

South Wonston Parish Council Procedure for co-option of a new councillor

1. In the event of a resignation or another reason for the creation of a vacancy on the Parish Council the clerk will display a notice of vacancy.
2. If this notice does not initiate the 10 signatures of electors in the period of time required by legislation (at present 14 working days) to initiate a by-election the co-option procedure continues with step 3, otherwise the election process will be followed and handled by Winchester City Council.
3. The vacancy to be filled by co-option will be advertised within 21 days of the end of the time for the notice period in step 2 above.
4. The co-option advertisement will include the closing date for acceptance of requests for consideration and the number of vacancies.
5. The notice will be placed on the notice board/s within the parish and on the Parish Council website and if possible advertised in the West Dever News, and by any other means.
6. Members may point out the vacancy/ies and the process to any qualifying candidate(s).
7. Candidates found to be offering inducements of any kind will be disqualified.
8. Where a vacancy occurs within six months before the day on which a councillor would regularly have retired at the next four yearly election, there is no requirements to advertise the vacancy and during that final six month period there will be no formal election to fill any vacancies.
9. All candidates will be expected to put their request for consideration in writing with a summary about themselves including: reasons for wishing to be a councillor; previous community/council work; any other skills they can bring to the Council, also their interests and recent career history.
10. All candidates will be asked to verify that they meet the qualifying criteria to be a Councillor (see below)
11. Candidates will be expected to attend at least one Council meeting prior to the one at which they are considered for co-option.
12. Candidates will not be required to attend the Council meeting at which the co-option is to be considered.
13. Discussion about the application/s will take place in full council session without intervention from the candidates or public.
14. Members will be informed of the names and addresses of anyone wish to be considered for co-option and Members present may nominate any of the persons named. There is no obligation to nominate any of the persons named, particularly if the person is not known to the Council or is considered unsuitable for Parish Council office.
15. Within the Public Participation section of the meeting, or at another point determined by the Chairman of the meeting, the candidate/s may address Members of the Parish Council in respect of their application/s and Members may ask questions of the candidates.
16. Any Councillor may nominate a candidate for the vacancy and, provided the nomination is seconded, that name may be voted upon.
17. Any vote taken will be by show of hands, or by signed ballot if so desired.
18. In the event of there being more than one applicant the applicant with the least number of votes cast will be deleted and the vote taken again and again until the number of candidates equals the number of vacancies.

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19. Candidates will be furnished with a full agenda of the meeting at which they are to be considered for appointment along with the Code of Conduct and Register of Interests Form and also advised to study the Standing Orders and Financial Regulations of the Council.
20. The successful candidates may immediately sign their declaration of acceptance of office and can then act as councillors. Otherwise once the declaration has been signed the new Councillor may attend the next meeting of the Council.
21. The Clerk will inform Winchester City Council of the name of the new Councillor.
22. The Register of Interest Form (an original signed copy) will be filled in within 28 days of co-option and passed to the Clerk. The original form will be passed to Winchester City Council and a copy retained for the Parish records.

Eligibility to be a Parish Councillor

Section 79(1) of the Local Government Act 1972 (amended by section 18 of the Electoral Administration Act 2006) states (unless disqualified) a person is qualified to be elected to be a councillor if he is a qualifying Commonwealth citizen or a Euro national and meets certain criteria.

A qualifying Commonwealth citizen is a person who is a Commonwealth citizen who either is not a person who requires leave under the Immigration Act 1971 to enter or remain in the United Kingdom, OR is such a person but for the time being has (or is, by virtue of any enactment, to be treated as having) indefinite leave to remain within the meaning of that Act

The qualifying criteria:-

- a) is 18 years of age or over on the day a candidate is nominated and, if there is a poll, the day of the election
- b) on that day and thereafter the person continues to be a local government elector for the area of the authority; or
- c) he has during the whole of the twelve months preceding that day occupied as owner or tenant any land or other premises in that area; or
- d) his principal or only place of work during that twelve months has been in that area; or
- e) he has during the whole of those twelve months resided in that area; or
- f) in the case of a member of a parish or community council he has during the whole of these twelve months resided either in the parish or community or within three miles of it

Adopted: 14th April 2014