

# *LITTLE BIRCH PARISH COUNCIL*

## CO-OPTION POLICY

### **1. Introduction**

This policy sets out the procedure to ensure fair and transparent co-option of Parish Councillors, in accordance with the Local Government Act 1972, Sections 86 and 87.

Co-option is the process by which the Parish Council can appoint a new Councillor when a vacancy arises and a by-election is not triggered.

### **2. Purpose**

The purpose of this policy is to ensure that:

- A fair and transparent process is followed.
- All applicants are treated equally.
- The most suitable candidates are co-opted to serve the local community.

### **3. Circumstances Leading to Co-option**

A co-option will occur when:

- A vacancy has arisen due to resignation, death, or disqualification of a Councillor.
- The Proper Officer (Clerk) has notified the Herefordshire Council of the vacancy.
- The required number of electors (10) have not called for a by-election within 14 working days of the notice of vacancy.

### **4. Notification of Co-option**

Once it is clear a co-option will take place, the vacancy will be advertised through:

- Public notice on the Parish Council notice boards.
- The Parish Council's website.

The advertisement will include:

- A deadline for submission of applications.
- An invitation to interested persons to apply.
- A copy of the application form.

### **5. Eligibility Criteria**

Applicants must meet at least one of the following criteria:

- Be registered as a local government elector for the Parish.
- Have lived in the Parish or within 3 miles of it for the past 12 months.

- Have had their principal place of work in the Parish for the past 12 months.
- Have occupied land or property in the Parish as owner or tenant for the past 12 months.

In addition, the applicant must:

- Be at least 18 years of age.
- Not be disqualified from serving as a Councillor (e.g. due to bankruptcy or a criminal conviction).

## **6. Application Process**

Applicants will be required to:

- Complete and return the Co-option Application Form.
- Include a brief statement detailing their reasons for applying and what they can contribute to the Council.

All eligible applications received by the deadline will be circulated to Councillors in advance of the co-option meeting.

## **7. Co-option Procedure at Council Meeting**

- The Council will consider all eligible candidates at a full council meeting, which must be held in public.
- Candidates may be invited to speak briefly about their application (optional). The Parish Council appreciates that personal information may be disclosed by the applicant during their speech and will accommodate moving a motion to exclude members of the public from this part of the meeting providing the applicant submits a formal request for this no later than 1 week before the meeting to allow this motion to be added to the agenda.
- After speaking, candidates will be asked to withdraw from the meeting while members of the Council consider their decision
- Councillors will vote on the co-option by a majority vote by show of hands or by paper ballot, in accordance with Standing Orders.
- If there is more than one vacancy, votes will be taken separately for each.

The successful candidate(s) will:

- Be declared duly co-opted to the Council.
- Sign the Declaration of Acceptance of Office before or at the meeting.
- Complete a Register of Interests form within 28 days.

## **7. Confidentiality and Data Protection**

All applications will be treated in confidence by members and staff, in line with the Parish Council's Data Protection Policy and GDPR regulations.

## 8. Review of Policy

This policy will be reviewed every 4 years or when relevant legislation or Council procedures change.

<b>PERSON SPECIFICATION</b>	
Relevant Knowledge	<ul style="list-style-type: none"><li>• Sound knowledge and understanding of local matters and the local community</li></ul>
Experience, Skills, Knowledge, and Ability	<ul style="list-style-type: none"><li>• Solid interest in local matters</li><li>• Ability and willingness to represent the Council and their community</li><li>• Good interpersonal skills</li><li>• Ability to communicate clearly both orally and in writing</li><li>• Ability and willingness to work closely with other members and to maintain good working relationships with all members and staff</li><li>• Ability and willingness to work with the Parish Council's partners e.g., Herefordshire Council and Balfour Beatty</li><li>• Ability and willingness to undertake relevant training</li></ul>
Circumstances	<ul style="list-style-type: none"><li>• Ability and willingness to attend meetings of the Parish Council on a regular basis.</li><li>• Flexible and committed to the Parish Council • Enthusiastic</li></ul>

*LITTLE BIRCH PARISH COUNCIL*  
**CO-OPTION APPLICATION FORM**

Thank you for your interest in becoming a Parish Councillor. Please complete the application below to assist the Parish Council in making their decision.

<b>Full Name &amp; Title</b>	
<b>Home Address</b>	
<b>Home Telephone</b>	
<b>Email Address</b>	
<b>About You</b> Please provide the Parish Council with some background information about yourself	

**Reasons for Applying**

Please provide your reasons for applying to join the Parish Council. It is recommended that you refer to the person specification to assist you to complete this section

**Signature:**

Please return this form together with the completed Co-option Eligibility Form to:

Clerk via email to [lbpcclerk@gmail.com](mailto:lbpcclerk@gmail.com)

**Little Birch Parish Council is required by law to treat this information in the strictest confidence.**

*LITTLE BIRCH PARISH COUNCIL*  
*COUNCIL*

**CO-OPTION ELIGIBILITY FORM**

**Section One: Please tick which applies to you:** To be eligible for co-option as a Garway Parish Councillor you must be a British subject, or a citizen of the Commonwealth or the European Union, 18 years of age or older; and additionally able to meet one of the following qualifications set out below:

- 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, tenant, land or other premises in the parish; or
- c) My principal or only place of work during those twelve months has been in the parish; or
- d) I have during the whole of twelve months resided in the parish or within three miles of it.

**Section Two:** 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) Holds any paid office or employment of the local council.
- 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 the 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.

**Declaration:** I .....hereby confirm that I am eligible for the vacancy on Little Birch Parish Council and the information given on this form is true and an accurate record.

**Signed**

**Date**