

## **1 Introduction**

1.1 This policy sets out the procedure to ensure there is compliance with legislation and continuity of procedures in the co-option of members to Haxey Parish Council.

1.2 The co-option procedure is entirely managed by the Council, and this policy will ensure that a fair and equitable process is carried out.

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

## **2 Ordinary vacancy**

2.1 An ordinary vacancy occurs when there are insufficient candidates to fill all the seats on Parish Council at the ordinary elections held every four years. Any candidates who were nominated are automatically elected to the Parish Council and any remaining vacancies are known as “ordinary vacancies”. Provided there are enough parish councillors to constitute a quorum, the Parish Council is usually able to co-opt volunteers to fill vacancies.

## **3 Casual vacancy**

3.1 A casual vacancy occurs when:

- A councillor fails to make his declaration of acceptance of office at the proper time,
- A councillor resigns,
- A councillor dies,
- A councillor becomes disqualified,
- A councillor fails for six (6) months to attend meetings of the council or a council committee or sub-committee or to attend as a representative of the council a meeting of an outside body.

3.2 The Parish Council has to notify North Lincolnshire Council of a casual vacancy and then advertise the vacancy and give electors for the Parish the opportunity to request an election. This occurs when ten (10) electors write to North Lincolnshire Council stating that an election is requested.

3.3 If a by-election is called, a polling station will be set up by North Lincolnshire Council and the voters of Haxey Parish will be asked to go to the polls to vote for

## HAXEY PARISH COUNCIL

**Subject**

**CO-OPTION POLICY**

**Reviewed**

**November 2022**

candidates who will have put themselves forward by way of a nomination paper. Haxey Parish Council will pay the costs of the election. The people of Haxey Parish have fourteen days (not including weekends, bank holidays and other notable days), to claim the by-election. The Electoral Services Officer of North Lincolnshire Council will advise the Clerk to Haxey Parish Council of the closing date.

3.4 If more than one (1) candidate is nominated, a by-election takes place but if only one (1) candidate is put forward that person is duly elected without a ballot.

3.5 If ten (10) residents do not request a ballot within fourteen (14) days of the vacancy notice being posted, as advised by North Lincolnshire Council's Electoral Services Officer the Parish Council is able to co-opt a volunteer.

## 4 Confirmation of Co-Option

4.1 On receipt of written confirmation from the Electoral Services Officer that no by-election has been claimed, the casual vacancy can be filled by means of co-option.

4.2 The Clerk will:

- Advertise the vacancy for four weeks or such other period as the Parish Council may decide on the Parish Council notice boards and website and additionally as the Parish Council may determine,
- Advise North Lincolnshire Council that the co-option policy has been instigated.

4.3 This procedure will also apply in the case of an ordinary vacancy where the Electoral Services Officer has confirmed that there were insufficient nominations to fill all the seats but there are sufficient parish councillors elected to constitute a quorum.

## 5 Eligibility of Candidates

5.1 The Parish Council is able to consider any person to fill a vacancy provided that:

5.1.1 He/she is at least 18 years old; **and**

5.1.2 He/she is a British, Commonwealth, Irish or qualifying European Union citizen

**And** at least one of the following apply:

5.1.3 He/she is registered to vote in Haxey Parish; **or**

5.1.4 He/she has resided and/or has owned or tenanted land/property in Haxey

Parish for at least 12 months before an election; **or**

## HAXEY PARISH COUNCIL

### Subject

### CO-OPTION POLICY

### Reviewed

November 2022

5.1.5 He/she has had his/her principal or only place of work/business in Haxey Parish for at least 12 months before an election; **or**

5.1.6 He/she has lived within 3 miles of Haxey Parish for at least 12 months

5.2 There are certain disqualifications from being a parish councillor the principal ones of which are (see s80 of the Local Government Act 1972):

- Holding a paid office or employment under the Parish Council,
- 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 preceding five years,
- Being disqualified under any enactment relating to corrupt or illegal electoral practices.

## 6 Applications

6.1 Candidates will be requested to:

- Submit information about themselves, by way of completing a short application form,
- Confirm their eligibility for the position of parish councillor within the statutory rules.

6.2 Following receipt of applications, the next available Full Council meeting will have an agenda item ***'To receive written applications for the office of Parish Councillor and to co-opt a candidate to fill the existing vacancy'***.

6.3 Eligible candidates will be invited to attend the meeting.

6.4 Copies of the eligible candidates' applications will be circulated to all parish councillors by the Clerk at least 3 clear days prior to the meeting of the Full Council at which the co-option is to be considered.

6.5 All such documents will be treated by the Clerk and all parish councillors as strictly private and confidential.

## 7 Co-Option

7.1 At the Full Council meeting, candidates will be given five minutes maximum to introduce themselves to the parish councillors (members) present, give information on their background and experience and explain why they wish to become a member of the Parish Council. The process will be carried out in the public session and there will be no private discussions between members prior to a vote being taken. However, where the Parish Council is discussing the merits of candidates and

## **HAXEY PARISH COUNCIL**

**Subject**

**CO-OPTION POLICY**

**Reviewed**

**November 2022**

inevitably their personal attributes, this could be prejudicial, and the Parish Council should resolve to exclude members of the press and public.

7.2 Following the candidate presentations/addresses, Council members will proceed to a vote by means of a signed ballot.

7.3 In order for a candidate to be co-opted to the Parish Council, it will be necessary 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.

7.4 Further rounds of voting will then take place with the process repeated until a candidate has an absolute majority. In the event of a tied ballot, the Chairman has the casting vote.

7.5 The ballot(s) will be counted by the Parish Clerk, being observed by two members of the Parish Council appointed by the Chairman (who may appoint himself). The Clerk shall declare the result of the ballot. Upon the request of a parish councillor made immediately after the declaration the Clerk will announce the name of the candidate for whom each councillor voted and shall record such in the Minutes.

7.6 If present, a candidate who is co-opted will sign a Declaration of Acceptance of Office, including an undertaking to abide by the Parish Council's Code of Conduct, and may take office thereafter. If not present, a co-opted candidate will sign the Declaration of Acceptance of Office either before or at the next meeting of the Parish Council.

7.7 The Clerk will forthwith notify North Lincolnshire Council Electoral Services Officer of the co-option of the new parish councillor.

7.8 The co-opted parish councillor will complete a Register of Interests form and lodge the completed form with the Clerk.

7.9 If insufficient candidates are co-opted, the process should continue, whereby the vacancies are again advertised