

## **LYTHE PARISH COUNCIL COUNCILLOR CO-OPTION POLICY AND PROCEDURE**

### **There are two situations when the Parish Council may fill a casual vacancy by co-option;**

- when a seat is left vacant because no eligible candidate stood for election at the full elections for a new council. In this instance the Clerk would be notified of vacancies by North Yorkshire Electoral Officer and that efforts must be made to fill the vacancies by co-option.
- when a seat has fallen vacant during the life of a council (due to a Councillor resignation, death or ineligibility etc.). The Clerk will immediately notify the Proper Officer at North Yorkshire Council and the vacancy will be advertised using the standard notice (Appendix 1).

If the required 10 electors of the parish do not call for a poll (by-election) within the legally specified time period, currently 14 days, following publication of the Notice of Vacancy, the Clerk will be notified by North Yorkshire Council. The Parish Council then can exercise the power to co-opt a person on to the Parish Council.

Although seeking 'expressions of interest' is not a legal requirement, Lythe Parish Council will give public notice of vacancies by co-option to ensure that the process is open, transparent and fair in addition to attracting potential candidates.

### **Whenever the need for co-option arises, Lythe Parish Council will:**

Advertise the vacancy in appropriate places such as; the Parish Council website, notice boards, social media etc., (Appendix 2) including Roles & Responsibilities (Appendix 3) to seek and encourage 'expressions of interest' from potential candidate(s), by a specified date from those who are eligible to stand.

All potential candidate(s) will be requested to express their interest by either:

- writing a brief paragraph **OR** a bullet point list **OR** making a voice note/memo outlining their knowledge, skills and experience and the reason(s) why they wish to become a Councillor and emailing it to the Clerk.
- the Clerk will acknowledge all expressions of interest received and include a co-option eligibility form, request its completion and return.

The Clerk will email the Council all expression of interest paragraphs and confirm their co-option eligibility prior to the Council meeting when candidates will be considered. Prior to the meeting, an item on the agenda will include; 'To receive written applications for the office of parish councillor and to co-opt a candidate to fill the vacancy(ies)'.

All documents must be treated by the Clerk and all Councillors as confidential in accordance with Data Protection requirements.

### **At the meeting where the candidates for co-option will be considered;**

Councillors will consider candidate's skills and experience against the Roles & Responsibilities paper,

- the Chairman will offer the opportunity for debate on candidates prior to voting.

NB: Where the Council is discussing the merits of candidates and their personal attributes etc, this could be prejudicial to the public interest and so for this part of the process, members of the public and media will be excluded.

Adopted by Lythe Parish Council at the meeting held on 9 January 2017, minute reference 3.14. Reviewed and revised May 2017, at the Annual Parish Council meeting on 8 May 2017, Reviewed September 2021, this version confirmed at the Parish Council meeting on 5 October 2021, minute reference 3.9. Reviewed April 2023, this version confirmed at the Parish Council meeting on 2 May 2023, minute reference 6.1.2. Reviewed July 2023, this version was confirmed at the Parish Council meeting on 6 July 2023, minute reference 3.9.1.

**Voting;**

- Councillors must vote on the acceptability of each candidate for co-option, an absolute majority vote is required for each candidate from all members present and entitled to vote (LGA 1972 Sch. 12. Para 39).
- Councillors shall vote by show of hands or, if at least three (a quorum for this Council), members request, by paper ballot.
- the candidate with the with the least number of votes cast will be deleted and the process will be repeated, as necessary, until a majority is obtained and the number of candidates equals the number of vacancies,
- in the case of an equality of votes, the Chairman of the meeting has a casting vote.

**NB:** If no candidate secures an absolute majority of votes cast for an individual vacancy, then that vacancy remains unfilled. If there is a 50/50 split in voting even with the Chairman's casting vote, then there is no absolute majority. An absolute majority is defined as the majority of Councillors attending the meeting, casting a vote, irrespective of who their vote is cast for.

- The Council must vote to select the order in which acceptable candidates, should be approached to offer co-option i.e., more than one candidate may be suitable for the vacancy. The Clerk must then approach and offer co-option to candidate(s) after the meeting in the agreed priority order. If the first choice does not accept the role, the second should be approached and so on until the ranking list is exhausted.

**NB:** If no one accepts the role, the whole process must be repeated until there is a full complement of Councillors.

**Once the candidate(s) has been offered/accepted the co-option as Councillor, the Clerk will;**

- will initiate the 'acceptance of office', registration of interests and other documentation and despatch as appropriate,
- notify North Yorkshire Electoral Services of the new co-option,
- prepare/initiate necessary induction material, including training.

**NOTICE OF VACANCY  
IN OFFICE OF COUNCILLOR  
PARISH OF LYTHE**

**NOTICE IS HEREBY GIVEN**

Pursuant to section 87(2) of the Local Government Act 1972, that XXXXX formerly a Member of the above-named Parish Council, has ceased to be a Member of the Parish Council, and that a vacancy now exists in the office of Councillor for the Parish.

If, within 14 days after the date of this notice i.e. no later than XXXXX, a request for an election to fill the vacancy is made to the **Proper Officer, North Yorkshire Council, Town Hall, St Nicholas Street, Scarborough, YO11 2HG** by TEN electors for the Parish, an election will be held to fill the vacancy, otherwise the vacancy will be filled by co-option.

If there is an election, it will take place not later than XXXXX.

Dated XXXXX.

J A Clark, Parish Clerk

Clerk to Lythe Parish Council

\*In computing any period of time for this purpose, a Saturday or Sunday, Christmas Eve, Christmas Day, Good Friday or a bank holiday or day appointed for public thanksgiving or mourning must be disregarded.

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## Lythe Parish Council

- Do you live, work, or own a property in Goldsborough, Kettleless, Lythe or Sandsend?
- Are you passionate about your local community?
  - **The Parish Council needs you to put yourself forward to be a Councillor.**
- Councillors can make a difference to the quality of life of local people and how local issues are dealt with.
- The Council needs people from all backgrounds and experiences who are open, honest and listen to what people that they serve in the parish require rather than their individual interests.
- You can make a difference.



- If you are you interested in becoming a Parish Councillor, please email your expression of interest by writing a brief paragraph **OR** a bullet point list **OR** making a voice note/memo outlining your knowledge, skills and experience and the reason(s) why you wish to become a Councillor and emailing it to the Clerk.

[clerk@lytheparishcouncil.org](mailto:clerk@lytheparishcouncil.org) by XXXX

For more information on the Council visit the website

[www.lytheparishcouncil.org](http://www.lytheparishcouncil.org)

**LYTHE PARISH COUNCIL VACANCY FOR A COUNCILLOR  
Role & Responsibilities of a Councillor**

**Why should you consider being a parish councillor?**

- You can make a valuable contribution to Parish life by being part of the first tier in local government.
- You will be part of a team which is trying to improve Parish life.

**What are the main tasks of Lythe Parish Council?**

The Council is a Corporate Body representing the people of the Parish by delivering services to meet local needs, and improving quality of life and community well-being by;

- setting the council precept (local council tax),
- safeguarding public funds ensuring finance is spent lawfully and for the benefit of parishioners,
- transacting business in the proper, lawful way,
- being responsible for its employees.

Some specific responsibilities are;

- arranging for grass cutting,
- consulting with parishioners,
- maintaining parish assets such as benches, bus shelters and war memorials.
- working with others to keep the neighbourhood safe and clean.
- discussing and responding to planning applications.

**How does a parish councillor contribute?**

- offering knowledge and expertise on local issues.
- attending all monthly meetings when summoned, and on occasions meetings of the National Park, North Yorkshire Council and other organisations.
- participating and conducting themselves in accordance with the Nolan principles,
- discussing and voting on agenda items,
- following Council policies so that the Council operates effectively, efficiently and within the specified legislative framework,
- accessing and responding to parish council business electronically as, ideally, this is the method of communication that the council prefers to use,
- keeping up-to-date with policies, laws and legislation, including undertaking relevant training.

**LYTHE PARISH COUNCIL  
Co-option Eligibility Form**

**Please complete and return this form to The Clerk, Lythe Parish Council.**

1. In order to be eligible for co-option as a Lythe Parish Councillor you must be a British subject, or a citizen of the Commonwealth or the European Union; and be 18 years of age or over and fulfil at least one of the criteria below. Please tick all of those that apply to you.

I am registered as a local government elector for the Parish of Lythe; 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 of Lythe; or	
My principal or only place of work during those twelve months has been in the Parish of Lythe; or	
I have during the whole of twelve months resided in the Parish of Lythe or within 4.8 kilometres 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 is;

- Employed – by a local authority (or holding paid office under the authority including joint boards or committees).
- Bankruptcy – being the subject of a bankruptcy restrictions order or interim order.
- Sentenced to imprisonment – three months or more (whether a suspended sentence or not) without the option of a fine, during the five years before polling day/co-option.
- Disqualified under Part III of the RPA 1983 (donations and other offences) or under the Audit Commission Act 1998.
- Found guilty of a corrupt or illegal practice – by an election court
  - Decision by the first-tier tribunal,
  - Under section 34 of the Localism act 2011.

I (insert full name in block capitals) ..... hereby confirm, that I am eligible to apply for the vacancy of Lythe Parish Councillor, and that the information given by me on this form is a true and accurate record.

Signed: ..... Date: .....