Billing Parish Council

Co-option Policy

This is the co-option policy of Billing Parish Council, hereinafter referred to as "the Council". This policy sets out the approach used when co-opting members onto the Council and ensures that there is compliance with legislation and that a fair and equitable process is carried out.

NOTIFICATION OF VACANCY

In the event of a casual vacancy occurring in the office of parish councillor, the Clerk will immediately inform West Northamptonshire Council (WNC) Elections Coordinator and the Notice of Vacancy provided will be displayed on the website and noticeboards. This will be displayed for the period of time stated on the Notice of Vacancy.

At the same time, the Clerk will advertise the vacancy for co-option within the Parish for a period of 4 weeks (or other such period that the Council may agree) on the Council noticeboards and website. The end date for receiving all applications must fall after the period stated on the Notice of Vacancy.

If, by the date on the Notice of Vacancy, WNC have received written requests for an election from ten electors for the area, then the vacancy must be filled by election and the Council cannot fill it by co-option, even if there are insufficient candidates.

If no request for an election is received by WNC by the date on the Notice of Vacancy, then the Council can fill the vacancy by co-option. This is done as an agenda item within an Ordinary Meeting – the Council must endeavour to fill the vacancy within sixty days.

Councillors elected by co-option are no different to any other member; co-option is a legitimate form of election as part of the election process.

ELIGIBILITY OF CANDIDATES

The Council can consider any person to fill a vacancy provided that:

- he/she/they are 18 or over; and
- he/she/they are a British citizen, a qualifying Commonwealth citizen or a citizen of any other member state of the European Union.

AND at least one of the following apply:

- he/she/they are an elector for the Parish and continue to be an elector (i.e. is listed on the Clerk's most recent copy of the Electoral Roll); or
- has resided in the Parish for the past twelve months or rented/tenanted land in the Parish; or
- has had his/her/they principal or only place of work in the Parish for the past twelve months; or
- has lived within three miles of the Parish for the past twelve months.

There are certain disqualifications for being a parish councillor, of which the main are:

- holding a paid office or employment under the Parish Council; or
- bankruptcy; or
- 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; or
- being disqualified under any enactment relating to corrupt or illegal electoral practices.

- APPLICATION PROCESS
  1. In the advertisement, the Council will invite interested candidates to contact the Clerk.
  2. The Council will include an agenda item within the next Ordinary Meeting to fill a casual vacancy by co-option.
  3. At the Council meeting candidates are invited to say something about themselves and Councillors have the opportunity to ask questions of the candidates. Each candidate will be allocated a maximum of three minutes.
  4. The Chair will request the Councillors present to nominate any of the candidates. Candidates 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. One candidate needs to receive an absolute majority of votes.
  5. The Chair will then place the names of those nominated into alphabetical order and proceed to vote. Councillors will have one vote per vacancy to be filled.
  6. Voting will be in accordance with Standing Orders by a show of hands and will continue until one candidate has received an absolute majority of those Councillors present. At this stage, the successful candidate will be declared co-opted.
  7. Should no single candidate receive a majority on the first vote, the candidate with the lowest number of votes is eliminated. Voting will then take place for the remaining candidates until one person receives an absolute majority.
  8. The successful candidate is then declared co-opted to the Parish Council and will be asked to join the meeting; as they will not have been summoned or have proper notice of 1 Local Government Act 1972, s80 the meeting they will not be permitted to take part in any vote or decision making that occurs during that particular meeting.
  9. The person elected must sign the Declaration of Acceptance of Office in the presence of the Proper Officer of the Parish Council – this declaration is retained in the parish records. They will also be required to provide the Clerk with their Register of Member's Interests within 4 weeks of accepting office, this will be sent to WNC.

  NOTE: There is nothing preventing Councillors from approaching members of the Parish to offer themselves for co-option however it is imperative that all applicants are treated alike in order that the arrangements are seen as fair. Applicants should be discouraged from any personal lobbying.