



Loddon Town Council

The Old School | Church Plain | Loddon | NR14 6EX

www.loddontowncouncil.gov.uk | 01508 522 020

Co-option Policy

1. Background

The process for co-option is only partially prescribed in law but there is best practice advice and guidelines around certain aspects of the process. Items marked in bold are prescribed in law.

2. Scope and purpose

This policy aims to explain the procedure regarding co-option. The information contained in it is to be used by members of the council and members of the public. The aim of the policy is also to show that the council endeavours to treat all applicants fairly and alike, and to ensure that the process is also seen as fair, open and transparent. This policy details the processes to be followed regarding co-option.

3. When a vacancy arises

A co-option vacancy arises when a member of the Council leaves, and the position is formally advertised for 14 days. At the end of this 14-day period if insufficient names have submitted a request to South Norfolk Council to call for an election (this is 10 names) then the Council can fill the vacancy by co-option. (Refer Local Government Act 1972 s86 and 87(2)(b))

3.1 Applications

We aim to encourage applications from anyone in the Town who is eligible to stand. Councillors or parishioners can approach individuals to suggest that they might wish to consider putting their names forward for co-option. Co-option vacancies will be advertised on the website, noticeboards and in media releases. The advertisement for the co-option will include:

- a) Method by which applications can be made, this will be in writing to the Clerk
- b) Contact point for potential candidates to obtain more information – the Clerk
- c) A link to an application form on council website, which includes a maximum of 100 words asking the candidate why they would like to be a councillor; name; address and other contact details, alternatively application forms can be sent post or email.

3.2 Eligibility

When applications are received, eligibility will need to be confirmed.

1. In order to be eligible for co-option as a Loddon Town Councillor, you must be a British Subject, or a citizen of the commonwealth or the European Union; and on the date of the poll or election, 18 years of age or over; and be able to meet one of the following qualifications set out below:
 - a) I am registered as a local government elector for the Town; or
 - b) 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 Town; or
 - c) My principle or only place of work during those twelve months have been in the Town; or
 - d) I have during the whole of the twelve months resided in the Town or within three miles of it.



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If a Councillor is co-opted on to the Council as an elector in the Town (A in the criteria above), this will be a continuous requirement throughout their term. If they are no longer an elector, they will be disqualified and can no longer be a Councillor.

If a councillor is co-opted, and qualifies under the criteria B,C and D (at the time of co-option), they remain eligible until the next election, even if that criteria no longer applies.

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 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:

- a) 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;
 - b) If the person is discharged with a certificate that the bankruptcy was caused by misfortune without misconduct on his/her part;
 - c) If the person is discharged without such a certificate
- In a and b above, the disqualification ceases on the date of the annulment and discharge respectively.*
- In c, it ceases on the expiry of five years from the date of discharge.*

Any candidate found to be offering inducements will be disqualified.

3.3 Attendance following an application

All eligible candidates shall be invited to attend the next council meeting. They will be asked to confirm their attendance at the meeting. In the event of candidates being unable to attend, this meeting will not be rearranged. All members receive copies of applications ahead of the meeting. Applications are to be treated as confidential. A candidate, on confirming that they will attend the meeting will be sent a copy of the agenda.

4. Commitment

The council is keen that potential candidates understand the commitment which is required from councillors. Anyone interested in standing will be encouraged to look at the website for more information on the role of being a councillor, an application form with a description of the role. Candidates will also be advised that they are expected to attend an Induction at the Town Office and may require new Councillor training.



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5. The process of Co-option at the Council meeting

There is an early agenda item at which each candidate will be invited to make a brief verbal presentation on why they would like to be a councillor and the skills they can offer the council (3 minutes maximum per candidate). All of this, including the voting for the candidate will be in public. Candidates may be asked questions by members. In the event of a candidate being unable to attend, his / her application will still be considered by members. In the event of a candidate being related to a councillor, then the councillor would be expected to declare an interest and request a dispensation to speak and vote.

6. Voting

Only councillors present at the meeting may vote. There will be one vote per vacancy to be filled (Chairman may have a casting vote). **The successful candidate must receive an absolute majority of those present and voting** (Local Government Act 1972 Sch 12). 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. The process is to be repeated until an absolute majority is obtained.

7. Starting as a councillor

The successful candidate(s) are asked to start as a councillor immediately after completing their declarations of acceptance of office. **The fact that the new member has not received a summons does not make his / her attendance as a councillor illegal** (Local Government Act 1972 Sch 12, para 10(3)). Where appropriate they will also be appointed to any council committee. If an absent candidate is successful, members must agree to him / her signing the declaration of acceptance of office before or at the very start of the next meeting. New councillors will also be made aware of the fact that Interests Forms will need to be completed within 28 days of co-option.

8. Filling a Co-option vacancy

The council must fill co-option vacancies as soon as practicably possible.

This policy was adopted by Loddon Parish Council at its meeting held on 11 May 2022.

Signed:

Dated:

Date for next review: May 2025 (reviewed every three years)