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Paper submitted by the Clerk to the Council at the meeting of 12.01.22 to outline the process to be followed for the filling of the vacant seats on the Parish Council via co-option.

Vacancies arising on the Parish Council at times other than an election – Casual Vacancies

Introduction

Vacancies might arise on a Parish Council for various reasons "between elections" (for example, a vacancy might arise due to the resignation or death of a Councillor or due to a Councillor's repeated failure to attend meetings or his/her disqualification). Such vacancies are referred to as "casual vacancies".

Procedure to follow in respect of all casual vacancies (except for those arising within six months of an election)

- The parish clerk will notify Mid Suffolk District Council Electoral Services of the details of the vacancy (which councillor and why) for them to populate a notice of vacancy.
- The parish council (i.e. the parish clerk) is responsible for publishing the notice of vacancy as soon as practicable and ensuring that it is displayed for the requisite time (i.e. a 14 working day period, which excludes Saturdays, Sundays and bank/Public Holidays).
- If on or before the date 14 working days from the date that the notice is displayed, Mid Suffolk District Council receives a notice, signed by 10 electors for the relevant parish stating that they wish there to be an election, there must be an election. A precedent notice requesting an election will then be submitted to the parish clerk if such an election is requested by the electors.

If no notice is received, then

- As soon as practicable after the end of the 14 working day period, the Parish Council must fill the vacancy by co-option.
- This means that the parish council must, at its next meeting, consider the co-option of a person to the council. If they do not fill the vacant seat at the next meeting, it should remain a matter of business until the seat has been filled through their chosen co-option process.
- The Parish Clerk should then ensure that the requisite steps are taken in respect of the appointment(s).

Who can be a Parish Council (qualifications)

Legislative provisions set out the necessary qualifications for a person holding office as a Parish Councillor. The parish clerk can provide full details on these provisions.

Prior to the meeting of 12th January 2022, at which appointment by co-option is to take place

Whilst there are no set procedures for how a person will be co-opted and that the process for this is a matter for the remaining members of the parish council, certain rules are to be followed for all candidates.

1. All candidates interested in the role of Councillor will be asked to provide in writing (email is noted as a valid form of communication), a brief CV and introductory letter explaining their background, experience and abilities and how they will compliment or enhance the current membership of the Council.
2. The Clerk will review the information supplied and having been satisfied that all have confirmed that they are eligible to stand for the position of councillor, will collate a list of those wishing for their nominations to proceed further.
3. Such information is to be distributed to the current membership of the Council, as a confidential file, and be reviewed in terms of shortfalls and imbalances of the Council and whether such appointments will fill such gaps.
4. Members should ensure that they co-opt to benefit the diversity of the council to welcome all backgrounds, experiences and abilities.

Procedure to be followed for the meeting of 12th January 2022 to co-opt to fill the four vacant seats on the Parish Council

As there are more candidates than vacancies, the following procedures will prevail:

1. All Councillors will be asked if they have reviewed the files containing the pertinent information on each prospective candidate and whether there are any further questions they might like to pose prior to council undertaking the vote.
2. Should Councillors wish to ask a question, the Chair will direct that such a question be posed to the applicable applicant, who, if present, may submit a response.
3. Should the applicant not be present at the meeting, the Chair will direct that that particular vacancy be held over until the response to the question has been ascertained.

Voting procedure to be followed: *each vacancy must be filled by a separate vote or series of votes*

1. For each vacancy, a vote will be undertaken with the result being by an absolute majority vote of those present and voting, meaning that the chosen candidate must receive more votes than the total of votes for the other candidates.
2. If no one of the candidates at the first count receives a majority over the aggregate votes given to the rest, steps will be taken to strike off the candidate with the least number of votes and the remainder must then be put to the vote again.
3. This process must, if necessary, be repeated until an absolute majority is obtained.

Steps to be taken once a Parish Councillor has been appointed by co-option

Certain steps must be taken once a new Parish Councillor has been elected. The Parish Clerk is responsible for ensuring that these steps are complied with.

As a minimum:

- each Councillor should sign a Declaration of Acceptance of Office;
- each Councillor should complete a Notification of Interests form; and
- each Councillor should be given a copy of the Parish Council's Code of Conduct

The parish clerk will forward a copy of each of the Notification of Interests Form onto the Monitoring Officer at Babergh Mid Suffolk District Council.