

SCARISBRICK PARISH COUNCIL

Policy and procedure for co-opting a new Councillor

Date of Policy: January 2021

Review Date: January 2024

This procedure is based on NALC Legal Briefing L15-08 – Good practice for selection of candidates for co-option to local Councils.

Parish Councils are permitted to exercise the power to co-opt a person on to the Council to fill a casual vacancy when the requirements to hold an election have not been met. (i.e. The vacancy has been the subject of a public notice and less than 10 registered electors have requested an election by a deadline date specified by the District Returning Officer).

The National Association of Local Councils (NALC) recommends that Councils always give public notice of vacancies because this makes the process of co-option open and transparent and should attract more potential candidates.

Whenever the need for co-option arises, Scarisbrick Parish Council will consider advertising the vacancy to seek and encourage ‘expressions of interest’ by a specified date from anyone in the parish of Scarisbrick who is eligible to stand as a Parish Councillor.

All potential candidates will be requested to complete an application form (attached).

At the next Full Council meeting:

- i. Clerk to confirm that each candidate is qualified to become a Councillor and is not disqualified from being a Councillor as set out in the Local Government Act 1972 s79 and s80;
- ii. Chairman to offer opportunity for debate for each candidate looking to be co-opted.
- iii. Vote on the acceptability of each candidate for co-option. An absolute majority vote is required for each candidate from all members present and entitled to vote (LGA 1972 Sch. 12. Para 39) (The applicant with the least number of votes will be deleted and the vote taken again. This process will be repeated until the number of candidates equals the number of vacancies);
- iv. Vote to select the order in which acceptable candidates (decided by the vote at iii above) should be approached to offer co-option on this occasion.
- v. The Clerk to approach and offer co-option to candidate(s) after the meeting in the order of priority determined by the vote at iii above, if the first choice does not accept the post then the second is to be approached and so on until the ranking list is exhausted.

vi. Assuming that the co-option position is filled and all paperwork completed, formally ratify the appointment at this or the next Full Council meeting.

vii The Clerk to notify WLBC of the new Councillor appointment, initiate 'acceptance of office' paperwork and 'registration of interests' on the Council website.

viii If no one accepts the vacant post(s), the whole process is to be repeated when new individuals expressing interest are identified.

In the event that only one candidate comes forward for co option, then the above voting process is not required and co option will be automatic, subject to satisfactory completion of the application form attached.

Scarisbrick Parish Council

APPLICATION FORM FOR THE ROLE OF PARISH COUNCILLOR ON SCARISBRICK PARISH COUNCIL

Full name	
Home address Inc. Postcode	
Telephone number	
Mobile number	
Email	

LEGAL REQUIREMENTS 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 qualifying 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 one of the wards of Scarisbrick?	Yes / No
Have you lived either in the ward of Scarisbrick, or within three miles of its boundary, for at least 12m preceding the date of this application?	Yes / No
Have you been the owner or tenant of land in the ward of Scarisbrick for at least a year?	Yes / No
Have you had your only or main place of work in ward of Scarisbrick 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
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Why do you want to be a Parish Councillor and what will you bring to the Parish Council and the Scarisbrick Community?

Signed.....Date:.....