Lympstone Parish Co-Option Policy

The following policy was adopted and agreed by Lympstone Parish Council on **7th November 2022.**

The following policy was reviewed and agreed by Lympstone Parish Council on **3rd February 2025.**

Co-Option Policy

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.

To ensure that a fair and transparent process is undertaken the following procedure will be followed by Lympstone Parish Council:

1) On receipt of written confirmation from the Electoral Services Office at East Devon District Council, the casual vacancy can be filled by means of Co-option, the Parish Clerk will:

a) advertise the vacancy for 4 weeks on the Council notice boards and website, and place an advert in the local Herald (where time scale permits)

b) advise the Council that the Co-option Policy has been instigated, by sending an e-mail to all Councillors.

2) Applicants for co-option will be asked to:

a) submit information about themselves, by way of completing a short application form. NB Information provided maybe shared with LPC and EDDC. Preferred contact details will be made public.

b) confirm their eligibility for the position of Councillor within the statutory rules, by completing an Eligibility Form

3) Copies of the applicant's application form will be circulated to all Councillors by the Clerk at least seven days prior to the meeting of the full Council, when the Co-option will be considered.

4) Applicants will be required to attend the meeting of the full Council, when the Co-option will be considered. At the meeting, applicants will be asked to give a short presentation (five minutes) and may be asked questions.

5) Discussion about the applications will take place in council session without intervention from the candidates or public. Voting will be according to the statutory requirements, in that, a successful candidate must have received an absolute majority vote of those present and voting. If there are more than two candidates for one vacancy and no 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; this process

must, if necessary, be repeated until an absolute majority is obtained. Councillors shall vote by card ballot. The Clerk shall record the names of members who voted on any question so as to show whether they voted for, against, or abstained. In the case of an equality of votes, the Chairman of the meeting has a second or casting vote only if they voted in the first instance.

6) Voting procedure will be as follows. To achieve an absolute majority as per item 5, card voting will be taken individually for each candidate on the ballot paper. Voting will be For, Against or Abstain. This would be repeated until all candidates have been voted upon. Item 5 of this Policy will be applied until an absolute majority has been achieved by one candidate. If no absolute majority is achieved then no candidate will be elected.

7) After the vote has been concluded, the Chairman will declare the successful candidate duly elected. The successful candidate will join the council meeting as a councillor after signing the Declaration of Acceptance of Office of Parish Councillor form.

LYMPSTONE PARISH COUNCIL - Co-option Application Form

Name:
……

Address for Correspondence: ……

……

……..

Postcode: ……

Telephone: ……

Email: ……

Are you 18 or over? YES/NO

Please detail any experience you have that may be relevant to Lympstone Parish Council. (If necessary, please continue on a separate sheet of paper).

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Is there any other information you would like to disclose regarding your application?

(If necessary, please continue on a separate sheet of paper).

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Signed: …… Dated: ……

Please return your completed form, together with the Co-option Eligibility Form to:

Miss Lucy Tyrrell, Clerk and RFO to Lympstone Parish Council, c/o Minnows, Longmeadow Road, Lympstone, EX8 5LF by no later than **……**

LYMPSTONE PARISH COUNCIL - Co-option Eligibility Form

1. In order to be eligible for co-option as a Lympstone 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:

- 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.

Please circle which of the above applies to you.

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.

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 years from the date of discharge.

I (*insert name*) …… hereby confirm, that I am eligible to apply for the vacancy of Lympstone Parish Councillor, and the information given on this form is a true and accurate record.

Signed: ……

Dated: ……

Lucy Tyrrell, Clerk and RFO to Lympstone Parish Council

Date of next review: February 2026

NOTICE OF VACANCY FOR A PARISH COUNCILLOR

There is a vacancy for a Parish Councillor on Lympstone Parish Council. Anyone interested in filling this casual vacancy should write to the Clerk at **lympstonepc@gmail.com** or contact a Parish Councillor saying why they would like to become a Councillor and the skills and experience they could offer. Please note: Councillors do commit many hours a week towards Parish Council business.

Applications will be considered at the next meeting of the Parish Council.

Main Duties and Responsibilities

- To participate constructively in the government of the Parish of Lympstone.
- To participate fully in the formation and scrutiny of the Parish Council's policies, budgets, strategies and service delivery.
- To ensure, with other councillors, that the Parish Council is properly managed.
- To keep up to date with significant developments affecting the Parish Council at local, regional and national levels.
- To be accessible and to represent effectively the interests of the Parish for which the Councillor is elected and deal with Parishioners enquiries, representations and complaints.
- To represent the whole electorate; listen, and then represent the views of the whole community when discussing council business and working with outside bodies.
- To take an active part in the Parish Council's arrangements to build community capacity and promote measures that contribute to the well-being and positive development of the Parish.
- To attend Parish Council meetings, committees and working groups to which the Councillor is appointed.
- To prepare for meetings and take responsibility for being properly informed about the issues to be discussed.
- To take part in meetings and form sound judgements based on what is best for the community and then abide by majority decisions.
- To represent the Parish Council on outside bodies to which the Councillor is appointed.
- To undertake specific responsibilities agreed and allocated by the Parish Council, and to provide reports at Parish Council meetings when required.
- To abide by the Parish Councils Standing Orders and Code of Conduct.
- Act in accordance with the Clerks advice and information provided as they are the Responsible Officer

To be eligible to apply for this position:

- *You must be registered on the electoral role for at least 12 months.*
- *You must not hold a criminal record.*

Lucy Tyrrell, Clerk to Lympstone Parish Council, December 2023