

Co-option Policy

Cross Roads Parish Council

Introduction:

This policy outlines the procedure to be followed by Cross Roads Parish Council when a casual vacancy arises by virtue of Councillor resignation, disqualification, or death.

The Electoral Services Department at Bradford Council will be informed of the vacancy as soon as practicable after it arises.

Cross Roads Parish Council will follow the relevant legislation to allow ten electors to claim a by-election. Assuming there is no call for a by-election Cross Roads Parish Council will fill the vacancy by co-option using the following procedure.

Procedure:

1. A notice will be erected in a conspicuous place in the parish inviting people who are interested in being a Councillor to contact the Parish Clerk.
2. The notice advertising the vacancy will contain a closing date for receipt of applications.
3. Upon receipt, the Clerk will check (as far as reasonably possible) that candidates are eligible in accordance with the Local Government Act 1972, section 79. To be eligible, the candidate must:
 - be 18 years old or over; and
 - is an elector for the parish; or
 - has resided in the parish for the past twelve months or rented/tenanted land in the parish; or
 - had his/her principal place of work in the parish; or
 - has lived within three miles (direct) of the parish.and not disqualified from being a Councillor by virtue of section 80 of the Local Government Act 1972, Part 2 of the Sexual Offences Act 2003 and Local Government (Disqualification) Act 2022, or a Criminal Conviction, Section 34 of the Localism Act 2011.
4. Following receipt of applications, the next suitable Council meeting will have an agenda item 'To receive written applications for the office of Parish Councillor and to co-opt a candidate to fill the existing vacancy'.
5. Cross Roads Parish Council will request all those submitting an application to attend a Parish Council meeting and provide a short 5-minute presentation on their skills, experience, and reasons for wishing to join the Parish Council, prior to resolving to co-opt the most suitable candidate.

NOTE: Cross Roads Parish Council is aware of the need for confidentiality in part of the co-option process. The section where candidates speak to the meeting is not prejudicial to the public interest, however where Cross Roads Parish Council is discussing the merits of candidates and inevitably their personal attributes etc, this could be prejudicial and so for this part of the process, Cross Roads Parish Council will exclude members of the press and public (Public Bodies (Admission to Meetings) Act 1960). Members of Cross Roads Parish Council must vote in the normal way, i.e. proposer, seconder, and vote by show of hands. This part of the process is not prejudicial to the public interest, therefore the public will be present when the voting takes places.

6. Decisions of a local Council are normally made by a simple majority vote. The only exception is during the co-option process. Where Cross Roads Parish Council has more than two applicants for a single vacancy, the successful candidate must receive an absolute majority of the votes cast. This means the chosen person must receive more votes than all other candidates combined.

7. Where there is one candidate for one seat or any situation where the number of candidates is equal to the seats available, Cross Roads Parish Council must appoint the candidates as long as they are qualified to hold public office under Section 79 of the Local Government Act 1972 and are not disqualified as summarised at point 3.

8. The successful candidate will sign a Declaration of Acceptance of Office before they can act as a Parish Councillor.

9. The Parish Clerk will provide the new Councillor with Cross Roads Parish Council's adopted Code of Conduct.

10. The Parish Clerk will provide the new Councillor with Cross Roads Parish Council's induction pack.

Policy Details

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