

## **HOPTON CUM KNETTISHALL PARISH COUNCIL**

### **CO-OPTION POLICY**

#### **1. Scope and purpose**

This policy explains the process which will be followed by the council regarding co-option when a casual vacancy arises on the council. The aim of the policy is to ensure that the process is fair, open and transparent.

#### **2. When a vacancy arises**

A co-option vacancy arises when a member of the council leaves, upon which a notice of the vacancy will be formally published for 14 days excluding Dies Non. During this period a request for an election to fill the vacancy can be made by ten or more electors. If no such request is made, then the council can fill the vacancy by co-option. (Local Government Act 1972 s86 and 87(2)(b)) The council will endeavour to fill the vacancy as soon as is practicable.

#### **3.1 Applications for co-option**

The council will encourage applications from anyone in the parish who is eligible. Councillors or parishioners can approach individuals to suggest that they might wish to consider putting their names forward for co-option. Co-option vacancies will be advertised on the website and on the noticeboard. The advertisement for the co-option will state that applications should be made in writing to the Clerk.

When an application is received, the Clerk will provide the candidate with a copy of this policy and ask the applicant to confirm their eligibility. (Eligibility requirements can be found in the appendix.)

Any candidate found to be offering inducements will be disqualified.

#### **3.2 Co-option agenda item**

When an application (or applications) has been received, the matter will be put on the agenda for the next council meeting. The candidate (or candidates) will be invited to attend the meeting. All members will receive copies of any applications ahead of the meeting and they are to be treated as confidential. A candidate, on confirming that they will attend the meeting, will be sent a copy of the agenda.

#### **4. Commitment**

Anyone interested in joining the council will be encouraged to look at the council's website for more information about what the council does and asked to commit to the Code of Conduct if co-opted. Candidates will also be asked to commit to undertaking training provided by the Suffolk Association of Local Councils if co-opted.

#### **5. The process of co-option at the council meeting**

Candidates (if able to attend) will be asked to make a brief verbal presentation on why they would like to be a councillor and the skills they can offer the council. (3 minutes maximum per candidate). Any discussion of the applications will be undertaken in public session unless the council should resolve with a vote to exclude members of the public and press. The vote by show of hands (LGA 1972 Sch. 12. Para 13) will always be held in public session.

In the event of a candidate being related to a councillor, then the councillor would be expected to declare an interest and request a dispensation to speak and vote.

#### **6. Voting**

To proceed to a vote, there must be a proposer and seconder for a motion to co-opt. If there is not, the application(s) will be deemed to be unsuccessful. If the motion to co-opt is put, then only councillors present at the meeting may vote. Each councillor present will have one vote per vacancy to be filled. For a candidate to be co-opted to the council, it will be necessary for them to obtain an absolute majority of votes returned, including abstentions i.e. 50% + 1 of the votes available at the meeting.

Standing Orders state that: *Where more than two persons have been nominated 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 the majority of votes is given in favour of one person. A tie in votes between candidates may be settled by the casting vote exercisable by the chair of the meeting.*

However, a casting vote to break a tie is not part of the absolute majority calculation.

#### **7. More than one vacancy**

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 if the council so decides, so long as an absolute majority is received. If the number of candidates exceeds the number of vacancies, each vacancy must be filled by a separate vote or series of votes.

## **8. Starting as a councillor**

The successful candidate(s) will start as a councillor immediately after completing their declaration of acceptance of office. The fact that the new member has not received a summons does not make their attendance as a councillor unlawful. (LGA 1972 Sch 12, para 10(3)). If an absent candidate is successful, they should sign the declaration of acceptance of office before or at the start of the next meeting. New councillors will also be made aware of the fact that Interests Forms will need to be completed within 28 days of co-option.

## **Appendix**

### **Eligibility Requirements**

#### **One of:**

- **Registered as an elector for the parish.**
- **Resided in the parish for the past 12 months.**
- **Occupied land or premises in the parish as owner or tenant for the past 12 months.**
- **Had their principal or only place of work in the parish for the past 12 months.**
- **Lived within three miles of the parish for the past 12 months.**

### **Disqualifications**

#### **Individuals are disqualified from being a parish councillor if they:**

- **Hold a paid office under the parish council.**
- **Are bankrupt.**
- **Have been sentenced to a term of imprisonment of at least three months (without the option of a fine) within the past five years.**
- **Are disqualified under any enactment relating to corrupt or illegal electoral practices.**