



MARTLESHAM PARISH COUNCIL

Co-option of Councillors

Vacancies may exist following an election in which there were insufficient candidates, or during the term of a council due to resignation etc. The latter are known as 'casual vacancies' which must be notified to the local community. If a by-election is not required, the Council must endeavour to fill the vacancies by co-option.

Qualifying criteria

Unless disqualified, under s.79, Local Government Act 1972 a person is qualified to be elected (or co-opted) to a council if they are a qualifying Commonwealth citizen, or an EU citizen, are 18 years of age or over and:

- on that day they are, and continue to be, an elector for the parish; **or**
- during the whole of the previous 12 months they have occupied as owner/tenant any land or other premises in that area; **or**
- their principal or only place of work during those 12 months has been in that area; **or**
- has resided in, or within three miles of, the Parish for the past twelve months

Disqualification

Under s.80 of the 1972 Act, a person is disqualified from being a Parish Councillor if they:

- hold any paid office or employment with the Parish Council; **or**
- is the subject of a bankruptcy restrictions order, an interim restrictions order, a debt relief restrictions order, or interim order; **or**
- have 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 preceding five years; **or**
- have been disqualified under any enactment relating to corrupt or illegal electoral practices.

S.81A of the 1972 Act came into force in June 2022 and disqualifies from being a councillor anyone who is subject to the notification requirements of Part 2 of the Sexual Offences Act 2003 (Sex Offenders Register). It does not have retrospective application and only applies to persons subject to relevant notification requirements or order made on, or after, 28 June 2022.

Applications

Candidates are asked to submit the attached form which enables them to confirm that they meet the qualifying criteria and are not disqualified, as well as to provide some basic information to



help the Council choose in the event of there being more applicants than vacant seats.

At the meeting

When applications have been received, the co-option will be placed on the agenda of a suitable meeting of the Parish Council.

If there are the same number of, or less, eligible candidates than vacancies then the Council simply resolves to co-opt them on to the Council. Where there are more candidates than vacant seats, the Council will select the required number.

The selection will be an open, fair process with the public present, including candidates unless they choose to leave. Each candidate will be given an opportunity to briefly address the Council should they wish. All valid applications will be considered, including those of candidates not present.

In cases of more than one vacancy, each will be dealt with separately. Members will be asked to vote for their preferred candidate. An absolute majority is required and if there are more than two candidates, the process in (model) standing order 8 will be followed.

Once the process has been completed, the Council then co-opts them to the Council with a formal resolution. The successful candidates take office immediately and can take part in the remainder of the meeting should they wish to do so. New councillors must make a declaration of acceptance of office and, where possible, this will be dealt with at that meeting, but the law only requires it to be made at/before the next meeting (or a later meeting agreed by Council).

All councillors are required under the Localism Act 2011 to complete a Notification of Disclosable Pecuniary and Other Interests form within 28 days of taking office. The Clerk to the Council will forward this to the Monitoring Officer of the district council.



MARTLESHAM PARISH COUNCIL

Co-option Application Form

Name	
Address	
Telephone number	
Email address	

**Please detail any experience you may have that is relevant to the Parish Council
(continue onto a separate sheet if necessary).**

--



Is there any other information you would like to disclose regarding your application (continue onto a separate sheet if necessary) ?

Declaration and consent

I confirm that I am not disqualified from being a councillor and meet the criteria under s.79, Local Government Act 1972, as below:

- ✓ I am over 18 yrs of age
- ✓ I am a qualifying commonwealth citizen or an EU citizen



✓ I meet one or more of the other requirements, as indicated below.

- I am registered as a local government elector for the parish
- 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
- My principal or only place of work during those twelve months has been in the parish
- I have during the whole of those twelve months resided in or within 3 miles of the parish

Signed..... Name

Date.....

Please return this completed form to the Clerk/Chair

clerk@martleshamcouncil.org.uk

Use of personal information

The Parish Council will use your information, including that which you provide on this application form, to assess your suitability as a Parish Councillor. For full details of how we manage personal information please use this link to visit our website and our privacy notice.