

WADHURST PARISH COUNCIL

CO-OPTION POLICY

Adopted April 2019.

Last review:

November 2024

1. Introduction

1.1 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

1.2 The council is not obliged to co-opt 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.

1.3 However, it is not desirable that electors be left partially or fully unrepresented for a significant length of time. Neither does it contribute to effective and efficient working of the council if there are insufficient Members to share the workload equitably; to provide a broad cross-section of skills and interests; or to achieve meeting quorums without difficulty, given that some absence is unavoidable at times.

1.4 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.

2. Application process

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

- The 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 noticeboards

2.2 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.

2.3 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

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

2.5 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 10 minutes about their application during the co-option item on the agenda at the meeting.

WADHURST PARISH COUNCIL

3. Voting procedure

3.1 Voting will be according to the agreed procedure in standing orders, 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. Any tie may be settled by the Chairman's casting vote.'

3.2 Voting will be conducted as per the agreed procedure in standing orders, 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. At the request of two Councillors, voting on any question shall be by a signed ballot.' Even if the Council invites applications for co-option, **it is not obliged to select anyone from the candidates who apply.**

3.3 Voting will be according to the agreed procedure in Standing Orders, namely 'Where more than 2 persons have been nominated for a position on the council and none of these people have 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. Any tie may be settled by the chairman's casting vote.'

3.3.1 Where one person only has applied, the vote shall be 'those in favour...those against' – any tie may be settled by the chair's casting vote - as per 3.2 above the Council is not obliged to select anyone from the candidates who apply;

3.3.2 Where two persons have applied, the vote shall be 'those in favour of A...those in favour of B..' – any tie may be settled by the chair's casting vote - as per 3.2 above the Council is not obliged to select anyone from the candidates who apply;

3.3.3 Where three or more persons have applied, the vote shall be 'those in favour of A....those in favour of B....those in favour of C (etc..) – where none of the candidates have 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. Should the selection at any point result in a tie between two or more candidates, it may be settled by the chair's casting vote - as per 3.2 above the Council is not obliged to select anyone from the candidates who apply.

3.4 After the vote has been concluded, the chairman 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.

4. Acceptance of office

4.1 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 Clerk will forward a copy to the District Monitoring Officer.

WADHURST PARISH COUNCIL

APPENDIX A

Application for Co-option

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

Full name & Title	
Home Address	
Home Telephone	
Mobile Telephone	
Email Address	

About You

Please provide the council with some background information about yourself.

--

WADHURST PARISH COUNCIL

Reasons for Applying

Please provide the council with your reasons for wanting to become a Parish Councillor.

--

Signature	
------------------	--

Your application also requires signatures of 2 registered electors (known as a proposer and seconder) from the parish area:

	Proposer	Seconder
Name		
Address		
Signature		

Please return your completed application to the Clerk to the council. Your application will be considered at the next available Council meeting where a vote will be held to decide whether the Council agrees to co-opt you onto Wadhurst Parish Council.

Data Protection Act: The information provided on this application will remain private and confidential and will only be used for the purpose intended.

WADHURST PARISH COUNCIL

APPENDIX B

Co-option Eligibility Form

In order to be eligible for co-option as a Wadhurst Parish Council 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 if there is a poll, 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 which applies to you:

- a) I am registered as a local government elector for the parish; or
- b) 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
- c) My principal or only place of work during those twelve months has been within the
parish; or
- d) I have during the whole twelve months resided in the parish or within 3 miles of it

1. Please note that under Section 80 of the Local Government Act a person is disqualified from being elected as a Local Councillor or being a member of a Local Council if he/she:

- a) Holds any paid office or employment of the local council (other than the office of Chairman) or of a joint committee on which the Council is represented; or
- b) Is a person who has been adjudged bankrupt or has made a composition or arrangement with his/her creditors (but see below); or
- c) 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
- d) Is otherwise disqualified under Part III of the representation of the People Act 1983 for corrupt or illegal practices.

This disqualification for bankruptcy ceases in the following circumstances:

- i. If the bankruptcy is annulled on the grounds that either person ought not to have been adjudged bankrupt or that his/her debts have been fully discharged;
- ii. If the person is discharged with a certificate that the bankruptcy was caused by misfortune without misconduct on his/her part;
- iii. If the person is discharged without such a certificate.

In i and ii above, the disqualification ceases on the date of the annulment and discharge respectively.

In iii, it ceases on the expiry of five years from the date of discharge.

WADHURST PARISH COUNCIL

Declaration

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

Signature.....

Wadhurst Parish Council is duty bound to treat this information as strictly confidential.

WADHURST PARISH COUNCIL

APPENDIX C

CO-OPTED COUNCILLOR PERSON SPECIFICATION

COMPETENCY	ESSENTIAL	DESIRABLE
Personal Attributes	<p>Sound knowledge and understanding of local affairs and the local community</p> <p>Forward thinking</p>	<p>Can bring a new skill, expertise or key local knowledge to the Council</p>
Experience, Skills, Knowledge and Ability	<p>Ability to listen constructively</p> <p>A good team player</p> <p>Ability to pick up and run with a variety of projects</p> <p>Solid interest in local matters</p> <p>Ability and willingness to represent the Council and their community</p> <p>Good interpersonal skills and able to contribute opinions at meetings whilst willing to see others views and accept majority decisions</p> <p>Ability to communicate succinctly and clearly</p> <p>Ability and willingness to work closely with other members and to maintain good working relationships with all members and staff</p> <p>Ability and willingness to work with Council's partners (e.g. voluntary groups, other parish Councils, principal authority, charities)</p> <p>Ability and willingness to undertake induction training and other relevant training</p>	<p>Experience of working or being a member in a local authority or other public body</p> <p>Experience of working with voluntary and or local community/interest groups</p> <p>Basic knowledge of legal issues relating to town and parish Councils or local authorities</p> <p>Experience of delivering presentations</p>
Circumstances	<p>Ability and willingness to attend meetings of the Council (or meetings of other local authorities and local bodies) at any time and events in the evening and at weekends</p>	