



EMERSONS GREEN TOWN COUNCIL

Co-Option Policy and Procedures

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Approved by: Finance and Partnership Committee

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1. Introduction

- 1.1 This Co-option Policy and its associated process documentation set out how Emersons Green Town Council (EGTC or The Town Council) manages the filling of town councillor vacancies when an election is not required. The policy explains the principles, criteria, and procedural steps the Council follows to ensure that co-option is carried out fairly, transparently, and in a way that supports effective local representation. It also reflects and incorporates relevant guidance issued by the **National Association of Local Councils (NALC)**, ensuring that the Council's approach aligns with recognised best practice across the local government sector.
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2. Co-Option – Casual Vacancy

2.1 The co-option of a town councillor occurs when a casual vacancy has arisen on the Town Council, and no poll (by-election) has been called. The Local Government Act 1972, s.87 states that a casual vacancy occurs when one of the following happens during the Town Council's term of office:

- A councillor fails to make their declaration of acceptance of office at the proper time;
- A councillor resigns;
- A councillor dies;
- A councillor becomes disqualified; or
- A councillor fails for six months to attend a meeting when summoned to do so and their apologies are not accepted.

2.2 The Town Council will notify the principal authority (South Gloucestershire Council) of a casual vacancy and then give notice of the vacancy to give electors the opportunity to request an election. This occurs when ten electors write to South Gloucestershire Council stating that an election is requested.

2.3 If more than one candidate is nominated, a by-election will take place. When there is only one candidate, they are duly elected without a ballot.

2.4 If a by-election is called, a polling station will be organised by South Gloucestershire Council and polling cards sent to residents. The Town Council will be expected to pay the costs of a by-election.

2.5 If residents do not request a ballot within the fourteen days of the public notice being posted, South Gloucestershire Council will inform the Town Council that they can proceed with co-option by advertising the vacancy. This will be done via the Town Council's noticeboards, website and social media.

2.6 Whenever the need for co-option arises, the Town Council will seek and encourage applications from anyone in the town who is eligible to stand as a town councillor. Town Councillors or parishoners can legally approach individuals to suggest that they may wish to consider putting their names forward for co-option.

2.7 The notice to co-opt will include (Appendix A):

- the method by which applications can be made;
 - the closing date for all applications;
 - a contact point to obtain more information; and
 - where the information can be sourced electronically
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3. Co-Option – Following Elections

3.1 Insufficiency of candidates at an ordinary election also provides the Town Council with authority to exercise its right to co-opt any person or persons to fill any vacancies within thirty-five days following the date of the ordinary election.

3.2 If insufficient candidates come forward for co-option, the process should continue whereby the vacancies are advertised again

4. Eligibility of Candidates

4.1 The Town Council can consider any person to fill a vacancy provided that:

- They are on the electoral register for the parish; or
 - They have lived in the parish for the past twelve months; or
 - They live within three miles of the parish boundary for the past twelve months
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- They have been the owner or tenant of land in the parish for the past twelve months; or
- Their only or main place of work is in the parish for the past twelve months

4.2 There are certain disqualifications for co-option, as follows:

- Holding a paid office with the Town 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 co-option; and
- Being disqualified under any enactment in relation to corrupt or illegal practice.

4.3 The Town Clerk will confirm the eligibility of the candidates, in line with the Local Government Act 1972, s79 and s80.

4.4 All eligible candidates will be invited to attend a meeting of the Full Council following the application deadline. If candidates are unable to attend, the meeting will not be rearranged.

5. Applications

5.1 To assist candidates, a suggested list of co-option criteria has been prepared and is contained at Appendix B. This will guide candidates on what they may choose to include in their application forms.

5.2 Candidates will be requested to:

- Confirm their eligibility for the position of town councillor within the statutory rules as set out in Appendix C; and
- Submit information about themselves by completing an application form as set out in Appendix D.

5.3 Prior to the next Full Council meeting, where applications for co-option will be considered, applications will usually be circulated to all town councillors with at least three clear days' notice prior to the meeting. If this is not possible, then applications will be tabled at the meeting and enough time allowed during the meeting for town councillors to consider the applications.

5.4 There will be an agenda item at the meeting as follows: *Town Councillor Vacancies and Applications for Co-Option. To note current casual vacancies and to consider application(s) from town councillors of the public for co-option.*

6. Full Council Co-Option Meeting

- 6.1 For fairness, candidates will have a maximum of five minutes to introduce themselves to town councillors, give information on their background and experience and explain why they wish to become a town councillor of the Town Council.
- 6.2 After presentations have been made, town councillors will have the opportunity to ask candidates a few questions before proceeding to vote. Note: if a candidate is unable to attend the meeting, the application will still be considered, and voting will be based on the application only.
- 6.3 If a candidate is a relative or friend of a town councillor, that town councillor should declare a prejudicial interest and withdraw from the meeting.
- 6.4 Once all candidates have completed their submissions, the Town Council will move to the agenda item relating to Privacy and consider a resolution to exclude the public and press due to the confidential nature of the forthcoming discussion. If agreed, the Town Council will resolve that this item be conducted in private session, with the press and public excluded. If not agreed, the agenda item will be discussed in a public session.
- 6.5 Full Council can then proceed to discuss and vote with each candidate being proposed and seconded by the town councillors in attendance and

a vote by a show of hands. A recorded vote may be requested (Local Government Act 1972, section 12, para 39).

- 6.6 In order for a candidate to be elected to the Town Council, it will be necessary for them to obtain an absolute majority of votes cast (50% plus 1 of the votes available at the meeting).
 - 6.7 If there are more than two candidates and there is 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.
 - 6.8 Only those town councillors present at the meeting may vote upon a person to fill the vacancy. Town councillors will have one vote per vacancy to be filled. The Chair has the casting vote. Votes cannot be made by proxy.
 - 6.9 If this agenda item has been considered in a private session, the Chair can formally restore public access with a resolution “that the exclusion of the press and public now cease and that the meeting be reopened to the public and press. The candidates can then be invited back into the meeting”.
 - 6.10 The new town councillor(s) may sign their Acceptance of Office paperwork at this meeting.
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7. Co-Opted Councillors

- 7.1 Successful co-opted candidates, upon signing their declaration of acceptance of office, become town councillors with immediate effect and are no different to any other town councillor.
- 7.2 Any application can be considered in the absence of the candidate(s) but, if successful, town councillors would need to agree for them to sign their declaration of acceptance of office in accordance with the Local Government Act 1972, s83(3) either before or at the next Full Council meeting.

8. Applying for a Casual Vacancy

- 8.1 Candidates who are interested in applying for a casual vacancy need not wait until the public notice appears. Candidates can write to the Town Council directly expressing their interest in the casual vacancy and request that it considers their application when it has authority to co-opt.
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9. Monitoring, Evaluation and Review

- 9.1 This Policy will be reviewed by Full Council at the beginning of each new council term (usually every four years).

SAMPLE NOTICE OF VACANCY IN OFFICE OF COUNCILLOR

PARISH OF EMERSONS GREEN

NOTICE IS HEREBY GIVEN

NOTICE IS HEREBY GIVEN that a casual vacancy has occurred in the office of Councillor for Emersons Green Town Council, Blackhorse Ward.

An election will be held to fill the vacancy if notice of a request for such an election is given to the Returning Officer, South Gloucestershire Council, PO Box 1953, The Council Offices, Badminton Road, Bristol BS37 0DB by ten Local Government electors for the said electoral area no later than the 11th of September.

If no request for an election is given, the Parish Council will fill the vacancy by co-option.

DATED this 21st day of August 2023

Signed:

Clerk to: Emersons Green Town Council

Address: 198 Westerleigh Road,
Emersons Green, Bristol, BS16 7AN

Appendix B

Councillor Person Specification

Competency	Essential	Desirable
Personal Attributes	1. Demonstrates the Nolan Principles of Public Life: <i>selflessness, integrity, objectivity, accountability, openness, honesty and leadership</i> 2. Has a sound understanding of local affairs and the needs of the local community 3. Shows empathy, is approachable and engages respectfully with others 4. Is forward-thinking and open to new ideas and solutions	• Can bring new skills, expertise or key local knowledge to the Town Council

Experience, Skills, Knowledge and Ability	Commitment & Representation • Committed to attending Full Council meetings (11 per year) • Committed to represent the Town Council at civic events and other meetings as necessary • Keen interest in local matters and community wellbeing • Able and willing to represent both the council and the wider community Communication and Interpersonal Skills • Listens constructively and communicates succinctly and clearly • Good interpersonal skills; able to contribute opinions at meetings while respecting others' points of view and accept majority decisions • Approachable and respectful in interactions with town councillors of the public, councillors and staff Teamwork and Collaboration • A good team player who works well with others • Willing to work closely with fellow town councillors and maintain positive working relationships with staff¹ • Willing to collaborate with Town Council partners including voluntary groups, other parish councils, principal authorities, charities and others Personal Development & Initiative • Can undertake a variety of projects and contribute to council initiatives • Forward thinking and open to new ideas • Willing to undertake induction and other relevant training as required ²	• Experience of working with voluntary and/or local community interest groups • Basic knowledge of legal issues relating to town and parish councils, principal authorities in general or specifically South Gloucestershire Council • Experience of delivering presentations/public speaking • Willingness to join committees.
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¹ [Civility and Respect Pledge | Emersons Green Town Council](#)

² [Training: Statement of Intent](#)

Appendix C

Councillor Eligibility Form

Please complete this form before applying to become a Emersons Green Town Councillor. Return this form, along with your application form to the Town Clerk.

Are you a British subject, citizen of the Commonwealth or a citizen of the European Union?	Yes/No
On the 'relevant date' i.e. the day on which you are nominated or if there is a poll on the day of election, are you 18 years of age or older?	Yes/No
Are you registered as a local government elector for the town of Emersons Green.	Yes/No
During the whole of the twelve months preceding the date of your co-option, have you occupied as owner or tenant, land or other premises in the town of Emersons Green?	Yes/No

Under the Local Government Act 1972, s.80, a person is disqualified from being elected/co-opted as a local councillor or being a town councillor of a local council if specific criteria are not met:

Are you an employee of Emersons Green Town Council?	Yes/No
Are you the subject of bankruptcy restrictions order or interim order?	Yes/No
Within the last five years, have you been convicted of an offence in the UK, Channel Islands or the Isle of Man which resulted in a sentence of imprisonment (whether suspended or not) for a period of three months or more, without the option of a fine?	Yes/No
Are you disqualified by order of a court from being a town councillor of a local authority?	Yes/No

Declaration

I, ... , hereby confirm that I am eligible for the vacancy of Emersons Green Town Councillor and the information given on this form is a true and accurate record.

Appendix D

Town Councillor Co-option Application Form Emersons Green Town Council

FULL NAME	
HOME ADDRESS	
POSTCODE	
TELEPHONE NUMBER	
MOBILE NUMBER	
EMAIL ADDRESS	
VACANCY FOR WHICH YOU ARE APPLYING (WARD) IF APPLICABLE	

PLEASE ANSWER THE FOLLOWING YES/NO QUESTIONS CAREFULLY AS THEY SET OUT THE LEGAL QUALIFICATIONS FOR BEING A TOWN/PARISH COUNCILLOR	
<i>(You only need one of the following four qualifications, but please say 'Yes' to all that apply)</i>	
Are you on the electoral register for the parish?	
Have you lived either in the parish, or within three miles of its boundary, for at least a year?	
Have you been the owner or tenant of land in the parish for at least a year?	
Have you had your only or main place of work in the parish for at least a year?	
WHAT YOU CAN BRING TO THE PARISH COUNCIL – SKILLS AUDIT <i>(Please tick the boxes below relevant to your knowledge)</i>	
Specific to Town Council:	
Knowledge of Town/Parish councils in general	
Knowledge of Emersons Green Town Council specifically	

Knowledge of the principal authority involved with Emersons Green Town Council	
Knowledge of the local statutory agencies involved with Emersons Green Town Council	
Knowledge of national policy concerning Emersons Green Town Council	
General to Parish Council	
Knowledge of the local area in general	
Knowledge of current good practice for charities	
Experience of other voluntary organisations (as committee)	
Experience of other voluntary organisations (as staff or volunteer)	
Campaigning	
Partnership Working	
Community Development	
Management/Organisation	
General Management	
Financial Management	
Project Management	
Monitoring and Evaluation	
Planning	
Policy Making	
Health & Safety	
Professional	
Law	
Accounting	
IT	
HR	
Marketing/PR	
Training/Development	
Other (please indicate)	
Committee	
Chairing	
Consensus building	
Energy and enthusiasm	
Strategic thinking	
Governance	

Do you have anything you wish to contribute to the Town Council not mentioned above either in terms of experience, knowledge or skills?

Please tell us your reasons for wishing to become a Town Councillor:

Although you may have no experience as a Town Councillor what is your perception of the role of an Emersons Green Town Council?

Are there any factors, other than exceptional circumstances, that might prevent you from regularly attending monthly Town Council meetings? These are normally held on a Thursday evening.

Are there any local issues that you are particularly interested in that you believe could be of benefit to the community?	
What are your hobbies/interests?	
Please let us know how you heard of this co-option vacancy? (Please tick the boxes below)	
Poster displayed on a Town Council noticeboard	
Poster displayed elsewhere	
Emersons Green Town Council Facebook post	
Other Facebook post	
Emersons Green Town Council website	
Emersons Green Voice article	
Downend Voice article	
Word of mouth	
Other (please specify below)	
At the meeting of the Full Council to consider the Co-option, candidates are invited to address town councillors for up to 5 minutes. This is optional. Would you like the opportunity to address town councillors at the next meeting?	

As a town councillor representing your community you will help keep it a great place to live and work. You will be supported in your role and will be expected to undertake training. You should be comfortable working electronically. You should have a positive outlook and a can-do attitude and will be willing to work as part of a team.

Signed: _____ Date: _____

Please return to the Town Clerk at clerk@emersonsgreen-tc.gov.uk

Or by post: Town Clerk, Emersons Green Town Council, 198 Westerleigh Road,
Emersons Green, Bristol, BS16 7AN