



Boxley

PARISH COUNCIL

Co-Option Policy

Boxley Parish Council values diversity of background, experience and perspective, and welcomes applications from all eligible residents, including those with additional needs or non-traditional career paths. With a full complement of councillors bringing a wide range of strengths, the Council benefits most from candidates who are willing to participate constructively and represent their community, whatever their starting point.

This Co-option Policy is to ensure that there is compliance with legislation. It sets out the procedures for the co-option of Councillors to Boxley Parish Council to fill a casual vacancy. It will also be used when co-opting to fill a vacancy left unfilled at an election.

1. Introduction

A casual vacancy occurs when:

- a. A councillor fails to make their declaration of acceptance of office within the proper time. This must be done before or at the first meeting of the council, unless the council permits otherwise.
- b. A Councillor resigns
- c. A Councillor becomes deceased
- d. A councillor becomes disqualified
- e. An election is declared void
- f. A Councillor ceases to be qualified. This includes failure for six months to attend meetings of the Council, Committee or sub-committee or to attend as a representative of the Council a meeting of an outside body unless for reasons approved by Council

2. Policy

- a. The Parish Council will notify Maidstone Borough Council of a Casual Vacancy.
- b. The Parish Council will then declare and advertise the vacancy and give electors the opportunity to request an election. This occurs if ten electors of the Parish write requesting an election. If more than one candidate is then nominated a by-election takes place but if only one candidate is put forward, they are duly elected without a ballot.
- c. If an election is not requested then the Parish Council is able to co-opt and will issue a public notice of its intent to fill vacancies by co-option.

3. Eligibility

- a. To be eligible to become a Parish Councillor individuals must:
 - Be over 18 years of age
 - A British, European Union or a qualifying Commonwealth citizen or have indefinite leave to remain.
- b. And meet one of the following requirements
 - Are registered as a local government elector for Boxley Parish from the day of their nomination onwards
 - Have occupied as owner or tenant any land or other premises in the Parish during the whole of the 12 months prior to the day of your nomination
 - Their main or only place of work during the 12 months prior to the day of nomination has been in Boxley Parish
 - During the whole of the 12 months prior to nomination resided in Boxley Parish or within 4.8 kilometres of the Parish boundary.
- c. A person is disqualified from being a Parish Councillor if:
 - He/she as within 5 years before served a prison sentence (including suspended sentences) of three months

- He/she is the subject of a bankruptcy restrictions order or interim order
- He/she is an employee or hold paid office of the Parish Council
- He/she is within 3 years been disqualified under the Representation of the People Act 1983 (which covers corrupt or illegal electoral practices)
- He/she is subject to the notification requirements of or under Part 2 of the Sexual Offences Act 2003
- Is disqualified for being elected or for being a member of that authority under Part 111 of the Representation of the People Act 1983.

4. Applications

- a. Applicants for co-option will be asked to submit information about themselves by completing a short application form (appendix 1) and submitting a personal statement of no more than 300 words.
- b. Copies of the application form and personal statement will be circulated to all Councillors for consideration at a meeting of the Parish Council. At the meeting consideration of applications will be dealt with in public session.
- c. Applications may be withdrawn up to the time of voting for co-option
- d. The Council is not obliged to consider the claims of candidates who were unsuccessful at a previous election.
- e. The Council will assess each candidate against its agreed person specification (Appendix A)

5. Voting process

- a. Please note that the requirements of the Members Code of Conduct apply in this case and therefore if a Councillor lives with a candidate or has a close personal association (family, friend or business relationship etc.) with one or more of the candidates he/she must disclose that interest and if it is prejudicial should leave the meeting room and not vote
- b. A successful candidate must have received an absolute majority vote of those present and voting.
- c. If there is more than one vacancy and the number of candidates exceeds the number of vacancies, each vacancy must be filled by a separate vote or series of votes.
- d. Each candidate will be invited to speak to the Council.
- e. Any questions to the candidates should take no more than 5 minutes and the Chairman will control this time.
- f. Voting will follow the statutory requirement that a successful candidate must have received an absolute majority vote of those present and voting.
- g. If there are more than two candidates for one vacancy and no one receives an absolute majority over the aggregate votes given to the rest steps must be taken to 'strike off' the candidate with the least number of votes and the remainder must be put to the vote again.
For example If candidate A receives 4 votes and Candidate B and C receive 2 each, Candidate A is not elected as he has the same number of votes as B and C together. In such a case it is necessary to conduct a ballot between the tied candidates to eliminate one of them.
In the case of a tie at this point the Chairman would have the casting vote. This process must, if necessary, be repeated until an absolute majority is obtained. Voting will be undertaken in accordance with Standing Orders.
- h. The votes will be collated by the Clerk who will count, record and publicly declare the votes using the Verification and Count Sheet.
- i. In the event of a tie of the last 2 candidates the Chair will have the casting vote.

6. Acceptance of Office

Co-opted Councillors may take office and exercise their rights as a member of the Council upon signing their Declaration of Acceptance of Office. This will be offered after all potential co-options have been considered.