

HARLESTONE MANOR PARISH COUNCIL

CO-OPTION POLICY

This policy sets out the procedure to be followed by [Harlestone Manor Parish Council](#) to fill a casual vacancy on the Council through co-option, in accordance with the Local Government Act 1972, and associated legislation.

Co-option is the process by which the Council may appoint a new member when a vacancy arises and no by-election is called.

The purpose of this policy is to ensure a fair, transparent, and consistent approach is followed whenever the Council needs to fill a councillor vacancy by co-option.

Circumstances for Co-option

A casual vacancy arises when a councillor resigns, dies, or is otherwise disqualified. Upon such occurrence:

- The Clerk will notify the Monitoring Officer at West Northamptonshire Council (the Principal Authority).
- The vacancy will be formally advertised through a public notice (the “Notice of Vacancy”) for a period of 14 working days, during which electors may request an election.
- If 10 or more electors of the parish request an election within this period, an election will be held, and the Council will take no further action until the result.
- If no valid request is received, the Council will be notified by the Principal Authority that it may proceed to fill the vacancy by co-option.

Advertising the Co-option

Once eligible to co-opt:

- The vacancy will be advertised on the Council’s noticeboards, website, and social media.
- The advert will include the deadline for applications, eligibility criteria, and how to apply.
- A minimum of two weeks will be given for expressions of interest.

Eligibility

To be eligible for co-option, a candidate must meet at least one of the following criteria:

- Be registered as a local government elector for the parish; or
- Have lived in the parish or within 3 miles of it for at least 12 months preceding the co-option date; or

- Have occupied as owner or tenant land or premises in the parish for at least 12 months; or
- Have had their principal or only place of work in the parish for at least 12 months.
- They must not be disqualified under Section 80 of the Local Government Act 1972 (e.g., due to bankruptcy restrictions, criminal convictions, or being disqualified from holding public office).

Application Process

Applicants will be asked to complete a short application form (including a declaration of eligibility) and may optionally submit a short statement outlining their interest and suitability (Appendix).

The Clerk will verify eligibility prior to the meeting at which the co-option will be considered.

A copy of each applicant's form will be circulated by the Clerk to all Councillors, prior to the relevant full Council meeting where the co-option is to be considered. Councillors are required to keep all relevant documents private and confidential.

Selection Procedure

The Council is expected to fill the vacancy within a reasonable period following expiry of the initial 14 day period.

Co-option will be considered at a full Council meeting, which must be held in public.

Prior to the meeting, the Clerk will confirm the eligibility of each applicant and circulate application forms or statements to councillors (excluding any confidential data as required).

All eligible candidates will be invited to attend the meeting. At the discretion of the Chairman, each candidate may be invited to speak for up to 3 minutes in support of their application.

Councillors may ask questions of each candidate to help inform their decision.

If the candidate is eligible, the council can decide not to co-opt as long as the grounds are valid. These might include:

- Concerns about conduct or past behaviour
- Lack of suitability for the role based on responses at interview (if one is held)
- Strong objections from councillors based on justifiable concerns

However, the Council must ensure the process is fair, non-discriminatory, and complies with relevant laws (e.g. Equalities Act 2010). Refusal cannot be based on protected characteristics, political views (unless relevant to a political group vacancy), or personal bias.

The Chairman will ask for a proposer and seconder for each candidate. If there is no proposer or seconder the application will go no further.

Voting Process (Single Vacancy)

- Voting shall be by signed ballot (as permitted by Standing Orders) or by show of hands if resolved by the Council.
- All councillors present at the meeting may vote.
- To be co-opted, a candidate must receive an absolute majority of votes (i.e., more than half of the votes of councillors present and voting).
- If there are more than two candidates and no one receives a majority, the candidate with the fewest votes will be eliminated.
- The process of elimination and re-voting will continue until one candidate receives an absolute majority.
- In the event of a tie between the final two candidates, the Chairman has the casting vote.

Voting Process Multiple Vacancies

- If there is more than one vacancy and the number of candidates exceeds the number of vacancies, the above process will be repeated for each vacancy, unless the Council resolves an alternative method (e.g., a block vote where each councillor has as many votes as there are vacancies).
- Each candidate must receive an absolute majority to be co-opted.

After Co-option

The Chairman will declare the successful candidate as duly co-opted to the Council. The co-optee will not be permitted to take part in the remaining business of the meeting but are permitted to stay as a member of the public.

The successful candidate must sign a Declaration of Acceptance of Office before or at the next meeting of the Council.

They must complete a Register of Interests form within 28 days, which will be published by the Monitoring Officer.

Confidentiality and Fairness

Personal data of applicants will be processed in accordance with the Data Protection Act 2018.

The process will be conducted fairly, openly, and without bias or discrimination.

CASUAL VACANCY APPLICATION FORM

Full Name:.....

Home Address:.....

.....Post code:.....

Email:.....

Phone no:.....Mobile:.....

Please answer the questions below carefully as they set out the legal qualifications for being a parish councillor.

I am aged over 18 or over at the date of this appointment

I am a British citizen, a Commonwealth citizen or a citizen of a European Union country

You must meet one of the four criteria below, but please tick all that apply:

a) I am registered on the electoral register for the parish

b) I have for the whole of the previous 12 months occupied (as owner or tenant) land or other premises in the parish

c) during the previous 12 months I have worked in the parish (as your principal or only place of work)

d) during the whole of the previous 12 months have resided in the parish or within three miles of the parish boundary.

DISQUALIFICATIONS

Are you the subject of a bankruptcy restrictions order or interim order?

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?

Are you disqualified by order of a court from being a member of a local authority?

Why would you like to become a member of the Parish Council?	
What skills and experience could you bring to this role?	
Are there any local issues that you are particularly interested in?	
Any further comments you would like to make to the Parish Council in support of your application	

By submitting this form you agree to be bound by the Council's Code of Conduct, Standing Orders and Financial Regulations.

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. You should be comfortable working electronically. You should have a positive outlook and a can-do attitude and be willing to work as part of a team.

Signature.....

Date.....

When completed please return to:

Clerk

Harlestone Manor Parish Council
The Old Bakehouse
Harlestone Road
Harlestone Village
NN7 4EP

clerk@harlestonemanorpc.org