West Dereham Parish Council

Co-option Policy

The co-option of a Parish Councillor occurs when a casual vacancy has arisen on the Parish Council and no poll (by-election) have been called.

To ensure that a fair and transparent process is undertaken, the procedure below will be followed by West Dereham Parish Council:

1. On receipt of written confirmation from the Electoral Service of the Borough Council, the casual vacancy can be filled by means of co-option. In this instance, the Clerk will:

a. Advertise the vacancy for 14 days on the council noticeboard and website.
b. Advise the council that the co-option policy has been instigated by sending a memorandum to all councillors.

2. Applicants for co-option will be asked to:

a. Provide information about themselves by way of completing a short application form. [A copy of the application form is attached.]
b. Confirm their eligibility for the position of Councillor within the statutory rules. [A copy of the Eligibility Form is attached.]

3. Copies of the application forms will be circulated to all councillors by the Clerk, at least seven days prior to the meeting of the full council where the co-option will be considered. All such documents will be treated by the Clerk and councillors as strictly private and confidential.

4. When the item is reached, the Chair will invite each candidate to address the Council, outlining their reasons for wishing to fill the vacancy and their relevant skills and experiences. Each candidate will be allocated a maximum of three minutes.

5. Voting will be carried out in the closed session of the Parish Council meeting and will be according to the statutory requirements, in that a successful candidate must have received an absolute majority vote of those present and voting. If there are more than two candidates for one vacancy and no one, at the first count, receives a majority over the aggregate votes given to the rest, steps must be taken to strike off the candidate with the least number of votes and the remainder must then be put to the vote again; this process must, if necessary, be repeated until an absolute majority is obtained.

Councillors shall vote by a show of hands.

In the case of an equality of votes, the Chairman of the meeting has a second or casting vote.

6. After the vote has been concluded, the Chairman will declare the successful candidate duly elected. The successful candidate will then be contacted by the Parish Clerk.

Co-option Application Form

Name.....

Address for Correspondence.....

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..... Postcode.....

Tel..... Mobile.....

Are you over 18? Yes/No

Please detail any experience you have that may be relevant to West Dereham Parish Council. (If necessary, please continue on a separate sheet of paper)

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Is there any other information you would like to disclose regarding your application? (If necessary, please continue on a separate sheet of paper)

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Signed..... Dated.....

Please return your completed form, together with the Co-option Eligibility Form to: Rob Shaw (Parish Clerk), 60 Small Lode, Upwell, Wisbech, Norfolk, PE14 9BG or email: Clerk@westderehamparishcouncil.gov.uk

Co-option Eligibility Form

1. To be eligible for co-option as a West Dereham Parish Councillor, you must be a British subject or a citizen of the Commonwealth. You must also be 18 years of age or over on the "relevant date", that being the day on which you are nominated, or if there is a poll, then the day of the election. You must additionally be able to agree with the following qualifications set out below.

Please circle which of the following four points applies to you.

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 or tenant, land or other premises in the parish; or

c. My principal or only place of work during those twelve months has been within the parish; or

d. I have, during the whole twelve months, resided in the parish, or within 3 miles of it.

2. 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 (other than the office of Chairman) or of a joint committee on which the Council is represented; or

    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.

a. 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.
b. If the person is discharged with a certificate that the bankruptcy was caused by misfortune without misconduct on his/her part
c. If the person is discharged without such a certificate. In (a) and (b) above, the disqualification ceases on the date of the annulment and discharge, respectively. In (c), it ceases on the expiry of five years from the date of discharge.

I (INSERT NAME) ..... hereby confirm that I am eligible to apply for the vacancy of West Dereham Parish Councillor, and that the information given on this form is a true and accurate record.

Signed.....Dated.....