

Chapel-en-le-Frith Parish Council Co-option Policy

The Parish Council's Co-option Policy was adopted at a Council meeting held on 16 May 2023.

1. This policy has been written taking into account the NALC Legal Briefing guidance
- 1.2 It is important that all applicants are treated the same so that arrangements are seen to be open, fair and transparent. This policy sets out the process to be followed by Chapel-en-le-Frith Parish Council when co-option is under consideration.
- 1.3 Whenever the need for co-option arises, Chapel-en-le-Frith Parish Council will seek and encourage applications from anyone who is eligible to stand as a Parish Councillor.
- 1.4 The Parish Council is not obliged to co-opt to fill any vacancy. Even if the Council invites applications for co-option, it is not obliged to select anyone from the candidates who apply.
- 1.5 However, it is not desirable that electors of the Parish be left partially or unrepresented for a significant length of time; neither does it contribute to the effective and efficient working of the Parish Council if there are insufficient Councillors to share the workload equitably, provide a broad cross-section of skills and interests, or to achieve meeting quorums without difficulty, given that some absence is unavoidable at times.
- 1.6 Councillors elected by co-option are full members of the Parish Council.

2. Co-option Process:

- 2.1 On receipt of written notification from the Monitoring Officer at High Peak Borough Council that a casual vacancy can be filled by means of co-option, the Clerk within 21 days will place a notice announcing that the vacancy can be filled by co-option and invite expressions of interest. The notice will be placed on the Noticeboards and on the Parish Councils website.

3. Eligibility of Candidates

- 3.1 The Parish Council is able to consider any person to fill a vacancy provided that:
 - They are 18 or over
 - Is a qualifying British Citizen

And at least one of the following apply:

- They are an elector for the Parish and continues to be an elector; or
- Has resided in the parish for the past twelve months or rented/tenanted land or other premises in the parish;
- had their principal place of work in the parish for the past 12 months
- has lived within three miles of the parish for the past 12 months

There are certain disqualifications for election (see 5. 80 of the Local Government Act 1972), of which the main are:

- 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
- being disqualified under any enactment relating to corrupt or illegal practices
- being convicted of failure to register or declare disclosable interests under the Localism Act 2011

4. Applications

- Applicants should write to the Parish Clerk stating that they wish to be considered for co-option and outline why they want to be a Councillor and what they are looking to achieve, including any previous experience that they have had as a Councillor. In addition what they think they have achieved and the impact on the decision making process.
- Applicants will be asked to confirm that they are eligible to stand as a Councillor.
- They will be invited, along with other candidates, to a Council meeting where they will be given a chance to speak for three minutes, to introduce themselves and explain why they wish to join the Council.

5. Voting at the Council meeting

- 5.1 Only Councillors present at the Full Council meeting may vote and Councillors will have one vote per vacancy to be filled.
- 5.2 Voting will be by a show of hands from the Councillors present at the meeting.
- 5.3 Where more than two persons have been nominated for a position to be filled by the Council and none of those persons has received an absolute majority of votes in their favour, the name of the person having the least number of votes shall be struck off the list and a fresh vote taken. This process shall continue until a majority of votes is given in favour of one person. In the case of an equality of votes, the Chairman of the meeting has a second or casting vote. Where the council is considering the co-option of a councillor to fill a vacancy under s.89 of the Local Government Act 1972, it shall be under no obligation to accept any candidate.
- 5.4 After the vote has been concluded, the successful applicant will be asked to sign their Acceptance of Office and they may take their seat immediately.

6. Acceptance of Office

- 6.1 The successful candidate(s) must sign their declaration of Acceptance of Office before they can act as a Councillor. The Register of Interests must be completed within 28 days and the Clerk will forward a copy to the Monitoring Officer at High Peak Borough Council.