

# Burneside Parish Council

## CO-OPTION PROCEDURE

This policy sets out the procedure to ensure there is compliance with legislation and continuity of procedures in the co-option of members to Burneside Parish Council.

The co-option procedure is entirely managed by the Parish Council, and this policy will ensure that a fair and equitable process is carried out. There are no statutory rules regarding filling a vacancy by co-option.

To ensure that a fair and transparent procedure is undertaken this policy sets out the process to be followed by Burneside Parish Council when co-opting.

The Parish Council should co-opt to fill any vacancy, but is not obliged to do so, and will not usually do so within 6 months of an ordinary election.

Even if the Council invites applications for co-option, it is not obliged to select anyone from the candidates who apply.

If there are no applicants or Council decides not to select any of the candidates, Council will decide whether they wish to undertake another co-option exercise either immediately or after a defined period of time.

### APPLICATION PROCESS

Candidates found to be offering inducements of any kind will be disqualified.

The Statutory requirements to be co-opted as a Councillor are the same as standing for election to the Parish Council.

The applicant needs to be proposed and seconded by two residents on the electoral register.

The applicant must be 18 years or over, a British subject or a citizen of the Commonwealth or a citizen of a member state of the European Union and meet at least one of the following qualifications:

- a) Is on the electoral register anywhere in the parish.
- b) Has lived in or within 3 miles of the parish boundary for the previous 12 months.
- c) Owns, rents, occupies or otherwise has right of occupation of land in the parish.
- d) Works in the parish.

Although there is no statutory requirement to do so, applicants for co-option will be asked to:

- a) submit information about themselves, by completing a short application form (a copy of the application form is attached as Appendix 1) together with a CV and written summary covering: their reasons for wishing to be a Councillor; previous community/Council work; any other skills they can bring to the Council, their interests and recent career history, similar to that which they would produce if standing for election.
- b) confirm their eligibility for the position of Councillor within the statutory rules (a copy of the confirmation of eligibility form is attached as Appendix 2).

Copies of the applicant's application forms will be circulated to all Councillors by the Parish Clerk at least seven days prior to the meeting of the full Council, when the co-option will be considered. All documents will be treated by the Clerk and all Councillors in confidence and in accordance with the GDPR 2018.

## **1. VOTING PROCEDURE**

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.

Councillors shall vote by paper ballot listing all the candidate's names plus an option for "none of the candidates".

In the case of an equality of votes, the Chairman of the meeting has a second or casting vote.

After the vote 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 Council is not obliged to provide feedback on the application process to unsuccessful candidates.

## **2. ACCEPTANCE OF OFFICE**

The successful candidate(s) must sign their declaration of acceptance of office before they can act as a Councillor. The Register of Interest form must be completed within 28 days and the Parish Clerk will forward a copy to the Westmorland & Furness District Council Monitoring Officer.

The Clerk will advise the Elections Officer of Westmorland & Furness Council of the names of anyone co-opted to the Council.

The Parish Clerk is responsible for providing each new Councillor with an induction, a new Councillors pack and should ensure that all new Councillors have read and understood the Code of Conduct and the Standing Orders adopted by the Council.

## BURNESIDE PARISH COUNCIL Co-option Application Form

|   |            |           |
|---|------------|-----------|
| <b>PERSONAL DETAILS</b> - (Block Capitals please)   |            |           |
| <b>Name:</b>  |            |           |
| <b>Address:</b>   |            |           |
| <b>Telephone or Mobile Number:</b>  |            |           |
| <b>Email address:</b>   |            |           |
| <b>Are you 18 or over?</b>  | <b>YES</b> | <b>NO</b> |
| <b>Are you a British subject or a citizen of the Commonwealth or a citizen of a member state of the European Union?</b> | <b>YES</b> | <b>NO</b> |

**If NOT resident in Burneside please confirm the address for qualification in Appendix 2 Section 1 Eligibility**

|                 |
|-----------------|
| <b>Address:</b> |
|-----------------|

**Is there 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 your mobility, hearing or vision)

**Signature .....** **Date .....**

**For verification by Parish Clerk**

Electoral Roll No.

**Please return your completed form, together with your written summary and the Co-option Eligibility Form to:**

Parish Clerk – Kevin Price  
Braeside  
Crook Kendal LA8 8LA

**I any experience you have that may be relevant to Burneside Parish Council (If necessary, please continue using separate sheet of paper).**

[Type here]

## BURNESIDE PARISH COUNCIL Co-option Eligibility Form

1. In order to be eligible for co-option as a Burneside Parish Councillor you must be a British subject, or a citizen of the Commonwealth or the European Union; and be 18 years of age or over on the 'relevant date' (i.e. the day on which you are nominated or if there is a poll the day of the election). You must additionally be able to meet one of the following qualifications (**Please tick those that apply**):

- I am registered as a local government elector for the parish of Burneside; **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 of Burneside **or**
- My principal or only place of work during those twelve months has been in the parish of Burneside; **or**
- I have during the whole of twelve months resided within 3 miles of the parish of Burneside

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 Parish 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.

[Type here]

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 Burnside Parish Councillor, and the information given on this form is a true and accurate record.

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

**\*Proposer** Name.....

Address.....

**\*Secunder**

Name.....

Address.....

|  |
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| <p><b>For verification<br/>by Parish Clerk</b></p> <p>Electoral Roll No.</p> |
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## Appendix 3

# BURNESIDE PARISH COUNCIL Co-option Guidance Notes

Example competencies that would be desirable for a Parish Councillor are:

### Personal Attributes

- ☑ Sound knowledge and understanding of local affairs and the local Parish.
- ☑ Forward thinking
- ☑ Can bring a new skill, expertise or key local knowledge to the Council.

### Experience, Skills, Knowledge and Ability

- ☑ Ability to listen constructively
- ☑ A good team player
- ☑ Ability to pick up and run with a variety of projects
- ☑ Solid interest in local matters
- ☑ Ability and willingness to represent the Council and their Parish
- ☑ Good interpersonal skills and able to contribute opinions at meetings whilst willing to see others views and accept majority decisions.
- ☑ 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 the clerk.
- ☑ 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 induction training and other relevant training.
- ☑ Experience of working with voluntary and or local interest groups

### Circumstances

- ☑ Ability and willingness to regularly attend meetings of the Council. (Please note that the majority of Council meetings are held in an evening and, unfortunately, under present legislation the Parish Council is not permitted to contribute to the cost of Councillors' childcare or care of dependants.)

### Appendix 1 Application Form.

Examples of information to cover when detailing experience in the application form are as follows:

- why you are interested in being a Parish Councillor?
- tell us something about the life experience you will bring to the Council, for example, previous local government experience, work in the voluntary or charitable sector, business or trade union experience.
- tell us something about the skills you feel you will bring to the Council, for example, professional qualifications, financial or project management expertise, listening and organisational skills.
- If there are any questions you would like to ask the Council.

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