



Procedure for Co-Option of a New Councillor

This procedure is based on NALC Legal Briefing L15-08 – Good Practice for selection of candidates for co-option of local Councils.

Parish Councils are permitted to exercise the power to co-opt a person to fill a casual vacancy when the requirements to hold an election have not been met (i.e. the vacancy has been the subject of a public notice and less than 15 registered electors have requested an election by the deadline date specified by the District returning Officer, resulting in an uncontested election).

Although ‘seeking expressions of interest’ is not a legal requirement, the National Association of Local Councils (NALC) recommends that Councils always give the public notice of vacancies because this makes the process of co-option open and transparent and should attract more potential candidates.

Whenever the need for co-option arises, Highley Parish Council will:

Consider advertising the vacancy to seek and encourage ‘expressions of interest’ by a specified date from anyone in the Parish who is eligible to stand as a Parish Councillor. All potential candidates will be asked to put their request for consideration in writing to the Clerk.

This will include:

- i) Reason for wishing to be a councillor;
- ii) Previous community/council work; and
- iii) Other skills they can bring to the Council

At the next Full Council Meeting:

- a) Clerk to confirm that each candidate is qualified to become a Councillor and is not disqualified from being a Councillor set out in the Local Government Act 1972 s79 + s80
- b) Chairman to offer opportunity for debate on the order of priority to offer co-option; Vote on the acceptability of each candidate for co-option utilising the specification criteria set out below and any personal statements requested from and provided by the candidates. An absolute majority is required for each candidate from all members present and entitled to vote (LGA 1972 Sch.12 Para. 39) [The applicant with the least number of votes cast will be deleted and the vote taken again etc. until the number of candidates equals the number of vacancies]
- c) Vote to select the order in which acceptable candidates (decided by the vote above) should be approached to offer co-option on this occasion.

- d) The Clerk to approach to offer co-option to candidate(s) after the meeting in order of priority determined by the vote above, if the first choice does not accept the post, then the second is to be approached and so on until the ranking list is exhausted.
- e) Assuming that the co-option position is filled, formally ratify the appointment at the next Full Council meeting.
- f) The Clerk to notify the Electoral Services of the new Councillor appointment, initiate 'Acceptance of Office' paperwork and 'Register of Interests' 'Disclosure of Pecuniary Interests' and hand out identity cards, and documentation card/usb
- g) If no-one accepts the vacant post(s), the whole process is to be repeated when new individuals expressing interest are identified or until the next election.

Eligibility Criteria

To be eligible to stand as a candidate at a parish or town council election, applicants must meet all of the following requirements:

1. Citizenship

You must be one of the following:

A British citizen

An eligible Commonwealth citizen

A citizen of the Republic of Ireland

A qualifying EU citizen

An EU citizen with retained rights

2. Age

You must be 18 years of age or older

3. Qualifying Connection to the Parish

You must meet at least one of the following three qualifications:

Option A - Electoral Registration:

You are, and will continue to be, registered as a local government elector for the parish from the day of your nomination onwards

Option B - Property/Premises:

You have occupied as owner or tenant any land or other premises in the parish area during the 12 months before the day of nomination and the day of the election

Option C - Place of Work:

Your principal or only place of work during the 12 months before your nomination and the day of the election has been in the parish area

Disqualifications

Applicants must not be disqualified under section 80 of the Local Government Act 1972. The council should verify that candidates are not disqualified before appointment.

Three Pathways to Becoming a Councillor

Election - Standing for election during ordinary elections

Co-option - Filling a vacant seat post-election

Casual Vacancy - When an elected member ceases to be a member (e.g., through resignation, death, or disqualification)

Time Commitment

Previous NALC councillor surveys indicate that councillors typically dedicate approximately three hours per week to council work, including:

Attending meetings

Engaging with residents

Speaking to local groups and bodies on behalf of the council

Training and Support

Councillors can receive training and support via their county association

The Good Councillor's Guide is recommended for all new, aspiring, or existing councillors

Training typically covers planning, finance, and council administration

County associations provide essential training and development opportunities

Co-option Process

For co-option specifically, NALC recommends that councils require candidates to declare or certify in writing that they meet the eligibility criteria set out in section 79 of the 1972 Act and are not disqualified. This ensures only eligible candidates are considered.