

## **Bar Hill Parish Council Co-Option Policy**

**Adopted July 2022**

This policy sets out the procedure required to ensure compliance with legislation and continuity of procedures in the co-option of members of Bar Hill Parish Council. The co-option procedure is managed by the Parish Council, and this policy will ensure a fair and equitable process is carried out.

### **Co-Option**

The co-option of a parish councillor occurs in two instances:

1. When an ordinary vacancy arises on the Parish Council after the ordinary elections held every four years;
2. When a casual vacancy arises on the Parish Council and no poll (by election) has been called.

### **Ordinary Vacancy**

An ordinary vacancy occurs when there are insufficient candidates to fill all the seats on the Parish Council at the ordinary elections held every four years. Any candidates who were nominated are automatically elected to the Parish Council and any remaining vacancies are known as "ordinary vacancies". Provided there are enough Parish Councillors to constitute a quorum, the Parish Council is usually able to co-opt volunteers to fill the vacancies. In some cases, South Cambridgeshire District Council may intervene and make an appointment or order an election to fill the vacancies.

### **Casual Vacancy**

A casual vacancy occurs when:

- A councillor fails to make their declaration of acceptance of office at the proper time;
- A councillor resigns;
- A councillor dies;
- A councillor becomes disqualified; or
- A councillor fails to attend six meetings of a council, committee, or sub-committee or to attend as a representative of the council a meeting of an outside body.

Bar Hill Parish Council must notify South Cambridgeshire District Council as and when a casual vacancy arises and then proceed to advertise the vacancy to give electors the opportunity to request an election. An election will be called if ten or more electors write to South Cambridgeshire District Council requesting an election be called. If more than one candidate is then nominated a by-election will take place. If ten electors do not request a ballot within fourteen days of the vacancy notice being posted, the Parish Council is able to fill the vacancy by co-option.

### **Confirmation of Co-option**

On receipt of written confirmation from the Electoral Services Office that no by-election has been called, the casual vacancy can be filled by means of co-option. The Clerk will:

- Advertise the vacancy for four week or such other period as the Parish Council may agree on the Parish Council notice boards and website.
- Advise South Cambridgeshire District Council that the co-option policy had been instigated

This procedure will also apply in the case of an ordinary vacancy where the Electoral Service Office had confirmed that there were insufficient nominations to fill all the seats but there are sufficient parish councillors elected to constitute a quorum.

## **Eligibility of Candidates**

To qualify to be a Parish Councillor, a person must on the day of the co-option be a British and/or Commonwealth subject or citizen of the European Union, or Ireland and attained the age of 18. And

- on that day is and thereafter continues to be a local government elector for the area of the Authority; and/or
- has during the whole 12 months preceding that day occupied as owner or tenant any land or other premises in the area; and/or
- their principle or only place of working during the 12 months had been in the area; and/or
- during the whole 12 months has resided in the area; and/or
- during the whole 12 months has resided in the Parish or within 4.8km (3 miles) of it.

A person is disqualified from being a Parish Councillor if within five years before their election or since election:

- they have served a prison sentence (including suspended sentences) of three months or more
- has been adjudged a bankrupt
- is an employee of the Parish Council
- is disqualified under legislation

## **Applications**

Any person wishing to be considered for co-option to Bar Hill Parish Council will be asked to complete a short application form (a copy of which is attached as Appendix A) and confirm their eligibility for the position of Parish Councillor within the statutory rules (a copy of which is attached as Appendix B).

On receipt of applications, the next suitable Full Council Meeting will have an agenda item 'To receive written applications for the office of Parish Councillor and to co-opt to fill the existing vacancy/ies)

Copies of the eligible candidates' applications will be circulated to the members of Bar Hill Parish Council by the Clerk prior to the Full Parish Council meeting, when co-option will be considered.

All such documents will be treated by the Clerk and all Parish Councillors as strictly private and confidential.

## **At the Co-Option meeting**

At the co-option meeting candidates will be given three minutes to introduce themselves to the Parish Councillors, give information on their background and experience and explain why they wish to become a member of the Parish Council. This will be carried out in the open form and there will be no private discussions between members prior to the vote being taken. However, where the Parish Council is discussing the merits of candidates and inevitably personal attributes, this could be prejudicial, and the Parish Council should resolve to exclude the members of the press and public.

The Parish Council will proceed to vote with each candidate being proposed and seconded by the Councillors in attendance and to vote by a show of hands. A recorded vote may be requested under Standing Orders, to show whether each Councillor present gave their vote for or against that question.

In order for a candidate to be co-opted to the Parish Council, it will be necessary for them to obtain an absolute majority of votes cast (50% + 1 of the votes available at the meeting). If there are more than two candidates and

there is no candidate with an overall majority in the first round of voting the candidate with the least number of votes will drop out of the process.

Further rounds of voting will then take place with the process repeated until a candidate has an absolute majority.

A co-opted candidate will sign the Declaration of Acceptance of Office, including an undertaking to abide by the Parish Council's Code of Conduct, either before or at the next meeting of the Parish Council.

The Clerk will notify South Cambs District Council Electoral Services Office of the co-option of the new Parish Councillor.

The co-opted Parish Councillor will complete a Notification of Disclosable Pecuniary and Other Interest form which the Clerk will send to the Monitoring Office at South Cambridgeshire District Council within 28 days of the co-option.

If insufficient candidates are co-opted, the process should continue, whereby the vacancies are again advertised.

**Appendix A**

**Bar Hill Parish Council Co-Option Application Form**

Name:
Address:
Telephone Number:
Email Address:
Are you 18 or over? Yes / NO

<p><b>Please detail any experience you may have that is relevant to Bar Hill Parish Council (if necessary, continue onto a separate sheet) Max 500 words.</b></p>
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**Is there any other information you would like to disclose regarding your application?**

**Use of Personal Information**

Bar Hill Parish Council will use your information, including that which you provide on this application form, to assess your suitability to be a parish councillor.

**Declaration & Consent**

I have read the section entitled "Use of Personal Information" and by signing this form I consent to the use and disclosure of my information included on this application form.

I declare the information given on this form to be true and correct.

SIGNED..... NAME.....

DATE.....

Please complete and return this form together with the completed Co-option Eligibility form to:

The Clerk, Bar Hill Parish Council, Bar Hill Parish Council Office, Hanover Close, Bar Hill, Cambridge, CB23 8EH  
Tel: 01954 780456 Email: clerk@barhillpc.org.uk

**Appendix B**  
**Bar Hill Parish Council Co-option Eligibility Form**

**1. In order to be eligible for co-option as a Bar Hill Parish Councillor you must satisfy certain criteria. You must satisfy (a) and (b) and at least one of the options (c) – (f). Please tick which apply to you:**

- |  |                          |
|--|--------------------------|
| a. I am 18 years of age or over; and   | <input type="checkbox"/> |
| b. I am a British citizen or a citizen of the Commonwealth or a citizen of any other member state of the European Union; and                             | <input type="checkbox"/> |
| c. I am registered as a local government elector for the parish; or  | <input type="checkbox"/> |
| d. I have, during the whole of the twelve months preceding the date of the co-option occupied, as an owner or tenant, land or premises in the parish; or | <input type="checkbox"/> |
| e. My principal or only place of work during those twelve months has been in the parish; or  | <input type="checkbox"/> |
| f. I have during the whole of those twelve months resided in the parish or within 4.8km (3 miles) of it.   | <input type="checkbox"/> |

**2. Please note that under Section 80 of the Local Government Act 1972 a person is disqualified from being a parish councillor if they:**

- a. are employed by the parish council
- b. are the subject of a bankruptcy restrictions order or an interim bankruptcy restrictions order or a debt relief restrictions order or an interim debt relief restrictions order; or
- c. have within five years before the day of co-option, or since their co-option, been convicted in the UK, Channel Island or Isle of Man of an offence and have been sentenced to imprisonment (whether suspended or not) for not less than three months without the option of a fine;
- d. Are otherwise disqualified under legislation

**Use of Personal Information**

Bar Hill Parish Council will use the information provided on this form to assess your eligibility to become a parish councillor.

**Declaration & Consent**

I,.....hereby confirm that I am eligible for the vacancy of Bar Hill Parish Councillor and I am not disqualified under Section 80 of the Local Government Act 1972 from being a parish councillor and that the information given on this form is true and correct.

I have read the section entitled "Use of Personal Information" and by signing this form I consent to the use and disclosure of my information included in this form.

Signature.....Name.....

Date.....

