



WEXHAM COURT PARISH COUNCIL CO-OPTION PROCEDURE

COUNCILLOR(S) VACANCIES

There are two types of vacancies:

Casual

This occurs during the four-year term when a Councillor resigns, dies or becomes disqualified.

S87(2) of the Local Government Act 1972 requires a local authority (Parish Council) to 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 is **only** relevant for casual vacancies, **not** ordinary vacancies.

Ordinary

This occurs as a result of insufficient nominations for the seats available at the time of election. Any such vacancy/vacancies should be advertised within 35 days of the election.

In these circumstances a person can be co-opted to fill a vacancy/vacancies at the discretion of the local authority (Parish Council).

The nomination qualifications required of an applicant for either an ordinary or casual vacancy are the same in accordance with S79 of the Local Government Act 1972.

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 and therefore Wexham Court Parish Council (Council) has elected to adopt the following process in order to be fully transparent.

Where an ordinary vacancy/vacancies occur the following will apply:

- (1) The vacancy/vacancies notice will be advertised as follows:
 - (i) On the Parish Council notice board.
 - (ii) On the Parish Council website.
 - (iii) On the Wexham Court Parish Council Facebook page

- (2) The notice will have a closing date of 35 days for receiving applications.
- (3) If no applications are received the notice will be advertised again with a new 35 days closing date.
- (4) This will continue until such time as an application/applications are received.
- (5) When an application/applications are received by the closing date the following will apply:
 - (i) Each applicant will be provided with a copy of this Standing Orders.
 - (ii) Each applicant will be invited to complete a Legal Declaration of Qualification to hold Public Office as a Local Councillor.
 - (iii) Each applicant will be invited to provide a "CV" to include the reasons for interest in being a Parish Councillor and what attributes they have to offer for the benefit of the community.
- (6) If items (ii) and (iii) are not completed by an applicant then they will not be considered for the vacancy/vacancies.
- (7) The Parish Clerk will circulate details of the application/applications to all the other Councillors prior to the next Parish Council meeting.
- (8) There will be a separate item on the Parish Council meeting Agenda to deal with the application/applications.
- (9) Each applicant will be invited 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.
- (10) 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/vacancies.
- (11) The Parish Council will resolve to exclude members of the press and public under the Public Bodies (Admissions to Meetings) Act 1960 to enable it to discuss the merits or otherwise of the applicants.
- (12) The Parish Council meeting will then re-convene as an open meeting and a vote will take place in accordance with the adopted voting protocol (Standing Order 12 applies). An absolute majority of the votes cast is required. (In the case of more than two applicants this means that the person elected receives more votes than the others added together) No proxy votes are allowed.
- (13) The Chairman will declare the result.
- (14) The result will be recorded in the Minutes of the Parish Council meeting.

(15) The Parish Clerk will notify all Parish Council Councillors of the voting count and the result of the selection process as soon as possible afterwards.

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

(17) The successful applicant/applicants will be provided with the following:

- (i) A copy of the Parish Councils Standing Orders.
- (ii) A copy of the Parish Councils Financial Regulations
- (iii) A copy of the Parish Councils Code of Conduct.
- (iv) A copy of the set of the Good Councillors Guide.

(18) The successful applicant/applicants will comply with the following:

- (i) To sign a Declaration of Acceptance of office form.
- (ii) To complete a Declaration of Interest form and submit this to the Parish Clerk who will submit to the Monitoring Officer at Slough Borough Council within 28 days.

(19) The successful applicant/applicants will be encouraged to participate in a new councillors training course.

(20) If for any reason an applicant/applicants are not selected then the vacancy/vacancies will be re-advertised in accordance with this procedure.

Adopted: April 2024