

Tarvin Parish Council Co-option Policy

1. INTRODUCTION

1.1 There are two circumstances under which the Electoral Officer of Cheshire West and Chester Council (CWaC) will notify Tarvin Parish Council that it may proceed to fill a casual vacancy by co-option:

- a) when a seat has been left vacant because no eligible candidate stood for election at the full elections for a new Council. In this instance the Parish Clerk would be notified of vacancies by CWaC and that efforts must be made to fill the vacancies by co-option.
- b) during the life of a Council when a seat has fallen vacant (because of a resignation, death or ineligibility). The Parish Clerk will immediately notify the Electoral Officer and the vacancy will be advertised by the Parish Clerk. If the required 10 electors of the Parish have not called for a poll (by-election) within the legally specified time period (currently 14 days) following publication of the Notice of Vacancy, the Parish Clerk would be notified by CWaC and that the vacancies can be filled by co-option.

1.2 When the Council invites applications for co-option it should seek to fill the position as soon as possible. However, it is not legally obliged to select anyone from the candidates who apply. It should be noted though that it is not desirable that electors be left partially or fully unrepresented for a significant length of time. Neither does it contribute to effective and efficient working of the Council if there are insufficient Councillors to share the workload equitably; to provide a broad cross-section of skills and interests; or to achieve meeting quorums without difficulty, given that some absence is unavoidable at times.

1.3 Councillors elected by co-option are full members of the Council. Tarvin Parish Councillors are volunteers who receive no remuneration or allowances.

1.4 To ensure that a fair and transparent process is undertaken this policy sets out the process to be followed by Tarvin Parish Council when co-option is under consideration.

1.5 If a seat becomes vacant within six months of an election CWaC and the Parish Council may agree to leave the position vacant until the next election.

2. APPLICATION PROCESS TO BE FOLLOWED

2.1 On receipt of notification from the Electoral Officer at CWaC that a casual vacancy may be filled by means of co-option:

- a) The Parish Clerk will announce the vacancy or vacancies to be filled by co-option within 21 days of receipt of the written notification by means of displaying a Notice on the Council Notice boards and website. A copy of the Notice may also be placed on the Council facebook page and forwarded to Tarvinonline.
- b) The Co-option Notice will include the closing date of requests for consideration (between 14 and 30 days after the date of the display) and the number of vacancies.

2.2 Councillors may point out the vacancies and the process to any qualifying applicant(s).

2.3 Applicants are recommended to read the publication, “The Good Councillor Guide” which explains more about the role and the responsibilities of councillors – Copies are available from the Parish Clerk on request. Any questions should be raised with the Parish Clerk.

2.4 Applications will be considered at the next available full Council meeting. To ensure that applications are included on the agenda they should be sent to the Parish Clerk at least one week before the meeting (earlier if there are bank holidays).

2.5 Application letters should explain how the candidate is eligible and confirm that they are not disqualified (by completing the co-option application form (appendix 1)). Application letters should also explain why applicants are interested in applying and what they think they can bring to the role of Parish Councillor. Some topics that applicants might like to consider are shown in the table below, but please note that applicants are not expected to be able to demonstrate all of these competencies.

COMPETENCY	DEMONSTRATED BY:
Experience, Skills, Knowledge and Ability	<p>We welcome people with a wide range of life skills and experience that reflects the local community. We are looking for councillors who can bring enthusiasm and commitment as well as some of the following:</p> <ul style="list-style-type: none"> • Interest in local matters. • Knowledge and understanding of local affairs and the local community • Ability and willingness to represent the Council and their community. • Good interpersonal skills. • Ability to communicate succinctly and clearly . • Ability and willingness to work closely with other members and to maintain good working relationships with all members and staff. • Ability and willingness to work with the council’s partners (e.g. voluntary groups, other parish councils, principal authority, charities). • Ability and willingness to undertake relevant training.
Circumstances	<ul style="list-style-type: none"> • Ability and willingness to attend meetings of the Council (or the meetings of other local authorities and local bodies) in the evening and events in the evening and at weekends. • Flexible and committed to the Council. • Enthusiastic.

2.6 If there are more candidates than vacancies the co-option will be decided by a ballot of the members. Voting 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 of them 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.

2.7 Councillors shall vote by show of hands

2.8 On successful co-option applicants will be invited to sign a Declaration of Acceptance of Office before the following meeting which completes the process for joining the Council. Within 28 days of co-option, applicants are also required to complete a Register of Interests which will be provided by the Parish Clerk. The Clerk will forward the completed document to CWaC and it will be published on their website.

2.9 Applicants found to be offering inducements of any kind, at any stage in the co- option process, will be disqualified.

2.10 It is acceptable for any Councillor to contact an applicant to ask questions once Council has received an application and before the meeting when the application is considered. However it is unacceptable for a Councillor, or a group of Councillors to try to informally interview each candidate prior to that meeting.

Adopted by Council 27th September 2021

Appendix 1 Tarvin Parish Council

Co-option & Eligibility Application Form

Contact Details (Block Capitals please)

Name:

Address:

Postcode:

Email address:

Home Tel. No:

Mobile Tel. No:

Please attach a letter of application to this form which should explain why you are interested in applying and any relevant experience you think you can bring to the role of Parish Councillor. Please inform us of any other information you would like to disclose regarding your application. (e.g. if you are related to an employee of the Council / would require assistance during Council meetings with a disability)

Councillor Eligibility

Please tick to confirm that the following applies to your application under point 1.

1. In order to be eligible for co-option as a Tarvin Parish Councillor you must be

a. a British subject, or a citizen of the Commonwealth or the European Union

b. 18 years of age or over on the 'relevant date' (i.e. the day on which you are co-opted).

Please confirm

You must additionally be able to meet **one** of the following qualifications, please tick all that apply:

I am registered as a local government elector for the parish of Tarvin;

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 of Tarvin;

My principal or only place of work during those twelve months has been in the parish of Tarvin; or

I have during the whole of the twelve months preceding the date of my co-option resided in the parish of Tarvin 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 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 co-option, or since his/her co-option, 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:-

- i. 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;
- ii. if the person is discharged with a certificate that the bankruptcy was caused by misfortune without misconduct on his/her part;
- iii. if the person is discharged without such a certificate.

In (i) and (ii) above, the disqualification ceases on the date of the annulment and discharge respectively. In (iii), 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 Tarvin Parish Councillor, and the information given on this form is a true and accurate record.**

Signed **Dated**

Please return your completed application form, together with your application letter to:

Mike Hassall, Parish Clerk
Tarvin Parish Council, Roy Cottage, Townfield Lane, Tarvin, Chester CH3 8EG or
clerk@tarvinparishcouncil.org.uk