

Colaton Raleigh Parish Council

Procedure for co-option

The Parish Council manages the process of co-option by itself and strives to demonstrate that it is fair and equitable by following the procedure set out below.

When a vacancy arises on a Parish Council due to a Parish Councillor's death, disqualification or resignation, the process to fill the vacancy is as follows:

The Parish Council notifies the Returning Officer at East Devon District Council of the vacancy and a notice is posted to the electorate. This notice runs for 14 days from the date the notice is displayed and gives the electorate the opportunity to call for a by election. All notices are displayed on the Parish Council notice-board.

If ten or more electors call for a by election, then an election is organised by EDDC and further notices are posted informing interested persons of how to apply to enter as a candidate in the election.

If an election is not called, the Parish Council is notified by EDDC to fill the vacancy by co-option as soon as possible.

Or, if vacancies remain following a recent election, the Parish Council posts a notice to advertise a casual vacancy. This may have a closing date for applications to be received by the Parish Clerk.

Applications will be considered at a Parish Council meeting. Candidates are welcome to attend. If there is more than one applicant, the Council will employ a process. The Clerk will report the names of the candidates to the Council. The Parish Council will consider the candidates for co-option to fill the vacancy at a Parish Council meeting. 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 Council is discussing the merits of candidates and inevitably their personal attributes, this could be prejudicial, and the Council should resolve to exclude the members of the press and public.

Voting

- If there are more candidates than vacancies, the candidate with the least number of votes should be taken off the list of candidates, and if there are still more candidates than vacancies, the vote is taken again. This procedure should be repeated until the number of candidates equals the number of vacancies and each candidate has a majority vote.
- Even if there are fewer candidates than vacancies, each candidate must receive an absolute majority; no majority, no co-option. There is no "co-opted uncontested" provision within the law.
- The successful candidate must receive an absolute majority vote of those members present at the Parish Council meeting.
- If a Councillor is not at the meeting the legislation does not provide for a proxy or postal vote.
- Each Councillor must vote; no councillor may abstain
- The Chairman may only use his casting vote if two successive voting rounds are stalemated

If the successful candidate is present at the meeting where the co-option is agreed they will sign the Declaration of Acceptance of Office and be able to participate in the meeting. Within 28 days of co-option, new Councillors are also required to complete a Register of Disclosable Pecuniary Interests.

Susan Tyrrell, Parish Clerk can be contacted by telephone on 01395 568166 or by email at colatonraleighpc@gmail.com

Colaton Raleigh Parish Council Co-option Application Form

Stage 1. Confirm that you are eligible to be a member of the Parish Council in line with the criteria set out in s79 of the Local Government Act 1972.

I (insert name)

of (home address)
.....

Confirm that I am:

A British subject, or a citizen of the Commonwealth or the European Union **Y/N**
• 18 years of age or over **Y/N**

And additionally (please complete at least **one** of the options below to qualify)

1. A local government elector for the parish of Colaton Raleigh in respect of (give address)
.....
2. Have during the whole of the 12 months preceding that day occupied as owner or tenant any land or premises in the parish of Colaton Raleigh (give address of land or premises)
.....
3. Have during that 12 month period resided in the parish of Colaton Raleigh (give address)
.....
4. Have during that 12 month period had your principal or only place of work in the parish of Colaton Raleigh (give address of place of work)
.....

Stage 2. Confirm that you are not disqualified to be a member of the Parish Council in line with the criteria set out in s80 of the Local Government Act 1972. You cannot stand if:

- You are the subject of a bankruptcy restriction order or interim order
- You have, within the previous 5 years, been convicted in the UK of any offence and have had a sentence of imprisonment (whether suspended or not) for a period of over 3 months without the option of a fine.
- You work for the Council you want to become a Parish Councillor for (but you can work for other local authorities including the principal authorities that represent the same area)

I declare that I am not disqualified from co-option by reason of any disqualification above.

Signature

Date :

Stage 3. Make sure you understand what is involved. Talk to an existing Councillor or the Parish Clerk to understand about the role and responsibilities of a Councillor. 'Being a Good Councillor' is a useful publication <http://www.nalc.gov.uk/library/publications/801-good-councillors-guide/file>

Stage 4. Attach a letter of application/email to the Parish Council, explaining why you are interested in applying and what you think you can bring to the role of Parish Councillor.