

Bradford on Avon Town Council Co-Option Policy & Procedure



Version Control

Action:	Who:	Date:	Comments:
Draft to Full Council	Town Clerk	4/11/25	

1. Introduction

This policy follows the National Association of Local Councils (NALC) Legal Briefing L15-08 – Good Practice for the Selection of Candidates for Co-option to Local Councils. Town and parish councils can co-opt a person to fill a casual vacancy when no election has been called. A casual vacancy arises if a councillor:

- fails to make their declaration of acceptance of office on time
- resigns
- dies
- becomes disqualified
- fails to attend meetings for six months without accepted apologies

Although seeking expressions of interest is not legally required, NALC recommends giving public notice to make the process open, transparent and attract more candidates.

Whenever a vacancy occurs, Bradford on Avon Town Council will invite applications from anyone in the parish who is eligible to stand as a councillor. Councillors or parishioners may suggest potential candidates.

A notice to co-opt will include:

- how to apply
- closing date for applications
- a contact for more information
- where information can be found online

This policy will be reviewed at the start of each council term, usually every four years.

2. Co-option – Stage 1

When a casual vacancy arises and no election has been called, the council can co-opt a councillor.

Bradford on Avon Town Council will notify Wiltshire Council of the vacancy and give public notice. Residents have 14 days to request an election. If ten residents request an election, a by-election is held, organised by Wiltshire Council, and the council pays the associated costs.

If fewer than ten residents request an election, the council may proceed with co-option:

- advertise the vacancy for four weeks on notice boards and the website

- confirm that the co-option policy is being followed

3. Co-option – Stage 2

If insufficient candidates are elected at an ordinary election, the council may co-opt anyone to fill vacancies within 35 days following the election.

4. Eligibility of Candidates

The council can consider any person who:

- is on the parish electoral register
- has lived in the parish for the past 12 months or rented/tenanted land there
- has their main place of work in the parish
- lives within three miles of the parish

Disqualifications include:

- holding a paid office under the council
- bankruptcy
- imprisonment of three months or more (without the option of a fine) within the last five years
- disqualification under laws relating to corrupt or illegal practices

The Chief Executive & Town Clerk will confirm candidate eligibility at Full Council.

All eligible candidates will be invited to the Full Council meeting after the application deadline. Meetings will not be rearranged for absent candidates.

5. Applications

Candidates should follow the co-option criteria (Appendix A) to complete the application form (Appendix C) and confirm eligibility (Appendix B).

Applications will be received and considered under the agenda item:

"To receive and consider written applications for the office of councillor and co-opt a candidate to fill the vacancy of Bradford on Avon Town Council."

Applications will ideally be circulated to councillors at least three clear days before the meeting. If this is not possible, applications will be tabled at the meeting. All applications are strictly confidential.

6. Full Council – Co-option Meeting

Candidates have five minutes to introduce themselves, explain their background and why they want to be a councillor.

Councillors may ask questions after presentations. Discussions among councillors before voting are not allowed in public. If discussing candidate merits could be prejudicial, the council may resolve to exclude press and public.

Councillors must declare any prejudicial interest, e.g., if a candidate is a relative.

Voting is by show of hands. Each councillor has one vote per vacancy. A candidate needs an absolute majority (50% plus one) to be elected. If no candidate achieves this, the candidate with the fewest votes drops out, and further rounds continue until a majority is reached.

The Chair has a casting vote if needed. Votes cannot be made by proxy.

The Chief Executive & Town Clerk will notify Wiltshire Council of the appointment, initiate Acceptance of Office paperwork and Register of Interests within 28 days.

If insufficient candidates come forward, vacancies will be advertised again. If there are multiple vacancies, each must be filled by separate votes unless the number of candidates equals the number of vacancies.

Candidates offering inducements of any kind will be disqualified.

7. Elected Councillors – Co-option

Successful candidates become councillors immediately and have the same rights as other members. They must sign a Declaration of Acceptance of Office and follow the Local Government Code of Conduct under the Localism Act 2011.

Candidates absent from the meeting may still be considered but must sign the Declaration of Office at or before the next Full Council meeting.

8. Applying for a Casual Vacancy

Candidates must wait for the public notice. They can express interest in writing and request their application be considered when the council has authority to co-opt (see Stage 1).

9. Review

This policy was last reviewed on 4 November 2025 and will be reviewed again in four years or at the start of a new council term.

10. References

- Data Protection Act 1998
- Equality Act 2010
- Employment Rights Act 1996
- Human Rights Act 1998
- Local Government Act 1972, sch12, para 39; s79, s80, s83(3)
- NALC Legal Briefing L15-08

Appendix A – Co-opted Councillor Person Specification

Competency	Essential	Desirable
Personal Attributes	<ul style="list-style-type: none"> sound knowledge and understanding of local affairs and the local community forward thinking 	<ul style="list-style-type: none"> can bring a new skill, expertise or key local knowledge to the council.
Experience, Skills, Knowledge, and Ability	<ul style="list-style-type: none"> ability to listen constructively a good team player ability to undertake a variety of projects an interest in local matters ability and willingness to represent the council and their community good interpersonal skills and able to contribute opinions at meetings whilst willing to see others' views and accept majority decisions ability to communicate succinctly and clearly ability and willingness to work closely with other members and to maintain good working relationships with all members and staff ability and willingness to work with the council's partners (e.g. voluntary groups, other parish Councils, principal authority, charities) ability and willingness to undertake induction training and other relevant training ability and willingness to attend meetings of the Council ability and willingness to represent the council at other meetings, as necessary 	<ul style="list-style-type: none"> experience of working with voluntary and or local community / interest groups basic knowledge of legal issues relating to town and parish councils or local authorities experience of delivering presentations

Appendix B – Councillor Co-option Eligibility Form

Bradford on Avon Town Council

Kingston House Office

Kingston Road

Bradford on Avon

Wiltshire

BA15 1ES

Are you a British citizen?	Yes/No
On the 'relevant date' (i.e., the day on which you are nominated or if there is a poll on the day of election) are you 18 years of age or over?	Yes/No
Are you registered as a local government elector for the town of Bradford on Avon Town Council?	Yes/No
During the whole of the twelve months preceding the date of your co-option, have you occupied as owner or tenant, land or other premises in the town of Bradford on Avon Town Council?	Yes/No
During the whole twelve months preceding your co-option, has your principal or only place of work been in the town of Bradford on Avon Town Council?	Yes/No
During the whole of the twelve months preceding your co-option, have you lived in the town of Bradford on Avon Town Council or within three miles of Bradford on Avon Town Council?	Yes/No
Under the Local Government Act 1972, section 80, a person is disqualified from being elected as a local councillor or being a member of a local council if specific criteria are not met:	Yes/No
Are you an employee of Bradford on Avon Town Council?	Yes/No
Are you the subject of a bankruptcy restrictions order or interim order?	Yes/No
Within the last five years, have you been convicted of an offence in the UK, Channel Islands or the Isle of Man which resulted in a sentence of imprisonment (whether suspended or not) for a period of three months or more, without the option of a fine?	Yes/No
Are you disqualified by order of a court from being a member of a local authority?	Yes/No

Declaration

I, *please insert full name*, hereby confirm that I am eligible for the vacancy of Bradford on Avon Town Council and the information given on this form is a true and accurate record.

Appendix C – Application for Co-option (Casual Vacancy – Councillor)

First Name	
Surname	
Address, including postcode	
Mobile	
Landline	
Email	
Please tell us what experience you can bring to Bradford on Avon Town Council - for example, previous local government experience, work in the voluntary or charitable sector and/or business experience. (Please continue on an additional page if required)	
Please tell us the skills that you can bring to Bradford on Avon Town Council - for example, professional qualifications, financial or project management expertise. (Please continue on an additional page if required)	
Please explain why you are interested in becoming a town councillor. (Please continue on an additional page if required)	

Please include any other information you would like to add in support of your application. (Please continue on an additional page if required)

Are there any questions that you would like to ask Bradford on Avon Town Council?

Declaration

I declare that the information I have provided in this application is, to the best of my knowledge, accurate and true.

Signature:

Date:

Print Name:

Privacy Notice: All data will be processed in accordance with GDPR and the Data Protection Act 2018. Please see the [Privacy Policy](#) on our website.

Please send the completed eligibility and applications forms to:

Bradford on Avon Town Council

Kingston House Office

Kingston Road

Bradford on Avon

Wiltshire

BA15 1ES

Or via email: office@bradfordonavontowncouncil.gov.uk

For official use only:

Application checked	
Application acknowledged	
Date of committee meeting	
Application decision Yes/No	
Applicant notified of decision	

