

MYNDTOWN COMBINED PARISH COUNCIL

Grouping Myndtown, Norbury, Ratlinghope & Wentnor Parishes.

STATEMENT OF PROCEDURE

For considering & determining Councillor co-option.

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

Parish Councils are permitted to exercise the power to co-opt a person onto the Council 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 10 registered electors have requested an election by a deadline date set by the District Returning Officer)

Although seeking expressions of interest is not a legal requirement, the National Association of Councils (NALC) recommends that Councils give public notice of vacancies to make the process of co-option open and transparent.

As set out by Shropshire Council, the parishes are represented by the following numbers: Myndtown - 2 councillors, Norbury - 2 councillors, Ratlinghope – 2 councillors & Wentnor – 4 councillors. There is no Law Guidance to say that all vacancies must be filled, providing the parish council is quorate.

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

Consider advertising the vacancy to seek and encourage ‘expressions of interest’ by a specific date from anyone within the parish where a casual vacancy occurs. Potential candidates may contact the **clerk** in writing inc. email, or by using the standard Application form of self-certification which confirms they meet the statutory requirements for co-option. Candidates may then be assessed by this council whether or not they meet the statutory requirements, but also that they meet the ‘person specific/other requirements’ criteria agreed by this council. It is ultimately the decision of this Council whether to co-opt or not when vacancies arise.

The LGA 1972 s.79 Eligibility Criteria will apply and will also include ‘this councils person specific’ criteria, as follows:

- That the Applicant Qualifies through either Residency/Working or Volunteering within either Myndtown, Norbury, Ratlinghope or Wentnor parishes where a Vacancy has arisen, for at least 1 year previously.
- That the Applicant is of an age over 18 years and included on the current Electoral Roll
- The Applicant is actively involved in Community engagement or is a member of other local Community Groups (Person Specific Criteria)
- The Applicants reasons for interest in the Vacancy inc. Personal Attributes of having sound knowledge and understanding of local affairs. Has Experience skills of working or being a member of other local community/interest groups. The Knowledge and Ability to listen constructively, is a good team player and will work closely with other members; and to maintain good working relationships with all members & staff, and

able to contribute opinions at meetings whilst willing to see others views and accept majority decisions.

Applicants will not be considered under Disqualification, pursuant to s.80 of the LGA 1972 including 'this councils person specific/other requirements' criteria, as follows:

- Bankruptcy Restrictions
- Those that have a criminal/disreputable history, either by allegation or conviction which may be determined as actions not becoming of a parish councillor, will not be considered (Person Specific Criteria)
- Those that have previously verbally/physically attacked or knowingly incited or caused threatening or abusive behaviour to any councillor, the Chairman or the clerk; either inside or outside of proper meetings, will not be considered in the interests of members personal Safety. (Person Specific Criteria)
- Those that have a history of repetitive planning discrepancies not supported by Local Planning Consent and/or planning irregularities including Enforcement Notices, will not be considered as actions not becoming of a parish councillor. (Other Requirements Criteria)

To show the Combined Council's committed approach to Equality; Councillor considerations for future co-options should prioritise Female/Gender Neutral/Gay/Lesbian, other Ethnic Groups & Multi-cultural electors, providing they meet the criteria set out above.

S.1(2) Public Bodies (Admission to Meetings) Act 1960 allows public access during the decision-making processes such as councillor co-option.

The council may need to investigate or obtain evidence to a candidate's eligibility to be a councillor if the decision to not co-opt is challenged.

If the Applicant is suitable by positive determination of all the above criteria, the **clerk** will confirm that each candidate is qualified to become a Councillor and is not disqualified under any reasons above, including those agreed by this council. At the next meeting the **Chairman** will offer the opportunity for debate on the candidates co-option. An absolute majority In Favour for the candidates co-option is required.

This Document will be re-assessed and updated/edited and Adopted as Resolute at each Annual Meeting of the council, held in May.