

Electoral Services

Ask For: Electoral Services
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Date: 23 February 2023



ASHFORD
BOROUGH COUNCIL

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AshfordBoroughCouncil

Dear Prospective Candidate

Parish election nomination pack and general guidance

Please find enclosed a candidate nomination pack for the election of parish councillors.

I have also enclosed some basic guidance to assist you in the completion and submission of the relevant forms. The aim of this guidance is to outline the main points of relevance for candidates and election agents who will be involved in the election.

However, please note that the guidance given should not be relied upon as legally definitive and no responsibility is accepted for any errors or omissions. If in any doubt, candidates should seek their own independent legal advice.

Please do not hesitate to contact me should you have any queries.

Yours faithfully

Paul Libreri
Electoral Services Manager
Ashford Borough Council

Election Timetable for Thursday 4 May 2023

Ashford Publication of Notice of Election	Tuesday 22 March 2023
Last date to publish of Notice of Election	Monday 27 March 2023
Receipt of Nominations	4:00 pm Tuesday 4 April 2023
Withdrawal of Candidate	4:00 pm Tuesday 4 April 2023
Appointment of Election Agents	4:00 pm Tuesday 4 April 2023
Publication of Notice of Election Agents	4:00 pm Tuesday 4 April 2023
Publication of Statements of Persons Nominated	4:00 pm Wednesday 5 April 2023
Last Date for Registration	Monday 17 April 2023
Receipt of Postal Vote Applications	5:00 pm Tuesday 18 April 2023
Publication of Notice of Poll	Tuesday 25 April 2023
Receipt of Proxy Vote Applications	5:00 pm Tuesday 25 April 2023
Last date to apply for Voter Authority Certificate (photo ID)	5:00 pm Tuesday 25 April 2023
Appointment of Poll and Count Agents	Wednesday 26 April 2023
First Day to Issue Replacement Lost Postal Ballot Papers	Thursday 27 April 2023
Last Day to Issue Replacement Spoilt or Lost Postal Ballot Papers	5:00 pm Thursday 4 May 2023
Receipt of Emergency Proxy Vote Applications	5:00 pm Thursday 4 May 2023
Day of Poll	7:00 am to 10:00 pm Thursday 4 May 2023
Return of Parish Candidates' election Expenses	Thursday 1 June 2023
Return of Borough Candidates' election Expenses (assuming a declaration of result on Friday 5 May)	Friday 9 June 2023

Dated Thursday 23 February 2023

Guidance and advice

Section A – General background

There are 44 parishes in Ashford. Where contested, elections to all parish/community councils in Ashford will take place on Thursday 4th May 2023.

Two elections will take place in Ashford on Thursday 4th May 2023

- The election of borough councillors to Ashford Borough Council
- The election of parish councillors to parish councils

The counting of votes for the borough wards and parish elections will take place at the Stour Centre on Friday 5th May 2023.

Ashford Electoral Services Contacts

Electoral Services Manager - Paul Libreri – Office: 01233 330462
email: paul.libreri@ashford.gov.uk or vote@ashford.gov.uk

The Electoral Commission

The Electoral Commission has primary responsibility for providing advice and assistance on electoral matters. Enquiries from candidates should be directed to infoengland@electoralcommission.org.uk or you can call them on 0333 103 1928.

Detailed guidance for candidates can be found at:

<https://www.electoralcommission.org.uk/i-am-a/candidate-or-agent>

Nominations

Each candidate standing for election as a parish councillor must be nominated on a separate nomination paper in the prescribed form. Candidates are requested to use the nomination paper provided by the Returning Officer, a copy of which is enclosed with this guide, although nominations on different forms will be accepted.

Great care must be taken to ensure that all sections of the nomination papers are completed in full. Please be consistent when providing information, e.g. names and addresses, on different forms in the nomination pack.

- Each candidate must sign his or her consent to nomination form.
- Nomination papers must be signed, as proposer and seconder, by two registered local government electors in the parish.
- **If the parish is warded, the proposer and seconder must be registered local government electors in the parish ward being contested.**
- The register used to check the signatories on the nomination papers will be the register published on 1st March 2023.

Deposit

There is no deposit for candidates at the election of parish councillors.

Delivery of nomination paper

The nomination paper must be delivered by hand to the Returning Officer at the Civic Centre, Tannery Lane, Ashford, Kent, TN23 1PL between the hours of 9:30am and 4pm on any working day from the date of publication of the Notice of Election on Wednesday 22nd March 2023, and prior to the last time for delivery of nomination papers as stated in the Notice of Election, 4pm Tuesday 4th April 2023.

Please note that the Nomination paper, the Home Address form and the Candidate's Consent to Nomination must be delivered by hand. Delivery by post or other means will not be accepted.

To ensure that your nomination papers can be checked by electoral services staff before you formally submit them:

- **Make an appointment and submit your nomination papers as early as you can**
- **Provide full contact details when submitting the nomination papers**
- **Be prepared to wait while electoral services staff check the papers**

The Returning Officer's decision that a nomination paper is valid shall be final and shall not be questioned in any proceedings. If the Returning Officer decides a nomination paper is invalid, the paper will be endorsed, giving reason(s) for the decision, and signed. A decision by the Returning Officer that a nomination is valid does not prevent an election court from considering whether or not the candidate is disqualified from holding office after the election.

Commonly used names

If a candidate has a surname and/or forename that they commonly use in place of any other surname or forename they have, they can include the commonly used surname or forename in addition to the other name on the nomination paper. The commonly used name or names will then be used in the statement of persons nominated, the notice of poll and on the ballot paper.

However, a candidate cannot use their first name as a commonly used name so that only their first name and surname appear on a ballot paper, thus excluding their middle name. The legislation makes it clear that a commonly used name is one which is different from any other forename or surname.

Independent candidates

If you want the word 'Independent' to appear on the ballot paper underneath your name, you need to state this on the nomination form. Alternatively, you may give a description of no more than six words in English to appear on the ballot paper. It can be any description providing it is sufficient to identify you and is unlikely to associate you with a political party registered with the Electoral Commission. You may choose not to have a description at all by leaving this part of the form blank.

Candidates standing for a registered political party

If the candidate is standing on behalf of a registered political party, the nomination paper must state the description to be used, which must be either the name of the political party or one of the party's registered descriptions. A registered party can register up to 12 descriptions to be used on nomination papers and ballot papers.

The use of the description must be authorised by a certificate issued by or on behalf of the registered nominating officer of the party. The certificate must be delivered by the close of nominations i.e. 4pm Tuesday 4th April 2023.

Registered party emblem

If a candidate wishes to use a registered party emblem on the ballot paper, he or she (not the election agent) must make a written request to the Returning Officer by the close of nominations.

Home Address Form

All candidates must complete Part 1 of the Home Address form.

The Home Address form must be attested by the same person as signs the candidate's consent to nomination.

Candidates who do not wish to have their home address made public must also complete Part 2 of the Home Address form. The relevant area on the Home Address form is the district, borough or county council in which the address is situated e.g. Ashford.

Consent to Nomination

The nomination is not valid unless the candidate's consent to nomination, given in writing on or within one calendar month before the last day for delivery of nomination papers, is delivered at the place and within the time appointed for the delivery of nomination papers.

The consent must contain a statement declaring that, with reference to the day of nomination, the candidate is, and on the day of the election will be, qualified to be elected. The form should also include a declaration that the candidate is not disqualified from standing.

The candidate must also provide their date of birth, and have the consent witnessed. The witness must sign the consent and give their full name and address.

Candidates are advised to complete as many of the alternative qualifications that apply. For example if a candidate satisfies only the first qualification (that of being a local government elector) and subsequently ceases to be registered, he or she will be disqualified from holding office.

Care must be taken to ensure that if a candidate's declaration includes the qualification of being a local government elector that the correct electoral number is used. This will consist of the letters of the polling district plus his or her poll number, e.g. AE 606. Where an elector

has been added to the register of electors after its publication on 1st December 2022, his or her electoral number will have an “/” in the entry, e.g. AE 762/1.

Inspection of nomination papers and consents to nomination

During ordinary office hours on any day, other than weekends and bank holidays, after the close of nominations and up to the day before the poll, any person may inspect and take copies of, or extracts from, nomination papers and consents to nomination.

Withdrawal of candidates

Candidates may withdraw their candidature by submitting a written notice of withdrawal to the Returning Officer by 4pm on Tuesday 4th April 2023. The notice must be signed by the candidate and attested by one witness, whose name and address shall be given.

Statement of persons nominated

The Returning Officer will publish a statement of persons nominated by no later than 4pm on Wednesday 5th April 2023.

Section C – Agents

Polling and counting agents

Every candidate may appoint:

- Polling Agents to attend at polling stations for the purpose of detecting personation;
- Counting Agents to attend at the counting of votes.

Notice of the appointment of polling and counting agents must be given to the Returning Officer by Wednesday 26th April 2023.

Further details will be provided to those candidates standing validly nominated at the election.

Tellers

Tellers have no status so far as electoral law is concerned and should not be confused with polling agents. They have no right to enter the polling station other than to vote or as a companion to a person with disabilities attending to vote. Their role is to stand outside polling stations and identify voters who have voted.

Guidance on the role of tellers will be issued to validly nominated candidates.

Opening of postal ballot papers

Candidates and their appointed postal opening agents are entitled to attend the opening of the postal ballot papers. The Returning Officer will arrange the times and places of postal vote opening sessions and will notify candidates accordingly.

Section D – Election expenses

Election expenses are any expenses incurred on goods, services, property, or facilities used for the purpose of the candidate's election.

The spending limit is £806, plus 7p per local government elector in the parish or parish ward registered to vote on the last day for publication of the notice of election in the ward which you are standing for.

Spending limits for joint candidates are reduced. Joint candidates are candidates in the same parish or parish ward who use the same campaign rooms or publish joint material. Where there are two joint candidates the expenses limit is reduced by 25%. Where there are three or more joint candidates the spending limit is reduced by 33%.

Candidates must contact the Electoral Commission if they wish to seek advice on electoral expenses pef@electoralcommission.org.uk

Candidates must submit their return of expenses to the Returning Officer by not later than Thursday 1st June 2023.

Expenses returns must still be submitted if there is no expenditure to record or where the election is uncontested.

If a candidate has been elected but the spending return and/or declaration has not been submitted by the deadline they are barred from sitting or voting, and can be subject to a forfeit or fine of £50 per day if they do so.