

FRITHELSTOCK PARISH COUNCIL

Minutes of the virtual Extra-Ordinary meeting of Frithelstock Parish Council being held on 6th August 2020 at 8.00pm via Zoom.

Present: Cllr M Goldman (Chairman)
Cllrs A Heard, T Warrington, M Thomas, M Baker.
Also in attendance: Mrs K Graddock - Parish Clerk and 4 members of the public.

FP2032 Apologies for Absence

None received apart from that Cllr E Hunkin was due to attend later in the meeting.

FP2033 Declarations of Interest

None received.

FP2034 Minutes

RESOLVED: That the Minutes of the meeting held on 2nd July 2020 be approved and confirmed as a correct record.

(NC)

*** Cllr E Hunkin entered the meeting at 8.05pm. ***

FP2035 Public Participation

A member of the public mentioned that Cllr Baker had joined the Playing Parks Committee as a member and that there is no conflict between his position and employment.

FP2036 Planning - Decision Notices

The decision notice for **1/0401/2020/FUL**. Extension to agricultural building to provide covered yard to reduce dirty water levels at Horwood Barton, Frithelstockstone, Bideford, Devon was reported to members.

RESOLVED: That the Decision Notice as above is noted.

(NC)

FP2037 Co-option of Councillor

The Clerk had drafted a Co-option Policy and Application form that was circulated to members prior to the meeting and is attached as Appendix 1.

RESOLVED: That the Co-option Policy and Application Form be approved.

(NC)

BF2038 Part B: Exclusion of Press and Public

Cllr M Goldman informed members that he was resigning after this meeting as he was relocating to Spain but thanked Mrs K Graddock for her hard work and expertise for the Parish Council. Members thanked Cllr Goldman for his support and commitment to the Council over the past few years.

*** Mrs K Graddock removed herself from the meeting. ***

FP2039 Contract of Employment

Members were circulated a draft Contract of Employment prior to the meeting.

RESOLVED:

1. Amendment to 6: add in, if deemed necessary.
2. Amendment to give 3 months' notice for termination of employment.
3. Following the amendments detailed above, the Clerk is issued with the Contract of Employment.
- 4.

Meeting ended at 8.59pm.

Signed: Dated:

FRITHELSTOCK PARISH COUNCIL

Co-Option Policy

INTRODUCTION

In the event of no election being called to fill a Councillor vacancy for Frithelstock Parish Council, the Council will co-opt membership to the Parish Council in accordance with legislation as defined in the Local Elections (Parishes and Communities) (England and Wales) Rules 2006, SI 2006/3305 r 8(3) and the Local Government Act 1972 Sch 12, para 3. Due and fair consideration will also be given to advice and guidance as provided by bodies such as (but not limited to) the National Association for Local Councils (NALC), the Society of Local Council Clerks (SLCC) and the Devon Association of Local Councils (DALC).

Frithelstock Parish Council will follow a process which is fair, open and transparent.

QUALIFYING CRITERIA

Individuals must meet the eligibility criteria in accordance with the LGA 1972, s79 and must be:

- A British subject, or a citizen of the Commonwealth or the European Union **AND**
- On the 'relevant date'¹ (ie the day on which you are nominated, or if there is a poll on the day of the election) be 18 years of age or over

ALSO

- Be a local government elector for the Council area for which you want to stand on the 'relevant date'¹ **OR**
- Have occupied as owner or tenant any land or other premises in the Council area during the whole 12 months preceding that day **OR**
- Had your principal or only place of work in the Council area during that same Period, **OR**
- Have resided in the Council area during that 12-month period **OR**
- Have lived within 4.8km (3 miles) of the Council area for the whole of the 12 months preceding the 'relevant date'

¹ Relevant date for the process of Co-option is deemed as being the date on which the application is submitted by the applicant.

ADVERTISING THE CO-OPTION

The Parish Council will advertise and promote the vacancy for co-option as follows:

- Frithelstock Parish Council, public notice boards
- On the Parish Council website
- By word of mouth by Cllrs

The co-option notice / advert will include the following details:

- the method by which applications can be made
- the closing date for all applications
- a contact point to obtain more information (this will be the Parish Clerk)
- provide details of how to find further information either electronically or in paper format

APPLYING FOR CO-OPTION

1. Candidates will be requested to complete a written application form – as per Appendix A. Applications will ordinarily be made by a written submission by the candidate using a co-option form (available from the Parish Council and the Council's website). The Council will have due consideration to the Equality Act 2010 and by discretion, may allow applications to be completed by 3rd parties and/or submitted by alternative means.
2. Candidates must complete a signed undertaking confirming that they meet the eligibility requirements as per those detailed above. This will form part of the application process and failure to complete this may render the co-option application invalid.
3. Completed applications must be submitted to the Parish Clerk no later than 7 calendar days before the date of the Full Council meeting for which applications are to be considered and by noon of that day. The precise dates and times for submission will be included in the application pack. Late applications will not be accepted.
4. Following the closing date for applications, all eligible candidates will be invited to attend the Full Council meeting at which co-options will be considered.
5. If candidates are unable to attend this meeting, their application will still be considered in their absence. No alternative date or time for a meeting will be arranged.
6. All Members will receive copies of candidate applications which will be considered as strictly confidential papers as they will likely contain personal information relating to the candidate.

7. The co-option process will be determined in a public session of Council and a specific agenda item will be set aside for applicants to make a brief, verbal presentation to Council in support of their application. A maximum of five minutes will be allowed per candidate.
8. Members may ask questions of the candidates following their presentations.
9. Following the conclusion of all presentations, Members present at the meeting will proceed to the vote which will be in accordance with the Parish Council's Standing Orders. Standing Orders currently advise that voting must be by a show of hands.
10. Voting will be by individual candidate in alphabetical order and each Member will have one vote each.
11. If a candidate is a relative of a Parish Council, that Councillor may declare a prejudicial interest and withdraw from the meeting.
12. A successful candidate must have received an absolute majority vote by those Councillors present²
13. If there are more than two candidates for one vacancy and not one of them at the first count receives a majority over the aggregate votes given to the rest, steps must be taken to strike off the candidate with the least number of votes and the remainder must then be put to the vote again
14. This process must, if necessary, be repeated until an absolute majority is obtained
15. In accordance with Standing Orders, the Chair may exercise his/her right to use a casting vote
16. If there is more than one vacancy and the number of candidates equals the number of vacancies, all the vacancies may be filled by a single composite resolution, but if the number of candidates exceeds the number of vacancies each vacancy must be filled by a separate vote or series of votes
17. The Council is not obliged to fill all vacancies, but will take steps to advertise for further co-options

² In accordance with LGA 1972, Sch 12, 39. An Absolute majority is where the number of votes cast to any preferred candidate receives a majority over the aggregate votes given to the rest. i.e: 15 votes cast, an absolute majority would require a candidate to receive 8 votes with the other 7 being split amongst other candidates.

18. Successfully co-opted candidates become Councillors in their own right, with immediate effect (subject to the signing of the declaration of acceptance of office), and are no different to any other member
19. The co-opted members will be asked to sign a Declaration of Acceptance of Office to agree to be bound by the Council's adopted Code of Conduct. They may then take their seat at Council and will be appointed to a committee and as a representative to local organisations.
20. Any application can be considered in the candidate(s) absence, but if successful, members would need to agree for him/her to sign the Declaration of Office either before or at the next meeting

APPENDIX A: CO-OPTION APPLICATION FORM

FRITHELSTOCK PARISH COUNCIL

4 Springfield, Petrockstowe, Okehampton, Devon, EX20 3HF

Tel: 07703 050496 / Email: frithelstockpc@gmail.com

FIRST NAME	
SURNAME	
TITLE	
ADDRESS	
TELEPHONE NUMBER	
EMAIL ADDRESS	

Please detail below why you consider you would be the best candidate for this vacancy. Points to cover should include the following³:

- Length of residence in the area if appropriate
- Membership and involvement with any community associations within the Parish or elsewhere
- Particular interests and concerns relating to the Parish

³ If you wish to provide additional written information in support of your application this will be copied to all Councillors and treated in strict confidence. Please continue overleaf or on a separate piece of paper if necessary

Do you have any professional or work-related experience which could be utilised for the benefit of the Parish?

Please also confirm that you are:

- A British subject, or a citizen of the Commonwealth or the European Union **AND**
- On the 'relevant date' (ie the day on which you are nominated, or if there is a poll on the day of the election) be 18 years of age or over

ALSO

- Be a local government elector for the Council area for which you want to stand on the 'relevant date', **OR**
- Have occupied as owner or tenant any land or other premises in the Council area during the whole 12 months preceding that day **OR**
- Had your principal or only place of work in the Council area during that same period, **OR**
- Have resided in the Council area during that 12-month period **OR**
- Have lived within 4.8km (3 miles) of the Council area for the whole of the 12 months preceding the 'relevant date'

You cannot become a councillor if you:

- are subject to bankruptcy order or interim order
- have, within five years before the day of application, been convicted in the United Kingdom of any offence and have had a prison sentence for a period of over three months
- work for the Parish Council
- Have been convicted of offences involving corrupt or illegal practices
- Have been convicted for the failure to register or declare disclosable interests under the Localism Act 2011

I confirm that the information as given in this application is true and accurate and that I meet the qualifying criteria to become a Parish Councillor:

Signed: _____

Dated: _____