

Acceptance of Resignation and Co-option Procedure

A policy setting out the procedure for the acceptance of a councillor resignation and co-option to a casual vacancy.

Resignation procedure

A councillor's resignation starts from the date of their written resignation to the Chairman.

An official Notice of Vacancy (see Appendix 1) is given to South Cambridgeshire District Council as soon as practicable after the resignation date and published on the noticeboard, website and Facebook.

Parish Council assigned Gmail accounts will be deleted for the resigning councillor with any important data transferred to the clerk.

Handover notes/ advice should be sought for any ongoing responsibilities and projects.

Co-option procedure

If no request for an election is received by South Cambridgeshire District Council (SCDC) after a 14 working day period from the date of the Notice of Vacancy, the Electoral Services Department will advise the Parish Council that it may co-opt to fill the vacancy.

Co-option is the process by which the Parish Council selects a new Councillor and the selection is approved at a monthly Parish Council meeting. The Parish Council manages the process itself and demonstrates that it is fair and equitable by following the procedure set out below.

1. Foxton Parish Council advertises the vacancy on the noticeboard, website and Facebook and invites interested candidates to contact the Clerk by a specified date to request an application form and further information, including the Good Councillor's Guide and Councillor Code of Conduct. See Appendix 2 for Application Form.
2. Applications received from candidates are circulated to Parish Councillors prior to the meeting at which a Parish Councillor is to be co-opted. Further clarification on information provided in the application form may be sought by the Clerk if required.
3. At the start of the Parish Council meeting candidates are invited to speak about themselves and Councillors have the opportunity to ask questions of the candidates. Each candidate will be allocated a maximum of three minutes.
4. In a closed session of the Parish Council without the public present, members consider the candidates and, following the discussion, the public are invited back into the meeting before the voting takes place. Applicants may return to the meeting for the vote, if they wish to, or the outcome can be confirmed by email. Feedback will be provided to any unsuccessful candidate within a reasonable time following the meeting.

5. The Chairman will request the Councillors present to nominate any of the candidates. Candidates will require a proposer and seconder to progress to the voting stage. If there is only one vacancy, a Councillor may only nominate or second one candidate. One candidate needs to receive an absolute majority of votes.
6. The Chairman will then place the names of those nominated into alphabetic order and proceed to vote. Councillors will have one vote per vacancy to be filled.
7. Voting will be in accordance with Standing Orders by a show of hands and will continue until one candidate has received an absolute majority of those Councillors present. At this stage the successful candidate will be declared co-opted.
8. Should no candidate receive a majority on the first vote, the candidate with the lowest number of votes is eliminated. Voting will then take place for the remaining candidates until one person receives an absolute majority.
9. The successful candidate is a Councillor in their own right and is no different to any other member of the Parish Council.
10. New councillors will require councillor training provided by CAPALC, the County association of local councils. The Good Councillor guides will also be provided for reference. New Councillors will be assigned a mentor to help them.
11. New co-opted councillors will need to:
 - (i) sign a Declaration of Acceptance form in front of the Clerk. New Parish Councillors will not be able to vote until this form is signed and returned to the Clerk. There is an undertaking in the declaration of acceptance to observe the Councillor Code of Conduct, a copy of which will be provided.
 - (ii) Complete and submit, to the Monitoring Officer at SCDC, a register of interests form within 28 days of being appointed to the Parish Council. Guidance on how to complete the form is provided. Further advice should be sought from the Monitoring Officer (contact details are on the register of interests form). *New Councillors are encouraged to carefully read the guidance notes for completing the register of member's interests and on legal obligations. Failure to register or to declare a "disclosable pecuniary interest" is a criminal offence. So is speaking and voting, unless you have a dispensation. This is punishable by a fine of up to £5,000 and/or disqualification as a Councillor for up to five years.*

Appendix 1 – Notice of Vacancy to be returned to SCDC

Foxton Parish Council

Notice of Vacancy in the office of Parish Councillor

NOTICE IS HEREBY GIVEN pursuant to Section 87(2) of the Local Government Act 1972 that

[] formerly a Member of the above Parish Council has ceased to be a Member and that a casual vacancy exists in the office of Councillor for the said Parish.

On receipt of a request in writing from any ten local government electors for the said Parish, an election to fill the vacancy will be held. If no such request is made the vacancy will be filled by co-option by the Parish Council.

Requests for such an election should be addressed to The Returning Officer, South Cambridgeshire Hall, South Cambridgeshire District Council, Cambourne Business Park, Cambourne, Cambridge, CB23 6EA to arrive not later than [].

DATE []

SIGNED

DESIGNATION Parish Clerk

(Clerk to the Council, the Proper Officer for this purpose)

**Appendix 2 – New Councillor Application Form
FOXTON PARISH COUNCIL**

VACANCY FOR CO-OPTED PARISH COUNCILLOR - APPLICATION

Full Name	
Address	
Tel No & E-mail	
How long have you lived in the parish?	
Why do you want to join the Parish Council?	
What skills, knowledge and experience can you bring to the Parish Council? (please include details of any work experience and relevant skills)	
What are your interests and aspirations for the village?	
Are there any Parish Council activities that you would like to be involved in? (see separate information sheet for details of roles and responsibilities)	
Are you affiliated to any other Foxton groups at present? include membership of village organisations or any voluntary sector service	
Will you be able to attend Parish Council meetings at 7.30/7.45pm on the first Monday of each month for approximately 2 hours?	Yes/no/other – please explain below:
Will you be able to attend adhoc meetings depending on roles undertaken (e.g. Planning Committee, R&A/S106 Working Groups)	Yes/no/other – please explain below:
The Parish Council is the sole trustee of the Recreation Ground Trust (RGT). Will you	Yes/no/other – please explain below:

be able to attend quarterly RGT meetings?	
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By signing this form you:

- (i) declare that you meet the criteria for eligibility as set out in s. 79 of the 1972 Local Government Act, to be a member of a Parish Council and you are not disqualified, pursuant to s.80 of the 1972 Local Government Act, to be a member of a Parish Council. The relevant provisions of the act are copied below:

Qualifications - any person can be elected as a councillor if they are

1. a British national, commonwealth citizen or a euro-national on the day they are nominated and
2. 18 years of age or over and
 - a) on the day they are nominated and thereafter they continue to be a local government elector for the area of the authority or
 - b) has during the whole of the twelve months preceding that day occupied as owner or tenant any land or other premises in that area or
 - c) their principal or only place of work during that twelve months has been in that area or
 - d) during the whole of those twelve months has resided in that area or
 - e) in the case of a member of a parish, town or community council has during the whole of those twelve months resided either in the parish or community or within three miles of it

Disqualification

A person is however disqualified from being elected or being a councillor if they a) hold any paid employment or office in the authority that they seek election or b) are the subject of a bankruptcy restrictions order or other interim order or c) have within five years before the day of election or since their election been convicted of any offence and has had passed on them a sentence of imprisonment of at least three months (whether suspended or not) without the option of a fine or d) has been found guilty of corrupt or illegal practices or responsible for incurring unlawful expenditure and the court ordered their disqualification

- (ii) agree that Foxtton Parish Council can keep your contact information for an undisclosed time or until you request its removal and that you have read and understand Foxtton Parish Council's Privacy Notice (provided separately). You agree by signing below that the Council may process your personal information for providing information and corresponding with you. You have the right to request modification on the information that the Parish Council keeps on record and you have the right to withdraw your consent and request that your details are removed from the Parish Council's database.

Signed: _____

Date: _____

Please return the completed form to: clerk@foxttonparishcouncil.gov.uk