



CO-OPTION POLICY

Introduction

There are two circumstances under which the council may, if it so wishes, proceed to fill a casual vacancy by co-option:

- When a ward seat has been left vacant because no eligible candidate stood for election at the full elections for a new council (currently every four years)
- During the life of the council, a ward seat falls vacant but the required 10 electors of the ward have not called for a poll (by-election) within the legally specified time period following publication of the notice of vacancy.

To ensure a fair and transparent process is undertaken, this policy outlines the procedure to be followed by the council when co-option is considered.

Application process

On receipt of written notice from the Democratic Services Manager at West Berkshire District Council that a casual vacancy may be filled by means of co-option:

- The Parish Clerk will advertise the vacancy or vacancies to be filled by co-option within 21 days of receipt of the written notification.
- The co-option advertisement will include the closing date for acceptance of requests for consideration (between 14 and 30 days after the date of the advertisement) and the number of vacancies, and will be displayed on the council website, social media platforms and agenda boards.

Members may point out the vacancies and the process to any qualifying candidate(s). Candidates found to be offering inducements of any kind will be disqualified. (Appendix B)

Applicants for a vacancy will be asked to:

Submit information about themselves by completing a short application form, including a description of their interest in becoming a councillor and specifying any skills or qualifications which may benefit the council.

Confirm their eligibility for the position of councillor within the statutory rules, a copy of which will be attached to the application form.

Copies of the applicant's application form will be circulated to all Members by the Town Clerk at least three clear working days prior to the Full Council meeting where the co-option will be considered. The application forms and any supporting documents will be treated by the Town Clerk and Members as strictly confidential. Personal information will be redacted and the forms will be distributed with the Full Council agenda.

Candidates will be sent a full agenda of the meeting at which they are to be considered for appointment, and will be informed they may, if they so wish speak for up to three minutes about their application during the co-option item on the agenda at the meeting.

In the event of vacancies arising in multiple wards, candidates may apply to be considered for co-option in more than one.

Voting procedure

Voting will be according to the agreed procedure in standing order 8, namely: 'Where more than 2 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 Chair of the meeting.'

Voting will be conducted as per the agreed procedure in standing order 3 (s), namely: 'Unless standing orders provide otherwise, voting on any question shall be by a show of hands. At the request of a Councillor, the voting on any question shall be recorded so as to show whether each Councillor present and voting gave his vote for or against that question. Such a request shall be made before moving on to the next item of business on the agenda.'

After the vote has been concluded, the Chair will declare the successful candidate(s) duly elected. A Member elected by co-option is a full member of the council but is not eligible for the basic parish allowance or Chair's allowance.

Acceptance of office

The successful candidate(s) must sign their Declaration of Acceptance of Office before they can act as a councillor. The Register of Members Interests form must be completed within 28 days and the Town Clerk will forward a copy to the District Monitoring Officer.

Appendix A

Application Form

Thank you for your interest in becoming a Councillor. Please provide the information below to assist the Parish Council in making their decision.

Name:
Home Address:
Telephone:
Email:

Please note it is a condition of a Councillor that a means of contact by telephone and/or email will be public information.

About You
Please provide the Council with some background information about yourself. <i>(If you need more space, please submit on a separate sheet)</i>

Reasons for Applying
Please provide the Council with your reasons for wanting to become a Parish Councillor. <i>(If you need more space, please submit on a separate sheet)</i>

What skills you have will enhance the work of the Parish Council?
Please provide the Council with your reasons for wanting to become a Parish Councillor. <i>(If you need more space, please submit on a separate sheet)</i>

Eligibility Statement

APPENDIX B

To be eligible for co-option as a Parish Councillor you must be:

A British subject, or a citizen of the Commonwealth or the European Union; and on the 'relevant date' (i.e. the day on which you are nominated or the day of the election) 18 years of age or over; and Additionally able to meet one of the following qualifications set out below:

(Please tick all which apply to you):

- a) You are, and will continue to be, registered as a local government elector for the parish
- b) You have occupied as owner or tenant any land or other premises in the parish area during the whole of the 12 months before the day of your nomination and the day of election.
- c) Your main or only place of work during the 12 months prior to the day of your nomination has been in the parish area.
- d) You have lived in the parish area or within three miles of it during the whole of the 12 months before the day of your nomination and the day of election.

Please note, apart from meeting the qualifications for standing for election, you must also not be disqualified. The full range of disqualifications is complex and if you are in any doubt about whether you are disqualified, you must do everything you can to check that you are not disqualified before submitting your nomination papers. Some examples of disqualifications include but are not exhaustive:

- a) You are employed by the parish council or hold a paid office under the parish council (including joint boards or committees).
- b) You are the subject of a bankruptcy restrictions order or interim order.
- c) You have been sentenced to a term of imprisonment of three months or more (including a suspended sentence), without the option of a fine, during the five years before the date of this nomination.
- d) You have been disqualified under the Representation of the People Act 1983 (which covers corrupt or illegal electoral practices and offences relating to donations). The disqualification for an illegal practice begins from the date the person has been reported guilty by an election court

Declaration I..... hereby confirm that I am eligible for the vacancy of Lambourn Parish Councillor, and the information given on this form is true and accurate record.