



IVYCHURCH PARISH COUNCIL - CO-OPTION PROCEDURE

Introduction

There are two types of vacancies:

Casual

This occurs during the four-year term when a Councillor resigns, dies or becomes disqualified. S87(2) of the Local Government Act 1972 requires a local authority (Parish Council) to give public notice of casual vacancies to ensure transparency and attract more candidates. The process of giving ten electors the opportunity to call a by-election is only relevant for casual vacancies, not ordinary vacancies.

Ordinary

This occurs as a result of insufficient nominations for the seats available at the time of election. Any such vacancy/vacancies should be advertised within 35 days of the election. In these circumstances a person can be co-opted to fill a vacancy/vacancies at the discretion of the local authority (Parish Council).

The Co-option Process for Ordinary and Casual vacancies

See <https://www.electoralcommission.org.uk/i-am-a/candidate-or-agent/parish-council-elections-england> for the nomination qualifications required of an applicant for either an ordinary or casual vacancy. There are no statutory arrangements in place to co-opt to fill a vacancy and therefore Ivychurch Parish Council has elected to adopt the following process in order to be fully transparent. (For casual vacancies this process will apply when a by-election has been advertised but not claimed).

Where an ordinary vacancy/vacancies occur, the following will apply:

When Folkestone & Hythe Democratic Services and Elections Department has advised the Parish Council that it may co-opt to the vacancy, the following is the procedure by which the Parish Council selects a new Councillor. This is done as an agenda item within a regular Parish Council meeting. The Parish Council manages the process of co-option by itself and aims to demonstrate that it is fair and transparent by following the procedure set out below:

Procedure

1. Ivychurch Parish Council places a notice on its noticeboard and website inviting interested candidates to write to the Clerk by a specified date within two weeks of the notice. Candidates will be asked to confirm that they are qualified to be a Councillor and to include their CV and a brief explanation of why they would like to be a Parish Councillor. Copies of the information received from candidates will be circulated by the Clerk to all Councillors for their consideration.
2. In a closed session of the Parish Council meeting, without the public present, Councillors will discuss and consider the candidates. Voting will take place by secret ballot. Councillors will have one vote per vacancy. In the event of a tie between two candidates for one vacancy the Chairperson will exercise their casting vote.



3. If there is only one candidate for one vacancy they are not automatically co-opted – a yes/no vote will take place.
4. The successful candidate/s will be declared co-opted to the Parish Council and, after signing the declaration of acceptance of office paperwork, will be asked to join the parish council meeting.
5. The successful candidate is a Councillor in their own right and is no different to any other member; co-option is a legitimate form of election as part of the election process.

Adopted by Ivychurch Parish Council at the Parish Council Meeting held on 18th May 2023
