act 1972 a person is disqualified from serving as a parish councillor if he/she:**
- a) Is employed by the parish councillor holds paid office under the parish council
 - b) Is employed by an entity controlled by the parish council
 - c) Is the subject of bankruptcy restrictions or interim bankruptcy decisions or debt relief restrictions or interim debt relief restrictions
 - d) Has within 5 years before the day of co-option been convicted in the UK, Channel Islands or Isle of Man of any offence and been sentenced to imprisonment (suspended or not) for not less than 3 months without the option of a fine.
 - e) Is disqualified under Part III of the representation of the People Act 1983 relating to illegal election practices and offences relating to donations or the Audit Commission Act 1998.

USE OF PERSONAL INFORMATION

The Parish Council will use the information provided on this form to assess your eligibility to be a parish councillor.

DECLARATION AND CONSENT

I _____ hereby confirm that I am eligible to serve as a parish councillor for Linton Parish. I am not disqualified under section 80 of the Local Government Act 1972 from being a parish councillor. I confirm the information provided on his form is true and correct.

I have read the section entitled Use of Information and by signing this form I consent to the use and disclosure of my information included in this form.

Signature _____

Date _____

Name _____

Linton Parish Council Co-option Policy was considered and approved at a meeting on:

Date: 20/1/2020

Signature : (Chair)



(Clerk/ RFO)



Review Date: 2021