

## REPORT TO PICKMERE PARISH COUNCIL

8<sup>th</sup> May 2019

### AGENDA ITEM 5.1 TO CONSIDER THE CO-OPTION OF MEMBERS TO THE COUNCIL

#### 1 Report

- 1.1 As members will be aware, the results of the recent election mean that 3 places on the Council remain unfilled, although the Council is quorate. In this situation, the Council has the power to fill the remaining vacancies by co-option. The legislation does not require the Parish Council to do so but states that it may do so. However, if the vacancies remain unfilled after a period of 35 days after the May elections, the district council, i.e. Cheshire East (CEC) may move to fill the vacancies; this would be by means of holding a further election, the costs of which would be borne by the Parish Council (and would potentially run to £3000-£4000).
- 1.2 CEC have been asked informally if they are likely to take this stance, but no response has been received to date. ChALC have said that they do not recall the district council having adopted this measure in the past.
- 1.3 The procedure for securing and appointing co-optees in this circumstance is not specified in law. (This differs from the situation where for instance a councillor resigns part way through the operation of a Parish Council and the resultant “casual” vacancy is to be filled – there, specific procedures are set out in legislation).
- 1.4 In the current situation, therefore, Council can decide how the co-option process is to be dealt with. There is nothing to prevent particular persons being invited to submit an application, perhaps where it is seen that such a person has particular knowledge, experience or skills that may be useful and valuable for the Council and the Parish. Applicants should comply with the normal criteria for suitability for election of parish councillors.
- 1.5 Once applications have been received, the selection process is also relatively flexible. The Council could consider and discuss the applications in the public part of the agenda, or in the confidential part, or may perhaps discuss the applications in private but then make the formal decision in public. The applicants could be invited to speak to their application, or not. The Council does not have to give any reasons why a person has or has not been selected. A possible method of administering this process in the current situation is appended to this report for consideration.
- 1.6 A successful candidate once selected has all the rights and duties of a formally elected council member.

#### 2 Recommendation

2.1 That members decide whether and if so how it wishes to co-opt further members to the Council to fill the vacant 3 seats, in particular in respect of:

- The advertising of vacancies;
- The procedure for making application;
- The procedure for considering applications and selecting co-optees.

**Jack Steel**  
**Clerk to Parish Council**

## **AGENDA ITEM 5.1 TO CONSIDER THE CO-OPTION OF MEMBERS TO THE COUNCIL**

### **APPENDIX TO REPORT**

#### **Summary of possible Co-option process.**

- Applications should be invited by means of the Council's minutes. A 'deadline' date for the submission of applications should be decided. There is nothing to prevent the Council from inviting particular parish residents who comply with the statutory requirements for a Parish Councillor to submit an application for co-option. Such invitations should be based on the apparent skills, experience or ability of the person(s) involved to make a positive contribution to the work of the Council and the wellbeing of the Parish as a whole.
- Applications should be in the form of a brief CV, with some reasoning as to the contribution the applicant can make to the operation of the Council and the enhancement of the Parish.
- The Council will appoint a Committee of the Council (the Co-option Committee) and delegate to it the power to assess applications for co-option, interview applicants and make decisions on who should or should not be co-opted. The reasons for such decisions do not require to be explained or reported in public.
- Membership of the Committee should be at least 3 councillors and the quorum should be 3.
- The Co-option Committee should meet and make its decisions in private.
- Voting in Committee shall be by show of hands, in the normal way with the Chairperson having a casting vote if required.
- The decisions of the Committee should be reported to the Council as soon as practicable after the decisions have been made.
- The applicants should then be informed of the decisions of the Council as to their individual applications, though not about the decisions as to other applicants.