

# Councillor Co-option Policy, Procedure and Application Form

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## 1. Introduction

This policy sets out the procedure to ensure there is compliance with legislation and continuity of procedures in the co-option of members to the Town Council. The Co-option procedure is entirely managed by the Town Council and this policy will ensure that a fair and equitable process is carried out.

## 2. Co-option

The Co-option of a Town Councillor must occur after an ordinary election and there are vacant seats to fill and also occurs when a casual vacancy has arisen on the Council and no poll (by-election) has been called. A casual vacancy occurs when:

- A councillor fails to make his declaration of acceptance of office at the proper time;
- A councillor resigns;
- A councillor dies;
- A councillor becomes disqualified; or
- A councillor fails for six (6) months to attend meetings of a council committee or subcommittee or to attend as a representative of the Council a meeting of an outside body.

Following a casual vacancy the Town Council Clerk will notify the District/Borough Council and then using the notices provided by the District/Borough Council they will advertise the vacancy and give electors the opportunity to request an election. An election occurs when ten electors write to the District Council stating that an election is requested. If an election is called and if more than one candidate is validly nominated a by-election takes place but if only one candidate is put forward, they are duly elected without a ballot. If the election for a vacancy is contested then a ballot is called, a polling station will be set up by the District/Borough Council and the electorate of the parish will be able to vote for validly nominated candidates.

If the casual vacancy is advertised and an election is not called by electors, the District/Borough Council will inform the Town Council in writing to co-opt someone who is eligible and not disqualified to fill the vacant seat.

The advertising and election process for a casual vacancy is covered in S.89 Local Government Act 1972  
*(6) A casual vacancy among parish or community councillors shall be filled by election or by the parish or community council in accordance with rules made under section 36 of the Representation of the People Act 1983 in the case of a parish council.*

## 3. Confirmation of Co-option

Once notified that co-option is possible to fill vacant seats the Town Clerk will:

- Advertise the vacancy for Two weeks on the Council notice boards and website
- Advise the Town Council that these procedures have been implemented.



Councillors elected by co-option are full members of the Town council throughout the remainder of their term of office until ordinary elections are due.

#### 4. Eligibility of Candidates

Candidates must satisfy the current eligibility criteria set out in S.79 Local Government Act 1972

- He/she/they is an elector for the parish; or
- has resided in the parish during the whole of the 12 months before the day of your nomination or rented/tenanted land or other premises in the parish; or
- had his/her/them principal place of work in the parish during the whole of the 12 months before the day of your nomination; or
- has lived within three miles of the parish boundary during the whole of the 12 months before the day of your nomination.

Candidates must also ensure that they are not disqualified from standing as a councillor listed under Ss.80-81 Local Government Act 1972:

- holding a paid office under the local authority;
- bankruptcy;
- having been sentenced to a term of imprisonment (whether suspended or not) of not less than three months, without the option of a fine during the five years preceding the election;
- being disqualified under any enactment relating to corrupt or illegal practices; or
- not registered as a sex offender

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

#### 5. Applications

Councillors may encourage applications from those eligible to be co-opted but it is the responsibility of the person seeking co-option to demonstrate they satisfy they are eligible and not disqualified.

Candidates will be requested to:

- Submit information about themselves, by way of completing a short application form (Appendix A)
- Confirm their eligibility for the position of Councillor within the statutory rules (Appendix B).

Following receipt of applications, the next suitable council meeting will have an agenda item 'To receive written applications for the office of Parish councillor and to Co-opt a candidate to fill the existing vacancy'. Copies of the candidate's application form 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. All such documents will be treated by the Clerk and all Councillors as Strictly Private and Confidential.

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 will be invited to speak about their application at the meeting. Candidates for co-option will be advised where to view and obtain the Councillors Code of Conduct, Standing Orders and Financial Regulations which apply to them if successful.

#### 6. At the meeting where co-option candidate's applications are considered

At the meeting, candidates will be given five minutes maximum to introduce themselves to Members, give information on their background and experience and explain why they wish to become a councillor. The Chair



may invite each candidate to speak in accordance with Standing Orders. The Chair may allow councillors to ask questions of each candidate.

Where the Council wishes to discuss the merits of candidates and their personal attributes, this could be prejudicial, and the Council will resolve to exclude the members of the press and public including the candidates being considered for co-option while that discussion takes place. Once that discussion comes to an end the members of the press, public and the candidates may return to observe the voting process which must be completed in public.

Once all candidates have finished giving their submissions and if the council does not wish to discuss the merits of candidates privately (as outlined in the previous paragraph, the council will proceed to a vote on the acceptability of each candidate utilising the 'person specification' criteria set out in Appendix C and any personal statements provided by candidates.

Each vacant seat will be considered in turn and all candidates may receive votes if they are successfully proposed and seconded with the co-opted candidate being successful with a majority vote by show of hands. In the event of an equality of votes the Chair may have the casting vote if they wish to cast it. If a candidate is not successfully proposed and seconded they may not receive votes for that vacant seat. If only one candidate is standing for a vacant seat they must still be proposed and seconded and a majority vote by show of hands must still take place.

In order for a candidate to be co-opted, it will be necessary for them to obtain an absolute majority of votes cast (50% + 1 of the votes available at the meeting). If there are more than two candidates and there is no candidate with an overall majority in the first round of voting the candidate with the least number of votes will drop out of the process. Further rounds of voting will then take place with the process repeated until a candidate has an absolute majority for that vacant seat. In the case of an equality of votes, the Chairman of the meeting may exercise a second or casting vote.

After the votes has been concluded, the Chairman will declare the successful candidate duly elected and after signing their declaration of acceptance of office, may take their place immediately after signing their Declaration of Acceptance of Office.

The Clerk will notify District/Borough Council of the new Councillor appointment. The successful candidate(s) must complete the Register of Interests form within 28 days of being elected. The form should be handed to the Clerk for forwarding to the Monitoring Officer.

If insufficient candidates come forward for co-option, the process should continue, whereby the vacancies are again advertised.





**Reasons for applying**

Please provide the council with your reasons for wanting to become a Parish Councillor.

**Use of Personal Information.**

The Town Council will use your information, including that which you provide on this application, to assess your suitability to be a Town Councillor.

**Declaration & Consent.**

I confirm that I have read the section entitled ‘Use of Personal Information’ and in signing this form I consent to the use and disclosure of my information included thereon.

I declare the information on this form to be true and correct.

Signed .....

Name.....

Date.....





**APPENDIX B**

**Co-option Eligibility Form**

**1. In order to be eligible for co-option as a Town Councillor you must be a British subject, or a citizen of the Commonwealth or the European Union; and additionally able to meet one of the following qualifications set out below. Please tick which applies to you:**

- a) I am registered as a local government elector for the parish of Stamford; or
- 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 Stamford; or
- c) My principal or only place of work during those twelve months has been in the parish of Stamford; or
- d) I have during the whole of twelve months resided in the parish or within 3 miles of it

**2. 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/they:**

- 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 (but see below); or
- c) Has within five years before the day of election, or since his/her/their 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 a fine; or
- d) Is otherwise disqualified under Part III of the representation of the People Act 1983 for corrupt or illegal practices.
- e) Is on the register for sexual offenders.

**This disqualification for bankruptcy ceases in the following circumstances:**

- 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 above, 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.



**DECLARATION**

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

Signature

Date

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**The Town Council will treat this information as strictly confidential.**

Deadline: noon Wednesday, 20 November 2024

Please return completed forms to:

Return this form to the Town Clerk once you have completed it via email.

[townclerk@stamfordtowncouncil.gov.uk](mailto:townclerk@stamfordtowncouncil.gov.uk)

or post

Town Hall, St Marys Hill

Stamford

PE9 2DR





## APPENDIX C

### CO-OPTED COUNCILLOR PERSON SPECIFICATION

COMPETENCY	ESSENTIAL	DESIRABLE
<b>Personal Attributes</b>	<ul style="list-style-type: none"> <li>• Sound knowledge and understanding of local affairs and the local community.</li> <li>• Forward Thinking</li> <li>• Ability to listen constructively</li> <li>• A good team player</li> <li>• Ability to pick up and run with a variety of projects Solid Interest in local matters</li> <li>• Ability and willingness to represent the Council and their community</li> <li>• Good interpersonal skills and able to contribute</li> <li>• opinions at meetings whilst willing to see others' views and accept majority decisions.</li> </ul>	<ul style="list-style-type: none"> <li>• Can bring a new skill, expertise or key local knowledge to the Council.</li> <li>• Experience of working or being a member in a local authority or other public body</li> <li>• Experience of working with voluntary and or local community / interest groups</li> <li>• Basic knowledge of legal issues relating to town and parish Councils or local authorities</li> <li>• Experience of delivering presentations</li> </ul>
<b>Experience, Skills, Knowledge and Ability</b>	<ul style="list-style-type: none"> <li>• Ability to communicate succinctly and clearly.</li> <li>• Ability and willingness to work closely with other members and to maintain good working relationships with all members and staff.</li> <li>• Ability and willingness to work with the Council's partners (e.g. voluntary groups, other parish Councils, principal authority, charities).</li> <li>• Ability and willingness to undertake induction training and other relevant training.</li> </ul>	
<b>Circumstances</b>	<ul style="list-style-type: none"> <li>• Ability and willingness to attend meetings of the Council (or meetings of other local authorities and local bodies) at any time and events in the evening and at weekends.</li> </ul>	







## FREQUENTLY ASKED QUESTIONS

### 1. Aren't I too young / too old?

People from all walks of life can make excellent councillors. Having a diverse range of ages and backgrounds on the Council leads to more informed decision-making, drawing from a variety of real-life experiences. This diversity also helps ensure the Council better represents the local community. If you're 18 or older, you're eligible to become a councillor.

### 2. What's the point of just joining a talking shop, they don't do anything. Have you ever been to a meeting?

The role of local councils, including town and parish councils, is expanding. With increasing powers, they have the opportunity to take on more services. As a councillor, you would play a key role in making important decisions that directly benefit the community.

### 3. How many meetings would I have to attend?

As a councillor, you will be expected to attend a monthly Council meeting, as well as meetings for any committees you serve on. Typically, meetings are no more frequent than one evening a week, unless you decide to be on more than one committee, and occasionally missing one is acceptable. Most meetings last just a couple of hours. Prior to each meeting, you will receive an agenda and background papers, which you are expected to review and understand in preparation for the discussions.

### 4. Do I get paid?

No, this is entirely a voluntary role. However, certain expenses may be reimbursed, such as travel costs for attending council training sessions.

### 5. How would I juggle this with my paid work?

Many councillors have full-time jobs, which is why meetings are often held in the evenings. It may be worth asking your employer, as many offer time off for voluntary work or council duties. Serving as a local councillor is also a great addition to your CV—it demonstrates decision-making skills, teamwork, community involvement, and a proactive attitude.

### 6. I am not sure I'm eligible as I haven't lived here long

If you are a Commonwealth or EU citizen and have lived or worked in the parish for a year, or if your name is already on the electoral roll, you are eligible to become a councillor. Being new to an area can also offer a fresh perspective, allowing you to see things more objectively.

### 7. If there are other applicants, how will you make a decision?

You will be invited to a council meeting to make a short presentation, lasting no more than 5 minutes. The councillors may ask you questions afterwards, and they will then vote in private. A copy of the full



procedure is included in this bundle. If you are not successful, you may still be approached if a vacancy arises in the future.

8. I have never been a councillor before, won't I be confused if I don't know what's going on?

You will be eased in gently, with help, advice, and training available to support you. The Council has staff who can explain how the Council operates and provide guidance and advice whenever needed.

9. Would it mean that there would be limits on other work I could do and would everyone know all about my business and personal affairs?

At the outset, you will complete a declaration of interest form that requires you to list any business interests within the parish area. This helps guard against bias when parish issues are debated. While serving as a councillor, you are expected to adhere to certain standards. However, when you're off duty, you are entitled to a private life, just like everyone else.