

FULL COUNCIL	30 JULY 2020	AGENDA ITEM: 16
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Report prepared by Angie Price – Town Clerk

CO-OPTION

Purpose of Report

To consider a timetable for the co-option of additional Members to fill the current vacancies on Ledbury Town Council.

Detailed Information

Members will recall that prior to the emergence of Covid-19 and the subsequent lockdown, Council had anticipated commencing a co-option process to fill the 8-councillor vacancies which were not filled in the 2019 elections.

Members will also recall that a further vacancy had arisen as a result of one member being disqualified due to non-attendance, and the legal process of asking residents whether they wanted an election had been commenced. Notification was received by the Clerk on 23 March, just prior to lockdown to advise that no request had been received for an election in respect of this vacancy and therefore the Council may now co-opt a member to serve. The email advised that the appointment must be made as soon as is practicable, however as this confirmation was received just as the country went into lockdown, and this is the first Full Council meeting that has been held since that time, it has not been possible to go forward with this. Therefore, Members now need to agree a timeline for the co-option of members to serve on the Council in respect of 9-vacancies.

Suggested Timeline

The Clerk has received three applications from prospective candidates, and Council now need to consider a timeline for considering the applications and holding a meeting of Council to allow the candidates to give a five-minute introduction of themselves, following which Members will proceed as per the attached Co-option Policy.

Once applications are received there is a requirement for Council to consider the applications at their earliest convenience and as the next Council meeting is not scheduled until 1 October 2020, the Clerk would recommend that the following timeline be considered:

Applications sent to all Members	31 July 2020
Invite letters to candidates	7 August 2020
Extraordinary meeting to be held	20 August 2020

Recommendation

That Members agree the above timeline in respect of the Co-option process.

LEDBURY TOWN COUNCIL

Councillor Co-option Policy

1. Introduction

This policy sets out the procedure to ensure there is compliance with legislation and continuity of procedures in the co-option of members to Ledbury Town Council (LTC). The Co-option procedure is entirely managed by LTC and this policy will ensure that a fair and equitable process is carried out.

2. Co-option

The Co-option of a Parish Councillor occurs when:-

1. Insufficient Candidates stand for election at a normal election; or
2. 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 his declaration of acceptance of office at the proper time;
- A councillor resigns;
- A councillor dies;
- A councillor becomes disqualified; or
- A councillor fails for six (6) months to attend any meetings of a council committee or subcommittee or to attend as a representative of the Council a meeting of an outside body.

LTC must notify Herefordshire County Council (HCC) of a Casual Vacancy following which the statutory process will then be followed:

<https://www.electoralcommission.org.uk>

If ten residents do not request a ballot within fourteen days of the vacancy notice being posted, as advised by the District Council, LTC is able to co-opt to fill the vacancies.

3. Confirmation of Co-option

On receipt, of written confirmation, from the Electoral Services Office from the HCC, the casual vacancy can 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 LTC that the Co-option Policy has been instigated

LTC is not obliged to fill any vacancy. Even if the Council invites applications for co-option, it is not obliged to select anyone from the candidates who apply.

However, it is not desirable that electors in a ward be left partially or fully underrepresented for a significant length of time. Neither does it contribute to effective and efficient working of the Council if there are insufficient councillors to share the workload; equitably; to provide a broad cross-section of skills and interests; or the achieve meeting quorums without difficulty.

Councillors elected by co-option are full members of LTC.

4. **Eligibility of Candidates**

LTC is able to consider any person to fill a vacancy provided that they qualify under the Electoral Commission Criteria as per the following link and eligibility form attached.

<https://www.electoralcommission.org.uk/i-am-a/candidate-or-agent/parish-and-community-council-elections-england>
<https://www.gov.uk/government/publications/the-7-principles-of-public-life>

Candidates found to be offering inducements of any kind will be disqualified.

5. **Applications**

Members may point out the vacancies and the process to any qualifying candidate(s).

Although there is no Statutory Requirement to do so, candidates will be requested to:

- Submit information about themselves, by way of completing a short application form (Appendix A)
- Confirm their eligibility for the position of Councillor within the statutory rules

A dedicated Full Council meeting will be arranged to allow for each candidate to give a presentation.

Copies of the candidate's applications will be circulated to all Councillor's by the Clerk at least 3 clear days prior to the meeting, when the Co-option will be considered. All such documents will be treated by the Clerk and all Councillors as Strictly Private and Confidential.

Candidates will be sent a full agenda of the meeting at which they are to be considered for appointment, together with a copy of the Code of Conduct, Standing Orders and Financial Regulations of LTC. Candidates will also be informed that they will be invited to speak about their application at the meeting.

6. **At the Co-option Meeting**

At the co-option meeting, candidates will be given up to five-minutes to introduce themselves to Members, give information on their background and experience and explain why they wish to become a Member of LTC.

Candidates will be asked to leave the room whilst other candidates give their presentation.

The meeting will be held in open session, however, in order to allow discussion on the merits of each candidate, the meeting will be moved into closed session without prejudice.

The public meeting will be re-opened and councillors will proceed to consider whether any of the candidates should be nominated to fill any of the vacancies.

Any candidates considered suitable should be nominated/seconded and then voted upon. Each candidate should receive an absolute majority (50%+1 of the votes available in the meeting) in order to be successfully co-opted.

After the vote has been concluded for all of the vacancies to be filled at the meeting, the Chairman will declare the successful candidate(s) duly elected and ask them to sign their declaration of acceptance of office accordingly.

The Clerk will notify Electoral Services of the new Councillor appointment. The successful candidate(s) must complete the 'registration of interests' within 28 days of being elected. The form should be handed to the Clerk for forwarding to the Monitoring Officer.

LEDBURY TOWN COUNCIL

APPENDIX A

Application for Co-option

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

Full Name & Title

Home Address

.....Post Code

Home Telephone

Mobile Telephone

Email Address

Which Ward are you applying for? North/South/West (Please circle)

About You

Please provide the council with some background information about yourself.

Reasons for applying

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

Signature

Your application also requires signatures of 2 registered electors (known as a proposer and seconder) from the parish area:

Proposer

Name

Address

.....Post Code

Signature

Secunder

Name

Address

.....Post Code

Signature

Please return your completed application 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 on to Ledbury Town Council.

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

Co-option Eligibility Form

DECLARATION

I..... hereby confirm that I am eligible for the vacancy of Ledbury Town Councillor, in accordance with the Electoral Commission Criteria (<https://www.electoralcommission.org.uk/i-am-a/candidate-or-agent/parish-and-community-council-elections-england>), and that the information given on this form is true and accurate record.

Signature.....

Date.....

Ledbury Town Council is duty bound to treat this information as strictly confidential.

