

WESTBURY SUB MENDIP PARISH COUNCIL

Co-option of Parish Councillors (Casual Vacancy)

ELIGIBILITY OF CANDIDATES

The Parish Council is able to consider any person to fill a vacancy provided that:

- He/she is 18 or over; and
 - He/she is a British citizen, a qualifying Commonwealth citizen or a citizen of any other member state of the European Union;
- and at least one of the following apply:
- He/she is an elector for the Parish and continues to be an elector; or
 - Has resided in the Parish for the past twelve months or rented/tenanted land in the Parish; or
 - Has had his/her principal or only place of work in the Parish for the past twelve months; or
 - Has lived within three miles of the Parish for the past twelve months.

There are certain disqualifications for being a parish councillors (see Sch.80 of the Local Government Act 1972) of which the main are:

- Holding a paid office or employment under the Parish Council;
- Bankruptcy;
- Having been sentenced to a term of imprisonment (whether suspended or not) or not less than three months, without the option of a fine during the preceding five years; or
- Being disqualified under any enactment relating to corrupt or illegal electoral practices.

APPLICATIONS

Candidates are required to:

- Submit information about themselves, by way of completing a short application form
- Confirm their eligibility for the position of parish councillor within the statutory rules.

Following receipt of application form(s) and confirmation(s) of eligibility, the next suitable Parish 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'. Eligible candidates will be invited to attend the meeting.

Copies of the eligible candidates' application form(s) will be circulated to all parish councillors by the Clerk (or Chairman in the absence of the Clerk) at least 3 clear days prior to the meeting of the full Parish Council at which the co-option will be considered.

All such documents will be treated by the Clerk/Chairman and all Parish Councillors as strictly private and confidential.

A copy of the eligibility form and application form are attached.

AT THE CO-OPTION MEETING

At the co-option meeting, candidates will be given three minutes maximum to introduce themselves to the parish councillors (members), give information on their background and experience and explain why they wish to become a member of the Parish Council.

The process will be carried out in the public session. There will be no private discussions between council members prior to a vote being taken.

As soon as all candidates have finished giving their submission, the Parish Council will proceed to a vote with each candidate being proposed and seconded by the councillors in attendance and a vote by a show of hands (Local Government Act 1972 Sch. 12, Para 13).

In order for a candidate to be co-opted to the Parish Council, 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.

If present, a candidate who is co-opted will sign at the co-option meeting a Declaration of Acceptance of Office, including an undertaking to abide by the Parish Council's code of Conduct, and may take office immediately thereafter. If not present, a co-opted candidate will sign the Declaration of Acceptance of Office and undertaking to abide by the Parish Council's Code of Conduct and, upon signing, will take office either before or at the next meeting of the Parish Council.

The Clerk will notify Mendip District Council Electoral Services Office of the co-option of the new parish councillor.

A co-opted Parish Councillor will also complete a Notification of Disclosable Pecuniary and Other Interests form which the Clerk/Chairman will lodge with the Monitoring Officer at Mendip District Council within 28 days of the co-option.

Adopted: 3rd May 2023

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CO-OPTION ELIGIBILITY FORM

- 1. In order to be eligible for co-option as an Ashwick Parish Councillor you must satisfy certain criteria. You must satisfy a. and b. below and at least one of the options c. to f.**
 - a. I am 18 years of age or over; and
 - b. I am a British citizen or a citizen of the Commonwealth or a citizen of any other member state of the European Union; and
 - c. I am registered as a local government elector for the parish; or
 - d. 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
 - e. My principal or only place of work during those twelve months has been in the parish; or
 - f. I have during the whole of those twelve months resided in the parish or within 3 miles of it.
- 2. Please note that under Section 80 of the Local Government Act 1972 a person is disqualified from being a parish Councillor if he/she:**
 - a. Is employed by the parish council or holds paid office (other than chairman, vice-chairman or deputy chairman) under the parish council (including joint boards or committees);
 - b. Is employed by an entity controlled by the parish council
 - c. Is the subject of a bankruptcy restrictions order or an interim bankruptcy restrictions order or a debt relief restrictions order or an interim debt relief restrictions order; or
 - d. Has within five years before the day of co-option, or since his/her co-option 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
 - e. Is otherwise disqualified under Part III of the Representation of the People Act 1983 (relating to corrupt or illegal electoral practices and offences relating to donations) or the Audit Commission Act 1998.

Use of Personal Information

The Parish Council will use the information provided on this form to assess your eligibility to be a parish Councillor.

Declaration & Consent

I Hereby confirm that I am eligible for the vacancy of Ashwick Parish Councillor and I am not disqualified under s80 of the Local Government Act 1972 from being a parish Councillor and that the information given on this form is true and correct.

I have read the section entitled 'Use of Personal Information' and by signing this form I consent to the use and disclosure of my information included in this form.

Signature Name

Date

Please return this eligibility form with application form.

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CO-OPTION APPLICATION FORM

Name:
Address:
Email Address:
Are you 18 or over? Yes/No
Please detail any experience you may have that is relevant to Westbury Sub Mendip Parish Council (if necessary, continue onto a separate sheet)
Use of Personal Information The Parish Council will use your information, including that which you provide on this application form, to assess your suitability to be a Parish Councillor.
Declaration & Consent I have read the section entitled ‘Use of Personal Information’ and by signing this form I consent to the use and disclosure of my information included in this application form. I declare the information given on this form to be true and correct. Signed Name Date

Please return this completed form, together with the completed Co-option Eligibility form, to:

Kate Egan – Clerk to Westbury Sub Mendip Parish Council, Email – clerk@westburysubmendip-pc.gov.uk