

CAPEL PARISH COUNCIL

CO-OPTION PROCEDURE

1.0 Introduction

1.1. A casual vacancy occurs¹ when a councillor fails to deliver his declaration of acceptance of office at the proper time, a councillor resigns, a councillor dies, a councillor is disqualified by virtue of a criminal conviction² or a councillor fails to attend meetings for six consecutive months without the authority of the Council.

1.2. For the avoidance of doubt, a meeting can be either physical or virtual.

2. Notice of Vacancy

2.1. If a vacancy arises within six months of an election, the Council can agree to wait until the elections to fill the vacancy.

2.2. In all other instances, the following process must be followed:

2.2.1. The Clerk will complete a Notice of Vacancy form stating who and what has caused the vacancy, e.g. resignation, the date of the notice, the deadline for electors to call a by-election and the address of the Returning Officer at TWBC.

2.2.2. The form is displayed on the notice board and the Council's website.

2.2.3. An email is sent to TWBC to inform them that a vacancy has occurred with a copy of the Notice of Vacancy.

2.3. TWBC will notify the Council if a by-election has been called. If not, the Council will be entitled to fill the vacancy by Co-option.

2.4. If a by-election is called by 10 or more electors, then TWBC will be responsible for the election process.

3. Co-option Process

3.1. An advert should be displayed on the Council notice board, Facebook and website asking electors to apply for the role of councillor.

3.2. An application form will be available from the Parish Clerk. Application forms should be submitted to the Clerk.

3.3. The Clerk will review all applications to ensure that candidates are qualified to apply for the role.

3.4. Informal interviews with the Parish Council Chairman and Vice Chairman will be arranged with all qualified candidates.

3.5. If they are assessed as suitable candidates, they will be invited to attend a Full Council meeting for a formal interview, where the decision to co-opt the candidate/s will be made. Copies of the Applicant's application form will be shared with the Council at the same time as the other meeting papers wherever possible.

4. Interview

4.1. Candidates will be invited to attend a Full Council meeting and answer questions from Councillors in a confidential session. After they have been interviewed they will be asked to leave the meeting.

4.2. The person co-opted must receive a majority of votes of those councillors present at the meeting.

4.3. The Clerk will inform candidates of the Council's decision in writing after the meeting.

4.4. Successful candidates will be invited to join the Council from the next Council meeting when they will sign the declaration of acceptance of office.

References

1 Local Government Act 1972, section 87

2 Local Government Act 2000, section 79 and Localism Act 2011 (England), section 34