

## **Bilsthorpe Parish Council Policy and Procedure for Co-Opting a new Councillor (adopted Sept 24)**

Parish Councils are permitted to exercise the power to co-opt a person on to the Council to fill a casual vacancy when the requirements to hold an election have not been met (i.e. The vacancy has been the subject of a public notice and less than 10 registered electors have requested an election by a deadline date specified by Administrative Services at Gedling Borough Council).

Whenever the need for co-option arises Bilsthorpe Parish Council will seek and encourage applications from anyone in the Parish who is eligible to stand as Parish Councillor. Councillors or Parishioners can legally approach individuals to suggest that they might wish to consider putting their names forward for co-option.

The Parish Council will advertise the vacancies in the local area via the Parish Council noticeboards and the Parish Council website for a minimum of 3 weeks.

The Parish Council can consider any person to fill a vacancy provided that:

- he/she is an elector for the parish; or
- has resided in the parish for the past twelve months or rented/tenanted land in the parish; or
- had his/her principal place of work in the parish; or
- has lived within three miles (direct) of the parish.

There are certain disqualifications for election, of which the main are (Local Government Act 1972):

- 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;
- being disqualified under any enactment relating to corrupt or illegal practices.

### **Co-option Application Process**

Applicants for co-option are asked to submit information about themselves, by completing a short application form and to confirm their eligibility for the position of Councillor within the statutory rules (Appendix 1).

After receipt of the application from. The Clerk is to confirm that the candidate(s) is qualified to become a Councillor and is not disqualified from being a Councillor as set out in the Local Government Act 1972 s79 & s80 and add Co-Option to the next full Council agenda.

Copies of the applicant's application form will be circulated to all councillors by the Parish Clerk at least five days prior to the meeting of the full Council, when the co-option will be considered. All documents will be treated by the Clerk and all Councillors in accordance with Data Protection requirements where they contain personal information

Candidates will be sent a full agenda of the meeting at which they are to be considered for appointment.

Applicants can withdraw not later than 24 hours prior to the meeting where the co-options are to be considered.

### **Co-option and Voting Procedure at Meetings**

An agenda item will be tabled at an appropriate point of the full council meeting agenda for candidates to make a brief verbal presentation to members if they wish. Each candidate will be allocated a maximum of three minutes.

If a Candidate is a relative of a Councillor, that Councillor may declare a prejudicial interest and withdraw from the meeting

After presentations, members may ask candidates a few questions before proceeding to vote. (If a candidate is unable to attend the meeting voting will be based on the application form)

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. However, where the Council is discussing the merits of candidates and inevitably their personal attributes, this could be prejudicial and the Council should resolve to exclude the members of the press and public for the duration of the discussion

The Chair will then place the names of candidates in alphabetical order and proceed to a vote by show of hands. If required, Press and public will be re-admitted to the meeting.

A successful candidate must have received an absolute majority vote by those Councillors present. If there are more than two candidates for one vacancy and not one of them at the first count receives a majority over the aggregate votes given to the rest, steps must be taken to strike off the candidate with the least number of votes and the remainder must then be put to the vote again. This process must, if necessary, be repeated until an absolute majority is obtained. The Chair maintains the casting vote.

**If there is more than one vacancy and the number of candidates equals the number of vacancies, all the vacancies may be filled by a single composite resolution, but if the number of candidates exceeds the number of vacancies each vacancy must be filled by a separate vote or series of votes.**

The Clerk will inform the candidate the result of the vote in writing by email or post where they will be asked to complete the relevant paperwork.

The co-opted members will be asked to sign a Declaration of Acceptance of Office and agree to be bound by the Council's adopted Code of Conduct.

Assuming that the co-option position is filled, and all paperwork completed within 28 days, Councillors will formally ratify the appointment at the next Full Council meeting, if the vacant post is not accepted, the whole process is to be repeated when new individuals expressing interest are identified.

## APPENDIX A

### APPLICATION FORM FOR THE ROLE OF PARISH COUNCILLOR ON BILSTHORPE COUNCIL

Full name	
Home address	
Inc. Postcode	
Telephone number	
Mobile number	
Email	

It is a condition of being a Parish Councillor for Bilsthorpe that an email address be made public via notice boards and website - we suggest creating a council specific email address according to guidelines which will be made available to the successful candidate{s}

### LEGAL QUALIFICATIONS FOR BEING A PARISH COUNCILLOR

#### QUALIFICATIONS

(To qualify you must be able to answer 'Yes' to both of the questions below)

Are you a British citizen, a Commonwealth citizen or a citizen of a European Union country?	Yes / No
Are you 18 or over?	Yes / No

(To qualify you must be able to answer 'Yes' to at least one of the questions below)

Are you on the electoral register for the ward of Bilsthorpe Parish?	Yes / No
Have you lived either in the ward of Bilsthorpe, or within three miles of its boundary, for at least a year?	Yes / No
Have you been the owner or tenant of land in the ward of Bilsthorpe for at least a year?	Yes / No
Have you had your only or main place of work in ward of Bilsthorpe for at least a year?	Yes / No

#### DISQUALIFICATIONS

(You must be able to answer No to all of the questions below to be eligible to serve as a councillor)

Are you the subject of a bankruptcy restrictions order or interim order?	Yes / No
Have you within the last five years been convicted of an offence in the UK, the Channel Islands or the Isle of Man which resulted in a sentence of imprisonment (whether suspended or not) for a period of three months or more without the option of a fine?	Yes / No
Are you disqualified by order of a court from being a member of a local authority?	Yes / No

## INFORMATION ABOUT YOURSELF

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

Please tell us something about the life experience you will bring to the Council, for example, work or unpaid skills, work in the voluntary or charitable sector, business, or trade union experience

Please tell us something about the skills you feel you will bring to the Council, for example, professional qualifications, financial or project management expertise.

The role of Councillor is a proactive one and you will be expected to attend monthly meetings and take part in activities and functions designed to help improve the environment and community of Bilsthorpe Parish, examples include litter picks, leaflet distribution and 'Meet the Council' events. Please confirm your willingness to participate in such activities.

Are there any questions you would like to ask the Council?

Signed.....

Date: .....