



**HALTON**  
PARISH COUNCIL

# **CO-OPTION POLICY**

## REVIEW AND AMENDMENT RECORD

| <b>Reviewer / Amender</b> | <b>Date</b> | <b>Amendments</b> |
|---------------------------|-------------|-------------------|
| Full Council              | 24 May 2023 | Adopted           |
|                           |             |                   |
|                           |             |                   |
|                           |             |                   |

## **1. Introduction**

Co-option is the process which is followed if a vacancy occurs on the Council through the resignation, disqualification or death of a councillor during their term of office, where, following statutory notice of the vacancy, the electorate do not request that a poll (by-election) is held.

The co-option procedure can also be used if, following the close of nominations for a full parish council election, there are vacancies (i.e. not enough candidates have put themselves forward for the number of seats available to be filled.)

The law governing the filling of a casual vacancy by co-option can be found in the Representation of the People Act 1983, Local Elections (Parishes and Communities) (England and Wales) Rule 2006, r. 5 (5).

This policy and its procedure will be applied when a vacancy as described above is required to be filled.

The policy will be followed by the Clerk, any other relevant employees, all councillors and prospective candidates.

## **2. Advertising the Vacancy**

Upon notification from Buckinghamshire Council Electoral Services that no elector poll has been requested and that a vacancy is eligible to be filled by co-option, the notification of the vacancy will be advertised. The advertisement must state the rules for eligibility.

Candidates will be invited to submit information about themselves by a specified date by way of completing a short application form which includes a personal statement explaining the reasons for seeking to become a parish councillor. (Appendix 1)

The opportunity to respond to the advertisement will be open until the vacancy is filled.

Copies of the application form and personal statement will be circulated to Council for consideration.

## **3. Co-Option Meeting**

The co-option will be an agenda item at the next Council meeting.

If there is more than one candidate they will be invited to say something about themselves at the Council meeting, and the Council will have the opportunity to ask questions of the candidates. Each candidate will be allocated three minutes.

The Chair will offer opportunity for debate. In most cases, the candidates and will be asked to leave the room while this process takes place.

The Chair will ask the councillors present to nominate any of the candidates. Candidates will require a proposer and seconder to progress to the voting stage.

If there is only one vacancy, a councillor may only nominate or second one candidate.

The Chair shall then move to a vote, presenting each candidate in surname alphabetical order.

The voting process will be that laid down in Standing Order 3s and 8 below. To be co-opted onto the Council, the candidate must receive an absolute majority of the votes of those present and voting (that is more than half of the total votes cast.)

**3s. Unless standing orders provide otherwise, voting on a question shall be by a show of hands** or, if at least two members request, by signed ballot. **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.

8a Voting on Appointments:

Where more than two 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.

The Council's debate and vote on the co-option must be conducted in the public section of the meeting.

After the vote has been taken, the Chair will declare the candidate(s) who received the highest number of votes duly elected.

If the person(s) elected are present they may join the meeting and sign an acceptance of office form in the presence of the Proper Officer.

#### **4. After the Meeting**

Successful candidates will be provided with a councillor induction pack by the Clerk and informed of new councillor training opportunities offered by Buckinghamshire & Milton Keynes Association of Local Councils.

The Clerk will notify Buckinghamshire Council Electoral Services of the new councillor appointment.

If no one accepts the vacant post(s) the whole process will be repeated when new individuals expressing interest are identified or until the next election.

## Appendix 1

### APPLICATION FOR THE ROLE OF HALTON PARISH COUNCILLOR

|                               |  |
|-------------------------------|--|
| Full name                     |  |
| Home address<br>Inc. postcode |  |
| Telephone number              |  |
| Mobile number                 |  |
| Email                         |  |

#### Legal qualifications for being a parish councillor.

(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-years-old 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 parish of Halton?                                 | Yes/No |
| Have you lived either in Halton or within three miles of its boundary, for at least a year? | Yes/No |
| Have you been the owner or tenant of land in Halton for at least a year?                    | Yes/No |
| Have you had your only or main place of work in Halton 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 |

Please briefly outline why you are interested in being a parish councillor and tell us something about the skills you feel you will bring to the Council.

Please tell us something about your background / history and life experience that you will bring to the Council.

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

Please note that the majority of Council meetings are held in an evening and, unfortunately, under present legislation the Parish Council is not permitted to contribute to the cost of councillors' childcare or care of dependents.

Please type your name below or sign if you are submitting a hard copy and return to [Clerk@halton-pc.gov.uk](mailto:Clerk@halton-pc.gov.uk) or Halton Parish Council, Parish Office, Halton Village Hall, School Close, Halton, HP22 5NG.

Signed

Date

Data Protection Act (2018) The information provided on the application form will remain private & confidential.