



# Martham Parish Council

## Co-option Policy

**This Co-Option Policy is the procedure to follow when a casual vacancy occurs at Martham Parish Council.**

1. The co-option of a Parish councillor occurs when a casual vacancy has arisen. This is because one of the following events has happened:

A councillor fails to sign their declaration of acceptance of office.

A councillor resigns.

A councillor dies.

A councillor becomes disqualified.

A councillor fails to attend a meeting for six months when summoned to do so.

The Parish Council must give public notice of the casual vacancy as soon as practicable after it is deemed to have occurred (**in accordance with Local Government Act 1972, s232**). The Parish Clerk will inform Electoral Services at Great Yarmouth Borough Council who will supply the necessary notice. These notices will be placed on the Parish Council website, noticeboards, and Social Media accounts, where applicable.

2. A notice of casual vacancy allows for 10 people on the electoral register to request, in writing to the proper officer of the principal authority, that an election is held. Should this happen, a by-election must be held (unless an ordinary election is due within the next six months, in which case no by-election is required, and the Parish council can proceed directly with a co-option as in 4).

3. If no request to hold a by-election is forthcoming, Parish councils are permitted to exercise the power to co-opt a person on to the council to fill a casual vacancy. Although seeking 'Expressions of Interest' is not a legal requirement, it is recommended 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.

In addition to a casual vacancy an insufficiency of candidates at an ordinary election provides the Parish council with authority to exercise the right to co-opt any person or persons to fill any vacancies within a 35-working day window following the date of the ordinary election.

4. Whenever the need for co-option arises, the Parish Council will advertise the vacancy to seek and encourage 'expressions of interest' by a specified date from anyone in the Parish

who is eligible to stand as a Parish Councillor. All potential candidates will be requested to put their request for consideration in writing with the following additional information: -

- a) Reason for wishing to be Councillor
- b) Relevant Community/Council work
- c) Other skills they can bring to the Council

**5. At the next suitable Full Council meeting:**

**a)** The Parish Clerk to confirm that each candidate is qualified to become a Councillor and is not disqualified from being a Councillor as set out in the **Local Government Act 1972 s79 and s80**.

Due diligence should be carried out to ensure that the information given by the applicant is correct.

**b)** The candidate **must** attend the meeting to present their application.

**c)** Chairman to invite candidates an opportunity to speak and to allow members the chance to ask questions of the candidates.

**d)** The chairman will be able to adjourn the meeting for private consultation if this is required. This could be to determine the suitability of the candidates.

**e)** The meeting will vote on the acceptability of each candidate for co-option.

An absolute majority vote is required for each candidate from all members present and entitled to vote (**LGA 1972 Sch. 12. Para 39**). One person will be chosen for each vacancy.

**6. Once chosen the co-opted members may join the meeting.**

**7.** The Clerk will notify Electoral Services of the new councillor appointment, supply 'Acceptance of Office' paperwork and advise the co-opted member of her/his obligations regarding registration of interests.

**8.** If no one accepts the vacant post(s), while the Parish council is not obliged to fill all vacancies the whole process is to be repeated when new individuals expressing interest are identified or until the next election.

**9.** This policy will be reviewed every two years or sooner if legislation changes.

The attached form will be used as the basis of ascertaining a candidate's suitability to put his or herself forward for co-option.

## **Application for the role of Councillor at Martham Parish Council**

**Full name:**

**Home address Inc. Postcode:**

**Telephone number:**

**Mobile number:**

**Email:**

### **Legal qualifications for being a Parish Councillor**

**(To qualify you must be able to answer 'Yes' to both questions below)**

**Are you a British citizen, a Commonwealth citizen, or a citizen of a European Union country? Yes/No.**

**Are you 18 or over? Yes/No.**

**(To qualify you must be able to answer 'Yes' to at least one of the questions below)**

**Are you on the electoral register for the parish of Martham? Yes/No**

**Have you lived either in Martham, or within three miles of its boundary, for at least a year? Yes/No**

**Have you been the owner or tenant of land/property in a ward of Martham for at least a year? Yes/No**

**Have you had your only or main place of work in a ward of Martham for at least a year? Yes/No**

### **Disqualifications**

**Are you the subject of a bankruptcy restrictions order or interim order? Yes/No.**

**Have you within the last five years been convicted of an offence in the UK, the Channel Islands or the Isle of Man which resulted in a sentence of imprisonment (whether suspended or not) for a period of three months or more without the option of a fine? Yes/No.**

**Are you disqualified by order of a court from being a member of a local authority? Yes/No?**

**Please outline of why you are interested in being a Parish Councillor.**

**Please tell us 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 and any existing groups or memberships you hold.**

**Please tell us about the skills you feel you will bring to the Council, for example, professional qualifications, voluntary work or technical expertise.**

**Are there any questions you would like to ask the council?**

Please note that most Council meetings are held in the evening and, unfortunately, under present legislation the Parish Council is not permitted to contribute to the cost of councillors' childcare or care of dependents. Please type your name below or sign if you are submitting a hard copy and return to [clerk@martham.gov.uk](mailto:clerk@martham.gov.uk) or Martham Parish Council, Martham Community Centre, NR29 4SP

Signed .....

Date .....