

## Kingsbrook Parish Council - Background

Kingsbrook is a community that will eventually comprise 2,450 homes to the east of Aylesbury that will include new schools, community centres, sports facilities and parks developed alongside the new homes.

Following a Community Governance Review held in the second half of 2019, approval was given by the Buckinghamshire Shadow Executive on [7 January 2020](#) for the establishment of the Kingsbrook Parish Council.

The Parish came into being through the making of the [Aylesbury Vale \(Reorganisation of Community Governance\) Order 2020](#). The Order provided for up to 9 Parish Councillors to be elected at the local elections to be held on 7 May 2020. Due to the Covid-19 outbreak, the elections have been postponed and will now be held on 6 May 2021. This effectively left the Parish Council inquorate and unable to function.

The Buckinghamshire Council's Cabinet on [21 April 2020](#) approved arrangements for making appointments to inquorate parish councils under section 91 of the Local Government Act 1972. Subsequently, the Council's Deputy Chief Executive has taken a decision to make a Section 91 Order and to appoint Buckinghamshire Council Councillors B Chapple OBE, M Collins, C Paternoster and J Ward on a temporary basis as Kingsbrook Parish Councillors to enable the parish council to start operating.

One of the first tasks for the new Parish Council will be to co-opt sufficient Parish Councillors to be quorate. This will be done at the first Parish meeting which it is proposed be held at **7.00pm on Thursday 11 June 2020**. Due to the current circumstances, this is likely to be a virtual meeting although the exact arrangements have not been finalised. The appointment of the temporary Parish Councillors will come to an end once sufficient Members have been co-opted to the Council.

The following pages set out the process that will be used to co-opt Members to the Parish Council, as well as an application form to apply to be co-opted as a Councillor onto the Kingsbrook Parish Council.

If you are interested in being co-opted you are asked to read the co-option information below carefully, including qualifications to be a Parish Councillor, and submit an application form by **Wednesday 3 June 2020** to [craig.saunders@buckinghamshire.gov.uk](mailto:craig.saunders@buckinghamshire.gov.uk)

If you have any queries please do not hesitate to contact Craig Saunders, Democratic Manager at the Buckinghamshire Council, The Gateway Offices, Gatehouse Road, Aylesbury HP19 8FF – Email: As above – Phone 01296 585043.

**(Please note:** Mr Saunders is currently working from home, like most staff, so if you send post to the above work address he is unlikely to receive it for some time).

## Co-option Procedure – Kingsbrook Parish Council

Although the process for co-option is not prescribed in law it is important that all applicants be treated alike so that the arrangements are seen as open and fair. The co-option process to be used for the Kingsbrook Parish Council is as follows:

- (1) The Parish Council will advertise the vacancy (or vacancies) on the Parish Council noticeboards, and on the website of the Buckinghamshire Council. The notices will include:
- 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;
  - The co-option process;
  - The closing date for all expressions of interest;
  - The date on which the Parish Council intends to make a decision.

**It is permissible for Parish Councillors (or any parishioner) to approach individuals to suggest that they might wish to consider putting their names forward for co-option.**

- (2) The applicant will complete an ‘Application for Co-option’ form (see below)
- (3) When an application is received, the Clerk to the Parish Council will consider the application, check that the individual meet the qualification requirements, and confirm that, if successful, they would be willing to accept the Code of Conduct and other obligations of a Parish Councillor.
- (4) Applicants may be invited to submit a short submission and/or a brief CV providing reasons why they should be considered for the vacancy. These submissions will be circulated to Parish Councillors before the meeting at which the decision will be made.
- (5) Applicants will be invited to meet with as many Councillors as possible prior to the Parish Council meeting<sup>1</sup> at which the Parish Council will make its decision on the co-option. The purpose of this meeting will be to determine the applicant’s suitability by reference to the Person Specification (see below) and to respond to any question which the applicant might have.
- (6) Applicants will be informed of the date of the meeting at which the Parish Council will make its decision on the co-option.

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<sup>1</sup> **Note (April 2020)** – Due to the Covid-19 outbreak and in line with [SI 2020/392 The Local Authorities and Police and Crime Panels \(Coronavirus\) \(Flexibility of Local Authority and Police and Crime Panel Meetings\) \(England and Wales\) Regulations 2020](#) it is likely that Parish Council meetings during 2020/21 will be accessible only through remote means including (but not limited to) video conferencing, live webcast and live interactive streaming.

## Co-option meeting

Notice of the intention to co-opt should be included in the agenda for the meeting<sup>2</sup> of the Parish Council either beneath a dedicated heading or within 'Councillor Vacancies' or similar. Applicants may be invited to the meeting to introduce themselves and to provide Councillors with the opportunity to ask questions of them, or the Parish Council can decide to rely on any written submissions alone.

If applicants are not invited to speak at the co-option meeting they are welcome to, but are not required to, attend as members of the public.

**There are no special reasons which justify excluding the public during a council meeting, (s.1(2) Public Bodies (Admission to Meetings) Act 1960) when it is making decisions about a matter of public interest such as co-option.**

## Co-option Voting Process

The person co-opted must receive a majority of the votes of those Councillors present and voting at the meeting where the co-option takes place. Where there are two or more applicants for one vacancy, this rule means that a person must get a majority of votes over all the other applicants. Thus where applicant A receives four votes, and applicants B and C receive three votes and one vote respectively, A is not elected because he has the same number of votes as B and C put together and does not have a majority over their combined votes. Where there are more than two applicants it is desirable to eliminate the applicant with the least number of votes, so that the final vote is between two applicants only. After the Vote:

- (i) The Clerk will notify the applicants of the results as soon as practicable (unnecessary if they attend the meeting).
- (ii) Successfully co-opted applicants become Councillors in their own right, with immediate effect having signed their Declaration of Acceptance of Office, and are no different from any other member. Their term of office runs until the next quadrennial elections for the Parish Council (which in this instance will be on 6 May 2021).

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## **Qualifications To be able to stand as a Parish Councillor**

An applicant must:

- be at least 18 years old on the day of nomination.
- be a British citizen, an eligible Commonwealth citizen or a citizen of any other member state of the European Union.
- meet at least one of the following four qualifications:
  - (i) They are, and will continue to be, registered as a local government elector for the parish from the day of their application onwards.
  - (ii) They have occupied as owner or tenant any land or other premises in the parish during the whole of the 12 months before the day of their application.
  - (iii) Their main or only place of work during the 12 months prior to the day of their application has been in the parish.
  - (iv) They have lived in the parish or within three miles of it during the whole of the 12 months before the day of their application.

## **Disqualifications**

Apart from meeting the qualifications for standing for election, they must also not be disqualified from standing. There are certain people who are disqualified from being elected to a parish council. They cannot be elected if at the time of their application:

- (i) They are employed by the parish council.
- (ii) They are the subject of a bankruptcy restrictions order or interim order.
- (iii) They have been sentenced to a term of imprisonment of three months or more (including a suspended sentence), without the option of a fine, during the five years before the day of their application.
- (iv) They have been disqualified under the Representation of the People Act 1983 (which covers corrupt or illegal electoral practices and offences relating to donations) or under the Audit Commission Act 1998.

The full range of disqualifications is complex and if the applicant is in any doubt about whether they are disqualified, they must do everything they can to check that they are not disqualified before submitting an application as they will be asked to sign an 'Application for Co-option' (see below) to confirm that they are not disqualified. It is a criminal offence to make a false statement on the application as to their qualification for being elected, so if they are in any doubt they should contact their employer, consult the legislation or, if necessary, take independent legal advice. The Returning Officer will not be able to confirm whether or not they are disqualified.

<b>Kingsbrook Parish Council</b>		
<b>Parish Councillor Person Specification</b>		
<b>COMPETENCY</b>	<b>ESSENTIAL</b>	<b>DESIRABLE</b>
<b>Relevant knowledge, Education, Professional Qualifications &amp; Training</b>	Knowledge and understanding of local affairs and the local community	Relevant vocation, experience or professional qualifications
<b>Experience, Skills, Knowledge and Ability</b>	<p>Interest in local matters</p> <p>Ability and willingness to represent the Council and their community</p> <p>Good interpersonal skills</p> <p>Ability to communicate succinctly and clearly both orally and in writing</p> <p>Ability and willingness to work closely with other members and to maintain good working relationships</p> <p>Good reading and analytical skills</p> <p>Ability and willingness to work with the council's partners (e.g. voluntary groups, other parish councils, principal authority, charities)</p> <p>Ability and willingness to undertake relevant training</p> <p>Ability to work under pressure</p>	<p>Experience of working or being a member in a local authority or other public body</p> <p>Experience of working with voluntary and or local community / interest groups</p> <p>Basic knowledge of legal issues relating to town and parish councils or local authorities</p> <p>Good standard of computer literacy</p> <p>Good standard of numeracy</p>
<b>Circumstances</b>	<p>Ability and willingness to attend meetings of the council (or the meetings of other local authorities and bodies) in the evening and events in the evening and at weekends</p> <p>Enthusiasm for the benefit of the local community</p>	

Based on a template provided by NALC (Legal Briefing L15-08)

## APPLICATION FOR CO-OPTION TO KINGSBROOK PARISH COUNCIL

I .....(1) of .....  
 .....(2)

hereby apply for co-option to Kingsbrook Parish Council

I declare that on the date of application shown at (3) below:

- I am at least 18 years old.
- I am a British citizen, an eligible Commonwealth citizen or a citizen of any other member state of the European Union
- I meet at least one of the following four qualifications (tick as appropriate)

I am registered as a local government elector for the parish of Kingsbrook in respect of the qualifying address shown at (2) above	
I have occupied as owner or tenant any land or other premises in the parish during the whole of the 12 months before the day of this application (shown at (3) below). Show description of land or other premises below.	
My main or only place of work during the 12 months prior to the day of this application (shown at (3) below) has been in the parish. Show address of place of work and, where appropriate, name of employer	
I have lived in the parish or within three miles of it during the whole of the 12 months before the day of this application (shown at (3) below) Show address in full if different from address shown at (2) above	

I declare that to the best of my knowledge and belief I am not disqualified for being elected by reason of any disqualification set out in, or decision made under, section 80 of the Local Government Act 1972, section 78A of the Local Government Act 2000 or section 34 of the Localism Act 2011.

<b>Applicant's signature</b>	.....Date (3)
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- (1) Insert the full name of the person making the application  
 (2) Insert the address of the person making the application