

Meopham Parish Council

St Johns Centre, Wrotham Road, Meopham, Kent, DA13 0AA - Tel: 01474 813779

Email: enquiries@meopham-pc.gov.uk

Website: www.meopham-pc.gov.uk



Co-option Policy

1. Purpose

This policy sets out the procedure to be followed by Meopham Parish Council when filling a casual vacancy by co-option. The aim of the policy is to ensure that the co-option process is open, transparent, fair, and consistent with relevant legislation and guidance.

2. Legal Framework

This policy is based on the provisions of:

- The **Local Government Act 1972**
- The **Representation of the People Act 1983**
- The **Local Elections (Parishes and Communities) Rules 2006**
- Guidance issued by the **National Association of Local Councils (NALC)**

3. Casual Vacancies

A casual vacancy occurs when a serving councillor ceases to hold office before the end of their term. According to section 87 of the 1972 Act, a casual vacancy occurs when:

- A councillor fails to deliver their declaration of acceptance of office at the proper time.
- A councillor resigns.
- A councillor dies.
- In the case of a councillor who is disqualified by virtue of a criminal conviction, under section 34 of the Localism Act 2011 (England), the expiry of the period for making an application or appeal or, if an appeal or application has been made, the date that any such application or appeal process comes to an end.
- On the date of a report or certificate of an election court that declares an election void.
- A person ceases to be qualified to be a councillor for a reason not mentioned above.
- A councillor fails to attend meetings for six consecutive months.

Upon notification of a casual vacancy, the Proper Officer shall:

1. Notify the relevant principal authority.
2. Arrange for the statutory notice of vacancy to be displayed.
3. Observe the statutory period during which electors may request a by-election.

If, within the prescribed period, a request for a by-election is received from 10 or more electors, the vacancy shall be filled through an election.

If no by-election is called, Meopham Parish Council shall fill the vacancy by co-option as soon as practicable, unless the vacancy occurs within six months of the next

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ordinary election, in which case the Council may choose whether or not to fill the vacancy.

4. Eligibility

Any person wishing to be considered for co-option must:

- Be qualified to be a councillor under Section 79 of the Local Government Act 1972; and
- Not be disqualified from holding office under Section 80 of the Local Government Act 1972.

Applicants will be required to complete a Co-option Application and sign an Eligibility form declaring that they:

- Meet the statutory qualifications for office (section 79 of the 1972 Act); and
- Are not subject to any disqualification (1972 Act).

Meopham Parish Council reserves the right to request evidence of eligibility where appropriate.

5. Advertising the Vacancy

When a vacancy is to be filled by co-option, Meopham Parish Council will:

- Publicise the vacancy on the Council's website, Social media and noticeboards;
- Advertise through other appropriate local channels where practicable;
- Advertise a contact point so that people considering putting their names forward for co-option can obtain more information on the role of a parish councillor;
- Specify the closing date for applications; and
- Provide details of the application process.

The Council may indicate that applications from individuals with particular skills, knowledge or experience would be welcomed where these may assist the Council in carrying out its functions. Such statements shall not form part of the formal notice and shall make clear that all eligible applicants will be considered equally.

Councillors and parishioners may encourage suitable individuals to apply for co-option. However, all eligible applicants shall be considered on an equal basis.

6. Application Process

Individuals expressing an interest in co-option shall be provided with the Council's Co-option Application and Eligibility Form, which shall also be available on the Council's website.

Applicants shall submit:

- A completed and signed Application and Eligibility Form; and

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- A brief personal statement outlining their reasons for applying and any relevant skills, knowledge or experience.

The Clerk shall review completed applications to confirm eligibility and compliance with the statutory requirements.

Applications received after the published closing date may not be considered. Applicants shall be informed of the date of the Personnel Committee meeting at which their application will be considered and of the Full Council meeting at which any recommendation for appointment will be presented for approval.

7. Assessment by the Personnel Committee

The Clerk shall prepare redacted copies of eligible applications and circulate them to members of the Personnel Committee with the relevant agenda papers.

All application documents shall be treated as confidential by the Clerk and Councillors.

The Personnel Committee shall be responsible for managing the co-option process on behalf of the Council.

Its responsibilities shall include:

- Reviewing all valid applications received;
- Interviewing eligible applicants where considered appropriate;
- Assessing applicants against the needs of the Council, including their commitment to public service, understanding of local issues, and any relevant skills, knowledge or experience;
- Considering how applicants may contribute to the effective functioning of the Council; and
- Selecting a preferred candidate and making a recommendation to Full Council for approval.

Applicants may be invited to attend a meeting of the Personnel Committee to introduce themselves and answer questions relating to their application. The Committee may also determine that applications will be assessed solely on the basis of written submissions.

Selection of a Preferred Candidate

Where the number of eligible applicants is equal to or fewer than the number of vacancies, the Personnel Committee may recommend the applicant(s) for appointment, subject to approval by Full Council.

Where the number of eligible applicants exceeds the number of vacancies, the Personnel Committee shall determine which applicant(s) it wishes to recommend to Full Council.

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Voting shall be conducted in accordance with the Council's Standing Orders.

Only members of the Personnel Committee present at the meeting may vote upon a person to be recommended for appointment.

Committee members shall have one vote per vacancy to be filled.

The preferred candidate shall be the applicant receiving the majority of votes cast. Where more than two persons have been nominated for recommendation and none of those persons has received an absolute majority of votes in their favour, the name of the person receiving the fewest votes shall be removed from consideration and a fresh vote taken. This process shall continue until a majority of votes is given in favour of one person.

The Personnel Committee shall then submit its recommendation to Full Council for ratification.

Any candidate found to be offering inducements or attempting to exert undue influence on the co-option process shall be disqualified.

The Parish Council is not obliged to co-opt to fill any vacancy. Under S.89 of the Local Government Act 1972 even if the Council invites applications for co-option, it is not obliged to select anyone from the candidates who apply.

All Candidates will be notified of the results by the Clerk, as soon as is reasonably possible (usually within 24 hours). The recommendation of the Personnel Committee being presented to the next available meeting of Full Council for ratification.

8. Approval by Full Council

Notice of the proposed co-option shall be included as a separate agenda item.

Full Council shall consider the recommendation of the Personnel Committee and determine whether to ratify the proposed appointment.

Where the recommendation is ratified, the candidate shall be deemed appointed to the vacancy.

Where the recommendation is not ratified, Full Council may refer the matter back to the Personnel Committee for further consideration and a subsequent recommendation.

9. Transparency and Record Keeping

If a candidate is related to a Councillor, or has a connection with a Councillor that could reasonably be perceived as giving rise to a conflict of interest, the Councillor concerned shall declare the interest and withdraw from consideration of the item.

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The Councillor shall not participate in the discussion or vote.

Meopham Parish Council recognises that co-option is a matter of public interest and will conduct the process in an open and transparent manner.

The decision to co-opt shall normally be made in public session unless there are lawful grounds for exclusion under the Local Government Act 1972.

Interviews of applicants will be conducted in a closed session within the Personnel Committee meeting, but the meeting will return to public for the vote and decision on recommendation.

The ratification of Full Council will be held in a public session.

The minutes shall record:

- The number of applications received;
- The fact that recommendations were received from the Personnel Committee; and
- The name of the successful candidate.

The Council is not required to provide detailed feedback to unsuccessful applicants but may do so where appropriate.

10. Acceptance of Office

Following appointment by the Council, the successful candidate shall:

- Sign the Declaration of Acceptance of Office before or at the first meeting they attend as a councillor (within 28 calendar days); and
- Complete any required Register of Interests documentation within the prescribed timescale.
- Confirm they comply and abide by the Parish Council's Code of Conduct, as previously indicated on their application. Should the new Councillor not comply with or breach the Code of Conduct, then the Monitoring Officer at Gravesham Borough Council will be advised, who will then deal with the matter.

The co-opted councillor shall hold office until the next ordinary election, unless they cease to hold office earlier in accordance with the law.

11. Review

This policy shall be reviewed by the Parish Council every four years, or sooner if required by changes in legislation or guidance.

This Policy was adopted at Full Council on 30 June 2026 Minute number F.C.49.