



Ansty & Staplefield Parish Council

Co-Option Policy

1. INTRODUCTION

This policy sets out the procedures for to Co-Option of Councillors in both election and non-election years.

2. POLICY IN NON-ELECTION & ELECTION YEARS

In the event for the need of the co-option of a councillor in a non-election year the following procedure will be undertaken:

- i) The Clerk will contact MSDC to advise of a vacancy. They will then provide the relevant paperwork to advertise a casual vacancy and if 10 electors of the electoral area give notice in writing, a by-election will be held. This will be advertised on the website, noticeboards and social media pages. If within 14 working days a by-election hasn't been called, ASPC are free to co-opt to fill the vacancy.
- ii) In the event of a co-option, any interested candidates will be required to complete an application form, including a declaration that they are qualified and not disqualified from standing as a councillor **(Appendix A)**.
- iii) The clerk will check their eligibility to be a councillor in the Parish of Ansty & Staplefield **(Appendix A)**.
- iv) Prospective candidates will be provided with relevant information on the responsibilities of being a councillor and the nature of their duties.
- v) Candidates will be advised that the council is not obliged to co-opt any candidate if it is felt the candidates are not suitable.
- vi) Co-options will normally be considered at a full council meeting, but an extra meeting may be called if required.
- vii) At the co-option meeting candidates will be given the opportunity to introduce themselves to councillors, give information on their background and experience and explain why they would like to become a Member of the Council. Councillors will be able to ask questions.
- viii) Once all the candidates have spoken, Councillors will discuss the candidates and make a decision regarding co-option. This will be done in public session.
- ix) For a candidate to be co-opted they must receive 50% + 1 of the votes from members present.
- x) In the event of an equal vote, the Chair will have the casting vote.
- xi) If insufficient or unsuitable candidates come forward, then the process will be repeated.
- xii) The Clerk will update MSDC, websites and any other relevant bodies as soon as practicable.

Appendix A

1. In order to be eligible for co-option as a Ansty and Staplefield Parish Councillor you must be a British subject, or a citizen of the Commonwealth or the European Union; and on the 'relevant date' (i.e. the day on which you are nominated or if there is a poll, the day of the election) 18 years of age or over; and additionally able to meet one of the following qualifications set out below. Please tick which applies to you:

a) I am registered as a local government elector for the parish; or

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b) I have, during the whole of the twelve months preceding the date of my co-option

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occupied as owner or tenant land or other premises in the parish; or

c) My principal or only place of work during those twelve months has been within the parish; or

☐

d) I have during the whole twelve months resided in the parish or within 3 miles of it

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2. Please note that under Section 80 of the Local Government Act a person is disqualified from being elected as a Local Councillor or being a member of a Local Council if he/she:

- a) Holds any paid office or employment of the local council (other than the office of Chairman) or of a joint committee on which the Council is represented; or
- b) Is a person who has been adjudged bankrupt or has made a composition or arrangement with his/her creditors (but see below); or
- c) Has within five years before the day of election, or since his/her election, been convicted in the UK, Channel Islands or Isle of Man of any offence and has been sentenced to imprisonment (whether suspended or not) for not less than three months without the option of a fine; or
- d) Is otherwise disqualified under Part III of the representation of the People Act 1983 for corrupt or illegal practices.
- e)

This disqualification for bankruptcy ceases in the following circumstances:

- i. If the bankruptcy is annulled on the grounds that either person ought not to have been adjudged bankrupt or that his/her debts have been fully discharged;
- ii. If the person is discharged with a certificate that the bankruptcy was caused by misfortune without misconduct on his/her part;
- iii. If the person is discharged without such a certificate.

In i and ii above, the disqualification ceases on the date of the annulment and discharge respectively.

In iii, it ceases on the expiry of five years from the date of discharge.

Adopted May 2025