



Co-option Policy

1. Introduction

There are two circumstances under which the Electoral Officer of Bradford Metropolitan District Council (BMDC) will notify Burley Parish Council that it may proceed to fill a casual vacancy by co-option:

- a) When a ward seat has been left vacant because no eligible candidate stood for election at the full elections for a new council (currently four-year intervals). In this instance the Parish Clerk would be notified of the vacancy by BMDC and that efforts must be made to fill the vacancy by co-option.
- b) During the life of a council when a ward seat has fallen vacant (because of resignation, death or ineligibility). The Parish Clerk will immediately notify the Electoral Officer and the vacancy will be advertised. If the required 10 electors of the ward have not called for a poll (by-election) within the legally specified time period (currently 14 days) following publication of the Notice of Vacancy, the Parish Clerk would be notified by BMDC and the vacancy can be filled by co-option.

The Council is not obliged to co-opt to fill a vacancy. Even if the Council invites applications for co-option, it is not obliged to select anyone from the candidates if the Council does not feel that they are suitable for the position. However, it is not desirable that electors be left partially unrepresented for a significant length of time. Neither does it contribute to effective and efficient working of the council 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.

Councillors elected by co-option are full members of the Council.

To ensure that a fair and transparent process is undertaken this policy sets out the process to be followed by Burley Parish Council when co-option is under consideration.

2. Application Process to be Followed

On receipt, of written notification, from the Electoral Office at BMDC, that a casual vacancy may be filled through co-option and on instruction from the Council:

- a) The Clerk may announce the vacancy or vacancies to be filled by co-option as soon as is practicable by means of displaying a notice on the Council noticeboard and website and through other appropriate means of advertising (i.e. the official Council Facebook page, the Council newsletter). A copy of the notice will also be sent to the local press.
- b) The co-option notice will include the closing date for acceptance of requests for consideration (between 14 and 30 days after the date of the display) and the number of vacancies.

Members may point out vacancies and the process to any qualifying candidate(s).

Candidates found to be offering inducements of any kind will be disqualified.

The statutory requirements to be co-opted as a councillor are the same as standing for election to the Council.

- The applicant needs to be proposed and seconded by two residents on the electoral register for the parish/ward.
- The applicant must meet at least one of the following qualifications:
 - Is on the electoral register anywhere in the parish;
 - Has lived in or within 3 miles of the parish for the previous 12 months;
 - Owns, rents, occupies or otherwise has a right of occupation of land in the parish; or
 - Works in the parish

Although there is no statutory requirement to do so, applicants for co-option will be asked to:

- a) Submit information about themselves, by completing a short application form (Appendix A) together with a brief written summary covering: their reasons for wishing to be a councillor; previous community/council work; and any other skills they can bring to the Council, their interests and recent career history, similar to that which they would produce if standing for election.
- b) Confirm their eligibility for the position of Councillor within the statutory rules (Appendix B) and will be verified by the Clerk.

Copies of the applicant's application form and written statement will be circulated to all councillors by the Clerk at least seven days prior to the meeting of the Council, when co-option will be considered. All documents will be treated by the Clerk and Councillors in accordance with Data Protection requirements where they contain personal information.

Candidates will be sent a full agenda of the meeting at which they are to be considered for appointment. Candidates will also be informed that they may, if they wish, speak for up to 3 minutes about their application during the Public Participation section of Council meeting.

3. Voting Procedure

At the appropriate business item Councillors will proceed direct to voting. Voting will be according to the statutory requirements, in that a successful candidate must receive a majority vote of those present and voting.

If there are more than two candidates for one vacancy and no one of them 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.

This process will, if necessary, be repeated until a majority is obtained.

This process will be followed separately for each individual vacancy for which co-option is under consideration.

If no candidate secures an absolute majority of votes cast for an individual vacancy, then that vacancy remains unfilled (e.g. 18 councillors present and 10 abstain from voting there is no absolute majority).

Councillors shall vote by show of hands, or, if at least two members so request, by paper ballot. However, if any member so requires, the Clerk shall record the names of members who voted on any questions so as to show whether they voted for, against or abstained.

In the case of an equality of votes, the Chairman of the meeting has a second or casting vote.

After the vote has been concluded, the Chairman will declare the successful candidate duly elected and after signing their Declaration of Acceptance of Office may take their seat immediately.

4. Acceptance of Office

The successful candidate(s) must sign their Declaration of Acceptance of Office before they can act as a Councillor. The Register of Interest must be completed within 28 days and the Clerk will forward a copy to the Monitoring Officer as appropriate.

Policy Adopted by Council on 10th October 2019.



Office Use only:

Electoral Roll Number:

Co-option Application Form

Contact Details

Full Name	
Address	
Postcode	
Email address	
Home Tel No	
Mobile No	

Are you over 18 years of age? YES NO

If not resident in Burley in Wharfedale the address for qualification in Appendix 2
Section 1 Eligibility:

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NB. Please attach a written summary covering your reasons for wishing to be a councillor; any other skills you can bring to the council; your interests and recent career history.

Signature: _____

Date: _____

Please return your completed form, together with your written summary and the Co-option Eligibility Form to:

Parish Clerk
Burley Parish Council
Queens Hall
Main Street
Burley in Wharfedale LS29 7BT

Appendix B



Co-option Eligibility Form

In order to be eligible for co-option as a Burley Parish Councillor you must be a British citizen, or a citizen of the Commonwealth or the European Union; and be 18 years of age or over on the 'relevant date' (i.e. the day on which you are nominated or if there is a poll, the day of the election). You must additionally be able to meet one of the following qualifications (**please tick which of the below applies to you**):

- I am registered as a local government elector for the parish of Burley in Wharfedale; **or**
- 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 Burley in Wharfedale; **or**
- My principal or only place of work during those twelve months has been in the parish of Burley in Wharfedale; **or**
- I have during the whole of twelve months resided within 3 miles of the parish of Burley in Wharfedale.

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:

- a) Holds any paid office or employment of the local council (other than the office of Chairman) or of a joint committee on which the Council is represented; **or**
- b) Is a person who has been adjudged bankrupt or has made a composition or arrangement with his/her creditors*; **or**
- c) 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 fine; **or**
- d) Is otherwise disqualified under Part III of the Representation of the People Act 1983 for corrupt or illegal practices.

I (*insert name*) _____ hereby confirm, that I am eligible to apply for the vacancy of Burley Parish Councillor and the information given on this form is a true and accurate record.

Signed: _____

Date: _____

	PROPOSER	SECONDER
Name:		
Address:		
Electoral No:		

*Disqualification ceases i) if the bankruptcy is annulled on the grounds that either the person ought not to have been adjudged bankrupt or that his/her debts have been fully discharged; ii) if the person is discharged with a certificate that the bankruptcy was caused by misfortune without misconduct on his/her part; iii) if the person is discharged without such a certificate. In i) and ii), the disqualification ceases on the date of the annulment and discharge respectively. In iii) it ceases on the expiry of five years from the date of discharge.