

Horden Parish Council

Procedure for co-opting a Parish Councillor

The Parish Council is permitted the power to co-opt a person on to council to fill a casual vacancy once the requirements to advertise a casual vacancy have been met (the vacancy has been the subject of a public notice and less than 10 registered voters have requested an election by the deadline specified by the returning officer) and the County Council has notified there has not been a call to hold an election.

Although seeking 'expressions of interest' is not a legal requirement, the National Association of Local Councils (NALC) recommend that Councils always give public notice of co-option to vacancies because this makes the process of co-option open and transparent.

The Parish Council will advertise the vacancy for a minimum of 14 calendar days 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. The attached form will be used as the basis of ascertaining a candidate's suitability to put his or herself forward for co-option. At the next Full Council meeting:

- 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.
- Chairman to give candidates the opportunity to speak if they are in attendance and to allow members the chance to ask questions of the candidates.
- Only councillors present at the meeting may nominate, second or vote upon a person to fill the vacancy. A councillor may only nominate or second one candidate.
- The chairman will offer opportunity for debate on the order of priority to offer co-option to the candidates. In most cases, the candidates will be asked to leave the room while this process takes place.
- Voting for the new Councillor will be by a show of hands.
- An absolute majority vote is required for each candidate from all members present and entitled to vote. If there are no more than two candidates for one vacancy and no one of them at the first count receives a majority, the candidate with the least number of votes will be eliminated and the remainder must be put to the vote again until an absolute majority is obtained (LGA 1972 Sch. 12. Para 39). One person will be chosen for each vacancy.
- The successful candidate is then declared co-opted to the Council and summoned to attend the next Council meeting.

The above procedure takes place in open Council.

The Clerk will notify Electoral Services of the new councillor appointment and organise Declaration of Acceptance of Office paperwork. All new councillors, must, within 28 days of appointment, register their interests with MVDC – forms to be supplied by the Clerk.

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

Adopted: 1st June 2023

Minute Reference: HPC/23/24/047

Horden Parish Council

CASUAL VACANCY APPLICATION

Full Name: _____

Address: _____

Post Code: _____

Telephone numbers -

Home: _____ Mobile: _____

Email: _____

Legal qualifications for being a Parish Councillor

To qualify you must be able to answer 'Yes' to both of the following questions:

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

Are you 18 years of age or over? **Yes / No**

To qualify you must be able to answer 'Yes' to at least one of the following questions:

Are you on the Parish electoral register for the Parish of Horden? **Yes / No**

Have you lived in the Parish of Horden, or within 3 miles of its boundary, for at least a year? **Yes / No**

Have you been the owner or tenant of land or other premises in the Parish of Horden for at least a year? **Yes / No**

Have you had your principal or only place of work in the Parish of Horden for at least a year? **Yes / No**

DISQUALIFICATIONS

You must be able to answer 'No' to all of the following questions to be eligible to serve as a Councillor:

Are you the subject of a bankruptcy restriction 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 three months or more without option of a fine? **Yes / No**

Disqualification from being elected a member is set out in Section 80 of the Local Government Act 1972

Please briefly 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 about the skills you feel you would bring to the Council, for example, professional qualifications, financial or project management expertise:

Are you prepared to undertake Parish Councillor training?

Yes / No

Please note that the majority of 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. In addition, councillors who are co-opted are not entitled to claim participation allowances.

Horden Parish Council meetings take place on the first Thursday of every month from 6.00pm.

Declaration and Consent

I declare that I am eligible to become a Parish Councillor in the Parish of Horden and I certify that the contents of this application form are true and correct.

I consent to my details being retained if I am co-opted as a Councillor.

I consent to having a Parish Council email address and to receiving Parish Council documentation via electronic means (email).

I consent to my name and telephone number being published together with my Parish Council email address.

Signed **Date**

Please return the completed form to:

Clerk to the Council
Horden Parish Council
Social Welfare Centre
Seventh Street
Horden
Peterlee
Co Durham
SR8 4LX
clerk@horden-pc.gov.uk