

## **Parish and Town Councils – Casual Vacancies and By Elections: FAQs**

The information on this page is about vacancies that might arise on Town and Parish Councils. They do not apply to district council vacancies.

Throughout these FAQs, we refer to Town and Parish Council areas as Parishes.

### **1. Why do casual vacancies arise?**

There are usually three ways in which a vacancy arises. This is when the councillor either:

- resigns,
- dies, or
- does not attend a council meeting for six months

It is also possible for there to be a vacancy:

- when a councillor decides not to accept their appointment;
- is no longer qualified
- is disqualified

### **2. How do I know there is a vacancy?**

The parish council posts notices on their website and notice boards. We also add notices to Wakefield council's website and notice boards.

### **3. Is there always an election?**

No. An election is only held if enough people ask for one. 10 or more people must ask for an election. They must all:

- be registered as local government electors and
- live in the relevant parish (or parish ward)

There is no election if the vacancy is within six months of scheduled parish elections. If it is then the election for the vacancy is at the same time as the scheduled elections.

If fewer than 10 electors ask for an election then the council must co-opt a new member. If the vacancy is within the six months before a scheduled election then the council may co-opt a new member. The council can choose who it wants as a new member.

### **4. How does the council co-opt a member?**

There is no set way that a council must choose a new member. It is a good idea to advertise for, interview and then vote a new member on to the council. Whatever the council does, it must use an open and transparent process.

### **5. How is an election requested?**

In Wakefield a request must come to Electoral Services. Requests don't have to come in the same document. There is a Request Form available in the 'Downloads' section of this page if you want to use it.

Requests in writing must come to this address:  
Electoral Services,  
Room 45,  
County Hall,  
Bond Street,  
Wakefield,  
WF1 2QW.

You can also ask for an election by email to [elections@wakefield.gov.uk](mailto:elections@wakefield.gov.uk) or by telephone on 01924 305023.

Every request must include the full name and address of the elector making the request. We need this so that we can check their registration. All requests are open to inspection by the public.

## **6. How long do electors have to request an election?**

We must receive requests within 14 working days of the date of the notice of vacancy. Weekends, Bank Holidays and Good Friday are not counted as working days.

## **7. Who can request an election?**

Only local government electors in the relevant parish or ward can ask for an election.

Example 1: A vacancy in Badsworth

- only electors registered to vote in local elections in Badsworth can ask for an election
- someone registered to vote in local elections in North Elmsall cannot ask for an election

Example 2: A vacancy in the Netherton Ward of Sitlington

- only electors registered to vote in local elections in the Netherton ward can ask for an election
- someone registered to vote in the Middlestown ward cannot ask for an election.

## **8. What if there are 10 or more valid requests for an election?**

We publish a Notice of Election and nominations open for people to come forward as candidates.

## **9. When will the election take place?**

The election must usually be within 60 days of the date that the vacancy arises.

## **10. Can I be a candidate?**

The qualifications for becoming a candidate are available on the [Electoral Commission](#) website.

## **11. How do I become a candidate?**

If you want to be a candidate you must complete a nomination form and other documents. You can get those from the Electoral Commission at the link above.

There is a limited time for you to submit a nomination paper. This is set out on the Notice of Election. It is between the 25th working day and the 19th working day before polling day.

If you want to ask a question not answered here then please either:

- look at the [Electoral Commission's website](#) or
- you can call 01924 305023 or
- email us at [elections@wakefield.co.uk](mailto:elections@wakefield.co.uk)

## **12. Is there always a vote (also called a poll)?**

If either

- there are fewer candidates than vacancies, or
- the same number of candidates as vacancies

the candidates win the election without a vote. If there are more candidates than vacancies, there is a vote on the election date.

## **13. What happens if you don't get any candidates?**

If no candidates come forward, then we must run the election again. The Returning Officer sets another date and we must start again with a fresh Notice of Election. The election would start again with new nominations.

## **14. What if there are two vacancies but only one candidate comes forward?**

The one candidate wins the election without a vote. We must re-run the election to try to fill the second vacancy. That must happen every time there aren't enough candidates to fill the vacancies.

The Returning Officer sets another election date and we start a new election. We publish a fresh Notice of Election. The election would start again with new nominations.