

Spelsbury Parish Council Co-option Policy

Adopted by Spelsbury Parish Council on 01 September 2020
Last approved 07 March 2023

The co-option of a Parish Councillor occurs when a casual vacancy has arisen on the Parish Council and no poll (by-election) has been called.

To ensure that a fair and transparent process is undertaken, the procedure below will be followed by Spelsbury Parish Council:

1. On receipt of written confirmation from the Electoral Service of the Borough Council, the casual vacancy can be filled by means of co-option. In this instance the Clerk will:
 - a. Advertise the vacancy for 4 weeks on the council notice boards and website, and place an advertisement in the Parish Magazine (subject to publication timescales).
The closing date for applications will be clearly listed. A job description, application form and eligibility form will be posted to the Parish website, and be available to applicants upon request to the Clerk.
 - b. Advise the Council that the co-option policy has been instigated by sending a memorandum to all Councillors.
2. Applicants for co-option will be asked to:
 - a. Provide information about themselves by way of completing a short application form (a copy of the application form is attached).
 - b. Confirm their eligibility for the position of Councillor within the statutory rules (a copy of the eligibility form is attached).
3. Copies of the application forms will be circulated to all Councillors by the Clerk, at least seven days prior to the meeting of the full council where the co-option will be considered. All such documents will be treated by the Clerk and councillors as strictly private and confidential.
4. Voting will be according to the statutory requirements – a successful candidate must have received an absolute majority vote of those present and voting. If there are more than two candidates for one vacancy and no one, at 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.
Councillors shall vote by a show of hands.
In the case of an equality of votes, the Chairman of the meeting has a second or casting vote.
5. After the vote has been concluded, the Chairman will declare the successful candidate duly elected.

Review

This policy is changed as required, and reviewed annually.

Spelsbury Parish Council
Co-option Application Form

Name:

Address for correspondence:

Postcode:

Telephone:

Mobile:

Are you over 18? Yes/No

Please detail any experience you have that may be relevant to Spelsbury Parish Council (if necessary please continue on a separate sheet)

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

Signed:

Dated:

Please return your completed form, together with the Eligibility form to:
Spelsbury Parish Clerk, 6 Manor Court, Chadlington, Oxon, OX7 3LW

by (date)

Spelsbury Parish Council

Co-option eligibility form

1. In order to be eligible for co-option as a Spelsbury Parish Councillor you must be a British subject, or a citizen of the Commonwealth, or the European Union. You must be 18 years of age or over on the “relevant date”, that being the day on which you are nominated, or if there is a poll, then the day of the election. You must additionally be able to agree with the following qualifications set out below.

Please circle which of the following four points applies to you:

- a. I am registered as a local government elector for the parish; or
 - b. 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
 - c. My principal or only place of work during those twelve months has been within the parish; or
 - d. I have, during the whole twelve months, resided in the parish, or within three miles of it.
2. 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:
 - a. 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
 - b. Is a person who has been adjudged bankrupt or has made a composition or arrangement with his/her creditors (but see below); or
 - c. Has within five years before the day of election or since his/her election 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
 - d. Is otherwise disqualified under Part III of the Representation of the People Act 1983 for corrupt or illegal practices.

This disqualification for bankruptcy ceases in the following circumstances:

- i. If the bankruptcy is annulled on the grounds that either the person ought not to have been adjudged bankrupt or that his/her debts have been fully discharged;
- ii. If the person is discharged with a certificate that the bankruptcy was caused by misfortune without misconduct on his/her part
- iii. If the person is discharged without such a certificate.

In (i) and (ii) above, the disqualification ceases on the date of the annulment and discharge respectively. In (iii), it ceases on the expiry of five years from the date of discharge,

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

Signed:

Dated: