

# NEWTON ST CYRES PARISH COUNCIL

## Co-option Policy

The Co-option of a Parish Councillor occurs when a casual vacancy has arisen (where a Cllr has left the council) and no poll (by-election) has been called.

To ensure that a fair and transparent process is undertaken the following procedure will be followed by Newton St Cyres Parish Council:

- 1) On receipt of written confirmation from the Electoral Services Office at Mid Devon District Council, that the casual vacancy can be filled by means of Co-option, the Parish Clerk will advertise the vacancy on the Village Green notice board and Parish Council website. The length of time the advert will be advertised for will vary depending on the date of the next Parish Council meeting. Where possible co-option will take place at the next Parish Council meeting after advertising.
- 2) Applicants for co-option will be asked to:
  - a) complete the Co-option application form.
  - b) confirm their eligibility for the position of Councillor within the statutory rules, by completing an Eligibility Form
- 3) Copies of the applicant's application form will be circulated to all Councillors by the Clerk prior to the next Parish Council meeting when the co-option will be considered.
- 4) Applicants will be invited to attend the Parish Council meeting where the co-option will be considered. However, it is possible to co-opt without the candidate present. At the meeting, applicants may be asked to give a short presentation (five minutes) and may be asked questions. Any discussion about the applications will take place in council session without intervention from the candidates or public.
- 5) Voting will be according to the statutory requirements, in that a candidate must receive an absolute majority vote of those present and voting. (eg If 9 Councillors are present then an absolute majority would be 5 or more votes).

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, then the candidate with the least number of votes will be discounted and the remainder must then be put to the vote again; this process must, if necessary, be repeated until an absolute majority is obtained (5 votes if 9 Councillors are voting). In the case of an equality of votes, the Chairman of the meeting has a second or casting vote.

If there are the same number of candidates as there are vacancies then each candidate will require a proposer and seconder and will need to receive a majority vote. If no absolute majority is achieved then the candidate will not be elected.

Voting will be by card ballot. Candidates may stay in the room for the vote.
- 7) After the vote has been concluded, the Chairman will declare the successful candidate duly elected. The successful candidate will join the council meeting as a Councillor after signing the Declaration of Acceptance of Office of Parish Councillor form.

# NEWTON ST CYRES PARISH COUNCIL

## Co-option Application Form

Name: .....

Address for Correspondence: .....

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Postcode: .....

Telephone: .....

Email:.....

Are you 18 or over? YES/NO

Please detail any experience you have that may be relevant to Newton St Cyres Parish Council. (If necessary, please continue on a separate sheet of paper).

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Is there any other information you would like to disclose regarding your application? (If necessary, please continue on a separate sheet of paper).

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Signed: .....Dated: .....

Please return your completed form, together with the Co-option Eligibility Form to:  
Mrs Jane Hole, The Cellar, Pump Street, Newton St Cyres, Exeter, EX5 5BY

# NEWTON ST CYRES PARISH COUNCIL

## Co-option Eligibility Form

1. In order to be eligible for co-option as a Newton St Cyres Parish Councillor you must be a British subject, or a citizen of the Commonwealth or the European Union; and on the 'relevant date' (i.e. the day on which you are nominated or if there is a poll the day of the election) 18 years of age or over; and additionally, able to meet one of the following qualifications set out below:
  - I am registered as a local government elector for the parish; or
  - 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; or
  - My principal or only place of work during those twelve months has been in the parish; or
  - I have during the whole of twelve months resided in the parish or within 3 miles of it.

**Please circle which of the above applies to you.**

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 (other than the office of Chairman) 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 election, or since his/her election, 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 Newton St Cyres Parish Councillor, and the information given on this form is a true and accurate record.**

**Signed:** ..... **Dated:**.....