

Carlyon Parish Council

Co-Option Policy

From time to time casual vacancies occur on the parish council and the purpose of this policy is to ensure that a fair and transparent process is adopted to fill such vacancies.

A casual vacancy can occur when

- A councillor resigns
- A councillor dies
- A councillor fails to make his Declaration of Acceptance of Office on time
- A councillor becomes disqualified
- A councillor fails for six consecutive months to attend meetings of the council, committee, working party or to attend as a representative of the council at a meeting of an outside body

There may also be vacancies following an election.

The following procedure will be adopted

- The parish council must notify Cornwall Council of a Casual Vacancy and then advertise the vacancy and give electors the opportunity to request an election. This occurs when ten or more electors write to Cornwall Council stating that an election is required.
- If 10 or more residents do not request a by-election within 14 working days of the vacancy being posted, as advertised by Cornwall Council, Carlyon Parish Council is able to co-opt a councillor.
- On receipt of written confirmation from Cornwall Council that no election has been called, the parish council will advertise the vacancy for 4 weeks on the Council's notice boards and website.
- Carlyon Parish Council is not obliged to fill any vacancy. Even if the parish council invites applications for co-option, it is not obliged to select anyone from the candidates that apply.
- Councillors who are co-opted members are full members of the parish council. The only difference is that they are unable to claim expenses.

Eligibility of Candidates

Prospective candidates legally have to meet certain criteria

- They must be on the electoral register for the parish or
- Must have resided in the parish for 12 months and/or rented land in the parish or
- Has his/her principal place of work in the parish or
- Live within a 3 mile radius of the parish

Applicants are barred from standing if

- They hold paid employment with the parish council
- They are bankrupt
- They have been sentenced to a term of imprisonment (whether suspended or not) of not less than 3 months, without the option of a fine during the 5 years preceding the election and
- Being disqualified under any enactment relating to corrupt or illegal practices

It is the candidate's responsibility to ensure that they meet the criteria.

Interested parties must submit a formal letter of application, addressed to the Clerk outlining the following

- Something about themselves, their past experience for example work, or voluntary or charitable work
- What skills they think they could bring to the council, for example planning, financial or project management
- Give an indication of how much time they think they can commit to council work
- Explain why they are interested in becoming a councillor
- And anything else they feel is relevant

Candidates are encouraged to contact the Clerk for an informal discussion at any stage in the process.

- On receipt of a formal application, the Clerk will notify the applicant of the date the co-option is likely to take place. The applicant's details will be circulated to current councillors prior to the meeting and will be treated as strictly confidential.
- At the meeting the applicant(s) will be invited to introduce themselves and give a little background information to the council. Councillors will then have an opportunity to put questions to each applicant.
- When all the candidates have spoken the Chairman will seek proposers and seconders for each nomination and a vote will follow. The voting process will be carried out in public session. A paper ballot may be held if more than half the council request it, otherwise the vote will be by way of a show of hands. In order for the candidate to be successful, they will need to achieve a majority of votes (50%+1) of the votes available at the meeting.
- Only councillors present at the meeting may vote and councillors will have one vote per person. The Chairman has the casting vote.

If insufficient candidates come forward or no candidate is elected, the vacancies will be advertised again.

It is important that prospective councillors have an understanding and feel of how the council works and will therefore be asked to attend at least 2 parish council meetings before co-option can take place.

This Policy was adopted on 15 June 2021