

Toft Newton Parish Council

E-mail: clerk@toftnewtonparishcouncil.gov.uk

Website: <https://toft-newton.parish.lincolnshire.gov.uk>

Co-option Policy and Procedure

Introduction

At the 2016-17 Community Governance Review carried out by West Lindsey District Council, it was determined that Toft Newton Parish Council should have seven Councillors.

Nationally, it is increasingly difficult for small Parish Councils to have a full complement of Councillors throughout each four-year term, therefore, this policy sets out how Toft Newton Parish Council will seek to fill any Councillor vacancies. There are two types of vacancies for unfilled Council seats, these are:

Casual Vacancy

This occurs during the four-year term when a Councillor resigns, dies or becomes disqualified, the Local Government Act 1972 s.87(2) requires that Toft Newton Parish Council give public notice of casual vacancies to ensure transparency and attract more candidates.

The process of giving ten electors the opportunity to call a by-election by writing to the Returning Officer at West Lindsey District Council is only relevant for casual vacancies, not ordinary vacancies.

Ordinary Vacancy

This occurs as a result of insufficient nominations for the seats available at the time of election, as was the case at the last Parish Council elections held locally in 2023.

Any such vacancy should be advertised within 35 days of the election or later if still unfilled.

In these circumstances a person can be co-opted to fill a vacancy at the discretion of Toft Newton Parish Council.

The eligibility and disqualification criteria required of an applicant for either an ordinary or casual vacancy are the same in accordance with the Local Government Act 1972, s.79 ss.80-81.

The Co-option Process for Ordinary and Casual Vacancies

For casual vacancies this process will apply when a by-election has been advertised but not claimed.

There are no statutory arrangements in place to co-opt to fill a vacancy, therefore Toft Newton Parish Council has decided to adopt the following process, which is based on best practice within the Town and Parish Council sector, in order to be fully transparent and ensure all applicants can be considered who meet the statutory eligibility criteria and are able to offer suitable skills, knowledge, experience and have the motivation to fulfil the role of a Parish Councillor.

This selection process will apply to the role of Councillor and to any other Co-opted role, such as co-opting a local resident who has specialist skills, experience or knowledge on to a committee or working group of the Parish Council.

This Co-option Policy and Procedure will apply to all Co-options to Toft Newton Parish Council from the next meeting following its initial ratification by Councillors.

Procedure

Where a vacancy occurs, the procedure outlined below will apply.

1. The vacancy notice will be advertised as follows:
 - On the Parish Council notice board on the corner of Fairfax Close, Newtoft.
 - On the notice board in the entrance to Toft Newton Village Hall, Washington Drive, Newtoft.
 - On the Parish Council website.
2. The initial notice will have a closing date of 28 days, to allow sufficient time for receiving applications.
3. If no applications are received the vacancy will be advertised again with a new 28 day closing date. This will continue until such time as applications are received.
4. When applications are received by the closing date the following will apply:
 - Each applicant will be provided with a copy of this Co-option Policy and Procedure.
 - Each applicant will be invited to complete the Legal Declaration of Qualification to hold Public Office as a Local Councillor, which is page one of our Co-option Application form.
 - Each applicant will be invited to complete a brief application form and to include the reasons for their interest in being a Parish Councillor, detailing what attributes they have to offer for the benefit of the community. This is page two of our Co-option Application Form. Additionally, applicants can submit a CV for consideration.
5. If the two pages of our Co-option Application Form are not completed by an applicant, then they will not be considered for the vacancy.
6. The Proper Officer will circulate details of the applications to all the other Councillors prior to the next Parish Council meeting. These are strictly private and confidential and should be handled in accordance with the Data Protection Act 2018 at all times.
7. There will be a separate item on the Parish Council meeting Agenda to deal with any applications for Co-options.
8. Each applicant will be required to attend the Parish Council meeting to present themselves to the Parish Council and to allow the Councillors present to ask them questions in the open meeting.
9. If an applicant does not present themselves to the Parish Council meeting and they cannot provide a valid reason for not attending, then they will not be considered for the vacancy at that meeting but can be considered at a future meeting.
10. If thought necessary, the Parish Council will resolve to exclude members of the press and public including the candidates under the Local Government Act 1972 s.12a and the Public Bodies (Admissions to Meetings) Act 1960 to enable it to discuss the merits or otherwise of the applicants.
11. The Parish Council meeting will then re-convene as an open meeting, and a vote will take place for the applicants for each vacant seat, the successful candidate must have a majority to be elected. Each applicant must have a proposer and a seconder. An absolute majority vote is required for each candidate from all members present and entitled to vote. If there are more than

two candidates for one vacancy and no one of them at the first count receives a majority, the candidate with the least number of votes will be eliminated and the remainder must be put to the vote again until an absolute majority is obtained as per the requirements of the Local Government Act 1972 s.12. para 39. One person will be chosen for each vacancy. No proxy votes are allowed. The Chair may exercise their casting vote if there is an equality of votes.

12. The Chairperson will declare the result.

13. The result will be recorded in the Minutes of the Parish Council meeting.

14. The Proper Officer will notify all Toft Newton Parish Councillors of the voting count and the result of the selection process as soon as possible afterwards.

15. No feedback will be given to any applicant in respect of Toft Newton Parish Council discussions that took place in the closed part of the meeting unless agreed by the Parish Council.

16. The successful applicant will be provided with the following:

- A copy of the Toft Newton Parish Council's Standing Orders 2026.
- A copy of the Toft Newton Parish Council's Financial Regulations 2026.
- A copy of the West Lindsey District Council's Code of Conduct 2023, as this also applies to Parish Councillors.
- A copy of the Good Councillors Guide 2024.

17. The successful applicant will comply with the following:

- Sign a Declaration of Acceptance of office form.
- Complete in full a Declaration of Interests and submit this to the Proper Officer who will in turn submit it to the Monitoring Officer at West Lindsey District Council within 28 days of Co-option.
- Complete Toft Newton Parish Council's Councillor Contact Details and Privacy Consent Form.

18. The successful applicant will be encouraged to undertake relevant new Councillor training courses paid for by Toft Newton Parish Council and provided by Lincolnshire Association of Local Councils, additionally, West Lindsey District Council may from time to time offer new Councillor induction sessions and Code of Conduct training.

19. If for any reason an applicant is not selected, then the vacancy will be re-advertised in accordance with this procedure.

20. If at any point there are more candidates than vacancies the unsuccessful candidates may be encouraged to volunteer with Toft Newton Parish Council in another role, to allow them to contribute to the functioning of, and the business of the Parish Council.

21. All Councillors and volunteers are entitled to claim necessary expenses incurred in the performance of their role, as detailed in the Members' Allowances and the Employee and Volunteers Expenses policies as adopted by Toft Newton Parish Council.

This Co-option Policy and Procedure was adopted on: 5th of May 2026.

This Co-option Policy and Procedure applies to all Co-options that take place from the July 2026 Toft Newton Parish Council meeting.

The next review of this policy is due in: May 2027.