Tanworth in Arden Parish Council Co-Option Policy

Date policy adopted: 21/03/2024 Date for review: March 2025

This policy sets out the procedure to ensure there is compliance with legislation and continuity of procedures in the co-option of members to Tanworth Parish Council. The co-option procedure is entirely managed by the Parish Council and this policy will ensure that a fair and equitable process is carried out.

The co-option of a parish councillor occurs in two instances:

1. When an ordinary vacancy has arisen on the Parish Council after the ordinary elections held every 4 years.

2. When a casual vacancy has arisen on the Parish Council and no poll (by-election) has been called.

Although seeking 'expressions of interest' is not a legal requirement, the National Association of Local Councils (NALC) recommends that Councils always give public notice of vacancies because this makes the process of co-option open and transparent and should attract more potential candidates.

Whenever the need for co-option arises, Tanworth in Arden Parish Council will:

Consider advertising the vacancy to seek and encourage 'expressions of interest' by a specified date from anyone in the Parish who is eligible to stand as a Parish Councillor. All potential candidates will be requested to put their request for consideration in writing with the following additional information:-

i. reason for wishing to be Councillor; ii.

previous Community/Council work; and iii.

other skills they can bring to the Council

Tanworth in Arden Parish Council is not obliged to fill any vacancy. Even if the Council invites applications for co-option, it is not obliged to select anyone from the candidates who apply.

However, it is not desirable that electors in a particular Ward be left partially or fully underrepresented for a significant length of time. Neither does it contribute to effective nor efficient working of the Council if there are insufficient councillors to share the workload equitably; to provide a broad cross-section of skills and interests; or to achieve meeting quorums without difficulty.

Eligibility of Candidates (See Appendix)

Tanworth in Arden Parish Council is able to consider any person to fill a vacancy provided that:

- He/she is an elector for the parish; or
- has resided in the parish for the past twelve months or rented/tenanted land or other premises in the parish; or
- had his/her principal place of work in the parish; or
- has lived within three miles (as the crow flies) of the parish.

There are certain disqualifications for election, of which the main are (see 5.80 of the Local Government Act 1972):

- holding a paid office under the local authority;
- bankruptcy;
- having been sentenced to a term of imprisonment (whether suspended or not) of not less than three months, without the option of a fine during the five years preceding the election; and
- being disqualified under any enactment relating to corrupt or illegal practices. Candidates found to be offering inducements of any kind will be disqualified.

At the Co-option Meeting

- The co-option will be an agenda item at a Full Council meeting.
- Here candidates will be given five minutes maximum to introduce themselves to Members, give information on their background and experience and explain why they wish to become a Parish Councillor.
- Councillors will be allowed to ask questions of the candidates.

- The Council will resolve to exclude members of the press and public (including candidates) whilst the merits of candidates and their personal attributes are discussed.
- During the Closed Session, the council will proceed to a vote on the acceptability of each candidate using any personal statements provided by candidates, with each candidate being proposed and seconded by the councillors in attendance and a vote by a show of hands.

In order for a candidate to be elected to Tanworth in Arden Parish Council it will be necessary for them to obtain an absolute majority of votes cast (50% + 1 of the votes available at the meeting). If there are more than two candidates and there is no candidate with an overall majority in the first round of voting the candidate with the least number of votes will drop out of the process. Further rounds of voting will then take place with the process repeated until a candidate has an absolute majority. In the case of an equality of votes, the Chairman of the meeting has a second or casting vote.

After the votes have been concluded, the Chairman will declare the successful candidate duly elected and after signing their declaration of acceptance of office, may take their seat immediately or if the vote takes place at the end of a meeting they will take office at the next meeting following the vote.

Appendix

Co-option Eligibility Form

1. In order to be eligible for co-option as a Tanworth Parish Councillor you must satisfy certain criteria. You must satisfy (a) and (b) below and at least one of the options (c) — (f). Please tick which apply to you:

a) I am 18 years of age or over; and ☐

b) I am a British citizen or a citizen of eth Commonwealth or a citizen of any other member state of the European Union; and ☐

c) I am registered as a local government elector for Tanworth Parish; ☐

d) 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 ☐

e) My principal or only place of work during those twelve months has been in the parish; or ☐

f) I have during the whole of those twelve months resided in the parish or within 3 miles of it ☐

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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) Is employed by the Parish Council or holds paid office (other than the office of Chairman or Vice-chairman) under the Parish Council (including joining boards or committees)

b) Is employed by an entity controlled by the Parish Council

c) Is the subject of a bankruptcy restrictions order or an interim bankruptcy restrictions order or a debt relief restrictions order or an interim debt relief restrictions order; or

d) 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

e) Is otherwise disqualified under Part III of the representation of the People Act 1983 (relating to corrupt or illegal electoral practices and offences relating to donations) or the Audit Commission Act 1998.

Use of Personal Information

The Parish Council may use the information provided on this form to assess your eligibility to be a parish councillor.

DECLARATION

I _____ hereby confirm that I am eligible for the vacancy of Tanworth Parish Councillor and I am not disqualified under s80 of the Local Government Act 1972 from being a parish councillors and the information given on this form is a true and accurate record.

I have read the section entitled Use of Personal Information above and by signing this form I consent to the use and disclosure of my information in this form

Signature _____ **Date**_____