

## **Parish Council co-option criteria**

Prior to any co-option of a Parish Councillor, you should be satisfied that the potential applicant is eligible, ie they are over 18 and of a relevant nationality, meet at least one relevant qualification **and, in addition**, that they are not disqualified from standing.

More information can be found on the Electoral Commission's website [Parish council elections in England | Electoral Commission](#).

### **Qualifications that Must be Met to Stand for Co-option**

The applicant for co-option must be:

- at least 18 years old
- a British citizen, an eligible Commonwealth citizen or a citizen of any member state of the European Union

**and** meet at least one of the following four qualifications:

- a) The applicant is, and will continue to be, registered as a local government elector for the parish in which they wish to stand from the day of their co-option onwards.
- b) The applicant has occupied as owner or tenant any land or other premises in the parish area during the whole of the 12 months before the day of their co-option.
- c) The applicant's main or only place of work during the 12 months prior to the day of their co-option has been in the parish area.
- d) The applicant has lived in the parish area or within three miles of it during the whole of the 12 months before the day of their co-option.

Continued

## **Disqualifications from Standing for Co-option**

**Please note that the full range of disqualifications is complex and those listed below may not be comprehensive.**

**If an applicant is in any doubt about whether they are disqualified they should contact their employer (if applicable), consult the legislation or, if necessary, take their own independent legal advice before standing for co-option.**

**The Returning Officer will not be able to confirm whether someone is disqualified.**

An applicant will be disqualified if on the day of co-option if:

- a) They are employed by the parish council or hold a paid office under the parish council (including joint boards or committees).
- b) They are the subject of a bankruptcy restrictions order or interim order
- c) 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 co-option and the ordinary period allowed for making an appeal or applications in respect of the conviction has passed. A person who is in the process of making an appeal or application in relation to the conviction is not disqualified at any time before the end of the day on which the appeal or application is disposed of, abandoned or fails by reason of non-prosecution.
- d) They have been disqualified under the Representation of the People Act 1983 (which covers corrupt or illegal electoral practices). The disqualification for an illegal practice begins from the date the person has been reported guilty by an election court or convicted and lasts for three years. The disqualification for a corrupt practice begins from the date a person has been reported guilty by an election court or convicted and lasts for five years, unless at any time within that period a court determines that the conviction should not be upheld, in which case the disqualification ends at that time.
- e) They are subject to the notification requirement of or under Part 2 of the Sexual Offences Act 2003, and the ordinary period allowed for making an appeal or application in respect of the order or notification has passed<sup>8</sup>. A disqualification set under s.81A of the Local Government Act 1972 will only apply to a person who is subject to any relevant notification requirements or relevant order made on or after 28 June 2022. A person who is in the process of making an appeal or application in relation to the disqualification is not disqualified at any time before the end of the day on which the appeal or application is disposed of, abandoned or fails by reason of non-prosecution.
- f) A person may also be disqualified from being or becoming a member of certain authorities following a conviction under the Localism Act 2011.

**Please also refer to additional information re these disqualifications on the Electoral Commission's website at [Part 1 Can you stand for election P and C \(electoralcommission.org.uk\)](https://www.electoralcommission.org.uk).**