



## **Procedure for the co-option of a Councillor for the Vacancy in **xxx** Ward**

This procedure is based on the National Association of Local Councils (NALC) Legal Briefing LI5-08 – Good practice for selection of candidates for co-option to local Councils.

Parish Councils are permitted to exercise the power to co-opt a person on to the Council to fill a casual vacancy when the requirements to hold an election have not been met (i.e. the vacancy was the subject of a public notice and less than 10 registered electors requested a by-election by the published deadline).

NALC recommends that Councils always give public notice of vacancies because this makes the process of co-option open and transparent and should attract more potential candidates.

Farnham Town Council is advertising the vacancy in the Farnham Herald on **[DATE]**, on its noticeboards, on its website [www.farnham.gov.uk](http://www.farnham.gov.uk) and through social media with an application form to be completed by **[DATE]**.

All potential candidates should put their application in writing (an application form is attached) with the following information to assist Council in making its decision:-

- i. Name, address and contact details.
- ii. Reason for wishing to be co-opted as a councillor;
- iii. Confirmation of eligibility to become a councillor

Prior to the next Full Council meeting on 15<sup>th</sup> December:

- i) The Town Clerk will check that each candidate is qualified to become a Councillor and is not disqualified from being a Councillor as set out in the Local Government Act 1972 s79 and s80;
- ii) The completed application forms will be circulated to Councillors with the agenda for the meeting. All such documents will be treated by the Clerk and Councillors as strictly private and confidential.

At the meeting on **[DATE]**:

- i. The election of the councillor will be an agenda item on the public part of the agenda. Candidates will be invited to speak for three minutes in support of their statement of why they would like to be co-opted. Councillors may ask questions of each candidate for a further three minutes.
- ii. If a Councillor is a relative or has connections with any candidate which may be perceived as prejudicial, that Councillor should declare an interest and withdraw from the meeting and will not be allowed to vote.

- iii. Voting is in accordance with standing orders and will be in public. A voting form may be produced depending on the number of candidates.
- iv. The successful candidate should receive an absolute majority vote of those present and voting. So if there are more than two candidates for the vacancy and none of them at the first count has an overall majority, the candidate with the fewest votes should be eliminated and the remainder put to the vote again. The process should be repeated as necessary until one candidate has an overall majority. The Mayor has a second and casting vote in the event of a tie.
- v. The successfully co-opted candidate will become a Councillor in his/her own right, with immediate effect once the Declaration of Acceptance of Office has been signed. The successful candidate will also need confirm that they will comply with and abide by the Town Council's Code of Conduct, The Registration of Interests Form must be completed within 28 calendar days of appointment.
- vi. Any application can be considered in the candidate's absence.
- vii. As soon as practicable following co-option, the successful councillor will be invited to attend an Induction and Training session with the Town Clerk.
- viii. The co-opted councillor is no different to any other councillor and will serve until the next elections on it Thursday in May 2027, retiring four days after the date of election.

For more details on the role of a councillor please see: [www.nalc.gov.uk](http://www.nalc.gov.uk)

Any queries in relation to the application process should be directed to the Town Clerk, Iain Lynch, on 01252 712667. Email: [town.clerk@farnham.gov.uk](mailto:town.clerk@farnham.gov.uk)



**Co-option of a Town Councillor for the  
XXX Ward  
Application Form**

<b>Full Name:</b>	
<b>Address:</b>	
<b>Telephone: Home</b>	<b>Mobile:</b>
<b>Email:</b>	
<b>I confirm I am over 18 years old?</b>	

**Please say why you would like to be co-opted as the Town Councillor and include any relevant skills, knowledge or experience (continue on a separate sheet if necessary):**

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**Signed**

**Dated**

Please return your completed application form, together with the co-option eligibility form, to the Town Clerk, Iain Lynch by email to [town.clerk@farnham.gov.uk](mailto:town.clerk@farnham.gov.uk) or by post to Farnham Town Council, Council Offices, Farnham, Surrey GU9 7RN by **[DATE]**.

Applicants will be invited to the Council meeting on **[DATE]** at 6pm to make a statement in support of their application when the co-opted councillor will be elected.

**Please complete and sign this eligibility form.**



## **Co-option Eligibility Form**

To qualify as a Parish or Town Councillor, and to hold this position, an applicant must be:

A British, Irish or qualifying Commonwealth citizen, or a citizen of any other member state of the European Union and on the relevant day (the day of nomination or election) have reached 18 years of age or over. They must also meet at least one of these four qualifications (please indicate any which apply):

- on the relevant day and thereafter they continue to be on the electoral register for Farnham
- during the whole of the twelve months before that day, they have owned or tenanted land or premises in the parish of Farnham;
- during the whole of the twelve months before that day their principal or only place of work has been in the parish of Farnham;
- during the whole of the twelve months before that day, they have lived in the Farnham Town Council area or within 4.8km (3 miles) of the Town boundary.

Under the Local Government Act 1972, an applicant may be disqualified from standing (or being co-opted), if they are employed by the council, have had bankruptcy restriction orders made against them or they have a previous criminal conviction with a prison sentence of three months or more or are otherwise disqualified under Part III of the representation of the People Act 1983 for corrupt or illegal practices. If you are in any doubt whether you would be able to stand for election please contact Waverley Borough Council Electoral Services on 01483 523116 or see the Electoral Commission website <https://www.electoralcommission.org.uk/i-am-a/candidate-or-agent/parish-and-community-council-elections-in-england-and-wales>

I (insert full name) ..... hereby confirm that I am eligible to apply for the vacancy of Farnham Town Councillor and that the information provided on this form is a true and accurate record of my circumstances.

Signed ..... Dated .....

**All completed applications and eligibility forms must be received by the Town Clerk by 5pm on [DATE].**

Please note it is a condition of being a Councillor that a means of contact by telephone and/or e-mail will be published as public information. A declaration of interests form will also need to be completed.