

Monk Hesleden Parish Council

Co-option Procedure

Reviewed:18/3/19 19/7/21 19/5/25

Introduction

The Local Government Act (LGA) 1972 s87 states a casual vacancy occurs when:

- a councillor fails to make his declaration at the appropriate time; or
- a councillor dies; or
- a councillor resigns; or
- a councillor becomes disqualified; or
- the election is declared void; or
- a councillor fails to attend six consecutive meetings

If the vacancy is not filled by a by-election, the Council may co-opt whom it pleases, provided the person is qualified to be a councillor pursuant to s.79 LGA 1972 and is not disqualified pursuant to s.80 of the 1972 Act.

Eligibility for co-option

The Council should be satisfied by its own investigation or, if this is not possible, by evidence provided by the candidate that a person meets the criteria for eligibility to be a member of the Council (criteria are set out in s.79 of the LGA 1972 Act) see below:

- Aged over 18
- A British, Commonwealth Citizen or Euro national Citizen (who is a registered elector)
- Resident for 12 months prior to the day of election – either in the parish or within 3 miles of the boundary
- Occupied land or premises for 12 months as owner or tenant – either in the parish or within 3 miles of the boundary
- Had a principal place of work – either in the parish or within 3 miles of the boundary

And

A person is not disqualified to be a member of the council (criteria is set out in s.80 of the LGA 1972 Act) see below:

- They hold a paid office with the Council
- If they are subject to a bankruptcy restrictions order or an interim order creates disqualification which dates from the judgment or execution and generally ends one year after the relevant order is made
- If they have within five years before the election or since election been convicted in the United Kingdom, the Channel Islands or the Isle of Man of any offence and been sentenced to not less than three months imprisonment (whether suspended or not) without the option of a fine
- Imprisonment probably includes any type of custodial sentence.
- This disqualification begins when the ordinary period for making an appeal is finally dismissed or abandoned or fails for want of prosecution

Co-option procedure

In the event of the Parish Council being required to fill a vacancy by co-option the following procedure will be followed: -

- Co-option will not be advertised until 3 months after an election has taken place
- Notice of the intention to co-opt the vacancy will be resolved by the council
- The vacancy will be advertised within the parish via website/social media/gazette/noticeboards (appendix 1)
- Interested persons will be requested to attend a minimum of two council meetings before applying, this will help them to understand how the council functions.
- Interested persons will be required to register their interest by completing the attached application form for consideration by Members (appendix 2)
- Successful applicants will then be invited to attend a council meeting, when the Chairman will invite each candidate to address the Members outlining their reasons for wishing to fill the vacancy and their relevant skills and experience
- Each candidate will be allocated a maximum of 5 minutes
- The Chairman will then request those Councillors present to nominate any of the candidates. Candidates require a proposer and seconder to progress to the voting stage.
- The Chairman will then place the names of those who have been nominated and seconded into alphabetical order and proceed to a vote.
- Voting will be by a show of hands until a candidate receives an absolute majority of those Councillors present.
- Should no single candidate receive a majority on the first vote the candidate with the lowest number of votes is eliminated. Voting will then take place on the remaining candidates and continue until the candidate receives an absolute majority
- The successful candidate/s is then declared co-opted to the council and will be summoned to attend the next council meeting when they will sign their Declaration of Acceptance & Register of Interest form.

Role of a Parish Councillor?

To appreciate what is involved in being a Parish Councillor you need to know what a Parish Council is, and what it can and cannot do. A Parish Council has no connection to the Church and is not a voluntary or community body.

A Parish Council provides services for residents of the parish, these will range from play areas, cemeteries, sports facilities. There is a list of activities that a Parish Council has the power to provide, it can only do things for which the law or any governing document gives it the power.

The Parish Council has the ability to set a Precept (sum of money) which is collected from residents through the Council tax system.

Councillors are elected to represent the views of residents within in areas, which are known as wards. They are generally elected by the public every four years and we currently have a co-option space available on the Parish Council.

Monk Hesleden Parish Councillors are all volunteers, no allowances are paid to those undertaking this role.

There are three main factors involved in a councillor's work.

- 1. *Decision making*** - Through meetings and attending committees with other elected members, councillors decide which activities to support, where money should be spent, what services should be delivered and what policies should be implemented.
- 2. *Monitoring*** - Councillors make sure that their decisions lead to efficient and effective services by keeping an eye on how well things are working.
- 3. *Getting involved locally*** - As local representatives, councillors have responsibilities towards their residents and local organisations. These responsibilities and duties often depend on what the councillor wants to achieve and how much time is available, and may include:
 - Going to meetings of local organisations and outside bodies
 - Taking up issues on behalf of members of the public

As a councillor representing your community you will help keep it a great place to live and work.

For further information or to have an informal chat, please contact the Clerk on

0191 5184900 or e-mail clerk@monkhesleden-pc.gov.uk

Monk Hesleden Parish Council
Councillor Co-option Application Form

Appendix 2

Full name	
Home address	
Post code	
Contact Tel Number	
E-mail	

Please answer the Yes/No questions carefully as they set out the legal qualifications for being a Parish Councillor

Qualifications

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

You only need one of the following four qualifications but please say Yes to all that apply

Are you on the electoral register for the parish?	Yes/No
Have you lived either in the parish, or within three miles of its boundary for at least a year?	Yes/No
Have you been the owner or tenant of land in the parish for at least a year?	Yes/No
Have you had your only or main place of work in the parish 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

What can you bring to the Parish Council?

Please tell us your reasons for wishing to become a Parish Councillor?

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What is your perception of the role of a Monk Hesleden Parish Councillor?

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What experience, knowledge or skills do you have which you believe will contribute to your role as a Parish Councillor?

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Are there any local issues that you are particularly interested in that you believe could be of benefit to the community?

As a councillor representing your community you will help keep it a great place to live and work. You will be supported in your role and will be expected to undertake training.

Signed.....

Date.....

Please return to the Parish Clerk:
Mrs L Wardle
Monk Hesleden Parish Council
68 Middle Street
Blackhall Colliery, Hartlepool
Co Durham TS27 4EA
e-mail: clerk@monkhesleden-pc.gov.uk