



chilham parish council

serving chilham, old wives lees and shottenden

Chilham Parish Council

Co-Option of a new Councillor Policy

This procedure is based on NALC legal Briefing L15-08 – Good practice for selection of candidates for co-option to local Councils.

Parish Councils are permitted to exercise the power to co-opt a person on to the Council to fill a casual vacancy when the requirements to hold an election have not been met (i.e. The vacancy has been the subject of a public notice and less than 10 electors have requested an election by a deadline date specified by the Borough Returning Officer).

Although seeking ‘expressions of interest’ is not a legal requirement, the National Association of Local Councils (NALC) recommends that Councils always give public notice of vacancies because this makes the process of co-option open and transparent and should attract more potential candidates.

Whenever the need for co-option arises, Chilham will:

Advertise the vacancy in the Ward concerned 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. All potential candidates will be requested to complete the co-option form.

At the next Full Council meeting (or earlier should the need arise):

1. The Clerk will inform 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.
2. The meeting will then be closed in order for the Full Council to consider the applications (if not addressed previously) and members of the public and press will be asked to leave
3. Vote on the acceptability of each candidate for co-option, utilising the ‘person specification’ criteria (set out elsewhere in this document) and the application form provided by candidates. An absolute majority vote is required for each candidate from all members present and entitled to vote (LGA 1972 Sch. 12. Para 39) (The applicant with the least number of votes cast will be deleted and the vote taken again and again etc. until the number of candidates equals the number of vacancies).
4. Vote to select the order in which acceptable candidates should be approached to offer co-option on this occasion.

5. Candidates will be notified by e-mail of the Council's decision within 48 hours. The Clerk to approach and offer co-option to candidate(s) after the meeting in order of priority determined by the vote.
If the first choice does not accept the post, then the second is to be approached and so on until the ranking list is exhausted.
6. Assuming that the co-option position is filled, formally ratify the appointment at the next Full Council meeting.
7. The Clerk to notify Electoral Services of the new Councillor appointment, initiate 'acceptance of office' paperwork and 'registration of interests'
8. If no one accepts the vacant post(s), the whole process is to be repeated in the Parish when new individuals expressing an interest are identified (or until the next election).

Chilham

CO-OPTED COUNCILLOR SPECIFICATION

Personal Attributes

- Sound knowledge and understanding of local affairs and the local community
- Forward thinking
- Can bring a new skill, expertise or key local knowledge to the Council

Experience, Skills, Knowledge and Ability

- Ability to listen constructively
- A good team player
- An interest in local matters
- Ability and willingness to represent the Council and their community
- Good interpersonal skills and able to contribute opinions at meetings whilst willing to see others views and accept majority decisions
- Ability to communicate clearly
- Ability and willingness to work closely with other members and to maintain good working relationships with all members and staff
- Ability and willingness to work with the Council's partners (e.g. voluntary groups, other Parish Councils, principal authority, charities)
- Ability and willingness to undertake induction training and other relevant training
- Willingness to acquire a basic knowledge of legal issues relating Parish Councils and Local Authorities

Circumstances

- Ability and willingness to attend meetings of the Council (or meetings of other local authorities and local bodies) at various times and events in the evening (and at weekends).

Eligibility for office. Qualifications.

A person must be a Commonwealth citizen or Euronational, be over 21 and an elector. In addition, the owner or tenant of any land or premises in the parish or a person who has resided in the parish or within 3 miles of it or occupied it as owner or tenant any land or premises therein or has principal or only place of work there. Such work need not be paid but must be substantial. It is therefore possible to be a member of more than one local council.

Disqualifications.

There are several ways in which a person may be disqualified: 1. If a person holds a paid office or other place of profit in the gift or disposal of the council or any committee or subcommittee thereof of a company controlled by the council.

2. Bankruptcy and execution of compositions or arrangements with creditors. This ends 5 years after discharge.

3. Conviction in the United Kingdom, the Channel Islands or the Isle of Man within 5 years before the election and has been sentenced to not less than three months imprisonment (whether suspended or not) without the option of a fine. If a free pardon has been given the disqualification ceases.

4. Corrupt or illegal practises.

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