

Mundon Parish Council

Co-Option Policy

(Adopted 15 Nov 2022)

1. Introduction

- 1.1 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, provided by the Clerk to the Electoral Services at Maldon District Council, the electorate do not request that a poll (by-election) is held.
- 1.2 If a casual vacancy arises within six months of the day when the councillor whose office is declared vacant would ordinarily have retired, then no by-election may be demanded. The Parish Council is permitted either to advertise the vacancy for co-option or to leave the office vacant until the date of the next ordinary election, the Parish Council will be asked at its next suitable meeting which option it wishes to pursue.
- 1.3 The co-option procedure can also be used as soon as practicable 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.)
- 1.4 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).
- 1.5 This policy and its procedure will be applied when a vacancy as described above is required to be filled.
- 1.6 Should the vacancy arise following insufficient nominees for an ordinary election, the total time period to complete a co-option is reduced to 35 days, without the necessity of advertising for a potential by-election. The Election Officer's department will work with the Council to carry out the required procedure. After the 35 days from the election date has elapsed the Elections Officer will advise the council whether the council has to announce a by-election or otherwise.
- 1.7 The policy will be followed by the Clerk, all councillors and prospective candidates.

2. Advertising the Vacancy

- 2.1 Upon notification from Maldon District 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 on the Parish Council's notice board and website. The advertisement must state the rules for eligibility.
- 2.2 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)

- 2.3 The opportunity to respond to the advertisement will be open until the vacancy is filled.
- 2.4 Copies of the application form and personal statement will be circulated to council for consideration.
- 2.5 Candidates found to be offering inducements of any nature to members or officers of the Parish Council will be disqualified.

3. Co-Option Meeting

- 3.1 The co-option will be an agenda item at the next council meeting.
- 3.2 Candidates will be invited to attend the meeting and to say something about themselves and Council have the opportunity to ask questions of the candidates. Each candidate will be allocated three minutes.
- 3.3 The Chairman will offer opportunity for debate. In most cases, the candidates will be asked to leave the room while this process take place.
- 3.4 The Chairman will request the councillors present to nominate any of the candidates. Candidate 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.
- 3.5 The Chairman 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 8a 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. 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 chairman of the meeting.

- 3.6 The Council's debate and vote on the co-option must be conducted in the public section of the meeting.
- 3.7 After the vote has been taken, the Chairman will declare the candidate(s) who received the highest number of votes duly elected.
- 3.8 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 of the parish council. It should be noted

that their vote on any matter requiring prior notice will be discounted in case of a tied vote for that meeting only.

- 3.9. The Council reserves the right not to make a co-option.

4. After the Meeting

- 4.1 Successful candidates will be provided with a councillor induction pack by the Clerk to include, the Code of Conduct, Standing Orders and Financial Regulations of the Council together with information on new councillor training opportunities offered by Essex Association of Local Councils.
- 4.2 The Clerk will notify Maldon District Council Electoral Services of the new councillor appointment. The new councillor is required to complete an online Register of Interest form within 28 days via the link below:

https://maldon-self.achieveservice.com/service/register_of_members_interests

- 4.3 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.

This Policy is to be reviewed every two years.

Mundon Parish Council

Homestead, Old Heath Road, Althorne, Essex CM3 6EW

Telephone: 07789 342747

Email: mundonparishcouncil@yahoo.com

Website: www.mundon.org

APPLICATION FOR THE ROLE OF COUNCILLOR ON MUNDON PARISH COUNCIL

Full name	
Home address (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 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 Mundon?	Yes/No
Have you lived either in Mundon or within three miles of its boundary, for at least a year?	Yes/No
Have you been the owner or tenant of land in Mundon for at least a year?	Yes/No
Have you had your only or main place of work in Mundon 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.

Please tell us something about the life experience you will bring to the Council, for example, previous local government experience, work in the voluntary or charitable sector, business or trade union experience.

Please tell us something about the skills you feel you will bring to the Council, for example, professional qualifications, financial or project management expertise.

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 mundonparishcouncil@yahoo.com or Homestead, Old Heath Road, Althorne, Essex CM3 6EW

Your application will be considered at the next Parish Council meeting, where a vote will be held to decide your co-option to Mundon Parish Council.

Signed _____ I hereby confirm, that I am eligible to apply for the vacancy of Mundon Parish Councillor and that the information provided on this form is a true and accurate record.

Date _____

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

Appendix 1

Co-Option Policy History

Description	Date	Minute Number
Adopted	16 November 2021	86 (b)
Updated and adopted	15 November 2022	86 (a)