TINTWISTLE PARISH COUNCIL

**CO-OPTION PROCEDURE**

## *A POLICY SETTING OUT THE PROCEDURE FOR THE CO-OPTION OF A NEW COUNCILLOR.*

This co-option procedure was adopted at the Parish Council meeting on 20/02/2023

When a council seat becomes vacant (perhaps because a councillor resigns or dies), a new councillor is chosen either by the electorate casting votes in a by-election, or by a vote of councillors (known as a “co-option”). This document describes the co-option process, as Parish Councils are permitted to exercise the power to co-opt a person onto the Council to fill a casual vacancy when the requirements to hold the election have not been met.

*Casual vacancies*

According to section 87 of the 1972 Act, a casual vacancy occurs when:

1. A councillor fails to deliver their declaration of acceptance of office at the proper time
2. A councillor resigns
3. A councillor dies
4. In the case of a councillor who is disqualified by virtue of a criminal conviction, under section 79 of the Local Government Act 2000 (Wales) or under section 34 of the Localism Act 2011 (England), the expiry of the period for making an application or appeal or, if an appeal or application has been made, the date that any such application or appeal process comes to an end
5. On the date of a report or certificate of an election court that declares an election void
6. A person ceases to be qualified to be a councillor for a reason not mentioned above
7. A councillor fails to attend meetings for six consecutive months.

If no request for an election is received by High Peak Borough Council by the date on the Notice of Vacancy, they will advise the Parish Council that it may co-opt to the vacancy. Therefore, Co-option is a process by which the Parish Council selects a new Councillor.

### Tintwistle Parish Council’s Procedure

1. The vacancy is advertised on the Parish Council notice boards, Facebook page and website. The Council invites interested candidates to complete the application form and send it to the Clerk by a specified date. If there is more than 1 candidate, the members would have to consider and vote for each applicant. If only 1 candidate applies, the Council must still consider whether to co-opt that person.
2. All Members of the Parish Council are invited to the interview at which the candidates are invited to say something about themselves and Councillors have the opportunity to ask questions of the candidates. Each candidate will be allotted a maximum of 5 minutes.
3. At the start of the next Full Parish Council Meeting, Members will consider the candidates and a vote will be held by a show of hands. Following the completion of the voting the candidates will be informed of the result of the vote.
4. If the successful candidate is present, the Declaration of Office must be signed before he/she can take office. If they are not present, arrangements must be made to sign the Declaration of Office either before or at the start of the following meeting. The Clerk confirms the date that their term of office will terminate.
5. The Clerk will inform the Monitoring Officer and Elections Officer the details of the successful candidate. The successful candidate will receive a copy of our Standing Orders, Financial Regulations, Code of conduct and any other relevant policies, procedures and information. They will also be required to attend an Essential Councillors training course ran by DALC.

# Tintwistle Parish Council - *Template* Application to become a Parish Councillor:

Surname: First Name:

Home Address: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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Home Telephone Number:

Mobile Telephone Number:

Email address:

* Please list any particular skills, knowledge and expertise that you feel you possess that will be useful in the role as a Parish Councillor:
* Are you willing to be considered to serve as a Parish Council representative on outside bodies? (Please circle)

YES NO

* Are you willing to be elected onto any sub-committees/working groups that may be set up from time to time? (Please circle)

YES NO

* Are you prepared to undertake Parish Councillor training within Derbyshire? (Please circle)

YES NO

* Please explain why you wish to become a Parish Councillor.

### Eligibility for Office as a Parish Councillor.

Be over 18 years of age YES/NO

Be a British citizen or a citizen of the Republic of Ireland YES/NO

Be on the Parish electoral roll on the day of co-option and thereafter, or YES/NO

Have occupied as owner or tenant any land or other premises in the Parish YES/NO

during the whole of the 12 months preceding the day of co-option, or

* Have had your principal or only place of work in the area during YES/NO

the whole of the 12 months preceding the day of co-option, or

* Have resided in the Parish, or within 3 miles of it, for the whole YES/NO

of the 12 months prior to co-option

Do not hold any paid office or employment under this authority YES/NO

Have not been a person adjudged bankrupt YES/NO

Have not been a person who, within five years before the day of YES/NO

co-option, has been convicted of any offence and has had passed on

him/her a sentence of imprisonment for a period of not less than

three months (whether suspended or not) without option of a fine.

I declare that I am eligible to become a Parish Councillor in the Parish of Tintwistle and I certify that the contents in this application form are true and correct.

Signed: Date:

Please return completed form to:

The Clerk/RFO

Council Offices
Sexton Street
off New Road
Tintwistle, Glossop
SK13 1JN

Or:

tpcounciloffices@aol.com