
SAWSTON PARISH COUNCIL

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Co-option policy

Approved by F&GP

Adopted by Full Parish 12 March 2019

1. INTRODUCTION

The process for co-option is laid out in the Local Elections (Parishes and Communities Rules 2006) and the Local Government Act 1972.

This policy sets out in detail the circumstances which permit co-option and the legislation relating to the co-option of persons to fill vacancies within the parish council. The policy is based on NALC Legal Briefing L15-08 which recommends co – option process good practice.

2. NOTIFICATION

2.1 There are two circumstances under which the Electoral Officer of South Cambridgeshire District Council (SCDC) notifies Sawston Parish Council that a casual vacancy has occurred:

- a) when a seat is vacant because no eligible candidate stood for election at the full elections for a new council. In this instance the Parish Clerk would be notified of vacancies by SCDC and the council will decide if they wish to fill all or some of such vacancies by giving public notice.
- b) during the life of a council when a seat has fallen vacant (because of a resignation, death or a person ceases to qualify to be a councillor). The Parish Clerk will immediately notify the Electoral Officer and the vacancy will be advertised.

When a vacancy is advertised, the option is open for 10 registered electors of the Parish to contact SCDC and request a formal poll (a by-election). If that has not happened within the legally specified time period (currently 14 days following the notice of vacancy) the Parish Clerk would be notified by SCDC and that the vacancies can be filled by co-option.

2.2 The Parish Council is not obliged to co-opt to fill any vacancy. This applies both in deciding whether to advertise and in deciding whether to select anyone from the candidates who apply.

2.3 In deciding whether or not to advertise, the council will consider a number of factors including:

- any disadvantage to the representation of electors
- the effective and efficient working of the Council
- the provision of a broad cross-section of skills and interests;
- any difficulty in achieving quorums
- how long it is since the last full election, and how near the next election is
- when a vacancy was last advertised
- whether expressions of interest have been received from potential councillors

2.4 Councillors elected by co-option are full members of the Council. Parish Councillors receive no remuneration or allowances.

2.5 To ensure that a fair and transparent process is undertaken this policy sets out the process to be followed by Sawston Parish Council when co-option is under consideration.

3. APPLICATION PROCESS TO BE FOLLOWED

3.1 If any of the situations described in section 2 occur, the Council will decide whether or not to advertise a vacancy taking into account the factors at section 2.3.

3.2 If the decision is taken to advertise, then on instruction from the Council:

a) The Parish Clerk will announce the vacancy or vacancies to be filled by co-option within 21 days of receipt of the written notification by means of displaying a notice on the Council notice board and website.

b) The Co-option Notice will include the closing date of requests for consideration (between 14 and 30 days after the date of the display) and the number of vacancies.

c) The Co-option Notice will also be displayed in other locations if instructed by the Council.

d) The Parish Clerk will advise the council when the Co-option process has been instigated by notifying all councillors.

3.3 Members may point out the vacancies and the process to any qualifying applicant(s).

3.4 Applicants are recommended to read the publication, "The Good Councillor Guide" which explains more about the role and the responsibilities of councillors – copies are available on request. Any questions should be referred to the Parish Clerk.

3.5 Applications will be considered at the next available full Council meeting. To ensure that applications are included on the agenda they should be sent to the Parish Clerk at least 7 working days before the meeting.

4. APPLICATION PROCESS

4.1 Applicants should supply a written application setting out their skills and experience.

4.2 Applicants will be invited to attend the next full Parish Council meeting at which their application will be considered. The Parish Clerk will provide applicants with an agenda for the meeting. At the meeting, applicants will be given the opportunity to speak for a maximum of 3 minutes to introduce themselves and explain why they wish to join the council.

4.3 Co-option will be decided by a ballot of the members, even if there is only one applicant for a vacancy. Voting will be according to the statutory requirements, in that, a successful candidate must have received an absolute majority vote of those present and voting. Councillors will vote according to the number of candidates (e.g. if there are three candidates then each councillor can cast up to three votes). Candidates with the highest numbers of votes will be appointed, provided they each reach an absolute majority of members present, up to the maximum number of vacancies. If an absolute majority is not reached for any candidate then the vacancy will not be filled. Councillors shall vote by secret ballot. In the case of an equality of votes, the Chairman of the meeting has a second or casting vote.

4.4 On successful co-option applicants will be invited to sign a Declaration of Acceptance of Office which completes the process for joining the council. Within 28 days of co-option, applicants are also required to complete a Register of Disclosable Pecuniary Interests which will be provided by the Parish Clerk.

4.5 Applicants found to be offering inducements of any kind, at any stage in the co-option process, will be disqualified.

4.6 A vacancy may remain unfilled if no applications are elected. The vacancy will not be automatically kept open and the Council will need to decide if it should be re-advertised.

4.7 Unsuccessful applicants can request that their details be kept on file for up to 6 months should any new vacancies be advertised. There is no automatic right for applications to be considered unless the Council has decided that a vacancy should be advertised in the future, but applicants may reapply for future vacancies.

Adopted at Full Parish March 2019