ANDOVER TOWN COUNCIL

Co-option Policy 2026

1. Purpose

From time to time a casual vacancy arises on Andover Town Council, for example through the resignation or disqualification of a councillor. Where electors do not call a by-election, the Council must fill the vacancy by co-option.

This policy sets out a fair, open and consistent procedure for co-option, so that all eligible residents have an equal opportunity to put themselves forward and the Council can demonstrate that its decision was made transparently. It reflects sections 79, 80, 83 and 87 to 89 of the Local Government Act 1972 and the Local Elections (Parishes and Communities) (England and Wales) Rules 2006.

2. When Co-option Applies

- On being notified of a casual vacancy, the Town Clerk will arrange for public notice of the vacancy to be given in accordance with the 2006 Rules, in consultation with the Returning Officer at Test Valley Borough Council.
- If, within 14 days of the notice (calculated in accordance with the Rules), ten or more electors of the ward give written notice to the Returning Officer requesting an election, a by-election will be held and this policy does not apply.
- If no valid request for an election is received, the Council must fill the vacancy by co-option as soon as practicable.
- A vacancy arising within six months of the date on which the councillor's term of office would ordinarily end may be left unfilled (section 89(3), Local Government Act 1972).

3. Eligibility

Candidates must meet the qualification criteria in section 79 of the Local Government Act 1972. They must be 18 or over, a British, Commonwealth, Irish or qualifying EU citizen, and either be a registered elector of the parish, or during the whole of the preceding 12 months have occupied land in the parish as owner or tenant, had their principal place of work in the parish, or resided in or within three miles of the parish.

Candidates must not be disqualified under section 80 of the Local Government Act 1972, which includes bankruptcy restrictions, certain convictions and paid employment by the Council.

4. Advertising and Applications

Version	Date	Minute Number	Approved by	Review Date
DRAFT 0.1	7 October 2026		Policy and Resources	every three years, or sooner if legislation, national guidance or Council requirements change.
DRAFT 0.1	8 October 2026		Full Council	every three years, or sooner if legislation, national guidance or Council requirements change

- The vacancy will be advertised for a minimum of 14 days on the Council's website, noticeboards and social media channels.

- Applicants will be asked to complete a short application form confirming their eligibility and setting out their reasons for applying, their relevant experience, and what they would bring to the Council (see section 8).
- The Town Clerk will confirm each applicant has completed all forms and has confirmed their eligibility before candidates are put to the Council, and will treat applications confidentially until the meeting papers are prepared.

5. Selection Procedure

- Co-option will be an agenda item at the next convenient meeting of Full Council. All valid applications will be circulated to councillors with the agenda.
- Candidates will be invited to attend and may address the Council for up to five minutes each, followed by questions. So far as practicable, the same questions will be asked of each candidate.
- Voting will be in accordance with Standing Orders. Where there are more than two candidates and no candidate achieves an absolute majority of those present and voting, the candidate with the fewest votes will be eliminated and further rounds held until one candidate achieves an absolute majority.
- The successful candidate becomes a councillor on making the declaration of acceptance of office, must complete a register of interests within 28 days, and will be encouraged to undertake induction training in line with the Training and Development Policy.

6. Unsuccessful Candidates and Records

Unsuccessful candidates will be thanked and encouraged to remain involved with the Council, including through future vacancies and working groups. Application forms of unsuccessful candidates will be retained for six months and then securely destroyed, in line with the Records Retention and Disposal Policy.

7. Responsibilities

Full Council

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- Makes the co-option decision.

Town Clerk

- As Proper Officer, administers notices, eligibility checks, applications and declarations, and liaises with the Returning Officer.

8. Application Form – Outline

- Name, address, contact details and confirmation of qualification under section 79 of the Local Government Act 1972.
- Declaration that the applicant is not disqualified under section 80 of the Local Government Act 1972.
- A statement of no more than 500 words covering reasons for applying, relevant skills and experience, and community involvement.
- Signature and date, with a data protection statement explaining how the information will be used and retained.

9. Data Protection

The co-option decision will be made in public session. Personal data in applications will be processed in accordance with the UK GDPR and the Data Protection Act 2018 and handled under the Council's Data Protection Policy and Procedure. Co-opted councillors have the same rights and obligations as elected councillors, including under the Code of Conduct.

Related Policies

This policy should be read alongside:

- Standing Orders
- Code of Conduct
- Training and Development Policy
- Data Protection Policy and Procedure
- Records Retention and Disposal Policy

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