

SHEPTON BEAUCHAMP PARISH COUNCIL

CO-OPTION POLICY FOR VACANT COUNCILLOR POSITION

Introduction

1. The co-option of a Parish Councillor occurs when a casual vacancy has arisen on the Council and no poll (by-election) has been called (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 date specified by the District Returning Officer).
2. Parish Councils are permitted to exercise the power to co-opt a person onto the Council to fill a casual vacancy when the requirements to hold an election have not been met. The council may co-opt whomever it wants provided that person is qualified and not disqualified to serve as a councillor. The co-option must take place in a quorate public meeting of the full council.

Notification Procedure

3. To ensure that a fair and transparent process is undertaken the following procedure will be followed by Shepton Beauchamp Parish Council. The Parish Clerk is to:
 - a. Contact democraticserviceteam@somerset.gov.uk to inform them of the resignation of a councillor, by completing Appendix A They will send a public vacancy notice which is to be posted on the website and notice board and agree a formal date for posting the notice (see point 1 above). This is normally 14 days from the date of the notice.
 - b. Following confirmation from democratic services that no election is required, post a Co-Option Notice (Appendix B) on the council website and on noticeboards in the parish. **Note:** The date of the Council meeting where the candidate is co-opted must be at least 2 months in advance, to allow the candidate to fulfil the criteria under 5b below. Volunteers may be sought through social media, community newsletters, websites, and by working with community groups to advertise the vacancy.
 - c. Co-Option Application Form (Appendix C). Candidates will be required to apply via a Co-Option Application Form, which is freely available from the Parish Clerk. The Application Form will contain:
 - (1) Roll and attributes of a Councillor.
 - (2) Statutory criteria required to serve as a councillor. Any one of the four qualifications shown on the application form will satisfy the requirement. The information on the forms should be checked by the clerk. If the clerk is in any doubt about a candidate's eligibility, they should speak with the electoral services team.
 - (3) Advisory criteria for candidates to be considered.
 - d. Parish Council Agenda and Papers. The Parish Council Agenda and supporting papers are to be sent to all known candidates three clear days before the co-option meeting. This allows the newly co-opted councillor to join the meeting.

Criteria to Stand as a Councillor

4. Statutory Criteria to stand as a Councillor. The minimum statutory criteria to stand as a councillor are:

- Be at least 18 years old
- Be a British Citizen, an eligible Commonwealth citizen, a citizen of the Republic of Ireland, a qualifying EU citizen or an EU citizen with retained rights

You must also meet at least one of the following criteria:

- a. On the current electoral register for the parish. (Note: You are required to remain on the register throughout your term of office).
- b. Have lived in the parish or within 3 miles of the parish boundary during the whole of the 12 months before the day of nomination and election.
- c. Main place of work during the last 12 months before the day of nomination and election is based in the parish.
- d. Occupy as owner or tenant, property within the parish for 12 months before the day of nomination and election.

5. Additional Shepton Beauchamp Criteria. Additional criteria to be taken into consideration for 'co-opted' councillor vacancy for Shepton Beauchamp Parish Council, are:

- a. Must have lived or worked within the Shepton Beauchamp Parish for a minimum of 12 months.
- b. Attended a minimum of one to two Parish Council Meeting prior to selection.
- c. Have attended an informal briefing on the role of the Parish Council and duties expected of a Parish Councillor by a member of the Parish Council, usually the Chairman, Deputy Chairman or member of the Staffing Committee.
- d. Within the first year, undertake to attend Somerset Association of Local Council courses on:

(1) Councillor Essential (parts 1 & 2).

(2) The Code of Conduct & Councillors Interests.

The co-option meeting

6. Co-option should follow a transparent process carried out in public at a quorate meeting of the full council, not in a confidential session.

7. Standing Orders allows the Council to vote using a paper ballot and for ballot papers to be destroyed. The Clerk is to issue a voting slip to each councillor at the meeting. Each councillor present and voting has one vote per vacancy. To ensure nobody votes more than once, the voting slip is to be signed by the councillor.

8. To maintain confidentiality the Clerk is to destroy any ballot papers.

Voting Procedure.

9. The meeting must resolve by an absolute majority of those present and voting, who to elect to the council. Each candidate must be proposed by an existing councillor, and, if required by standing orders (which is almost always the case), seconded. This process must be followed even if there is only one candidate for a vacancy.

10. If the number of candidates is equal to or less than the number of vacancies, then, subject to the process above, all the vacancies can be filled with a composite vote. Where there are more candidates than vacancies, each vacancy is taken in turn, and each councillor present and voting has one vote per vacancy.

Multiple candidates per vacancy

11. Where there are multiple candidates per vacancy and, after the first vote, none of the candidates for co-option have received an absolute majority of votes in their favour, the person having the least number of votes shall be struck off the list and a fresh vote taken. This process continues until an absolute majority of votes is given in favour of one person (50%+1 of all votes cast).

12. In the event of a tied vote, the chairman has the casting vote. The casting vote may be chosen by the chairman personally or by the toss of a coin; the chairman has no choice but to resolve the tie.

13. The purpose of the vote is to ensure that the will of the council has been carried out. To avoid abstentions preventing the will from being clear, it can be useful to include in the co-option policy that an absolute majority of votes means an affirmative vote of a majority of the councillors in attendance at the meeting.

14. For the purposes of full transparency, the results of the entire voting process must be recorded in the minutes

Example of voting procedure

15. The council has one vacancy and there are three candidates, Mr A, Ms B, & Dr C. Eight councillors are present and voting, which means an absolute majority requires 5 votes for one candidate. In the first round of voting, the votes cast are:

Mr A	Ms B	Dr C
4 votes	3 votes	1 vote

16. No candidate has secured an absolute majority of 5 votes. Dr C is eliminated so they received the fewest votes. A second round of voting takes place, and the votes cast are:

Mr A	Ms B
5 votes	3 votes

17. Mr A has received an absolute majority of votes is declared co-opted.

Co-Option of the new Councillor

18. Immediately after the vote, the clerk, observed by the chairman or vice chairman, are to collect and check the voting slips and confirm to the chairman the name of the successful candidate, for the chairman to declare.

19. The Council is to pass a resolution for the new councillor to sign a declaration of acceptance of office, including an undertaking to abide by the Code of Conduct. If the new councillor is present, the declaration can be signed immediately, and they are then entitled to take part in the remainder of the meeting. If the co-opted councillor is not present the council should resolve that the declaration must be signed on or before the next meeting of the council.

20. The newly co-opted councillor has the same status as any other councillor and remains a councillor until the next ordinary election (subject to the other intervening events). A co-opted councillor is not able to claim an allowance other than for travel and subsistence.

21. The Clerk is to notify the Somerset Council's electoral services office of the co-option of the new councillor (Appendix D) and make arrangements with the new councillor to complete the parish council's register of members' interests within 28 days.

Appendices:

- A. Notification of Casual Vacancy
- B. Notice of Vacancy for a co-opted councillor on Shepton Beauchamp Parish Council
- C. Application Form for co-opted vacancy on Shepton Beauchamp Parish Council
- D. Notification of Co-option

Useful References:

- 1. SALC/[Publications](#)/The Good Councillor's Guide 2024' (login required).
- 2. SALC/LTNs & Guidance/[Council Business Law & Procedures](#) (login required)

Date of adoption: 21st October 2024

Review date: Annually in May

Appendix A

NOTIFICATION OF CASUAL VACANCY

To: The Electoral Officer Somerset Council

A Casual Vacancy for

.....Ward (if applicable)

..... Parish/Town Council

was declared on (date)

by the resignation / death / disqualification of

First name Surname

Clerk to the Council

Date:

COUNCILLOR VACANCY – NOTICE OF CO-OPTION
PARISH COUNCIL OF SHEPTON BEAUCHAMP
VACANCY FOR A COUNCILLOR
TO BE FILLED BY CO-OPTION

The above parish council will consider filling by co-option a casual vacancy for a
councillor at its meeting to be held

on

at

Anyone interested in serving the community as a parish councillor and wishing to be considered for co-option should obtain an application form for candidacy from the clerk or (*parish website*).

Completed application forms should be returned to the clerk by:(deadline)

Information on eligibility, the role of the Parish Council and its schedule of meetings may be obtained from the clerk and/or the Chairman

Parish Clerk

.....

Chairman

.....

Date:

APPLICATION FOR A 'CO-OPTED' PARISH COUNCILLOR VACANCY FOR SHEPTON BEAUCHAMP PARISH COUNCIL

If successful, you will be required to complete an entry in the parish council's register of members' interests. This involves putting on public record your address, employment, relevant financial and other interests. For further information and advice please contact the Parish Clerk by e-mail clerk@sheptonbeauchamppc.org.uk or mobile phone 07541 537681

Full Name of candidate	Mr/Mrs/Ms First Name Other Names Surname
Address of Candidate	Post Code:
Will you be at least 18 years old on the date of this meeting	Yes/No
Statutory Eligibility. Please tick any of the following eligibility criteria that apply to you. 1. On the current electoral register for the parish (Note: you are required to remain on the register throughout your term of office) 2. Have lived in the parish or within 3 miles of the parish boundary during the whole of the 12 months before the day of nomination and election 3. Main place of work during the last 12 months before the day of nomination and election is based in the parish 4. Occupy as owner or tenant, property within the parish for 12 months before the day of nomination and election	
Shepton Beauchamp Criteria. Please tick any of the following eligibility criteria that apply to you 1. Have lived or worked within the Shepton Beauchamp Parish for 12 months. 2. Have attended a minimum of one to three Parish Council Meeting prior to selection. 3. Have attended an informal briefing on the role of the Parish Council and duties expected of a Parish Councillor by a member of the Parish Council, usually the Chairman, Deputy Chairman or member of the Staffing Committee. 4. Within the first year, agree to attend the following SALC courses: a. Councillor Essential (Part 1 & 2). b. The Code of Conduct & Councillors Interests.	

Role of a Councillor

The main task of a councillor is to bring local issues to the council's attention and help it make decisions for the benefit of the local community. Councillors have a responsibility to be well informed, especially about diverse local views. You cannot assume that you stand for the interests of all your electors without consulting them.

What specific experience, qualifications or attributes can you bring to the council?

Examples include - Council experience, work experience, Committee member, Planning, Finance, Voluntary & Charitable work, etc.

As a Councillor what project would you wish to achieve for the community?**What has motivated you to join the parish council?****You are disqualified if you are:**

1. Employed by the parish council
2. Are subject to a bankruptcy Restriction Order
3. Have been convicted of a criminal offence with imprisonment for 3 months or more, including suspended, within the last 5 years
4. Subject to the notification requirements of Part 2 of the Sexual Offences Act 2003
5. Disqualified from being a councillor of a principal authority as a result of electoral offences or convicted for failure to register or declare a disclosable interest under the Localism Act.

Declaration:

I am not aware of any disqualification to my serving as a councillor.

Signed: _____,

Appendix D

NOTIFICATION OF CO-OPTION

To: The Electoral Officer, Somerset Council

The following :

Mr/Mrs/Ms

First Names

Surname

Address:

.....Post Code

was co-opted by

..... Parish / Town Council

..... Ward (if applicable)

on date

and has duly signed the Declaration of Acceptance of Office.

Clerk to the Council

Date: