



## **LISS PARISH COUNCIL**

### **CO-OPTION POLICY**

#### **1. Introduction**

1.1 The normal process for filling a casual vacancy is election by the local electorate at a by-election. Co-option is the process by which Liss Parish Council (LPC) selects a new Councillor, rather than a by-election taking place.

1.2 There are two circumstances under which LPC may proceed to fill a casual vacancy by co-option:

- When a seat has been left vacant because no eligible candidate stood for election at the ordinary elections for a new council (currently every four years).
- When a seat falls vacant but the required 10 electors of the relevant ward have not called for a poll (by-election) within the legally specified time period following publication of the notice of vacancy (see section 2 below).

1.3 If the period of vacancy has six or more months to run until the next ordinary election, LPC must use the co-option process, as soon as possible. If the next ordinary election is within six months, LPC may choose whether or not it wishes to co-opt.

1.4 LPC is not obliged to select anyone from the candidates who apply in the co-option process; if the process is unsuccessful then LPC will rerun the co-option process, subject to the timescales at 1.3 above.

1.5 This policy outlines the procedure to be followed by LPC when co-option is considered, in order to ensure a fair and transparent process is undertaken.

#### **2. Timeline of a Casual Vacancy Occurring**

2.1 Upon learning of a casual vacancy from a seat falling vacant (e.g. through the disqualification, resignation or death of a councillor), the Clerk will notify East Hampshire District Council's (EHDC's) Returning Officer of the vacancy arising.

2.2 LPC will notify the Returning Officer at EHDC of the vacancy and will advertise the vacancy via a notice of a casual vacancy on its noticeboards, website, social media pages and by email to all councillors and staff.

2.3 A legal timeframe of 14 days is assigned, from the date of the notice, for 10 or more electors in the relevant town ward with the vacancy to contact EHDC's Returning Officer requesting that a poll (by-election) be held. If this occurs, the District Council will issue a notice of poll and manage the by-election process accordingly.

2.4 If the requirements at 2.3 are not met and a poll is not requested by 10 or more electors, EHDC will notify LPC that the casual vacancy may be filled by co-option.

2.5 The other way in which a casual vacancy can occur (rather than by a seat falling vacant), is from the lack of eligible candidates at ordinary elections. In this case, EHDC's Returning Officer would notify the LPC immediately after the results of the ordinary elections so that co-option can take place.

2.6 Where there is six months or more until the next ordinary election, LPC will follow the process set out within this policy upon notification that co-option can take place. If there is less than six months until the next ordinary election, a report will be presented to Full Council as soon as possible to enable a decision to be made about co-option.

2.8 If co-option is not used to fill a vacancy due to there being less than six months to the ordinary election, that seat will be filled as usual in the ordinary election process.

### **3. Advertisement Process**

3.2 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.

3.3 On receipt of written notice from EHDC that a casual vacancy may be filled by means of co-option:

- The Clerk will share the advertisement of the vacancy to be filled with all Councillors, before ensuring this is advertised within 21 days of receipt of the written notification.
- The co-option advertisement will include the closing date for requests for consideration (between 14 and 30 days after the date of the advertisement) and the number of vacancies, and will be shared on LPC's website, social media platforms, noticeboards and other relevant communication methods, such as sharing with local partners and community groups.

3.4 Co-option provides an opportunity for LPC to assess any skills gaps from within its members and advertise for applicants with the desirable skills to apply.

3.5 Councillors may point out the vacancies and the process to any qualifying candidate(s). Candidates found to be offering inducements of any kind will be excluded from the process.

### **4. Application Process**

4.1 LPC will make available on its website (or in hard copy to those that request it) information about the role of Parish Councillor, an overview of the Parish Council and other relevant guidance which will support potential candidates in deciding whether or not they may wish to apply.

4.2 Applicants for a vacancy will be asked to:

- Submit information about themselves by completing a Councillor Casual vacancy Application Form (at Annex A), including a description of their interest in becoming a councillor and specifying any skills or qualifications which may benefit LPC.

- Confirm their eligibility for the position of councillor within the statutory rules and that they are not disqualified from standing. A copy of the criteria is set out within the Councillor Casual Vacancy Application Form.

## **5. Decision-Making Process**

5.1 Copies of all applications will be circulated to all Councillors by the Clerk. The applications will be treated as strictly confidential.

5.2 The candidate(s) will be invited to attend an informal interview which will be conducted remotely. Any Councillor is entitled to attend the interview. However, the footage will subsequently be circulated to Councillors for viewing to enable them to make an informed decision on the candidate(s). The recording will subsequently be deleted in accordance with the LPC GDPR Policy.

5.3 A vote will take place at the next meeting of Full Council (in open session). Councillors will vote for individual candidates by show of hands, alphabetically by surname. Councillors will have one vote per vacancy to be filled.

5.5 In the event of there being only one candidate, a vote will still need to be taken.

5.6 Councillors are bound to declare a prejudicial interest if they or a member of their family or close associate are related to or have a close relationship to an individual candidate and would need to request a dispensation in order to speak or vote. If a dispensation is requested and not granted, the Councillor will have to withdraw from the meeting for the co-option item of the agenda.

5.7 A candidate can only be elected by co-option following a majority vote of Full Council. This is a majority of the total number of Councillors present at the meeting.

5.8 If there are more than two candidates for one vacancy and not one of them at the first count receives a majority over the total votes given to the rest, the Chair will strike off the candidate with the least number of votes and the remainder must then be put to the vote again until an absolute majority is achieved.

5.9 In accordance with Standing Orders, the Chair may exercise their right to use a casting vote in the case of a tied vote.

5.10 If there is more than one vacancy and the number of candidates equals the number of vacancies, all the vacancies may be filled by a single composite resolution, but if the number of candidates exceeds the number of vacancies each vacancy must be filled by a separate vote or series of votes.

5.11 The Council is not obliged to fill all or any vacancies. If this is the case, steps will be taken to advertise for further co-options, subject to the timescales at 1.3 above.

## **6. Successful Co-option – Next Steps**

6.1 The Clerk will notify the EHDC Returning Officer of the name of the successful candidate(s).

6.2 Successful candidates will be summoned to the next meeting of full Council. They must sign a Declaration of Acceptance of Office before or at the first meeting of full Council and

agree to be bound by LPC's adopted Code of Conduct. They can then be appointed to committees and/or become a representative to local organisations.

6.3 A Register of Members Interests form must be completed within 28 days of election - the Clerk will then forward a copy to EHDC's Monitoring Officer.

6.4 Any newly co-opted members will be provided with a welcome pack and invited to attend an induction and training session with the Clerk and/or other officers. This should take place, where possible, before the next Full Council meeting.

*Adopted by Liss Parish Council on 28<sup>th</sup> April 2025.*

*To be reviewed in 2028.*



**LISS PARISH COUNCILLOR CASUAL VACANCY APPLICATION FORM**

**Applicant Details**

Full Name .....

Address.....  
.....

Post Code.....

Tel.....

Email .....

Please briefly outline why you are interested in being a Parish Councillor:

Please tell us something about the life experience or skills you will bring to the Council

- I consent to my details being retained if I am co-opted as a Councillor.
- I consent to having a Parish Council email address and to receiving Parish Council documentation via electronic means.
- I consent to my name being published together with my Parish Council email address.

Signed.....

Date.....

Please return the completed application form with the Co-option Eligibility Form to the Clerk at Liss Parish Council, Council Rooms, Village Hall, Hill Brow Road, Liss, GU33 7LA or email: [clerk@lissparishcouncil.gov.uk](mailto:clerk@lissparishcouncil.gov.uk)

## **Liss Parish Council Co-option Eligibility Form**

**In order to be eligible for co-option as a Liss Parish Councillor, you must be a British Subject, or a citizen of the commonwealth or the European Union; and on the date of the poll or election, 18 years of age or over; and be able to meet one of the following qualifications set out below:**

**Please tick which one applies to you:**

- a) I am registered as a local government elector for the parish;*
- b) I have, during the whole of the twelve months preceding the date of my co-option, occupied as owner or tenant, land or other premises in the parish;*
- c) My principle or only place of work during those twelve months have been in the parish;*
- d) I have during the whole of the twelve months resided in the parish or within three miles of it.*

**Under Section 80 of the Local Government Act 1972, a person is disqualified from being elected as a Local Councillor or being a member of 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;*
- b) Is a person who has been adjudged bankrupt or has made a composition or arrangement with his/her creditors (but see below);*
- 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;*
- d) Is otherwise disqualified under Part III of the representation of the People Act 1983 for corrupt or illegal practices.*

**This disqualification for bankruptcy ceases in the following circumstances:**

- i. If the bankruptcy is annulled on the grounds that either the 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.*

### **Declaration and Consent**

I .....declare that I am eligible to become a Liss Parish Councillor and I certify that the contents of this application form are true and correct.

Signature.....Date.....