

Elloughton cum Brough Town Council

60 Welton Road, Brough, HU15 1BH

Write to: PO Box 124, Brough, HU15 1YH

Telephone: 01482 665600

Website: elloughtonbrough-tc.gov.uk



Co-Option Policy

Document History

Adopted by COUNCIL – 15 May 2023

To be reviewed – May 2024

Philippa Beverley

Town Clerk

ELLOUGHTON-CUM-BROUGH TOWN COUNCIL

PROCEDURE FOR CONDUCTING CO-OPTIONS TO THE COUNCIL

This procedure is based on NALC Legal briefing L15-08 – Good Practice for selection of candidates for co-option to local Councils.

Parish/Town Councils are permitted to exercise the power to co-opt a person to the Council to fill a casual vacancy when the requirements to hold an election have not been met (i.e. The vacancy has been the subject of a public notice and less than 10 registered electors have requested an election by a deadline specified by the District Returning Officer).

Although seeking “expressions of interest” is not a legal requirement, the National Association of Local Councils (NALC) recommends that Councils always give public notice of vacancies because this makes the process of co-option open and transparent and should attract more potential candidates.

Whenever the need for co-option arises Elloughton cum Brough Town Council will consider advertising the vacancy to seek and encourage “expressions of interest” by a specified date from anyone living or working in Elloughton cum Brough or within 3 miles of its boundaries who is eligible to stand as a Town Councillor. All potential candidates will be requested to put their request for consideration by completing an application form.

Please note it is a condition that means of contact by telephone and email will be public information. A council email address will be provided. A Declarations of Interests Form must be completed and published.

On confirmation from Electoral Services that a casual vacancy must be filled by co-option

The Clerk will send a press release notifying there is a vacancy with the reason for it and confirming there is to be a co-option. An advert will also be placed on the local noticeboards and website.

The advertisement

The advert must state the rules for eligibility and direct interested parties to write to the Clerk confirming their eligibility to sit on the Parish Council and including a short statement explaining the reasons he/she would like to become a Parish/Town Councillor. The deadline for responses will be no less than 3 weeks from the date of the advert/press release and the date of the meeting when the co-option is to be made will be stated in the advertisement.

The advert/press release must also make applicants aware that canvassing of Council members will disqualify them from standing for the vacancy.

Eligibility

In order to be eligible for co-option you must satisfy certain criteria:

- Be registered as a local government elector for the Town on the current Electoral Register
- During the whole of the twelve months preceding the date of co-option occupied as a tenant or owner, land or other premises in the Town
- Had your principal, or only, place or work during the previous twelve months in the Town
- Resided in the Town, or within three miles of it, during the previous twelve months.

Applications

Candidates are required to:

- Submit some brief information about themselves (see application form)
- Confirm eligibility for the position of Town Councillor

Following receipt of the application form and confirmation of eligibility, the next suitable Full Council meeting will include an agenda item “To receive written applications for office of Town Councillor and to co-opt a candidate to fill existing vacancy”. Candidates will be invited to attend the meeting.

Copies of candidate’s application forms will be circulated to all Town Councillors by the Clerk at least three clear days prior to the meeting of Full Council at which co-option will be considered.

All documents will be treated by Clerk/Town Council as strictly private and confidential.

Candidates will be forwarded an agenda of the meeting, by email, and advised that they will be invited to speak at the meeting about their application.

At the Full Council meeting where co-option takes place

At the Full Council meeting:

1. Clerk to confirm that each candidate is qualified to become a councillor and not disqualified from being a councillor as set out in Local Government Act 1972 s79 and s80:
2. The candidate(s) will be given a maximum of three minutes to introduce themselves, including brief information on their background and why they wish to become a member of the Town Council. Each Councillor will be given an opportunity to ask one question of each candidate.
3. The meeting will then be closed for Council to consider the applications and members of press and public asked to leave.
4. Chairman to offer opportunity for debate on the order of priority to co-option
5. Vote on the acceptability of each candidate for co-option, utilising the “person specification” criteria set out below and any personal statements requested from and provided by candidates. An absolute majority vote is required for each candidate from all members present and entitled to vote (LGA 1972 sch.12. Para 39) (The applicant with the least number of votes casted will be deleted and vote taken again and again etc. until the number of candidates equals number of vacancies):
6. Vote to select the order in which acceptable candidates (decided by the vote at 2 above) should be approached to offer co-option on this occasion.
7. The Clerk to approach and offer co-option to candidate(s) after the meeting in the order of priority determined by the vote 3 above, if the first choice does not accept the post then the second is to be approached and so on until the ranking list is exhausted.

The Clerk is to notify Electoral Services of the new Councillor Appointment, initiate “acceptance of office” paperwork and “registration of interests” on council website.

Assuming the co-option position is filled and all paperwork completed, formally ratify the appointment at next Full Council meeting.

If no one accepts the vacant post(s), the whole process is to be repeated when new individuals expressing interest and identified.