

Rackheath Community Council

Co-option procedure for new Parish Councillors

Adopted by the Parish Council at the meeting of 15 June 2015

Reviewed 16 February 2021 (3rd revision)

A vacancy for a Parish Councillor can occur through resignation (by written/email notification to the Chairman), death or failure to attend meetings without an acceptable reason.

Once a vacancy is established the Clerk should notify the Elections Team at Broadland District Council, by email election.services@broadland.gov.uk or in writing. They will issue a Notice of a Casual Vacancy, which the Clerk should display on the Parish noticeboards for 14 day excluding Bank/Public Holidays. It may be desirable to also post the notice onto the website.

Upon expiry of the 14 days in which the Notice of Casual Vacancy has been displayed, the Elections Team will contact the Clerk and advise the Clerk that the Council may co-opt to fill the casual vacancy. There may be contact by interested persons whilst the notice of vacancy is displayed. These electors may not wish to call an election but maybe interested in standing via co-option. However, that person must be qualified to serve as a councillor.

Following advertising, if deemed necessary, any interested applicants will be invited to the next Community Council meeting to introduce themselves to the Council.

Applicants should send an email/letter about themselves, to be circulated to the Community Council prior to co-option.

The Council will appoint an interview panel of 2/3 Councillors who will carry out an interview and information session with each candidate to allow the candidate to ask any questions and inform them of what the role involves.

Anyone joining the Community Council should be aware of the amount of time and commitment needed for the role. Ideally all applicants should have email access and be willing to attend additional meetings to the monthly Council meeting.

The interview panel will report back to the Council with a recommendation of the most suitable candidate. The Council will make their selection by a vote and inform the successful candidate so that they may join the Council ASAP.

The person co-opted must receive an absolute majority of the councillors present and voting. For example, where there is a council of eleven member and there are nine councillors present and voting, the absolute majority is five. Where there are more than two candidates for the vacancy, it may be

necessary to run a series of votes, each time removing the candidate who has the least number of votes until one candidate secures an absolute majority.

The usual rules on voting apply. Provided that the meeting has a quorum, the decision must be made by majority of members who are present and voting. Members must vote by show of hands unless the council's standing orders provide otherwise.

The Council's debate and vote on the co-option must be conducted in the public section of its meeting. It follows that the candidates, as members of the public, will be entitled to be present during the proceedings.

Feedback as to why the applicant was chosen and why another was not should always be given. Any applicant who is not successful should be informed about the right to apply again if another position becomes available. Even if there are spaces, if the applicants are not deemed suitable for the role, they would not routinely be appointed. This is most likely be due to the legislative requirements of applying to become a Councillor (See appendix A for legislative qualifications and disqualifications).

Co-option should be within a period of 60 days beginning with the day of which the Notice of Casual Vacancy was dated.

The signed Members' and Co-Opted Members' Disclosable Pecuniary and Other Interests should be sent to the Democratic Services Team at the District Council democratic.services@broadland.gov.uk

Appendix A

A person qualifies to take office as Councillor if:

- Must be a qualifying Commonwealth Citizen or a citizen of the Republic of Ireland
- Must be at least 18 years of age.
- On the day of taking office and thereafter, continues to be a local government elector for the area of the authority.
- Has during the whole 12 month period preceding the relevant day*, occupied, as owner or tenant, any land or other premises in that area and/or;
- Has a principal or only place of work during the preceding 12 months of the relevant date*, in the area and/or:
- Has during the whole 12 months of the relevant date*, resided at an address in the area or:
- Has during the whole 12 months preceding the relevant date* resided within three miles of the parish or community. (Local Government Act 1972 s.79(1))

A person is disqualified from taking office as a Councillor if:

- Undertakes 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.
- Any person who is subject to a bankruptcy restrictions or order or an interim bankruptcy restrictions or a debt relief restrictions order of interim debt relief restrictions order under Schedule 4ZB of the Insolvency Act 1986
- 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 been sentenced to imprisonment (whether suspended or not) for not less than three months without the option of a fine
- Is otherwise disqualified under Part III of the Representations of the People Act 1983 for corrupt or illegal practices (Local Government Act 1972 s. 80)
- A person who is disqualified from being elected or holding office as a member of a local council is also disqualified for being a member of a committee of sub-committee of that council or for being a representative of the council on a joint committee involving that council (s104).
- A person who has been convicted of offences involving corrupt or illegal practices.

* Relevant date means the day on which the person is nominated as a candidate and if there is poll, the date of election.