

AUST PARISH COUNCIL CO-OPTION PROCEDURE

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1 Introduction

This procedure sets out how Aust Parish Council will ensure there is compliance with legislation and continuity of procedures in the co-option of members to the Council. The co-option process is entirely managed by Aust Parish Council and this procedure should ensure that the process is fair and equitable.

This procedure will only apply once South Gloucestershire Council (SGC) Electoral Services have confirmed that a casual vacancy is open for co-option, i.e., that no election has been called.

2 Call for candidates

Aust Parish Council will seek and encourage applications from those who meet the qualifying criteria and are eligible to stand as a councillor.

Councillors can legally approach individuals to suggest they may wish to apply.

Potential candidates are encouraged to contact the Clerk for further information about the Parish Council, before submitting an application. Candidates are also welcome to hold informal discussions with current Councillors to find out more about the role of a parish councillor, but must not try to influence any Councillor's subsequent vote. Any candidate found to be offering inducements of any kind will be disqualified.

The vacancy will be advertised on the parish council noticeboards and website, and in "Meeting Point" if dates allow. The advertisement will include:

- How applications can be made
- The closing date for applications
- How to obtain more information

Unlike larger councils, Aust Parish Council is not warded (divided into smaller areas with councillors specifically appointed to represent a particular ward). Informally, the council has historically tried to maintain a spread of councillors from across the three villages of Aust, Elberton and Littleton. Where a vacancy occurs, there may be more effort to identify candidates from whichever area is left under-represented, but this does not in any way preclude candidates from the other villages from standing for co-option.

3 Applications

To assist candidates, Appendix A includes a guide to those attributes that the Parish Council would seek in councillors. This list is not exhaustive but provides candidates with some guidance on areas they may wish to consider when making their application.

Candidates will be requested to:

- put forward information in support of their application – this may be in writing and/or verbally during a council meeting. Appendix A gives further details.
- confirm their eligibility for the position of Councillor within the statutory rules¹ (Appendix B)

Applications should be submitted to the Clerk. Eligibility forms will be used only by the Clerk to confirm that candidate is eligible to stand, the forms will then be destroyed.

Details of each candidate standing for co-option will be circulated to all Councillors by the Clerk at least 3 clear days prior to the meeting of the full council when the co-option will be considered, along with copies of any written statements submitted by the candidates. All such information will be treated as strictly private and confidential.

4 Co-option process at a full council meeting

Candidates will be invited to attend the meeting at which they are to be considered for appointment, and will be given a copy of the agenda for that meeting.

If any candidates are unable to attend, the co-option process will still proceed and any absent candidates will be asked to confirm before the meeting that they still wish to be considered for co-option. In this case, the Clerk will present to the meeting any written personal statement which the candidate has submitted.

During the meeting, each candidate will have a maximum of five (5) minutes to introduce themselves to members, give information on their background and experience and explain why they wish to join Aust Parish Council.

After each candidate's presentation, Councillors may ask questions of the candidate.

As this will take place during a meeting in public, the Council has no power to compel anyone to withdraw from the meeting room; however, where there are more than one candidate present, they will be asked to withdraw whilst the other candidates are speaking and answering any questions which Councillors may have.

Once all the candidates have finished giving their submissions, the Council will proceed to a vote on the suitability of each candidate.

Again, the Council has no power to compel anyone to withdraw from the meeting room, but candidates & any other members of the public present will be invited to withdraw whilst Councillors discuss the relative merits of the applicants and during the voting process.

If a candidate is a relative or member of the same household as a Councillor, that Councillor should declare an interest and withdraw from the meeting during the discussion and vote.

The voting process for proposed candidates will be carried out in accordance with the usual voting practice of the council. In order for a candidate to be elected to the council it will be necessary for them to obtain an absolute majority of votes cast. Only councillors present at the meeting may vote. Councillors will have one vote per vacancy to be filled. The Chair has the casting vote.

Should there be only one candidate per vacancy, there is a presumption that the candidate will be appointed² (as would happen in an uncontested election.) Councillors should be mindful of this presumption and should be prepared to robustly defend any majority decision against appointment.

Should there be more than two candidates and no candidate gains an absolute majority of votes in the first round, including use of the Chairman's casting vote, then the candidate with the fewest votes shall be removed from the process and another round of votes shall be held until an absolute majority is attained. If there is more than one vacancy, all remaining candidates (including those removed from the first vacancy voting process) shall be eligible for consideration for the second or subsequent vacancies.

¹ Local Government Act 1972 s.79

² NALC Legal Topic Note 8 "Elections and Co-option" s.27

5 After the co-option vote

The candidate(s) will be advised the outcome of the co-option will be conveyed to them in writing. The Clerk will issue those decision letters as soon as practicable after the meeting.

Successfully co-opted candidates become councillors from the end of the meeting at which they were appointed, and will be asked to sign the Declaration of Acceptance Office at the next meeting, or as soon as possible thereafter.

The Clerk will notify SGC Electoral Services of the new Councillor appointment, prepare a Declaration of Acceptance of Office form for signature at the next council meeting, and advise the newly appointed Councillor of the requirements for registration of interests.

The Clerk and Chairman will work with the newly appointed Councillor to familiarise them with the workings of the council and to identify any training needs.

6 Review of procedure

This procedure will be reviewed at least every four years. In the interim, the Clerk will be responsible for ensuring that any changes in relevant guidance or legislation are raised to Council for consideration.

APPENDIX A: Co-option Applications

Information supplied will be kept confidential, but may be circulated to all Councillors.

Anyone who wishes to be considered for co-option to Aust Parish Council must give their name, address and contact details (preferably an email address) to the Clerk before the advertised application deadline. Applicants must also complete the Eligibility form at Appendix B. Please ask the Clerk if you need a paper copy to be sent to you.

Contact details for the Clerk are:

Emma Pattullo
Clerk, Aust Parish Council
Meadowside, New Road, Rangeworthy, Bristol BS37 7QH
austparishcouncil@gmail.com
(01454) 837271

It would also be helpful to know at this stage if you have any additional access needs.

All candidates will be invited to attend the meeting at which the co-option will take place, and will have chance during the meeting to explain why they think they would make a good Councillor. They will also have the opportunity to ask any questions they may have.

If you wish to apply but cannot attend the meeting, or would like to make your case in writing prior to the meeting, you are welcome to send a personal statement to the Clerk. This will be circulated to Councillors. Please note it is not essential to send a written statement, but it would be helpful if you are not able to be at the meeting.

The following attributes are an indication of the type of person who would make a good Parish Councillor. It is not an exhaustive list, but shows the sort of things which Councillors may consider when deciding which candidate is most suitable.

Personal Attributes	
Sound knowledge and understanding of local affairs and the local community.	<i>Essential</i>
Can bring a useful skill, expertise or key local knowledge to the Council	<i>Desirable</i>
Lives in a location which would maintain the balance of Councillors across the parish	<i>Desirable</i>
Experience, Skills, Knowledge and Ability	
Solid interest in local matters	<i>Essential</i>
Ability and willingness to represent the Council and their community	<i>Essential</i>
Ability to listen constructively and contribute opinions at meetings whilst being willing to see other views and accept majority decisions	<i>Essential</i>
Experience of working with another public body, not for profit organisation, voluntary and/or community group	<i>Desirable</i>
Basic knowledge of legal issues relating to town and parish councils or local authorities (<i>training is available</i>)	<i>Desirable</i>
Experience in using IT including e-mail & the internet	<i>Desirable</i>

You may want to consider these questions:

1. What experience can you bring to Aust Parish Council? For example; previous local government experience, work in the voluntary or charitable sector, business or similar.
2. What skills can you bring to the Council? For example; professional qualifications, financial expertise.
3. Why are you interested in becoming a Parish Councillor?

APPENDIX B: Eligibility

In order to be eligible for co-option as a Parish Councillor, you must satisfy certain criteria.

To be eligible, you must be able to answer YES to both the following questions:

a) Are you a British subject, citizen of the Commonwealth or citizen of the European Union?

YES/NO

b) On the 'relevant date' (i.e., the day of the co-option meeting) are you 18 years of age or over? YES/NO

To be eligible, you must be able to answer YES to at least one of the following:

a) I am registered as a local government elector for the Parish of Aust YES/NO

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 of Aust YES/NO

c) My principal or only place of work has, during the whole twelve months preceding my co-option, been in the Parish of Aust YES/NO

d) I have during the whole of twelve months preceding my co-option lived in the Parish of Aust or within 3 miles of it. YES/NO

Under Section 80 of the Local Government Act 1972 a person is disqualified from being elected as a Local Councillor if specific criteria are not met. You must be able to answer NO to the following:

a) Are you an employee of Aust Parish Council? YES/NO

b) Are you the subject of a bankruptcy restrictions order or interim order? YES/NO

c) Have you within the last five years been convicted of an offence in the UK, Channel Islands or 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; YES/NO

d) Are you disqualified by order of a court from being a member of a local authority? YES/NO

Use of Personal Information

The Clerk to the Council will use the information provided on this form to assess your eligibility to be a parish councillor. The form will be destroyed once eligibility has been confirmed by the Clerk.

Declaration of Status

I,hereby confirm that I am eligible for the vacancy of Aust Parish Councillor, and the information given on this form is a true and accurate record.

Signed:

Print: Date: