

BLACK NOTLEY PARISH COUNCIL

CO-OPTION POLICY

Introduction

The co-option of a councillor occurs when a casual vacancy has arisen on the Council. In addition, the Council has the power to co-opt members within 35 days of an election if there are less than the number of Councillors permitted to be elected for the Parish (currently 9)

In the event of no election being called to fill a councillor vacancy for the Parish Council, the Council will co-opt membership to the Council in accordance with legislation as defined in the **Local Elections (Parishes and Communities) (England and Wales) Rules 2006, SI 2006/3305** and the **Local Government Act 1972 Sch 12, para 3**.

Due and fair consideration will be given to advice and guidance as provided by bodies such as (but not limited to) the National Association for Local Councils (NALC), the Society of Local Council Clerks (SLCC) and the Essex Association of Local Councils (EALC).

Black Notley Parish Council will follow a process which is fair, open and transparent and in compliance with the **Equality Act 2010**.

Qualifying Criteria

Individuals must meet the eligibility criteria in accordance with the **LGA 1972, s79** and 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 on the day of the election) be 18 years of age or over. For the process of co-option the relevant date is deemed as being the date on which the application is submitted by the applicant

ALSO

- Be a local government elector for the Council area for which you want to stand on the 'relevant date' OR

- Have occupied as owner or tenant any land or other premises in the Council area during the whole 12 months preceding that day OR
- Had your principal or only place of work in the Council area during that same period OR
- Have resided in the Council area during that 12-month period OR
- Have lived within 4.8km (3 miles) of the Council area for the whole of the 12 months preceding the 'relevant date'

Black Notley Parish Council will seek and encourage applications from any individual meeting the qualifying criteria as detailed above.

Advertising the Co-option

Upon receipt of written confirmation from the Electoral Service of Braintree District Council that the casual vacancy can be filled by means of co-option, the Parish Council through the Clerk will advertise and promote the vacancy for co-option as follows:

- On Parish Council public notice boards
- On the Parish Council website
- Using a range of social media including but not limited to Facebook

The Clerk will advise the Council that the co-option policy has been instigated by sending a memorandum to all Councillors

In the event of vacancies following the close of nominations for a full Council election, the Clerk shall follow the same procedure and the co-option shall take place at a meeting within 35 days of the election

The co-option notice / advert will include the following details:

- the method by which applications can be made
- the closing date for all applications (which will include a deadline of no less than 4 weeks after the date of the notice and will include the date of the meeting when the co-option will be considered)
- details of the Parish Clerk) to obtain more information and the application form

Applying for Co-Option

1. Candidates will be requested to provide information about themselves by completing a written co-option form (available from the Parish Clerk). The Council will have due consideration to the **Equality Act 2010** and by discretion, may allow applications to be completed by third parties and/or submitted by alternative means
2. Candidates must complete a signed undertaking confirming that they meet the eligibility requirements as per those detailed above. Also, that they are not disqualified. These will form part of the application form and process and failure to complete this may render the co-option application invalid
3. Candidates will be provided with an application and information pack, providing further details of Black Notley Parish Council and the expectations of being a parish councillor
4. Completed applications must be submitted to the Parish Clerk no later than 7 calendar days before the date of the Full Council meeting at which applications are to be considered. The precise dates and times for submission will be included in the application pack. Late applications will not be accepted
5. Canvassing Councillors or members of committees or sub-committees, directly or indirectly for appointment to or by the Council shall disqualify the candidate from appointment
6. Following the closing date for applications, all eligible candidates will be invited to attend the Full Council meeting at which co-options will be considered
7. If candidates are unable to attend this meeting, their application will still be considered in their absence. No alternative date or time for a meeting will be arranged
8. All councillors will receive copies of the applications which will be considered as strictly confidential papers as they will likely contain personal information relating to the candidate
9. The co-option process will be determined in a public session of the Council meeting and a specific agenda item will be set aside for applicants to make a brief, verbal presentation to the Council in support of their application. A maximum of five minutes will be allowed per candidate.

10. At the discretion of the Chairman, members may ask questions of the candidates following their presentations

11. Following the conclusion of all presentations, councillors present at the meeting will proceed to the vote which will be in accordance with the Parish Council's Standing Orders. The Standing Orders currently advise that voting must be by a show of hands

12. Each councillor will have one vote

13. If a candidate is a relative of a councillor, that councillor may declare a prejudicial interest and withdraw from the meeting

14. A successful candidate must have received an absolute majority vote by those councillors present

15. If there are more than two candidates for one vacancy and not one of them at the first count receives a 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 then be put to the vote again

16. This process must, if necessary, be repeated until an absolute majority is obtained

17. 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

18. Successfully co-opted candidates become councillors in their own right, with immediate effect (subject to the signing of the Declaration of Acceptance of Office) and are no different to any other member

19. The co-opted members will be asked to sign a Declaration of Acceptance of Office to agree to be bound by the Council's adopted Code of Conduct. They may then take their seat at Council and will be appointed to a committee and as a representative to local organisations (if relevant)

20. Any application can be considered in the candidate(s) absence, but if successful, members must agree for him/her to sign the Declaration of Office either before or at the next meeting

21. As soon as practicable following their co-option, any newly co-opted members will be invited to attend an Induction and Training session. This should take place, where possible, before the next Full Council meeting

This Policy was approved by the Council at its meeting on 28th January 2026

Date of next review January 2027

For at least the past 12 months I have lived within 4.8 kilometres of the boundaries of the Black Notley parish	
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What experience can you bring to Black Notley Parish Council?

How would you like to get involved with the Council?

Are there any specific projects which are of interest to you?

Any other information about yourself

Please confirm whether you are or have ever been bankrupt YES/NO

If yes, please provide further information

Do you currently hold a paid office or employment for Black Notley Parish Council?

YES/NO

Have you with on the last 5 years been convicted of an offence, the punishment for which was a term of imprisonment (including a suspended sentence) in excess of 3 months?

YES/NO

Do you have any convictions under the Part III of the Representation of the People Act 1983?

YES/NO

Are you a person who is currently subject to notification requirements set out in Part 2 of the Sexual Offences Act 2003 or has such an order been made against you as from 28th June 2022?

YES/NO

Please note that the canvassing of councillors to be co-opted onto the Council shall disqualify the candidate from being co-opted

I confirm that the details provided on this form are correct to the best of my knowledge and belief

Signed.....Date.....