



COUNCILLOR VACANCIES, CO-OPTION & CHAIR/VICE CHAIR PROCEDURE & POLICY

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1. Introduction

This policy explains matters relating to elections, both ordinary and casual, and the co-option of local councillors to Bottisham Parish Council (the Council).

The Local Elections (Parishes and Communities) (England and Wales) Rules 2006 (“the 2006 Rules”) applies to the election of councillors to a parish or community council. Elections are run by the principal authority and there is no role for a local council in relation to ordinary elections. Where there is a casual vacancy (see paragraphs 10 to 15 below) the initial role of the local council is public notification of the vacancy. If an election is required to fill a casual vacancy, it is run by the principal authority. If no election is required the local council controls the process of co-option. Up-to-date information about the running of an election can be found on the

The Co-option procedure is entirely managed by the Council and this policy will ensure that a fair and equitable process is carried out.

The Council is not obliged to fill any casual vacancy; however, the Council may nevertheless choose to fill the casual vacancy by co-option. Whenever the need for co-option arises Bottisham Parish Council will seek and encourage applications from those who meet the qualifying criteria and are eligible to stand as a Councillor as outlined later in this policy. Even if the Council invites applications for co-option, it is not obliged to select anyone from the candidates who apply, should they be considered not suitable. Councillors can legally approach individuals to suggest they may wish to apply.

Local (parish and town) councils can only be as connected and helpful as the people elected to run them, so we need Councillors capable, enthusiastic and engaged to reflect their communities. Making co-options is an opportunity for councils or their committees to address shortfalls and imbalances in their membership. Steps should be taken to identify the nature of these gaps and to conduct a recruitment process that specifically targets them.

There are two ways that co-options can occur:

- There have been insufficient candidates to fill all of the available seats at an election.
- A casual vacancy has arisen between elections, and there is no demand to hold a by-election.

It is not desirable that electors be left partially or fully under-represented for a significant length of time. Neither does it contribute to effective and efficient working of the Council, should there be insufficient Councillors to share the workload; equitably; to provide a broad cross-section of skills and interests; or to achieve the required meeting quorums without difficulty.

All vacancies will be advertised on the parish council noticeboard and website.

2. By Elections

A by-election of a whole council takes place:

- Where a new council comes into existence in a year other than that in which the principal authority councillor for the parish or community is elected – sections 89(2) and 95 of the Local Government and Public Involvement in Health Act 2007.
- Where an election is declared void following an election petition – section 135 of the Representation of the People Act 1983 (“the 1983 Act”).
- Where a principal authority orders a new election under reserve powers – section 39 of the 1983 Act.

A by-election to fill a particular vacancy can occur when the membership of the council is increased.

The remainder of this advice note covers situations in which the parish or community council has a role.

3. Costs of Holding Elections

The cost of holding a local council election is paid by the local council if the principal authority so requires. Where a local council election is combined with a principal council election, the cost of the combined polls (excluding the costs attributable solely to one election) is apportioned equally between the elections (section 36(3B) of the 1983 Act).

4. Insufficiency of candidates at an ordinary election

Section 21 of the Representation of the People Act 1985 provides that where an insufficient number of candidates is validly nominated at an ordinary local council election to fill the vacancies on the council, those who have been validly nominated are automatically elected as councillors. Provided that those elected constitute at least a quorum (three or one-third of the total number of councillors, whichever is the greater), the council (e.g. those elected unopposed) may co-opt any person or persons to fill the vacancies. If the power of co-option is not exercised within 35 days (in calculating which, Saturday, Sunday, Christmas Eve, Christmas Day, Good Friday, a Bank Holiday and a day appointed for public thanksgiving or mourning are excluded), the principal authority may then exercise its powers to hold a further election or to take other appropriate action to fill the vacancies. A principal authority has wide reserve powers to do anything necessary to constitute a council properly (section 39(4)(b) of the 1983 Act), including the temporary appointment of councillors pending a further election (section 91 of the Local Government Act 1972 (“the 1972 Act”).

Before exercising the power of co-option, the council does not have to give public notice of the vacancy or vacancies, although it may do so if it wishes. In practice, the giving of public notice is a sensible way to attract possible candidates for co-option.

5. Casual Vacancies

According to section 87 of the 1972 Act, a casual vacancy occurs when:

- A councillor fails to deliver their declaration of acceptance of office at the proper time.
- A councillor resigns.
- A councillor dies.
- In the case of a councillor who is disqualified by virtue of a criminal conviction, under section 79 of the Local Government Act 2000 (Wales) or under section 34 of the Localism Act 2011 (England), the expiry of the period for making an application or appeal or, if an appeal or application has been made, the date that any such application or appeal process comes to an end.
- On the date of a report or certificate of an election court that declares an election void.
- A person ceases to be qualified to be a councillor for a reason not mentioned above.
- A councillor fails to attend meetings for six consecutive months.

6. Declaration of acceptance of office

In accordance with section 83(4) of the 1972 Act, on being elected to office, a councillor must sign a declaration of their acceptance of office in the presence of another councillor or the clerk. The declaration must be delivered before or at the first meeting of the council after the election or, if permitted by the council at that meeting, before or at a later meeting fixed by the council. If a councillor fails to deliver the signed declaration at the due time, they may vacate office, and a casual vacancy arises. There is no provision allowing a declaration to be delivered retrospectively. A councillor who is elected as the chair of a local council must sign and deliver a separate declaration of acceptance of the office of chair (see paragraph 27 below). In England, the declaration of acceptance of office is in the form prescribed in the Local Elections (Declaration of Acceptance of Office) Order 2012/1465. In Wales, the declaration of acceptance of office is in the form prescribed in the Local Elections (Declaration of Acceptance of Office) (Wales) Order 2004/1508.

7. Filling a Casual Vacancy

In accordance with rule 5 of 2006 Rules), if within 14 days (calculated by excluding those days specified above) after public notice has been given, at least 10 electors give written notice to the proper officer of the principal authority of a request for an election to fill the vacancy, then a by-election must be held except where the vacancy occurs within six months before the date when the councillor in question would have regularly retired (e.g. four days after the next ordinary election). If a by-election is called, and an insufficient number of candidates is nominated, those nominated are elected (see section 39(5)(b) of the 1983 Act), and the district council must call a further by-election to fill the remaining vacancy or vacancies (see section 39(1)(b) of the 1983 Act).

8. Co-Option and Eligibility

If no by-election is called, the council must, as soon as practicable after the expiry of the 14-day period, fill the vacancy by co-option. If the vacancy falls within the six-month period, the council may, but need not, fill the vacancy. In the latter case, it must still give public notice of the vacancy.

A person is eligible to be co-opted provided they are qualified to be a councillor (see section 79 of the 1972 Act) and is not disqualified by section 80 of the 1972 Act. The Electoral Commission has produced guidance for parish councils in England on qualifications for standing for election and disqualifications from standing for election, including a candidate guide.

Candidates standing in local council elections must submit to the Returning Officer a form (prescribed by Part 7 of paragraph 1 to Schedule 2 of the 2006 Rules) which (a) confirms their consent to nomination and (b) includes a declaration that they meet the aforementioned statutory qualifications to stand for election. Candidates who wish to be co-opted onto a local council are not subject to such requirements. To ensure that councils consider for co-option only those candidates who are eligible to be councillors, NALC recommends that councils require candidate(s) for co-option to declare or certify in writing that they meet the criteria for eligibility set out in section 79 of the 1972 Act and are not disqualified under the 1972 Act. A council may need to investigate or obtain evidence about a candidate's eligibility to be a councillor if this is challenged.

A local council may wish to indicate that people with specific skills and expertise (e.g. accountancy, HR, Planning) are particularly welcome to apply. This should not be part of the formal notice, and it must be clear that people without those skills are still eligible to apply. In cases where there are more candidates than vacancies, a council will need to fairly consider who to co-opt and such skills and expertise may be taken into account according to a council's particular needs.

Where the number of candidates is less than or equal to the number of vacancies, the candidates shall be appointed to the council if they meet the section 79 eligibility criteria and they are not disqualified.

9. Registration of Interests

Within 28 days of becoming a councillor in England, a person must notify the Monitoring Officer of any disclosable pecuniary interests as defined in the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012/1464. For the purposes of Bottisham Parish Council the Councillor must submit this to the Clerk.

The definitions of disclosable pecuniary interests are given in Legal Briefing L10-12. In England, the code of conduct adopted by a council under section 27(2) of the Localism Act 2011 Act may require a councillor to give notification of interests which are not disclosable pecuniary interests within 28 days of their election to office. Upon re-election or re-appointment, a councillor in England must also, within 28 days, notify the Monitoring Officer of disclosable pecuniary interests not already included in their register of interests. Further guidance is given in Legal Topic Note 80 (Members' conduct and the registration and disclosure of their interests (England)). In Wales, within 28 days of becoming a councillor, a person must notify the Proper Officer of the personal interests set out in paragraph 10(2)(a) of the schedule to Local Authorities (Model Code of Conduct) (Wales) Order 2008/788 as amended by the Local Authorities (Model Code of Conduct) (Wales) (Amendment) Order 2016/84 and any other financial interests required by their council's code of conduct.

10. Definitions

a) Absolute Majority

For the purposes of the co-option procedures, an absolute majority is defined as a candidate receiving more than half (50%) of the total votes cast and disregarding abstentions.

b) Relative Majority

For the purposes of the co-option procedures, a relative majority is defined as receiving more votes than any other candidate, but receiving less than half of the total votes cast, as when there are more than two candidates.

11. When Can Co-Option Take Place

11.1. Vacancies Arising on the Parish Council following an Ordinary Election

- a) Bottisham Parish Council requires a minimum of four (4) Councillors to be able to form a quorum (and so hold legal meetings).
- b) Where insufficient members are elected at an ordinary election, but the Parish Council nevertheless has a quorum, the Parish Council has thirty-five (35) days from the date of the election to co-opt persons to fill those vacancies without the necessity of advertising for a potential by-election. In this circumstance, notification of the vacancies to the District Council is not required.
- c) If, however, there are insufficient Councillors in the Parish Council for a quorum, the Parish Clerk should then advise East Cambridgeshire District Council's Legal Department. In these circumstances, the District Council may (by order) appoint persons to fill, all or any of the vacancies until other Councillors are elected and take up office. East Cambridgeshire District Council's Legal Department can also advise the Parish Clerk as to the steps that will need to be taken in order to fill the vacancies.

11.2. Casual Vacancies Arising within Six Months of an Election

- a) Where a casual vacancy in the office of a Parish Councillor occurs within six (6) months before the day on which the Councillor would have regularly retired, i.e. at the next ordinary election, the Parish Council may, as soon as practicable after the expiry of the period of 14 days after public notice of the vacancy has been given, co-opt a person to fill the vacancy.
- b) The Council is not obliged to fill any casual vacancy. However, with due regard to paragraphs 3 (b) and (c) below, the Council may nevertheless, choose to fill the casual vacancy by co-option.
- c) Any vacancy which is not so filled must be filled at the next ordinary election.
- d) Casual vacancies that occur before the six-month period are not affected by the six-month rule in any way.

11.3. Vacancies Arising on the Parish Council at Other Times* - Casual Vacancies (and by-elections) * where not covered by section 3.1 or 3.2

- a) The Co-option of a Parish Councillor occurs when a casual vacancy has arisen on the Council and no poll (by-election) has been called. A casual vacancy occurs when:
 - A Councillor fails to make their declaration of acceptance of office at the proper time;
 - A Councillor resigns;
 - A Councillor dies;
 - A Councillor becomes disqualified; or
 - A Councillor fails to attend a relevant meeting for six (6) consecutive months after his/her last attendance. A relevant meeting is defined as a meeting of the council, or any of its committees or sub-committees, or to attend as a representative of the Council a meeting of an outside body.

- b) The Council is required to notify East Cambridgeshire District Council ('the District Council') of a Casual Vacancy, to advertise the vacancy and to give electors the opportunity to request an election. This occurs when ten (10) electors write to the District Council stating that an election is requested.
- c) If a by-election is called, a polling station will be set up by the District Council and the people of the parish will be asked to go to the polls to vote for candidates who will have put themselves forward by way of a nomination paper. The Council will pay the costs of the election. The people of the parish have fourteen days (14 days) - not including weekends, bank holidays and other notable days - to claim the by-election; however, the District Council's electoral officer will advise the Clerk of the closing date.
- d) If more than one candidate is then nominated, a by-election will be held. However, should only one candidate be put forward, they are duly elected without an electoral ballot.
- e) If ten (10) residents do not request a ballot within the fourteen days of the vacancy notice being posted, as advised by the District Council, the Council is able to co-opt a volunteer.

12. How to "Recruit" A Good Councillor

Bottisham Parish Council follows these four (4) simple steps that the National Association of Local Councils (NALC) recommends which includes:

1. The council should identify any shortfalls and imbalances in their membership. The council should take steps to identify these gaps and recruit specifically for them.
2. Councils should co-opt to benefit the diversity of the council to welcome all backgrounds, experiences and abilities. Use a job description and person specification to target specific skills or groups.
3. The council should highlight the necessary skills to be a good Councillor, for example, good communication skills, problem solving, analytical thinking and being a team player. However, the most important attribute is to care about the community and be willing to take an active role.
4. Advertise for the role across media platforms included: social media, community newsletters, websites and notice boards. While also creating an advert for community hotspots like the local post office or coffee shop. Additionally, look to work with community groups to advertise the vacant role. The council should also send a copy of the notice to the Monitoring Officer. * See Section 4.1

12.1. When Advertising for a Councillor

Bottisham Parish Council should:

- Specify how to apply for the role (in writing, any deadlines, with or without CVs)
- Stipulate how co-options will be made (via interview, public or private).
- Check that all applicants are eligible for the post. The electoral returning officer and the county association (Monitoring Officer) can advise on the detail of eligibility and disqualification.
- Interview all eligible candidates before deciding who to co-opt. Where there are more candidates than vacancies, a vote should take place. If there are more than two candidates for one available place, the result must be by a clear majority, meaning that the chosen candidate must receive more votes than the total of votes; for the other candidates.

13. Confirmation of Co-option

- a) On receipt of written confirmation from the Electoral Services Office of the District Council, the casual vacancy may be filled by means of Co-option. The Parish Clerk will:
- Advertise the vacancy for four weeks on the Council notice boards and website.
 - Advise the Council and its Members that the Co-option Policy will be instigated.

14. Eligibility of Councillors

- a) The Council is able to consider any person to fill a vacancy provided that:
- he/she is an elector for the parish; *or*
 - for the past twelve months has
 - resided in the parish; *or*
 - rented/tenanted land or other premises in the parish; *or*
 - had their principal place of work in the parish; *or*
 - lived within three miles (direct) of the parish.
- b) There are certain disqualifications for election, of which the main are (see Part V, Section 80 of the Local Government Act 1972)
- holding a paid office under the local authority; bankruptcy;
 - having been sentenced to a term of imprisonment (whether suspended or not) of not less than three months, without the option of a fine during the five years preceding the election; and
 - being disqualified under any enactment relating to corrupt or illegal practices.
- c) Candidates found to be offering inducements of any kind will be disqualified.

15. Applications Process

- a) Members may point out the vacancies and the process to any qualifying candidate(s).
- b) Although there is no Statutory Requirement to do so, candidates will be requested to:
- (i) Submit information about themselves, by way of completing a short application form.
See Appendix A.
 - (ii) Confirm their eligibility for the position of Councillor within the statutory rules.
See Appendix B.
- c) Following receipt of applications, the next suitable Council meeting will have an agenda item, namely;
- *To receive written applications for the office of Parish Councillor and to Co-opt a candidate(s) to fill the existing vacancy(ies)*

- d) Copies of the candidates' applications will be circulated to all Councillors by the Clerk at least three (3) clear working days prior to the meeting of the Council, when the Co-option is to be considered. All such documents will be treated by the Clerk and all Councillors as Strictly Private and Confidential.
- e) Candidates will be sent a full agenda of the meeting at which they are to be considered for appointment, together with an electronic copy of the Council's Code of Conduct, Standing Orders and Financial Procedure and Processes Policy of the Council. Candidates will also be informed that they will be invited to speak about their application at the meeting.

16. At the Co-option Meeting

- a) At the co-option meeting, candidates will be given ten (10) minutes maximum to introduce themselves to Members, give information on their background and experience and explain why they wish to become a Member of Bottisham Parish Council.
- b) The process will be carried out by adjourning the meeting to allow the candidate to speak. Where the Council wishes to discuss the merits of candidates and (inevitably) their personal attributes, this could be prejudicial and the Council will be required to resolve to exclude the members of the press and public from the meeting.
- c) As soon as all candidates have finished giving their submissions, the Council will proceed to a vote on the acceptability of each candidate, utilising the 'person specification' criteria set out in *Appendix C*, any personal statements and responses to Members' questions made by the candidates.
- d) Councillors shall vote by secret ballot.
- e) Voting will be according to the statutory requirements, in that an absolute majority vote procedure will be used, to select a successful candidate.

Note: Appendix D contains further details of the voting procedures and instances where an absolute majority vote and/or a relative majority vote be used. In addition, typical (but not exhaustive) scenarios of possible voting situations are provided.

- f) If there are more than two (2) candidates for a vacancy and no single candidate receives an overall majority in the first round of voting, the candidate with the least number of votes will then be removed. Further rounds of voting will then take place with the process repeated until a candidate receives the required majority.
- g) In the case of an equality of votes, the Chair of the meeting has a second or casting vote. In circumstances where there are candidates for more than one Councillor vacancy, then each Councillor vacancy will be considered and voted separately.
- h) After the vote has been concluded, the Chairman of the meeting will declare the successful candidate duly elected.
- i) After the completion of the co-option procedure, the successful candidate(s)/new Councillor(s) will be invited to sign their Declaration of Acceptance of Office and then join the next first full Parish Council meeting following their co-option.

- j) The Clerk will notify Electoral Services of the new Councillor appointment(s). The successful candidate(s) must complete the 'Registration of Interests' within the required twenty-eight (28) days of being elected. The form(s) should be handed to the Clerk for forwarding to the Monitoring Officer.
- k) If insufficient candidates come forward for co-option, the process should continue, whereby the vacancy/ies are again advertised.

17. Training and Support for newly Appointed / Co-opted Councillors

Councillors should receive training and support via their county association. County associations are representative bodies for local councils in their area. As part of their induction, councils should ensure that their new Councillors receive and/or be referred to the documents/policies on the Bottisham Parish Council website:

- Schedule of council meeting dates
- Standing orders
- Financial regulations
- Code of conduct
- Contact details (for the clerk and other Councillors)
- Budget and assets register for the council.
- Minutes from recent council meetings
- Documents relevant to your council (e.g. Neighbourhood *Parish Plan*).

18. Failure To Attend Meetings

Under section 85 of the 1972 Act, a councillor vacates office if they fail to attend a relevant meeting for six consecutive months after their last attendance unless, before the expiry of that period, the council approves a reason for their absence. The following constitute a relevant meeting:

- A meeting of the council or any of its committees or sub-committees.
- A meeting of a joint committee, joint board or similar body by which any of the council's functions are for the time being discharged or which are advising the council on any matter relating to the discharge of its functions.
- A meeting of any body of persons at which the attendance of the councillor is as a representative of the council (e.g. the annual meeting of the county association counts as attendance at a council meeting).

A council cannot approve a reason for a councillor's absence from a meeting if no reason is given. To record in the minutes of a meeting that a councillor was absent does not amount to approval for their absence. A councillor must give a reason for their absence from a meeting, and the minutes of that meeting must document that approval for a councillor's absence was agreed by resolution and, where appropriate, the reason for absence.

Under section 87(2)(b) of the 1972 Act, in most instances of a casual vacancy arising, the local council must give public notice of it as soon as practicable after the casual vacancy is deemed to have occurred and in accordance with the requirements of section 232 of the 1972 Act. Section 232 confirms public notice of a casual vacancy is effected by the council giving notice in a conspicuous place(s) in its area and in any such other manner, if any, as appears to the council to be desirable for giving publicity.

Where a casual vacancy arises in any of the three circumstances set out below, the council must (i) forthwith declare the office vacant (unless the High Court has already done so) (section 86(1) of the 1972 Act) and (ii) give public notice of the vacancy in accordance with the requirements of section 232 of the 1972 Act immediately after it declares the office vacant (section 87(2)(a) of the 1972 Act). The three circumstances are that a member of a local council:

- Ceases to be qualified to be a member of the council.
- Becomes disqualified for being a member of the council otherwise than under section 79 of the Local Government Act 2000 (Wales) or section 34 of the Localism Act 2011 (England) or by virtue of a conviction or a breach of any provision of Part II of the Representation of the People Act 1983.
- Ceases to be a member of the council by reason of failure to attend meetings for six consecutive months without approval of their absence from the council.

19. Disqualification relating to sexual offences (England)

The Local Government (Disqualification) Act 2022 inserted a new section 81A to the Local Government Act 1972, which sets out criteria for disqualification due to relevant notification requirements or relevant orders imposed in respect of sexual offences. This came into force in June 2022 and applies to councillors in England. It disqualifies anyone from being a councillor or being elected to a council who is subject to the notification requirements of Part 2 of the Sexual Offences Act 2003. S81A does not have retrospective application and only applies to persons subject to relevant notification requirements or orders made on or after 28 June 2022, when the section came into force. A person who is in the process of making an appeal or application in relation to the disqualification is not disqualified at any time before the end of the day on which the appeal or application is disposed of, abandoned or fails by reason of non-prosecution. Updated consent to nomination forms for each poll are available on the Electoral Commission's parish council elections in England page. We suggest that any eligibility questions are put to the principal authority elections team as the persons responsible for the elections process.

20. Election of a Chair

Schedule 12, paragraphs 11 and 27 of the 1972 Act (for England and Wales, respectively) provide that since the chair of the council must preside at all council meetings which they attend, they must, if present, preside at the election of their successor (who may, following re-election, be themselves). As chair, they have, as well as their ordinary vote, a casting vote in the event of a tie between candidates for their post, and they must exercise the latter. Section 15 of the 1972 Act provides that following an ordinary election, the chair ceases to be a councillor. They nevertheless remain chair of the council until their successor takes office. If present at the annual council meeting, they must preside at the election of their successor but have only a casting vote. As soon as their successor is elected, they vacate office and can no longer participate as a councillor in the meeting. Upon election to the office of the chair of a local council, the councillor must sign a declaration of their acceptance of that office in the presence of another councillor or the clerk. The chair's declaration of

acceptance of office must be delivered at the meeting at which they are elected or, if permitted by the council, before or at a later meeting fixed by the council. Failure to deliver the signed declaration at the due time results in the automatic vacation of office of the chair. A chair is elected annually, and therefore, a declaration must be made every year by whoever is elected as chair – see section 83(4) (a) of the 1972 Act.

21. Election of a Vice-Chair

Section 15(6) and 34(6) of the 1972 Act provides that a council may but need not elect a vice-chair. A councillor elected to the office of vice-chair does not have to sign and deliver a declaration of acceptance of that office (although they must deliver their signed acceptance of office as a councillor).

Updated to include Elections as Per NALC in-house Solicitors: June 2026

Next Review: June 2028

22. Appendix A – Application for Co-option

Thank you for your interest in becoming a Parish Councillor. Please provide the information outlined below to assist the council in making their decision.

Full Name & Title	
Home Address	
Home Telephone Number	
Mobile Telephone Number	
Email Address	

About You	Please provide the council with some background information about yourself

Strictly Private and Confidential

Reasons for Applying	Please provide the council with your reasons for wanting to become a Parish Councillor

Name (In full)	
Signature	
Date	

Please return your completed application (comprising forms Appendix A & B) to the Clerk to the Council. Your application will be considered at the next available Parish Council meeting, where a vote will be held to decide whether the Council agrees to co-opt you onto Bottisham Parish Council.

Data Protection Act: The information provided on this application will remain private and confidential.

23. Appendix B – Co-option Eligibility Form

- 1) In order to be eligible for co-option as a Bottisham Parish Councillor you 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 the day of the election) 18 years of age or over; and additionally able to meet one of the following qualifications set out below. Please tick which applies to you:

I am registered as a local government elector for the parish; *or*

☐

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; *or*

☐

My principal or only place of work during those twelve months has been in the parish; *or*

☐

I have during the whole of twelve months resided in the parish or within 3 miles of it.

☐

- 2) Please note that 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 a 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; or
- b) Is a person who has been adjudged bankrupt or has made a composition or arrangement with his/her creditors (but see below); or
- 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; or
- 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.

NOTES: 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 (5) years from the date of discharge.

DECLARATION

I here by confirm that I am eligible for the vacancy of Bottisham Parish Councillor, and the information given on this form is a true and accurate record.

Signature

Date

24. Appendix C – Councillor Person Specification

COMPETENCY	ESSENTIAL	DESIRABLE
Personal Attributes	• Sound knowledge and understanding of local affairs and the local community. • Forward Thinking.	• Can bring a new skill, expertise or key local knowledge to the Council.
Experience, Skills, Knowledge and Ability	• Ability to listen constructively. • A good team player. • Ability to pick up and run with a variety of projects Solid Interest in local matters. • Ability and willingness to represent the Council and their community. • Good interpersonal skills and able to contribute opinions at meetings whilst willing to see others' views and accept majority decisions. • Ability to communicate succinctly and clearly. • Ability and willingness to work closely with other members and to maintain good working relationships with all members and staff. • Ability and willingness to work with the Council's partners (e.g. voluntary groups, other parish Councils, principal authority, charities). • Ability and willingness to undertake induction training and other relevant training.	• Experience of working or being a member in a local authority or other public body. • Experience of working with voluntary and or local community / interest groups. • Basic knowledge of legal issues relating to town and parish Councils or local authorities. • Experience of delivering presentations.
Circumstances	• Ability and willingness to attend meetings of the Council (or meetings of other local authorities and local bodies) at any time and events in the evening and at weekends.	

25. Appendix D – Voting Procedures and Examples

1. Voting Procedures

- i. Councillors shall vote by secret ballot. It will be normal practice for the Clerk to prepare and distribute ballot voting forms to Councillors to record their votes.
- ii. Voting will be according to the statutory requirements, in that an absolute majority vote procedure, will normally be used to select a successful candidate. See Section 1.1 (a) – Definitions.
- iii. If there are more than two (2) candidates for a vacancy and no single candidate receives the required absolute majority in the first round of voting, the candidate with the least number of votes will then be removed and will not take part in any further voting rounds for the vacancy.
- iv. A further round of voting will then take place, with the process being repeated, if necessary, until a candidate receives the required majority votes.
- v. In the case of an equality of votes, the Chairman of the meeting has a second or casting vote.
- vi. In instances where there are more than two (2) candidates and an equality of votes situation may occur, the Council may consider it necessary to temporarily use a relative majority voting procedure, in order that the Chairman will have a second casting vote to resolve a voting equality deadlock at an intermediate stage of the voting procedures.
See Section 1.1 (b) – Definitions, and also Scenario B below.
- vii. The Chairman of the meeting will announce the name of the successful candidate for the casual vacancy.

More than one casual vacancy

- viii. In circumstances where a number of casual vacancies occur simultaneously, then the selection and voting procedures for each of these co-option vacancies will be considered individually, i.e. one-at-a-time and the voting procedures for each casual vacancy shall be used, as detailed above.
- ix. For a multiple casual vacancy situation where, during the voting processes for the first Councillor vacancy, certain of the candidates may have been removed from the ballot/voting process (for having received the least votes), these candidates' names will be included within the list of candidates for the other casual vacancies under consideration at that time.

2. Examples of Possible Voting Scenarios

2.1 Scenario A

Four (4) candidates are applying for a casual vacancy; nine (9) Councillors are present and participating in the vote.

Voting Round 1

Candidate 1	-	2 votes
Candidate 2	-	3 votes
Candidate 3	-	3 votes
Candidate 4	-	1 vote

No one candidate has received a majority vote, i.e. a majority vote would be considered to be a candidate receiving at least five (5) votes of the total votes cast. Therefore; the candidate with the least number of votes, Candidate. 4, is removed. A new round of voting now takes place with the three remaining candidates.

Voting Round 2

Candidate 1	-	2 votes
Candidate 2	-	4 votes
Candidate 3	-	3 votes

Once again, no one candidate has received an absolute majority; therefore Candidate 1 who has the least votes is removed. The third round of voting now takes place with the two remaining candidates.

Voting Round 3

Candidate 2	-	6 votes
Candidate 3	-	3 votes

Candidate 2 receives a clear majority, six (6) votes and therefore he/she may be offered the Councillor vacancy.

2.2 Scenario B

Four (4) candidates are applying for a casual vacancy and nine (9) Councillors are present and participating in the vote. However, this example considers a somewhat more complex situation, involving equality of voting for various candidates.

Voting Round 1

Candidate 1	-	3 votes
Candidate 2	-	2 votes
Candidate 3	-	2 votes
Candidate 4	-	2 votes

Candidate 1 cannot be given the position as he/she have not received an absolute majority. However due to the equality of votes received by all of the other candidates, a relative majority procedure will be applied and Candidate 1 will now go through to Round 2 of the voting procedure.

As the other candidates each received equal votes (2 votes each), a separate vote (Round 1a) must now be taken for these three remaining candidates (2, 3 and 4) to decide which candidate will be removed.

Separate Voting Round 1a

Candidate 2	-	2 votes
Candidate 3	-	2 votes
Candidate 4	-	2 votes

Each candidate has (again) received an equal number of votes; therefore, the Chairman of the meeting now has a casting vote. If the Chairman gives the casting vote to Candidate 3, then Candidate 3 goes forward to Round 2 and joins Candidate 1.

Another voting round is now taken – returning to the *absolute majority* procedure - in order to select the third candidate to go forward to Round 2.

Separate Voting Round 1b

Candidate 2	-	5 votes
Candidate 4	-	4 votes

This result provides a clear majority to Candidate 2 and Candidate 4 is removed. Candidate 2 then joins Candidates 1 and 3 for the next round of voting (Round 2).

Voting Round 2

Candidate 1	-	5 votes
Candidate 2	-	4 votes
Candidate 3	-	0 votes

Candidate 1 now receives a clear majority of votes, therefore further voting is not required and Candidate 1 may be offered the Councillor vacancy.

Scenario B has assumed a somewhat complex situation, which may not occur on a regular basis, but has been included to demonstrate the procedures to be used, should such a scenario/situation arise.

2.3 Scenario C

In this scenario, there is more than one casual vacancy arising within the Parish Council, simultaneously.

In this situation, and taking Scenario 1 as the example; having successfully selected Candidate 2 for the first casual vacancy, the three remaining candidates – Candidates 1, 3 and 4) - will again come forward to be considered for selection for any further casual vacancy that may also exist at that time.

The voting procedures for any other casual vacancies will also follow the agreed voting procedures.