



# Cranbrook & Sissinghurst Parish Council

## Procedure for co-opting a Parish Councillor

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Reviewed on: N/A

Next Review Due: 2026

# **Procedure for Co-opting a Parish Councillor**

## **INTRODUCTION**

This policy sets out the procedure to ensure there is compliance with legislation and continuity of procedures in the co-option of members to Cranbrook & Sissinghurst 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.

## **1. CO-OPTION**

The co-option of a parish councillor occurs in two instances:

When an ordinary vacancy has arisen on the Parish Council after the ordinary elections held every four years;

or when a casual vacancy has arisen on the Parish Council and no poll (by-election) has been called.

### **A. Ordinary vacancy**

An ordinary vacancy occurs when there are insufficient candidates to fill all the seats on the Parish Council at the ordinary elections held every four years. Any candidates who were nominated are automatically elected to the Parish Council and any remaining vacancies are known as “ordinary vacancies”. Provided there are enough parish councillors to constitute a quorum, the Parish Council is generally able to co-opt a volunteer to fill the vacancies. In some cases, Tunbridge Wells Borough Council may intervene and make an appointment or order an election to fill the vacancies.

### **B. Casual vacancy**

A casual vacancy occurs when:

- A councillor fails to make his declaration of acceptance of office at the proper time;
- A councillor resigns;
- A councillor dies;
- A councillor becomes disqualified; or
- A councillor fails for six (6) months to attend meetings of a council committee or sub- committee or to attend as a representative of the council a meeting of an outside body.

The Parish Council must notify the Borough Council of a casual vacancy and then advertise the vacancy and give electors for the ward the opportunity to request an election. This occurs when ten (10) electors write to the Borough Council stating that an election is requested.

If a by-election is called, a polling station will be set up by Tunbridge Wells Borough Council and the people of the ward will be asked to go to the polls to vote for candidates who will have put themselves forward by way of a nomination paper. The Parish Council will pay the costs of the election. The people of the ward have fourteen days (not including weekends, bank holidays and other notable days), to claim the by-election, but the Electoral Services Office of Tunbridge Wells Borough Council will advise the Clerk of the closing date.

If more than one (1) candidate is then nominated a by-election takes place but if only one (1) candidate is put forward they are duly elected without a ballot. If ten (10) residents do not request a ballot within fourteen (14) days of the vacancy notice being posted, as advised by the Electoral Services Office, the Parish Council is able to co-opt a volunteer.

## **2. CONFIRMATION OF CO-OPTION**

A. On receipt of written confirmation from the Electoral Services Office that no by-election has been called, the casual vacancy can be filled by means of co-option. The Clerk will:

- Advertise the vacancy for four weeks or such other period as the Parish Council may agree on the Parish Council notice boards and website.
- Advise Tunbridge Wells Borough Council that the co-option policy has been instigated.

B. This procedure will also apply in the case of an ordinary vacancy where the Electoral Services Office has confirmed that there were insufficient nominations to fill all the seats but there are sufficient parish councillors elected to constitute a quorum.

## **3. ELIGIBILITY OF CANDIDATES**

A. The Parish Council can consider any person to fill a vacancy provided that:

- he/she is 18 or over; and
- he/she is a British citizen or a qualifying Commonwealth citizen; 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.

B. There are certain disqualifications for being a parish councillor, of which the main are (see section 80 of the Local Government Act 1972):

- holding a paid office or employment under the Parish Council;
- bankruptcy;
- having been sentenced to a term of imprisonment (whether suspended or not) of 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.

## **4. APPLICATIONS**

A. Candidates will be requested to:

- Attend at least one Parish Council meeting as observers;
- Confirm their eligibility and submit information about themselves, by way of completing a short application form (a copy of the application form is attached as Appendix A); The form will be used as the basis of ascertaining a candidate's suitability to put his or herself forward for co-option

B. Following receipt of applications, 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(s) to fill the existing vacancy (vacancies)'. Eligible candidates will be invited to attend the meeting.

C. Copies of the eligible candidates' applications will be circulated to all parish councillors by the Clerk at least 3 clear days prior to the meeting of the full Parish Council, when the co-option will be considered.

D. All such documents will be treated by the Clerk and all parish councillors as strictly private and confidential.

## **5. AT THE CO-OPTION MEETING**

A. At the co-option meeting, candidates will be given five 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 and there will be no private discussions between members prior to a vote being taken. However, where the Parish Council is discussing the merits of candidates and inevitably their personal attributes, this could be prejudicial, and the Parish Council should resolve to exclude the members of the press and public.

B. As soon as all candidates have finished giving their submissions, the Parish Council will proceed to a vote with each candidate being proposed and seconded by the councillors in attendance. Voting will be by ballot.

C. 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. Each councillor must vote, no abstention allowed. The Chairman may only use their casting vote if two successive voting rounds are stalemated.

D. Further rounds of voting will then take place with the process repeated until a candidate has an absolute majority.

E. 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 thereafter. If not present, a co-opted candidate will sign the Declaration of Acceptance of Office either before or at the next meeting of the Parish Council.

F. The Clerk will notify Tunbridge Wells Borough Council Electoral Services Office of the co-option of the new parish councillor.

G. The co-opted parish councillor will complete a Notification of Disclosable Pecuniary Interests form which the Clerk will lodge with the Monitoring Officer at Tunbridge Wells Borough Council within 28 days of the co-option.

H. If insufficient candidates are co-opted, the process should continue, whereby the vacancies are again advertised

## CRANBROOK AND SISISNGHURST PARISH COUNCIL

### Application form for role of Parish Councillor on Cranbrook & Sissinghurst Parish Council

Full name	
Full Address, incl. postcode	
Telephone number	
Mobile number	
Email	

It is a condition of being a Parish Councillor that your phone number and email address (official email address will be supplied) be made public via notice boards and website.

#### LEGAL QUALIFICATIONS FOR BEING A PARISH COUNCILLOR

*To qualify you must be able to answer 'Yes' to both of the 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 Cranbrook or Sissinghurst?	Yes / No
Have you lived either in Cranbrook or Sissinghurst Parish or within 3 miles of its boundary, for at least a year?	Yes / No
Have you been the owner or tenant of land in Cranbrook or Sissinghurst for at least a year?	Yes / No
Have you been the owner or tenant of land in Cranbrook or Sissinghurst for at least a year?	Yes / No

#### DISQUALIFICATIONS

*You must be able to answer No to all of the questions below to be eligible to serve as a councillor*

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 why you are interested in being a parish councillor:

Please 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:

Please tell us something about the skills you feel you will bring to the Council, for example, professional qualifications, financial or project management expertise:

Please tell us what you think are the three main issues facing the Parish Council:

Are there any questions you would like to ask the Council?

Signed

Date