

EARLS COLNE PARISH COUNCIL

CO-OPTING POLICY



Document Reference Table

Review and final approval of this document lies with the Earls Colne Parish Council (ECPC).

The approval of this document must be minuted accordingly at a meeting of the ECPC.

Document Prepared By	Kim Mayo - Monitoring Officer Braintree District Council
ECPC Parish Clerk	Dee Ellison
ECPC Chair	Nikki Spelling
Date Of Approval By ECPC	19th March 2025
ECPC Minutes Ref	7 b 11
Publication Date	29th April 2025
Document Version	V1.0
Review Cycle	Annual
Next Review Date	March 2026

1. INTRODUCTION.....	3
2. WHEN DOES THE OPTION TO CO-OPT BECOME AVAILABLE?	4
3. WHAT IS THE PROCESS FOR CO-OPTING A COUNCILLOR?	5
4. ELIGIBILITY OF CANDIDATES	6
5. APPLICATIONS.....	7
6. AT THE CO-OPTION MEETING	8
7. VOTING.....	9
APPENDIX A - APPLICATION FOR CO-OPTING ONTO THE EARLS COLNE PARISH COUNCIL (ECPC)	11
APPENDIX B – CO-OPTED COUNCILLOR PERSONAL SPECIFICATION	14
Version Control Table	15

1. INTRODUCTION

- 1.1 This policy sets out the procedure to ensure there is compliance with legislation and continuity of procedures in the co-option of members to Earls Colne Parish Council (ECPC).
- 1.2 The ability of ECPC to Co-opt is a power and a privilege and should be exercised responsibly.
- 1.3 The Co-option procedure is entirely managed by ECPC, and this policy draws on advice, good practice, and statutory provisions in order to ensure that a fair and equitable process is carried out.

2. WHEN DOES THE OPTION TO CO-OPT BECOME AVAILABLE?

2.1 There are two ways that co-options can occur:

- There have been insufficient candidates to fill all the available seats at an election.
- A casual vacancy has arisen between elections, and there is no demand to hold a by-election.

2.2 A casual vacancy occurs when:

- A Parish Councillor fails to make his declaration of acceptance of office at the proper time.
- A Parish Councillor resigns.
- A Parish Councillor dies.
- A Parish Councillor becomes disqualified; or
- A Parish Councillor fails for a period of six (6) consecutive months to attend meetings of a ECPC committee or subcommittee or to attend as a representative of the ECPC a meeting of an outside body.

2.3 Where a casual vacancy has arisen, the ECPC must notify Braintree District Council of a Casual Vacancy. The ECPC will work with the District Councils Election Team to ensure that the vacancy is correctly advertised.

2.4 Upon the advert being published, this allows electors the opportunity to request an election. This occurs when ten electors write to the Braintree District Council stating that an election is requested within 14 working days of the advert publication.

2.5 If more than one candidate is nominated a by-election will take place and Braintree District Council will hold and manage an election. Residents from the Earls Colne Parish will be asked to vote at their local polling station for candidates who have put themselves forward by way of a nomination paper. The ECPC will be required to cover the full cost of the election.

2.6 If only one candidate is put forward, they are duly elected without a ballot taking place.

2.7 If there is no request for an election made within the timescale, then the ECPC is able to co-opt a volunteer, should they wish to do so. The Council is not obliged to fill any casual vacancy. Any vacancy which is not so filled must be filled at the next ordinary election.

3. WHAT IS THE PROCESS FOR CO-OPTING A COUNCILLOR?

- 3.1 Where a vacancy has not been filled through the election process, and upon the ECPC agreeing that they wish to commence the co-option process, the Parish Clerk will advertise the vacancy for four weeks (unless the ECPC agree a different period) on the ECPC noticeboards and website.
- 3.2 The ECPC it is not obliged to co-opt anyone from the candidates who apply. However, it is not desirable that electors in a particular ward be left partially or full underrepresented for any significant length of time. Neither does it contribute to effective and efficient working of the ECPC if there are insufficient Parish Councillors to share the workload; to provide a broad cross-section of skills and interests; or the achieve meeting quorums without difficulty.

4. ELIGIBILITY OF CANDIDATES

4.1 ECPC can consider any person to fill a vacancy provided that:

- They are an elector for the Earls Colne Parish; or
- has resided in the Earls Colne Parish for the past twelve months; or
- rented/tenanted land or other premises in the Earls Colne Parish; or
- have their principal place of work within the Earls Colne Parish; or
- has lived within three miles (direct) of the Earls Colne Parish.

4.2 There are certain disqualifications for election, of which the main ones are as follows:

- holding a paid office under the local authority.
- bankruptcy.
- having 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 five years preceding the election; and
- being disqualified under any enactment relating to corrupt or illegal practices.

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

5. APPLICATIONS

- 5.1 Parish Councillors may promote the vacancies and the process to any qualifying candidate(s).
- 5.2 Candidates will be requested to submit information about themselves, by way of completing a short application form and confirming their eligibility for the position of Parish Councillor within the statutory rules ([Appendix A - Application for Co-opting onto the Earls Colne Parish Council](#)).
- 5.3 Following receipt of applications, the next available ECPC meeting will include an agenda item '*To receive written applications for the office of Parish Councillor and to Co-opt a candidate to fill the existing vacancy*'.
- 5.4 Copies of the candidate's applications will be circulated to all Parish Councillors by the Parish Clerk at least 3 clear days prior to the meeting of the full ECPC, when the co-option will be considered. All such documents will be treated by the Parish Clerk and all Parish Councillors as strictly Private and Confidential.
- 5.5 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 [ECPC Code of Conduct Policy](#), [ECPC Standing Orders Policy](#) and [ECPC Financial Regulations Policy](#).
- 5.6 Candidates will also be informed that they will be invited to speak about their application at the meeting. This will provide an opportunity for the candidate to introduce themselves.

6. AT THE CO-OPTION MEETING

- 6.1 At the co-option meeting, candidates will be given five minutes maximum to introduce themselves to ECPC and provide information on their background and experience and explain why they wish to become a Parish Councillor of ECPC. After which, the ECPC will have an opportunity to ask the candidate questions relative to the presentation and to seek clarification.
- 6.2 After all the presentations been concluded, where the ECPC wishes to discuss the merits of candidates, the ECPC will resolve to exclude the members of the press, public and candidates.
- 6.3 Once all candidates have finished giving their presentations, and all considerations have concluded, the ECPC will proceed to a vote on the acceptability of each candidate, having regard to:
 - a. the 'person specification' criteria set out in [Appendix B - CO-OPTED COUNCILLOR PERSONAL SPECIFICATION](#) and
 - b. any personal statements provided by candidates.

7. VOTING

- 7.1 Votes will be cast by way of a secret ballot, conducted during the public session, with verification and the results being declared immediately. The Parish Clerk will prepare and distribute ballot voting forms to Parish Councillors in readiness for them to cast their votes.
- 7.2 Voting will be according to the statutory requirements, in that an absolute majority vote (50%+1) procedure will be used, to select a successful candidate. Each Parish Councillor is permitted one vote for each vacancy.
- 7.3 If there are more than two candidates for a vacancy and no single candidate receives an overall majority in the first round of voting, the candidate with the least number of votes will then be removed.
- 7.4 Further rounds of voting will then take place with the process repeated until a candidate receives the required majority.
- 7.5 In circumstances where a number of casual vacancies occur simultaneously, then the selection and voting procedures for each of these co-option vacancies will be considered individually, i.e. one-at-a-time and the voting procedures for each casual vacancy shall be used, as detailed above.
- 7.6 For a multiple casual vacancy situation where, during the voting processes for the first Parish Councillor vacancy, candidates removed from the ballot/voting process (for having received the least votes), these candidates' names will be included within the list of candidates for the other casual vacancies under consideration at that time and will proceed to be considered for the next casual vacancies under consideration at that meeting.
- 7.7 In the case of an equality of votes, the Chair of the meeting has a second or casting vote.
- 7.8 In circumstances where there are candidates for more than one Parish Councillor vacancy, then each Parish Councillor vacancy will be considered and voted separately, until all vacancies have been considered.
- 7.9 After the vote has been concluded, the Chair of the meeting will declare the successful candidate duly elected.
- 7.10 The Parish Clerk will arrange for them to sign their "Declaration of Acceptance of Office" no later than the next meeting of the ECPC. Once signed they will be able to fully participate in all ECPC business. If the successful candidate(s) are at the meeting and has signed the "Declaration of Acceptance of Office," they will be permitted to join the meeting immediately.
- 7.11 If the successful Candidate(s) is not at the meeting, then as soon reasonably practicable, after the meeting, the Parish Clerk will notify the Braintree District Council of the new Parish Councillor appointment.
- 7.12 The successful candidate(s) must complete the 'registration of interests' within 28 days of being elected. The completed form should be returned to the Parish Clerk for forwarding to the Braintree District Council Monitoring Officer.

- 7.13 If insufficient candidates come forward for co-option, the process should continue, whereby the vacancies are readvertised at the earliest opportunity.

APPENDIX A - APPLICATION FOR CO-OPTING ONTO THE EARLS COLNE PARISH COUNCIL (ECPC)

Thank you for your interest in becoming a Parish Councillor.

Please provide the below information to assist ECPC in making their decision.

Please complete both PART A and PART B.

PART A

Full Name & Title	
Home Address	
Mobile and Telephone Number	
Email Address	
About You Please provide ECPC with some background information about yourself. Please use a separate sheet if required.	

Reasons for applying.

Please provide ECPC with your reasons for wanting to become a Parish Councillor. Please use a separate sheet if required.

PART B

In order to be eligible for co-option as a Earls Colne 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.

Please tick which applies to you:

- a) I am registered as a local government elector for the parish; 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 parish; or
- c) My principal or only place of work during those twelve months has been in the parish;

Or

- d) I have during the whole of twelve months resided in the parish or within 3 miles of it

--



Please note that under Section 80 of the Local Government Act 1972 a person is disqualified from being elected as a Parish Councillor or being a member of a Parish Council if they:

- a) Hold any paid office or employment of the local council (other than the office of Chair) or of a joint committee on which the ECPC is represented; or
- b) Is a person who has been adjudged bankrupt or has made a composition or arrangement with their creditors (but see below); or
- c) Has within five years before the day of election, or since their 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 their 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.

DECLARATION

I..... hereby confirm that I am eligible for the vacancy of Earls Colne Parish Councillor, and the information given on this form is true and accurate record.

Signature	
Date	

Please return your completed application to the ECPC Parish Clerk.

Your application will be considered at the next available ECPC meeting, where a vote will be held to decide whether the ECPC agrees to co-opt you onto Earls Colne Parish Council.

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

APPENDIX B – CO-OPTED COUNCILLOR PERSONAL SPECIFICATION

Competency	Essential	Desirable
Personal Attributes	<ul style="list-style-type: none"> • Sound knowledge and understanding of local affairs and the local community. • Forward Thinking. 	<ul style="list-style-type: none"> • Can bring a new skill, expertise, or key local knowledge to the ECPC.
Experience, Skills, Knowledge, and Ability	<ul style="list-style-type: none"> • Ability to listen constructively. • A good team player. • Ability to pick up and run with a variety of projects. • Solid Interest in local matters. • Ability and willingness to represent the ECPC and their community. • Good interpersonal skills and able to contribute opinions at meetings whilst willing to see others' views and accept majority decisions. • Ability to communicate succinctly and clearly. • Ability and willingness to work closely with other members and to maintain good working relationships with all members and staff. • Ability and willingness to work with the ECPC partners (e.g. voluntary groups, other parish Councils, principal authority, charities). • Ability and willingness to undertake induction training and other relevant training. 	<ul style="list-style-type: none"> • Experience of working or being a member in a local authority or other public body. • Experience of working with voluntary and or local community / interest groups. • Basic knowledge of legal issues relating to town and parish Councils or local authorities. • Experience of delivering presentations.
Circumstances	<ul style="list-style-type: none"> • Ability and willingness to attend meetings of the ECPC (or meetings of other local authorities and local bodies) at any time and events in the evening and at weekends. 	

Version Control Table

Version	Date Of ECPC Approval	ECPC Minutes Ref	Parish Councillors Approved	Date of publication	Document Prepared by	Parish Clerk	ECPC Chair	Comments
1.0	19/03/25	7 b 11	Nikki Spelling Tony Calton June Jemmett Shirley Newberry Ray Ranns Lorraine Bauckham-Leys	29/04/25	Kim Mayo	Dee Ellison	Nikki Spelling	The ECPC Co-Opting Policy has been introduced based on advice and guidance received from Kim Mayo Monitoring Officer Braintree District Council.