

## **CO-OPTION PROCEDURE for COUNCILLOR VACANCIES**

### **1. Introduction**

An election is the most democratically appropriate way for a new member to be selected to join the council. In some cases, however, seats remain vacant after an election or are vacated during a term of office.

Co-option is a process through which the council may, subject to certain conditions, fill those vacancies.

Unless the next ordinary election is less than SIX months away, the council is expected to fill its vacancies at the earliest opportunity.

### **2. Objectives of this document**

- To ensure the council executes consistent, fair and lawful co-option, in accordance with the Local Government Act 1972.
- To inform electors in the parish of their rights to request an election in the event of a casual vacancy arising.
- To inform electors and applicants of the procedures applied to co-option, in the interests of engagement and transparency

### **3. Scope of this document**

This procedure applies in all cases where a vacancy exists and the conditions for co-option are met.

### **4. Definitions**

'Ordinary vacancy'	A vacancy arising from there being insufficient nominations to fill all council seats at an ordinary election of the whole council. Such elections take place every four years.
'Casual vacancy'	A vacancy arising within the four-year term of the council when a councillor resigns, dies or becomes disqualified
'Disqualified'	A person is disqualified from being or becoming a councillor if they cannot meet the qualifying conditions. Reasons for disqualification include criminal history, bankruptcy, age (must be 18+), nationality and residence <sup>1</sup> .

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<sup>1</sup> Local Government Act 1972, s79

## **5. Ordinary vacancy**

When an ordinary vacancy exists, a person can be co-opted to fill the vacancy without delay.

Electors cannot request an election and the council may proceed straight to advertising the vacancy.

## **6. Casual Vacancy**

When a casual vacancy arises, the parish council must notify the public<sup>2</sup>. This is to ensure transparency, attract candidates and allow electors to request a by-election if they wish, as follows:

1. Once it has notified the district council, the parish council shall advertise the casual vacancy on its noticeboard(s), its website and through its social media channels, without delay.
2. From the date a casual vacancy is posted, electors have fourteen days (not including weekends, bank holidays and other notable days) to request an election.
3. To request an election, ten or more electors in the parish must write to the district council within the fourteen-day period.
4. If the fourteen-day period expires and no election is requested, the district council will notify the parish council that it may proceed to advertising the vacancy without delay.

## **7. Advertising the vacancy**

The council, having ascertained that it can advertise a vacancy, shall do so as described below:

1. The vacancy/vacancies notice will be advertised on the parish council noticeboard(s), its website and through its social media channels
2. The notice will have a closing date of 35 days from the date it is posted for receiving applications.
3. If no applications are received the notice will be advertised again with a new 35-day closing date.
4. This will continue until an application or applications are received.
5. On receiving a valid application, the co-option procedure shall apply.

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<sup>2</sup> Local Government Act 1972, s87(2)

## 8. Co-Option Procedure

There are no statutory arrangements in place to describe the process of co-option. Bishop's Itchington Parish Council has adopted the following procedure.

When an application/applications are received and the advertisement has expired:

1. Each applicant will be provided with a copy of this procedure.
2. Each applicant will be required to complete a Declaration of Qualification to hold public office as a councillor.
  - a. If the applicant does not complete this declaration, they cannot participate any further in the process.
  - b. If the applicant cannot meet the qualifying criteria, they cannot participate any further in this process. The nomination qualifications required of an applicant are the same, whether for co-option or election.
3. Each applicant will be invited to provide a written personal statement to include the reasons for interest in being a parish councillor and what attributes they have to offer for the benefit of the community.
4. The clerk will circulate details of the application/applications to all the other councillors prior to the parish council meeting.
5. There will be a separate item on the parish council meeting agenda to deal with the application/applications and the co-option itself.
6. Each applicant will be invited to attend the parish council meeting and allowed up to THREE minutes to present themselves to the parish council.
7. Councillors may ask questions and receive answers from the applicant. The time allowed for this shall be limited to FIVE minutes per applicant
8. If an applicant does not attend the parish council meeting, they will not be considered for the vacancy/vacancies at the meeting. They may re-apply if a vacancy remains.
9. The parish council may resolve to exclude members of the press and public if confidential information regarding the applicants is to be discussed.
10. Where the number of applicants is equal to or fewer than the number of vacant seats, skip to step 13.
11. Where the number of applicants is greater than the number of vacant seats, the parish council meeting shall resume in public and a vote will take place to select which the applicants to co-opt. The council may resolve to suspend Standing Order 3(s) and conduct the voting by a paper ballot.

12. Voting on appointments is described in Standing Order 8(a). the parish council may conduct successive voting rounds to eliminate applicants. In each round, the applicant with the fewest votes shall be eliminated.
  - a. Each councillor present shall cast one vote per vacant seat per voting round. Abstentions shall not be permitted
  - b. Proxy votes are not permitted
  - c. Where there is a tie for fewest votes, the chair of the meeting shall exercise a casting vote
13. Once the number of applicants remaining is equal to the number of vacant seats, each applicant's co-option shall be put to a separate vote in a public meeting.
14. To co-opt a selected applicant, pursuant to SO 8(a), an absolute majority of the votes cast is required. The number of votes in favour must be greater than half the number of councillors voting.
15. The chair of the meeting will declare the results.
16. The results will be recorded in the minutes of the parish council meeting.
17. The parish clerk will notify all parish councillors of the result of the selection process as soon as possible after the .
18. No feedback will be given to any applicant in respect of the parish council discussions that took place in the closed part of the meeting unless agreed by the parish council. Note that any records made of the discussion relating to that person may be subject to provisions of the Data Protection Act 2018.

## **9. Joining the council**

The successful applicant(s) will be required to sign a Declaration of Acceptance of Office form, after which they may immediately take their seat on the council.

Within 28 days, the successful applicant must complete a Declaration of Interests form which the parish clerk will submit to the monitoring officer at Stratford District Council.

If the co-opted member fails to complete either of these tasks within their respective time limits, their co-option shall be void and the process is restarted.

Successful applicants will also be provided with the following:

1. A copy of the parish council's Standing Orders.
2. A copy of the parish council's Financial Regulations.
3. A copy of the parish council's Code of Conduct.

4. A copy of a map showing the parish boundary.
5. A copy of the Good Councillor's Guide.
6. A parish council email address, which they must use for all parish council business

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Adopted by Bishop's Itchington Parish Council on 1 June 2026.

Signed: \_\_\_\_\_

Date: \_\_\_\_\_