

Tregony with Cuby Parish Council

Policy and procedure for co-opting a parish councillor

Parish Councils are permitted the power to co-opt a person on to the council to fill a casual vacancy when the requirements to hold an election have not been met (the vacancy has been the subject of a public notice and fewer than 10 registered voters have requested an election by the deadline specified by the returning officer).

Although seeking 'expressions of interest' is not a legal requirement, the National Association of Local Councils (NALC) recommends that Councils always give public notice of vacancies because this makes the process of co-option open and transparent and should attract more potential candidates.

The Parish Council will advertise the vacancy to seek and encourage 'expressions of interest' by a specified date from anyone who is eligible to stand as a parish councillor. The attached forms will be used to confirm a candidate's eligibility and suitability to put him or herself forward for co-option.

At the next Full Council meeting after the closing date for expressions of interest:

- The clerk will confirm that each candidate is qualified to become a Councillor and is not disqualified from being a Councillor as set out in the Local Government Act 1972 s79 and s80.
- Where the number of candidates is less than or equal to the number of vacancies, the candidates shall be appointed to the council if they meet the s.79 eligibility criteria, and they are not disqualified under s.80.
- Where there are more candidates than the number of vacancies, the chairman will invite candidates to attend a private session prior to the normal commencement of a Parish Council Meeting. Each candidate will be allowed a maximum of 5 minutes to address members who will then be able to ask questions of the candidate.
- When all candidates have spoken and answered questions, the chairman will invite debate by the councillors on their preferred candidate(s).
- Each councillor will then be asked in turn to vote for their preferred candidate(s). Councillors can vote for one candidate if there is one vacancy; for two if there are two vacancies, etc.
- An absolute majority vote is required for each candidate from the members present and entitled to vote. If there are more than two candidates for one vacancy and none of them at the first count receives a majority, the candidate with the least number of votes will be eliminated and the remainder will be put to the vote again until an absolute majority is obtained (LGA 1972 Sch. 12. Para 39).
- The successful candidate is then declared co-opted to the Council and will be invited to join the Parish Council meeting on the same evening.

The Clerk will notify Electoral Services of the new councillor appointment and organise Declaration of Acceptance of Office paperwork. All new councillors, must, within 28 days of appointment, register their interests with Cornwall Council – forms to be supplied by the Clerk.

Please complete the forms and return them to:
Mary Symons, parish clerk
Tregony with Cuby Parish Council
Treburthes, Ruanhighlanes
Truro TR2 5JP

November 2021

or email: clerk@tregonywithcubyparishcouncil.gov.uk

By 1 December 2021

Tregony with Cuby Parish Council

Application form for being a parish councillor on Tregony with Cuby Parish Council

Full name	
Home address incl. postcode	
Telephone	
Mobile	
Email	

Legal qualifications for being a local councillor

(To qualify, you must be able to answer Yes to both of the questions below)

Are you a British citizen, a Commonwealth citizen, or a citizen of a European country?	Yes/No
Are you 18 years or over?	Yes/No

(To qualify, you must be able to answer Yes to at least one of the questions below)

Are you on the electoral register for Tregony with Cuby?	Yes/No
Have you lived in Tregony with Cuby parish, or within 3 miles of its boundary, for at least the last 12 months?	Yes/No
Have you been the owner or tenant of land in Tregony with Cuby parish for at least the last 12 months?	Yes/No
Has your only or main place of work been in Tregony with Cuby parish for at least the last 12 months?	Yes/No

Disqualifications

(You must be able to answer No to all of the questions below)

Are you subject to a bankruptcy restrictions order or interim order?	Yes/No
Have you within the last 5 years been convicted of any offence in the U.K., Channel Islands or Isle of Man which resulted in a sentence of imprisonment (whether suspended or not) for a period of 3 months or more without the option of a fine?	Yes/No
Are you disqualified by order of a court from being a member of a local authority?	Yes/No

Please briefly outline why you are interested in being a parish councillor

Please tell us something about the skills or qualifications or experience that you feel you would bring to the Council

Are there any questions that you would like to ask of the Council?

Signed

Date

November 2021