



# Luddington Parish Council

## Co-Option Policy

This policy sets out the procedure to enable compliance with current legislation and establish a fair, transparent and equitable process in the co-option of members to Luddington Parish Council (LPC).

LPC is composed of two wards: Luddington East (3 seats) and Luddington West (4 seats).

### 1 INTRODUCTION

1.1 There are two types of vacancy that can arise which can be filled by co-option:

- a) An Ordinary Vacancy occurs when a ward seat has been left vacant because there were insufficient candidates at the ordinary elections held every four years.
- b) A Casual Vacancy occurs when a ward seat has fallen vacant because 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; a councillor fails for six 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.

### 2 WHEN A CASUAL VACANCY ARISES

- 2.1 If a councillor wishes to resign they must notify the Chairman in writing.
- 2.2 The Clerk will immediately notify the Elections Office at Stratford District Council should a Casual Vacancy arise.
- 2.3 The Elections Office will then send to the Clerk a draft Notice of Vacancy and some advice notes (see Schedule D).
- 2.4 The Clerk will advertise the Notice of Vacancy on LPC noticeboards and website and give electors for the ward the opportunity to request an election. This occurs when ten electors write to the Returning Officer stating that a bye-election is requested.
- 2.5 If the required ten electors of the ward have not called for a bye-election within the legally specified time period (currently 14 days) following publication of the Notice of

Vacancy, the Clerk would be notified by the Returning Officer that the vacancy can be filled by co-option.

- 2.6 On receipt of notification by the Returning Officer under 2.5 LPC will decide to proceed with a co-option within 28 days or wait a period of 6 months before proceeding.
- 2.7 LPC is not obliged to co-opt to fill any vacancy. Even if LPC invites applications for co-option, it is not obliged to select anyone from the candidates who apply. However, LPC recognises that it is not desirable that electors in a particular ward be left partially or fully unrepresented for a significant length of time. Neither does it contribute to effective and efficient working of LPC if there are insufficient councillors to share the workload equitably; to provide a broad cross-section of skills and interests; or to achieve meeting quorums without difficulty, given that some absence is unavoidable at times.
- 2.8 If a Casual Vacancy arises not more than six months before the day on which the councillor would regularly have retired LPC may (but is not obliged to) fill the vacancy by co-option. (Local Elections (Parish and Communities) Rules 1986 – Regulation 8).

### **3 CO-OPTION APPLICATION PROCESS TO BE FOLLOWED**

- 3.1 Should LPC decide to proceed with a co-option:
  - a) The Clerk will announce the vacancy to be filled by co-option within 21 days of receipt of the notification under 2.5 by means of displaying a Co-option Notice on LPC noticeboards and website.
  - b) The Co-option Notice will include the closing date (between 14 and 30 days after the date of the display) and the number of vacancies for each ward.
  - d) The Clerk will advise LPC when the co-option policy has been instigated, by sending a memorandum to all councillors.
- 3.2 Councillors may point out the vacancy and the process to any qualifying candidate(s).
- 3.3 Candidates found to be offering inducements of any kind will be disqualified.
- 3.4 All candidates interested in being co-opted should put this in writing to the Clerk by the closing date.
- 3.5 The Clerk will issue interested candidates with a Person Specification. The Person Specification will be reviewed and amended by LPC as and when a vacancy arises. The current Person Specification is attached in Schedule A.

- 3.6 All candidates will be invited to attend at least one ordinary meeting as a member of the public before applying in full.
- 3.7 Although there is no Statutory Requirement to do so, to apply all candidates will be asked to:
- a) complete a short application form (see Schedule B) and a Skills Audit Form (see Schedule E) and submit both to the Clerk with a current CV (optional),
  - b) complete an Eligibility Form (see Schedule C) pursuant to s.79 and s.80 of the Local Government Act 1972 and submit to the Clerk.
- 3.8 Copies of all eligible candidates' application forms and all supporting documents will be circulated to all councillors by the Clerk at least three working days prior to an ordinary meeting of LPC, when co-option candidates will be considered.
- 3.9 All documents will be treated by the Clerk and all councillors as strictly confidential and in accordance with Data protection requirements where they contain personal information.
- 3.10 Councillors will objectively assess each eligible co-option candidate which may include an interview at the Chairman's discretion with at least the Chairman plus one other councillor. Consideration should be given to the matching of candidates to the Person Specification (see Schedule A) and/or any additional expertise or areas of interest which will assist LPC exercise their various functions.
- 3.11 All candidates will be considered under the Agenda item, "To receive written applications for the office of Parish Councillor". If necessary, there will be a vote to determine the candidates suitable for co-option.
- 3.12 Candidates accepted under 3.11 will be sent a full Agenda of the LPC meeting at which they are to be considered for appointment, together with a copy with the Councillor Welcome Pack including the Code of Conduct, Standing Orders and Financial Regulations of LPC.
- 3.13 Co-option candidates will also be informed that they may, if they so wish, speak for up to three minutes about their application during the Public Session of the LPC meeting at which they are to be considered for appointment.
- 3.14 Where LPC wishes to discuss the merits of any co-option candidate in the LPC meeting and inevitably discussing their personal attributes could be prejudicial, LPC will resolve to exclude members of the press and public from the meeting after the Agenda item in 3.13 above, under Public Bodies (Admission to Meetings) Act 1960 S.2.

3.15 Co-option will take place under the Agenda item, "Co-option of #number Parish Councillor(s) to fill #number Casual/Ordinary Vacancy". Under this item councillors will proceed directly to voting.

#### **4 VOTING PROCEDURE**

4.1 If an existing councillor is related to or has a close connection with any of the candidates, they should declare that fact and not take part in the voting.

4.2 Each co-option candidate should be proposed and seconded by the councillors in attendance.

4.3 Voting will be by a show of hands.

4.4 If at least two members so request, voting will be by paper ballot.

4.5 If any member so requests, the Clerk shall record the names of members who voted for candidates so as to show whether they voted for, against, or abstained.

4.6 Voting will be according to Standing Orders, in that a successful candidate must receive a majority vote of those present and voting:

- a) The Chairman will place the names of the candidates in alphabetical order. Councillors will have one vote per vacancy to be filled.
- b) If there are more than two co-option candidates for one vacancy and no one at the first count receives a majority over the aggregate votes given to the rest, the candidate with the least number of votes will be removed from consideration and the remainder will then be put to the vote again.
- c) This process will, if necessary, be repeated until an absolute majority is obtained.
- d) This process will be followed separately for each individual vacancy for which co-option is under consideration.
- e) If no candidate secures an absolute majority of votes cast for an individual vacancy, then that vacancy remains unfilled.
- f) In the case of an equality of votes, the Chairman of the meeting has a second or casting vote.

4.7 After the vote has been concluded, the Chairman will declare the successful candidates duly elected.

## 5 ACCEPTANCE OF OFFICE

5.1 The successful candidate(s) must sign their Declaration of Acceptance of office before they can act as a councillor, which is to be witnessed by the Clerk. After signing they may take their seat on the council and they will be a full member of LPC.

5.2 The successful candidate(s) must complete The Register of Interests within 28 days and forward a copy to the Monitoring Officer as soon as possible. The Clerk will retain a copy locally.

5.3 The Clerk will notify the Returning Officer of the co-option(s) within 3 working days.

## 6 UNSUCCESSFUL CO-OPTION

6.1 If the decision is not to co-opt any candidate(s), no reason is required to be given in the minutes or to the individual.

6.2 If nobody comes forward for co-option, or co-option candidates are not successful, there will still be a vacancy. LPC should vote as soon as possible on whether to wait 3 or 6 months to commence the process again.

## 7 REVIEW

This policy will be reviewed every 2 years (or earlier if required by changes to Legislation) and amended as necessary based on good practice or evidence taken forward.

Any queries should be made to:

Parish Council Clerk, telephone 07809 873716

email: [luddingtonparishclerk@gmail.com](mailto:luddingtonparishclerk@gmail.com)

Adopted Date	Version	Minutes Page	Review Date
19 <sup>th</sup> November 2019	1	418	November 2021

Signed - Chairman	Signed - Clerk
<i>Signature copy on record</i>	<i>Signature copy on record</i>
DATE 19 <sup>th</sup> November 2019	DATE 19 <sup>th</sup> November 2019



# Luddington Parish Council

## SCHEDULE A CO-OPTION CANDIDATE Person Specification

COMPETENCY	ESSENTIAL	DESIRABLE
<b>Personal Attributes</b>	<p>Sound knowledge and understanding of local affairs and the local community.</p> <p>Forward thinking</p> <p><i>add key skills gaps from Skills Audit here</i></p>	<p>Can bring a new skill, expertise or key local knowledge to the</p> <p><i>add skills gaps from Skills Audit here</i></p>
<b>Experience, Skills, Knowledge and Ability</b>	<p>Ability to listen constructively</p> <p>A good team player</p> <p>Ability to pick up and run with a variety of projects.</p> <p>Solid Interest in local matters</p> <p>Ability and willingness to represent the Council and their community</p> <p>Good interpersonal skills and able to contribute opinions at meetings whilst willing to see others views and accept majority decisions.</p> <p>Ability to communicate succinctly and clearly.</p> <p>Ability and willingness to work closely with other members and to maintain good working relationships with all members and staff.</p> <p>Ability and willingness to work with the Council's partners (e.g. voluntary groups, other parish Councils, principal authority, charities).</p> <p>Ability and willingness to undertake induction training and other relevant training.</p>	<p>Experience of working or being a member in a local authority or other public body</p> <p>Experience of working with voluntary and or local community / interest groups</p> <p>Basic knowledge of legal issues relating to town and parish Councils or local authorities</p> <p>Experience of delivering presentations</p>
<b>Circumstances</b>	<p>Ability and willingness to attend meetings of the Council (or meetings of other local authorities and local bodies) at any time and events in the evening and at weekends.</p>	



# Luddington Parish Council

## SCHEDULE B CO-OPTION CANDIDATE Application Form

<b>Full Name &amp; Title</b>	
<b>Home Address</b>	
<b>Home Telephone</b>	
<b>Mobile Telephone</b>	
<b>Email Address</b>	
<b>Which Ward are you applying for?</b>	Luddington East / Luddington West

**About You:** Please provide LPC with brief background information about yourself.

**Reasons for applying:** Please provide LPC with your reasons for wanting to become a Parish Councillor.

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<b>Signature</b>	
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Your application also requires signatures of 2 registered electors (known as a proposer and seconder) from the parish area:

	<b>Proposer</b>	<b>Seconder</b>
<b>Name</b>		
<b>Address</b>		
<b>Signature</b>		

Please return your completed application to the Clerk to the council. Your application will be considered at the next available Parish Council meeting, where a vote will be held to decide whether the council agrees to put you forward for co-option to Luddington Parish Council.

Data Protection Act: The information provided on this application will remain private and Confidential.

**SCHEDULE C**  
**LUDDINGTON PARISH COUNCIL**  
**CO-OPTION CANDIDATE ELIGIBILITY & DISQUALIFICATION FORM**

<b>1. ELIGABILITY: Please note that under Section 79 of the Local Government Act 1972 in order to be eligible for co-option as a Luddington Parish Councillor you must be able to TICK BOTH A) and B) below</b>	
<b>A)</b> I am a British subject, or a citizen of the Commonwealth or the European Union	
<b>B)</b> On the 'relevant date' (i.e. the day on which you are nominated or if there is a poll the day of the election) I will be 18 years of age or over	
<b>PLUS please tick ONE of Options C) to F)</b>	
<b>C)</b> I am registered as a local government elector for the parish	
<b>D)</b> 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	
<b>E)</b> My principal or only place of work during those twelve months has been in the parish	
<b>F)</b> I have during the whole of twelve months resided in the parish or within 3 miles of it	
<b>2. DISQUALIFICATION: Please note that under Section 80 of the Local Government Act 1972 a person is disqualified from being elected as a Local Councillor or being a member of a Local Council if he/she:</b>	
<b>A)</b> Holds any paid office or employment of the local council.	
<b>B)</b> Is a person who has been subject to a bankruptcy restriction order or an interim order or a debt relief restrictions order or interim order in the last 12 months.	
<b>C)</b> Has within five years before the day of election, or since his/her election, 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.	
<b>D)</b> Is otherwise disqualified under Part III of the representation of the People Act 1983 for corrupt or illegal practices.	
<b>E)</b> Has been convicted for the failure to register or declare Disclosable interests under the Localism Act 2011.	
<b>4. DECLARATION</b>	
<p>I..... hereby confirm that I am eligible and not disqualified for the vacancy of Luddington Parish Councillor, and the information given on this form is true and accurate record.</p> <p>Signature <span style="float: right;">Date</span></p>	

**SCHEDULE D**

**LUDDINGTON PARISH COUNCIL  
CO-OPTION CANDIDATE NOTICE OF VACANCY EXAMPLE**

**NOTICE OF VACANCY**

**in the Office of Parish Councillor  
for the Parish of Luddington  
East / West Ward**

NOTICE is hereby given, in accordance with Section 87(2) of the Local Government Act 1972 that a vacancy exists in the office of Parish Councillor for the Parish of Luddington by reason of the resignation of Councillor ..... on .....

Any ten local government electors for the Parish may require an election to be held to fill the said vacancy. To do this, they must send a written request to the Returning Officer, Stratford-on-Avon District Council, Elizabeth House, Church Street, Stratford-upon-Avon, CV37 6HX which must reach him not later than ..... No set form of words is necessary.

If such a request is received by the Returning Officer, an election will be held. If no request is received, the vacancy will be filled in due course by co-option by the remaining members of the Parish Council.

Dated this .....

By order of the Parish Council

(Signed) \_\_\_\_\_

(Designation) \_\_\_\_\_

**SCHEDULE E**

**LUDDINGTON PARISH COUNCIL SKILLS AUDIT FORM**

EXPERIENCE / UNDERSTANDING OF	1 = no experience 5 = extensive experience PLEASE TICK BOXES BELOW				
	1	2	3	4	5
	Parish Council				
Local Government					
Civil Service					
Charity, Club or Local Volunteer Organisation Committee Member					
Chairing Board or Facilitating Meetings					
Business Experience					
Team Leadership					
Financial – Professional					
Financial Planning / Budgeting / Management					
Finance Administration / Book-keeping					
Procurement / Tenders					
Legal – Professional					
Legal – Administration					
Strategic Planning					
Project or Event Management					
Insurance					
Funding Experience					
HR					
Pensions					
Payroll					
Training					
Taxation					
Housing					
Understanding Local Planning and NPPF					
Understanding and Responding to Local Planning Applications					
Premises and Facilities Management					
Highways Knowledge					
Road Safety and Signage					
Footpaths / Byways / Bridleways / Waterways					
Village Greens / Parish Owned Land					
Tree Management					
Conservation					
Climate Emergency					
Health and Safety Legislation and Management					

EXPERIENCE / UNDERSTANDING OF	1 = no experience 5 = extensive experience PLEASE TICK BOXES BELOW				
	1	2	3	4	5
Risk Assessment and Management					
Marketing / Press & Publicity					
Administrating & Distributing Newsletters					
Social Media & Social Media Campaigns					
Community Transport Links (U-Bus/Dial-a-ride etc)					
Teaching - Professional					
Youth Work / Knowledge of Young People's Issues					
Park and Play Equipment Installation and Maintenance					
Community Groups and Support Work					
Healthcare - Professional					
General Administration and Office Management					
Meeting Agenda and Minutes					
Using Computer / Email / Internet					
Public Speaking					
Mediation					
Volunteering					
Communication Skills / Good Listener					
GDPR					
Website Construction / Maintenance					
Sound Local Knowledge					

**Further Education, Professional Qualifications or Training Received**

**Please give details of any particular area/s of the Parish Council where you feel you would benefit from additional support or training**

**How many hours could you regularly commit to Parish Council matters each week**