

Horley Town Council

Co-Option Policy



1. INTRODUCTION

For the purpose of this policy, Horley Town Council is referred to as ‘the Council’. It is based on guidance from the National Association of Local Councils. The process for co-option is only partially prescribed in law but there is best practice advice and guidelines around certain aspects of the process. Items marked in bold are prescribed in law.

2. SCOPE AND PURPOSE

This policy aims to explain the procedures in regard to co-option and the information contained therein is for use by Members of the Council and by the public. The policy is also to show that the Council endeavours to treat all applicants fairly, alike and to ensure that the process is also seen as open and transparent. This policy details the processes regarding co-option to be followed.

3. HOW A VACANCY MAY ARISE

3.1 There are two circumstances under which the Council may proceed to fill a casual vacancy by co-option:

- When a ward seat has been left vacant because no eligible candidate stood for election at the full elections for a new council (currently every four years).
- **During the life of the Council, a ward seat falls vacant but the required 10 electors of a ward for a poll (by-election) to be called has not been made within the legally specified time period following publication of the notice of vacancy. (Refer Local Government Act 1972 s86 and 87(2)(b)).**

3.2 The Council is not obliged to co-opt to fill any vacancy. Even if the Council invites applications for co-option, it is not obliged to select anyone from the candidates who apply. It is, however, not desirable that electors in a particular ward be left partially or fully unrepresented for a significant length of time. Neither does it contribute to effective and efficient working of the Council if there are insufficient Members to share the workload equitably; to provide a broad cross-section of skills and interests; or to achieve meeting quorums without difficulty, given that some absence is unavoidable at times.

3.3 To proceed with a co-option, the Council must fill co-option vacancies within 60 days of publication of the Notice of Vacancy.

3.4 To ensure a fair and transparent process is undertaken, this policy outlines the procedure to be followed by the Council when co-option is considered.

4. ELIGIBILITY FOR CO-OPTION

We aim to encourage applications from anyone in the parish who is eligible to stand. Councillors or parishioners can approach individuals to suggest that they might wish to consider putting their names forward for co-option. The vacancy will be advertised on the Council website/newsletter; on community noticeboards; and in media releases. The advertisement for the co-option will include:

4.1 Method by which applications can be made. This will be by email to the Chief Executive Officer (CEO) at: info@horleysurrey-tc.gov.uk or sent by post to:

Chief Executive Officer, Horley Town Council

Albert Rooms 92 Albert Road, Horley, Surrey RH6 7HZ

4.2 Candidates must confirm their eligibility for the position of Town Councillor within the statutory rules (s.79 Local Government Act 1972), under the following criteria:

Age/Nationality: Must be 18 years or older and a British citizen, qualifying Commonwealth citizen, or a citizen of the Republic of Ireland or an EU citizen.

Local Connection: Must satisfy at least one of the following, as stipulated in s.79 of the 1972 Act:

- a) be registered as a local government elector for the parish/community
- b) have occupied land or premises as owner/tenant for the last 12 months
- c) have had their principal place of work in the area for the last 12 months
- d) have resided in the area (or within 3 miles of it) for the last 12 months

4.3 Disqualification: Must not be disqualified under s.80 of the 1972 Act, which includes holding a paid office under the authority, bankruptcy or having a prison sentence of 3+ months within the last five years.

5. APPLICATION PROCESS

5.1 On receipt of written notice from the Electoral Services Authority for the Reigate and Banstead Borough Council, that a casual vacancy may be filled by means of co-option, the Council may proceed at its discretion and as soon as practicable. Following approval by the Council, the CEO will advertise the vacancy or vacancies to be filled by co-option and the advertisement will include the closing date for acceptance of requests for consideration (within 20 working days).

5.2 Candidates will be asked to submit information about themselves by completing an application form and submitting a Personal Statement. This should include a brief description of their interest in becoming a Town Councillor and specifying any skills or qualifications which may benefit the Council.

5.3 When applications are received, the CEO will confirm eligibility or otherwise. Any candidate(s) found to be offering inducements will be disqualified.

5.4 The CEO will inform Members of candidates shortlisted for consideration and furnish copies of their applications, which will be treated as confidential.

6. MEETING ATTENDANCE FOLLOWING AN APPLICATION

After the application deadline has passed, all eligible candidates shall be invited to attend the next Council Meeting. On acceptance, each candidate will be sent a copy of the agenda.

7. COMMITMENT

It is important that potential candidates understand the commitment which is required from the role of public office as a Town Councillor. Anyone interested in standing will be encouraged to look at the [Council website](#) for more information will receive further information on request. Candidates will also be told that they are expected to attend an Induction Training Event at the Council offices, led by the CEO.

8. PROCESS OF CO-OPTION AT THE COUNCIL MEETING

The candidate will be asked to make a brief verbal presentation to Full Council on why they would like to be a Town Councillor and the skills they can offer the Council (three minutes maximum per candidate). All of this, including the voting for the candidate(s), will be in the public part of the meeting Part 1). Candidates may, in turn, be asked questions by Members. In the event of a candidate being unable to attend, then their application may still be considered by Members from the application details given by the CEO.

In the event of a candidate being related to, or known to, or acquainted with a Town Councillor, then the Councillor would be expected to declare an interest and request dispensation from the Council Chair to speak and vote.

9. VOTING PROCEDURES

- 9.1** Only Councillors present at the meeting may vote. There will be one vote per vacancy to be filled. The Chair may have a casting vote. **The successful candidate must receive an absolute majority of those present and voting (Local Government Act 1972 Sch 12).** 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. The process is to be repeated until an absolute majority is obtained.
- 9.2** If there is more than one vacancy and the number of candidates equal the number of vacancies, all the vacancies may be filled by a single composite resolution. If the number of candidates exceeds the number of vacancies, each vacancy must be filled by a separate vote or series of votes.
- 9.3** The Council does not reconsider claims of candidates who were unsuccessful at previous elections.
- 9.4** Voting will be according to the agreed procedure in standing orders, namely:
‘Where more than two persons have been nominated for a position to be filled by the Council and none of those persons has received an absolute majority of votes in their favour, the name of the person having the least number of votes shall be struck off the list and a fresh vote taken. This process shall continue until a majority of votes is given in favour of one person. Any tie may be settled by the Chairman’s casting vote.’
- 9.5** Voting will be conducted as per the agreed procedure in the Council’s Standing Orders, namely:
‘Unless Standing Orders provide otherwise, voting on any question shall be by a show of hands. At the request of a Councillor, the voting on any question shall be recorded so as to show whether each Councillor present and voting gave his vote for or against that question. Such a request shall be made before moving on to the next item of business on the agenda. At the request of two Councillors, voting on any question shall be by a signed ballot.’
- 9.6** After the vote has been concluded, these will be verified by the Proper Officer and the Chair will declare the successful candidate(s) duly elected. A Member elected by co-option is a full Member of the Council and is eligible to receive the Basic Allowance under the Members’ Allowances Scheme. Where a Member is co-opted partway through the municipal year, the allowance is calculated pro rata for their actual period of service.

9. STARTING AS A COUNCILLOR

The successful candidate(s) are asked to start as a Town Councillor immediately after completing their Declaration of Acceptance of Office. **The fact that the new member has not received a summons does not make their attendance as a Councillor unlawful (Local Government Act 1972 Sch 12, para 10(3)).** Where appropriate, they will be appointed to a Council committee. If an absent candidate is successful, Members must agree to them signing the Declaration of Acceptance of Office before or at the start of the next meeting. New Town Councillors must complete their Declaration (pecuniary and non-pecuniary) for the Council’s Register of Interests within 28 days of the co-option.

This Co-Option Policy was approved for adoption by Full Council at its meeting held on 17 March 2026

Review Date: 2029