

# HATFIELD & DISTRICT GROUP PARISH COUNCIL COUNCILLOR CO-OPTION POLICY

## Adapted at Parish Council Meeting held on 8<sup>th</sup> September 2021

**1. Introduction** This policy sets out the procedure to ensure there is compliance with legislation and continuity of procedures in the co-option of members to Hatfield Group Parish Council (H&DGPC). The Co-option procedure is entirely managed by H&DGPC and this policy will ensure that a fair and equitable process is carried out.

**2. Co-option** the Co-option of a Parish Councillor occurs when a casual vacancy has arisen on the Council and no poll (by-election) has been called. A casual vacancy occurs when:

- A councillor fails to make his declaration of acceptance of office at the proper time;
- A councillor resigns;
- A councillor dies;
- A councillor becomes disqualified; or
- A councillor fails for six (6) months to attend meetings of a council committee or subcommittee or to attend as a representative of the Council a meeting of an outside body.

H&DGPC must notify Herefordshire County Council of a Casual Vacancy and then advertise the vacancy and give electors the opportunity to request an election. This occurs when ten electors write to Herefordshire County Council stating that an election is requested. If a by-election is called, a polling station will be set up by Herefordshire County Council and the people of the parish will be asked to go to the polls to vote for candidates who will have put themselves forward by way of a nomination paper. **H&DGPC will pay the costs of the election.** The people of the parish have fourteen days (not including weekends, bank holidays and other notable days), to claim the by-election, but the electoral officer will advise the clerk of the closing date. If more than one candidate is then nominated a by-election takes place but if only one candidate is put forward, they are duly elected without a ballot. If ten residents do not request a ballot within fourteen days of the vacancy notice being posted, as advised by Herefordshire County Council, **H&DGPC is able to co-opt a volunteer.**

**3. Confirmation of Co-option** On receipt, of written confirmation, from the Electoral Services Office from Herefordshire County Council, the casual vacancy can be filled by means of Co-option, the Parish Clerk will:

- Advertise the vacancy for three weeks on the Parish Council notice boards and website
- Advise H&DGPC that the Co-option Policy has been instigated H&DGPC is not obliged to fill any vacancy. Even if the Council invites applications for co-option, it is **not obliged** to select anyone from the candidates who apply. However, it is not desirable that electors in a parish be left partially or full underrepresented 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 the achieve meeting quorums without difficulty. Councillors elected by co-option are full members of H&DGPC.

**4. Eligibility of Candidates** H&DGPC is able to consider any person to fill a vacancy provided that:

- He/she is an elector for the parish; or
- has resided in the parish for the past twelve months or rented/tenanted land or other premises in the parish; or
- had his/her principal place of work in the parish; or
- has lived within three miles (direct) of the parish.

There are certain disqualifications for election, of which the main are (see 5. 80 of the Local Government Act 1972):

- holding a paid office under the local authority;
- bankruptcy;

- **having been sentenced to a term of imprisonment (whether suspended or not) of not less than three months, without the option of a fine during the five years preceding the election; and**
- **being disqualified under any enactment relating to corrupt or illegal practices. Candidates found to be offering inducements of any kind will be disqualified.**

**5. Applications Members** may point out the vacancies and the process to any qualifying candidate(s). Although there is no Statutory Requirement to do so, candidates will be requested to:

- Submit information about themselves, with reference to the person specification (see below)
- Confirm their eligibility for the position of Councillor within the statutory rules Following receipt of applications, the next suitable council meeting will have an agenda item 'To receive written applications for the office of Parish councillor and to Co-opt a candidate to fill the existing vacancy'. Copies of the candidates' applications will be circulated to all Councillors by the Clerk at least 3 clear days prior to the meeting of the Council, when the Co-option will be considered. All such documents will be treated by the Clerk and all Councillors as Strictly Private and Confidential. Candidates will be sent a full agenda of the meeting at which they are to be considered for appointment, together with a copy of the Code of Conduct, Standing Orders and Financial Regulations of H&DGPC. Candidates will also be informed that they will be invited to speak about their application at the meeting.

**6. At the Co-option Meeting** At the co-option meeting, candidates will be given five minutes maximum to introduce themselves to Members, give information on their background and experience and explain why they wish to become a Member of H&DGPC. The process will be carried out by adjourning the meeting to allow the candidate to speak. Where the Council wishes to discuss the merits of candidates and inevitably their personal attributes, this could be prejudicial, and the Council will resolve to exclude the members of the press and public. As soon as all candidates have finished giving their submissions, the council will proceed to a vote on the acceptability of each candidate utilising the 'person specification' criteria and any personal statements provided by candidates, with each candidate being proposed and seconded by the councillors in attendance and a vote by a show of hands

For a candidate to be elected to H&DGPC, 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. In the case of an equality of votes, the Chairman of the meeting has a second of casting vote.

After the votes has been concluded, the Chairman will declare the successful candidate duly elected and after signing their declaration of acceptance of office, may take their seat immediately. The Clerk will notify Electoral Services of the new Councillor appointment. The successful candidate(s) must complete the 'registration of interests' within 28 days of being elected. The form should be handed to the Clerk for forwarding to the Monitoring Officer. If insufficient candidates come forward for co-option, the process should continue, whereby the vacancies are again advertised

*See below*

**Hatfield & District Group Parish Council**

**Clerk at Lower Docklow Farm, Docklow Leominster Herefordshire**

APPLICATION FORM FOR THE ROLE OF PARISH COUNCILLOR ON HATFIELD & DISTRICT GROUP PARISH Council

**Docklow & Hampton Wafre/Hatfield & Newhampton/ Pudleston** Representative

• Full Name

Home address including Postcode

Telephone Number

Mobile Number

Email

**LEGAL QUALIFICATIONS FOR BEING A PARISH COUNCILLOR**

**QUALIFICATIONS**

(To qualify you must be able to answer 'Yes' to both questions below)

Are you a British citizen, a Commonwealth citizen or a citizen of a European Union country? Yes/No

Are you 18 or over? Yes/No

To qualify you must be able to answer 'Yes' to at least one of the questions below)

Are you on the electoral register for the parish of **Docklow & Hampton Wafre/Hatfield & Newhampton/ Pudleston** Yes/No

Have you lived either in the parish of **Docklow & Hampton Wafre/Hatfield & Newhampton/ Pudleston** or within three miles of its boundary, for at least a year? Yes/No

Have you been the owner or tenant of land in the parish of **Docklow & Hampton Wafre/Hatfield & Newhampton/ Pudleston** for at least a year? Yes/No

Have you had your only or main place of work in the parish of **Docklow & Hampton Wafre/Hatfield & Newhampton/ Pudleston** for at least a year? Yes/No

**DISQUALIFICATIONS**

(You must be able to answer No to all the questions below to be eligible to serve as a councillor)

Are you the subject of a bankruptcy restrictions order or interim order? Yes/No

Have you within the last five years been convicted of an offence in the UK, the Channel Islands or the Isle of Man which resulted in a sentence of imprisonment (whether suspended or not) for a period of three months or more without the option of a fine? Yes/No

Are you disqualified by order of a court from being a member of a local authority? Yes/No