

Batheaston Parish Council

Co-option Policy

With Form for Applicants



Batheaston

Where community matters

Contents

1. Introduction	2
2. Co-option.....	2
3. Confirmation of Co-option	2
4. Eligibility of Candidates	3
5. Applications.....	3
6. At the Co-option Meeting	4
7. Appendix: Application Form.....	5

This Policy is provided for adoption by the council at its meeting held on 12th May 2026.

1. Introduction

This policy sets out the procedure to ensure there is compliance with legislation and continuity of procedures in the co-option of members to Batheaston Parish Council (The Parish Council). The Co-option procedure is entirely managed by The Parish Council and this policy will ensure that a fair and equitable process is carried out.

2. Co-option

The Co-option of a Parish Councillor occurs when a casual vacancy has arisen on the Council and no poll (by-election) has been called. 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 79 of the Local Government Act 2000 (Wales) or 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.

The Parish Council has to notify Bath and North East Somerset Council (BANES) of a Casual Vacancy and advertise the vacancy for a period of 10 working days to give residents the opportunity to request an election. This occurs if at least ten residents to BANES stating that an election is requested.

If a by-election is called, this will be organised and run by BANES. If ten residents do not request a ballot, The Parish Council is able to co-opt a volunteer.

3. Confirmation of Co-option

On receipt, of written confirmation, from the Electoral Services Office at BANES, the casual vacancy can be filled by means of Co-option, the Parish Clerk will advertise the vacancy for a period of at least four weeks on the Council notice boards and website, and advise Councillors that the Co-option Policy has been instigated.

4. Eligibility of Candidates

The Council is able to consider any person to fill a vacancy provided that they fulfil the criteria set out in the Local Government Act 1972 Act (section 79, see <https://www.legislation.gov.uk/ukpga/1972/70/section/79>):

- is an elector for the parish; or
- have resided in the parish for the past twelve months or rented/tenanted land or other premises in the parish; or
- had his/her principal place of work in the parish; or
- has lived within three miles (direct) of the parish.

A person is disqualified for co-option as set out in Section 80 of the same Act (<https://www.legislation.gov.uk/ukpga/1972/70/section/80>). The main provisions are:

- employment with the Parish Council;
- bankruptcy;
- having been sentenced to a term of imprisonment (whether suspended or not) of not less than three months, without the option of a fine, during the five years preceding the election.

Candidates found to be offering inducements of any kind will be disqualified.

5. Applications

The Clerk and Councillors should seek to advertise the vacancies and the process as promptly and as widely as possible to any qualifying candidate(s).

Although there is no Statutory Requirement to do so, candidates will be requested to:

- Submit information about themselves, by way of completing a short application form (Appendix A)
- Confirm their eligibility for the position of Councillor within the statutory rules (Appendix B).

Following receipt of applications, the next suitable council meeting will have an agenda item 'To receive written applications for the office of Parish councillor and to Co-opt a candidate to fill the existing vacancy'.

This item will be first on the agenda, and any candidates co-opted may join the remainder of the meeting as Councillors.

Copies of the candidates applications will be circulated to all Councillors by the Clerk at least 3 clear days prior to the meeting of the full Council, when the Co-option will be considered. All

such documents will be treated by the Clerk and all Councillors as Strictly Private and Confidential.

Candidates will be sent a full agenda of the meeting at which they are to be considered for appointment, together with a copy of the Code of Conduct, Standing Orders and Financial Regulations of The Parish Council. Candidates will also be informed that they will be invited to speak about their application at the meeting.

6. At the Co-option Meeting

At the co-option meeting, candidates will be given five minutes maximum to introduce themselves to Members, give information on their background and experience and explain why they wish to become a Member of the Parish Council. Where the Council wishes to discuss the merits of candidates and inevitably their personal attributes, this could be prejudicial and the Council will resolve to exclude the members of the press and public.

As soon as all candidates have finished giving their submissions, the council will proceed to a vote on the acceptability of each candidate utilising the 'person specification' criteria set out in Appendix C and any personal statements provided by candidates, with each candidate being proposed and seconded by the councillors in attendance and a vote by a show of hands.

A candidate must receive an absolute majority vote (50% + 1) of members present at the Parish Council meeting and able to vote.

If there are more than two candidates and no candidate with an overall majority in the first round of voting the candidate with the least number of votes will drop out of the process. Further rounds of voting will then take place with the process repeated until a candidate has an absolute majority.

In the case of an equality of votes, the Chairman of the meeting has a casting vote.

Council is not obliged to fill any vacancy or to select anyone from the candidates who apply.

After the votes has been concluded, the Chairman will declare the successful candidate duly elected and after signing their declaration of acceptance of office, may take their seat immediately.

The Clerk will notify Electoral Services at BANES of the new Councillor appointment. The successful candidate(s) must complete the 'registration of interests' within 28 days of being elected. The form should be handed to the Clerk for forwarding to the Monitoring Officer.

If insufficient candidates come forward for co-option, vacancies can continue to be advertised until candidates come forward.

Last reviewed and agreed by Council: 12th May 2026

Next scheduled review: May 2027

7. Appendix: Application Form

An editable version of this document will be made available on the website, and by email on request.

Please refer to the Parish Council's Co-option Policy

1. Personal Details

Full Name	
Address	
Telephone and email contact details	

2. Eligibility and commitments

☐

I confirm that I am eligible to become a parish councillor under the provisions of s. 79 of the 1972 Local Government Act, and I am not disqualified under the provisions of s.80 of the same Act.

3. Personal Statement

Please introduce yourself and details why you consider you would be the best candidate for the vacancy. Points you may like to cover include your connection with the Parish, membership of any community groups, voluntary work within the Parish or elsewhere, particular interests relating to the Parish:

2. Experience, Skills, Knowledge and Ability

Please detail any skills or experience you have that may be relevant to the Parish Council.

This may be professional, and might include any skills you may have from other activities you are involved with:

3. Any other information:

Is there any other information you would like to disclose regarding your application. You might wish to comment on your availability to attend meetings as per the Council's current normal meeting schedule, and willing to consider attending ad-hoc meetings and duties at other times.

Signature:

Date:

PLEASE RETURN YOUR APPLICATION TO THE PARISH CLERK, PREFERABLY BY E-Mail to clerk@batheaston-pc.gov.uk or by post to:-

60, Gloucester Road, BATH, BA1 7BN

Thank you!