

**Guide for candidates**

**Medway Parish Council  
Elections**

**Thursday 7 May 2015**

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# 1 Introduction

- 1.1 This guide aims to provide practical advice for people who want to stand as a candidate in the Medway Parish Council Elections on Thursday 7 May 2015 in the Parishes of Allhallows, Cliffe and Cliffe Woods, Cooling, Cuxton, Frindsbury Extra, Halling, High Halstow, Hoo St Werburgh, St James Isle of Grain, St Mary Hoo and Stoke.
- 1.2 This guide provides information specific to the Parishes within Medway, and more importantly complements the guides produced by the Electoral Commission. This guide does not set out to duplicate the information contained in the Commission's guides. All prospective Parish Council candidates are strongly encouraged to access the Electoral Commission guidance on their web site – <http://www.electoralcommission.org.uk/i-am-a/candidate-or-agent/parish-and-community-council-elections-in-england-and-wales>

## How to use this guide

- 1.3 The advice is provided as a *guide* to the requirements for candidates during the election. It should not be relied on as legally definitive and neither Medway Council, nor the Returning Officer can accept any responsibility for any errors or omissions, or any act arising from them. If candidates have any doubts about a particular point they are strongly recommended to consult the appropriate legislation and seek their own legal advice.

## 2 Roles and responsibilities - who does what?

### The Returning Officer (RO)

- 2.1 The Returning Officer for all the Parishes in Medway is the Chief Executive of Medway Council, Neil Davies, and he is responsible for the overall conduct of the elections.

### Deputy Returning Officers (DRO's)

- 2.2 The RO delegates most of the day-to-day responsibilities for the planning and conduct of the election to two Deputy Returning Officers (DRO's). Jane Ringham, the Head of Member Services & Elections is responsible for all of the day-to-day conduct and planning of the arrangements for the identification of polling stations, appointment of staff, the nomination process, the conduct of the poll and postal votes and the arrangements for the counting of the votes. Richard Hicks, the Assistant Director, Customer First, Democracy & Governance, is responsible for the oversight of these activities.

#### *Advice*

The contact details for those involved in the election at Medway are as follows:

Neil Davies – 01634 332705 [Neil.Davies@medway.gov.uk](mailto:Neil.Davies@medway.gov.uk)  
Jane Ringham – 01634 332864 [Jane.Ringham@medway.gov.uk](mailto:Jane.Ringham@medway.gov.uk)  
Daune Ashdown – 01634 332410 [daune.Ashdown@medway.gov.uk](mailto:daune.Ashdown@medway.gov.uk)  
Richard Hicks – 01634 332764 [Richard.Hicks@medway.gov.uk](mailto:Richard.Hicks@medway.gov.uk)  
Electoral Services Office – 01634 332832 (general inquiries)

## 3 The role of a Parish Councillor

- 3.1 Councillors are elected to represent an individual geographical unit on the council, known as a ward or - mainly in smaller parishes - the entire parish area.

- 3.2 Councillors have three main components to their work.

*Decision making* - Through meetings and attending committees with other elected members, councillors decide which activities to support, where money should be spent, what services should be delivered and what policies should be implemented.

*Monitoring* - Councillors make sure that their decisions lead to efficient and effective services by keeping an eye on how well things are working.

*Getting involved locally* - As local representatives, councillors have responsibilities towards their constituents and local organisations. These responsibilities and duties often depend on what the councillor wants to achieve and how much time is available, and may include:

- Going to meetings of local organisations such as tenants' associations
- Going to meetings of bodies affecting the wider community
- Taking up issues on behalf of members of the public
- Running a surgery for residents to bring up issues
- Meeting with individual residents in their own homes

- 3.3 Quite often councillors say that their duties occupy them for about three hours a week. Obviously there are some councillors who spend more time than this - and some less, but in the main, being a community, parish councillor is an enjoyable way of contributing to your community, and helping to make it a better place to live and work.
- 3.4 Parish councillors are elected by the public and serve four-year terms. Following elections, councils appoint a chair.
- 3.5 An allowance scheme was introduced for Parish councillors in 2004. Allowances, which tend not to be very large, are at the discretion of the individual Parish councils and they often choose to maintain a strictly unpaid status. You should contact the Parish Clerk for the Parish you are interested in (see para 3.7).
- 3.6 There is a Code of Conduct for each Parish Council that sets out standards of behaviour and propriety to which all Parish Councillors must subscribe. In particular it sets out the circumstances in which a Parish Councillor must register certain interests and disclose such personal interests as and when matters related to those interests are being considered by the Parish Council. Parish Councillors must sign their acceptance of the Code within two months of their election or they will cease to be a Parish Councillor. A copy of the current Code for the Parish Council for which you are interested in standing is available from the Parish Clerk whose details are on the following page.

3.7 You can find out more about the particular Parish Council you are interested in standing for by contacting the Parish Clerk, whose details are shown below:

<b>Parish(es)</b>	<b>Parish Clerk contact details</b>
Allhallows	Lynn Davis, 24 Burdett Avenue, Shorne, Gravesend, DA12 3HP 01474 825067
Cliffe and Cliffe Woods	Mrs. A Jack/Mrs. L Farrelly, 17 Graveney Close, Cliffe Woods, Rochester, ME3 8LB clerk@cliffeandcliffewoods-pc.gov.uk
Cooling	Ms. D S Hughes, 17 Wildfowl Close, Walderslade Woods, Chatham, ME5 9RU 01634 867223 cooling.parish.council@gmail.com
Cuxton	Mr. N Curtis, The Pavilion Recreation Ground, Bush Road, Cuxton, Rochester, ME2 1EZ 01634 730951 cuxtonparish@btconnect.com
Frindsbury Extra	Mrs. R Brammer, 53 Capelands, New Ash Green, Longfield, DA3 8LQ 01474 874343 clerk@frindsburyextra-pc.gov.uk
Halling	Mr. W Swan, The Community Centre, High Street, Lower Halling, Rochester, ME2 1BS 01634 241551 hallingclerk@btconnect.com
High Halstow	Same as Frindsbury Extra above
Hoo St Werburgh	Mrs. S Babington, 4 Birkhall Close, Walderslade, Chatham, ME5 7QD 01634 868855 hooparishcouncil@sherriebabington.co.uk
St James, Isle of Grain	Mrs. C Gurr, 5 Seaview, Isle of Grain, Rochester, ME3 0EW 01634 271412 stjames@iog-pc.freeseerve.co.uk
St Mary Hoo	Same as Frindsbury Extra above
Stoke	Mr. R Morrad, 95 Avery Way, Allhallows, Rochester, ME3 9QW 01634 270270 stokeparishcouncilkent@gmail.com

## 4 Deadlines – the election timetable

- 4.1 The Parish Council elections will be combined with those for the General and Medway Council elections on **Thursday 7 May 2015 if they are contested**. Certain key dates and deadlines are included in the statutory election timetable, and are shown in Table 1 below. If no time is specified as the deadline for an event or requirement (e.g. noon or 5pm), then the deadline will be **midnight** on that day.

*Table 1: Timetable for the Parish, Medway Council and General elections, May 2015*

<b>Event</b>	<b>Day</b>
Notice of election: to be published not later than	Mon 30 March
Delivery of nomination papers: between 9am and 6pm, Monday-Friday (excl. bank holidays) from	Tues 31 March
Last day for delivery of nomination papers: not later than <b>4pm</b> on	Thurs 9 April
Last day for withdrawals of candidature: not later than <b>4pm</b>	Thurs 9 April
Last day for notice of appointment of election agents: not later than <b>4pm</b> on	Thurs 9 April
Publication of any Notices of Uncontested elections	Thurs 9 April
Statement of persons nominated to be published after <b>4pm</b> on	Fri 10 April
Last day for applications to register to vote in the elections on	Mon 20 April
Last day for new applications to vote by post, or to change or cancel an existing postal vote or proxy vote appointment: not later than <b>5pm</b> on	Tues 21 April
Last day for new applications to vote by proxy: not later than <b>5pm</b> on	Tues 28 April
Last day for publication of Notice of Poll & Situation of polling stations	Tues 28 April
Last day for notice of appointment of counting agents and polling agents	Weds 29 April
<b>Polling day 7am to 10pm</b>	<b>Thursday 7 May</b>
Last day for the receipt of candidates' return of election expenses	<b>Thursday 4 June</b>

## 5 Getting nominated

### How do I become a candidate?

- 5.1 You can deliver your completed nomination papers from Tuesday 31 March onwards, until the deadline at 4pm on 9 April.

### Qualifications and disqualifications

- 5.2 In order to be eligible to stand for election a person must be qualified to stand and not be disqualified.

### Qualifications required for candidature

- 5.3 To qualify as a candidate a person **must** satisfy the following criteria on the day they are nominated and on polling day. They must:
- have attained the age of at least **18 years and**
  - be a British citizen, an eligible Commonwealth citizen, or a citizen of any other member state of the European Union
- 5.4 The candidate must also meet **at least one** of the following four qualifications during the 12 months before the day of your nomination and on polling day:
- they are registered as a local government elector for the parish in which they wish to stand, or
  - they have occupied as owner or tenant any land or premises in the parish ward, or
  - their main or only place of work has been in the parish, or
  - they have lived in the parish (or within 4.8 kilometres of it)

**Note:** The qualification to be a registered elector is an ongoing qualification that must be satisfied (unless duly qualified under another criterion stated above) for the duration of the term of office should a candidate be successful in their candidature. It is therefore strongly recommended that a candidate marks **all** of the qualifications that they satisfy when completing the nomination paper. This can avoid issues arising if they are elected and their circumstances subsequently change so that they are no longer a registered elector for the parish.



## Disqualifications

- 5.5 Certain people are disqualified from being elected to a parish. A person cannot be a candidate if at the time of their nomination or their election:
- they are employed by or hold a paid office under the parish (including employment by any joint boards or committees)
  - they are the subject of a bankruptcy restrictions order or interim order in England or Wales
  - they have been sentenced to a term of imprisonment of three months or more (including a suspended sentence) without the option of a fine, during the five years before election day (i.e. since 7 May 2010)
  - they have been disqualified under the RPA 1983 (which covers corrupt or illegal electoral practices and offences relating to donations) or under the Audit Commission Act 1998
- 5.6 A person may also be disqualified from election if they have been disqualified from standing for election to a local authority following a decision of the First – Tier Tribunal (formerly the Adjudication Panel for England or Wales).
- 5.7 The full range of disqualifications for candidates is complex, and some exceptions may also apply. Candidates are strongly advised to consult the relevant legislation to ensure that none of the relevant disqualifications apply, and if in doubt, to seek their own legal advice. Neither the Returning Officer nor his staff can offer advice on this matter.

## Nomination

### Getting nominated

- 5.8 Once the notice of election has been published (by no later than **Monday 30 March**), a person can become a candidate. To become nominated as a candidate, a person will need to complete a set of nomination papers and submit them to the Jane Ringham, the Deputy Returning Officer by **4pm on Thursday 9 April**.
- 5.9 You can be supplied with as many copies of the nomination form and the forms of consent to nomination as are needed. Copies will have been provided to the clerks of the parish council for them to distribute and have available on their websites. The Deputy Returning Officer will also prepare the nomination paper for signature if required. Electronic copies are available to download from the Council's web site as well as the Electoral Commission's web-site (see link on page 1)

## The nomination pack

### The nomination form

- 5.10 Anyone wishing to stand as a candidate needs to complete a nomination form. You can use the one supplied by the Deputy Returning Officer, or a form to the same effect.
- 5.11 Nomination papers must be completed in English.

### Name

- 5.12 The nomination form must include the candidate's surname, then other names in full. A candidate risks having their nomination paper rejected by the Returning Officer if they use initials.
- 5.13 Candidates may ask for their commonly used surname(s) and forename(s) to be printed on the statement of persons nominated, the notice of poll and on the ballot papers, instead of their actual name. A candidate can only state a commonly used name on the nomination paper if they actually commonly use a name that is different from their full name. There is no requirement to use a commonly used name: candidates have the option to stand either under their full name or any commonly used name they have. If a candidate is commonly called by a name that is not their full name, they are not required to put it on the nomination paper. If a candidate wishes to use their full name they should leave the commonly used name box(es) blank.
- 5.14 Commonly used names that the Returning Officer considers likely to mislead or confuse electors, or are obscene or offensive, will be disallowed. If the name(s) are not permissible, the Returning Officer will write to the candidate stating the reason for disallowing the commonly used name. In such a case, the candidate's full names will be used.
- 5.15 Titles or prefixes such as Mr., Mrs., or Dr, should not be used.
- 5.16 The exact wording of the candidate's name, as entered on the nomination paper, will appear on the statement of persons nominated, the notice of poll and on the ballot paper. If the Returning Officer does allow the commonly used name(s), they will appear on each of these occasions instead of the candidate's full name.

## Description

5.17 If you are NOT standing as a candidate on behalf of a political party, then you may choose to use one of the following descriptions on the Statement of Persons Nominated and underneath your name on the ballot paper:

- the description “independent”
- a description of no more than 6 words in English – this can be any description as long as it is sufficient to identify you and is unlikely to associate you with a political party that is registered with the Electoral Commission. You can check the names of registered political parties on the Electoral Commission web site. The 6 word limit is set out in law and the Returning Officer will have to reject your nomination paper if you exceed it.
- No description – it is optional to have a description, so you do not have to use one

5.18 Candidates representing a registered political party can use a party description, but this may only be one of the descriptions registered with the Commission, or the registered name of the party. The current name and list of descriptions registered by political parties is available at <http://registers.electoralcommission.org.uk/regulatory-issues/regpoliticalparties.cfm> . A certificate of authorisation from the registered party’s nominating officer (or a person appointed by them to act on their behalf) giving the candidate permission to use that description must be submitted to the Returning Officer before the close of nominations. If a description is used which has not been registered with the Commission then the Returning Officer must hold the entire nomination invalid. The Certificate of Authorisation is included in the nomination paper pack.

5.19 In summary, therefore, candidates have four main options with regard to the description:

- (a) Leave the description part of the form blank, in which case no description will appear on the ballot paper
- (b) Use a non-registered description of **no more than** six words in English. This can include the description ‘Independent’.
- (c) Use a description that is registered with the Commission and has been authorised in writing by the nominating officer of a registered political party or someone appointed to act on their behalf
- (d) Use the name of the party as it is registered with the Commission, with the authorisation in writing from the nominating officer of a registered political party or someone acting on their behalf

5.20 If a candidate wants to register a political party, thus enabling them to use a party political description, details about the process for doing so can be found later in this section.

## **Address**

- 5.21 The candidate's home address must be completed **in full**, and should not contain any abbreviations. The address must be the candidate's current home address, and not a business address. The address does not need to be in the electoral area in which the candidate wishes to stand, as long as the candidate meets one of the qualifications for standing set out above.

## **Signatures of subscribers**

- 5.22 Each nomination paper needs to be signed by two electors (known as the proposer and seconder) registered in the register of local government electors for the parish (or ward if the Parish is warded) that is in force on 2 March 2015. Where a nomination paper has more than two signatures, only the first two will be accepted. If either of the subscribers are invalid, the Returning Officer must hold the nomination paper invalid, regardless of whether the form contains more than two.
- 5.23 The electoral number of each elector, including the letters of the polling district AND the elector number in the left-hand column next to their name on the Register of Electors, must be entered on the nomination paper.
- 5.24 The candidate must ensure that the names of the people signing their nomination paper appear in the relevant electoral register for the parish (or relevant ward if the area is warded) where they wish to stand.
- 5.25 As well as signing the nomination paper, the proposer and subscriber should print their name on the nomination paper so that the Returning Officer can readily verify that they are registered to vote as required.
- 5.26 To ensure the nomination paper is completed correctly, candidates are entitled to receive a copy of the register for the parish (or ward if the Parish is warded) they are contesting and should make a request to receive the register in writing to the Electoral Services section, using the contact numbers on page 2. Further information on this process can be found in Section 7.
- 5.27 All the candidate's particulars must be completed before the nomination papers are subscribed – it cannot be altered after signatures have been added.

- 5.28 Electors may only subscribe as many nomination papers as there are vacancies in the Parish or ward if the Parish is warded, that is being contested. For example, in the case of a parish ward with only one vacancy, electors can only subscribe to one candidate's nomination paper. This means that if two candidates submit a set of nomination papers for a ward with only one vacancy that have been subscribed by the same person, the nomination papers that were submitted first will be accepted; and the second and any subsequent nominations will be invalid. However, in the case of a parish ward with two vacancies, an elector may subscribe two nomination papers; if there are three vacancies a person may subscribe three nomination papers; and so on.
- 5.29 Once a nomination paper has been formally accepted by the Returning Officer, signatures cannot be withdrawn.
- 5.30 The names of the proposer and seconder will appear on the Statement of Persons Nominated and this will be displayed on Parish notice boards, and on the Parish and Council web sites at the very least. The candidate may wish to advise the proposer and seconder of this.

#### Consent to nomination

- 5.31 In order for the nomination as a candidate to be valid, the candidate must also formally give their consent to nomination in writing. The candidate will be asked to state that they are qualified and not disqualified from standing and to give their date of birth. A form for this purpose will be provided in the pack from the Deputy Returning Officer, Parish Clerks or on the Council or Electoral Commissions' web sites. **It is important to note that a nomination will not be valid if the completed and signed consent form does not contain the copy of sections 80 and 81 of the Local Government Act 1972 and section 34 of the Localism Act 2011** which are supplied with the form provided by the Deputy Returning Officer, Parish Clerks or on the Council or Electoral Commissions' web sites.
- 5.32 Candidates must sign and date the consent to nomination within one calendar month before the last day for delivery of nomination papers. The candidate's signature must be witnessed, and the witness must also sign the form and give their full name and address. The rules do not specify who can witness this form, and so there are no restrictions on who can do this, however please note that it is not appropriate for any member of the Returning Officers staff to do it. The declaration of consent should be delivered by hand to the Deputy Returning Officer with the other nomination papers and must be delivered before **4pm on Thursday 9 April 2015**.

## Deposit

- 5.33 No deposit is required for a candidate to stand at an election of parish councillors.

## Registering as a political party

- 5.34 There is detailed information on registering a new political party name, including a minor political party for candidates to use at the elections on the Electoral Commission web-site <http://www.electoralcommission.org.uk/i-am-a/party-or-campaigner/guidance-for-political-parties/registering-and-maintaining-a-party>. Please note that it costs £150 and can take up to 30 working days for an application to be processed.

## Request to use emblem on the ballot paper

- 5.35 Only candidates who have been authorised by a political party to use a description on the ballot paper, can also request that one of the party's official emblems is used on the ballot paper next to their name. Each registered party can register several emblems, and they can be viewed or downloaded from the Electoral Commission's website at <http://registers.electoralcommission.org.uk/regulatory-issues/regpoliticalparties.cfm>
- 5.36 The request to use an emblem must be made **in writing** by the candidate, and they must deliver it to the Returning Officer before **4pm on Thursday 9 April**. The request should state both the name of the political party **and** the description of the emblem to be used, as listed on the Commission's website. Registered emblems cannot be varied in any way. A form for this purpose is provided in the nomination paper pack provided by the Deputy Returning Officer.

## Checking of nomination papers

- 5.37 Jane Ringham, or her Deputy, Daune Ashdown, can check all draft papers before final submission and their contact details are shown on page 2. **It is recommended this be done at least 48 hours before the deadline for the submission of Nominations so there is sufficient time if more work is needed to rectify a difficulty. It would be helpful if appointments were made in advance for the checking so that candidates are not kept waiting.** Candidates don't necessarily need to wait while the informal checking is undertaken; the nomination papers can be emailed or faxed and then Jane or Duane will contact them with the outcome. **This applies to the informal checking procedure only.**

## Correction of nomination papers

5.38 The Deputy Returning Officer is permitted to correct minor errors made on a nomination paper, including errors to a person's elector number and obvious errors of spelling in relation to the details of a candidate. For example, where an elector number has been entered incorrectly, the Deputy Returning Officer may amend it if they are satisfied as to the cause of the error (for example, wrong polling district prefix, transposed number, etc.). Where the elector number has been omitted altogether, however, the nomination paper will be rejected on the basis that no error has been made to the number – it has simply not been supplied.

## Submission of nomination papers

- 5.39 The Electoral Commission has recently clarified the law regarding the submission of nomination papers. For your nomination to be valid you must ensure that:
- Nomination papers may only be submitted on working days **between 9am and 6pm** from Tuesday 31 March until **4pm on Thursday 9 April**
  - The nomination paper and consent to nomination **must be submitted by hand and cannot be submitted by post, fax, email or any other electronic means**. Papers must be delivered to the Jane Ringham Deputy Returning Officer, Daune Ashdown on level 3, Gun Wharf, Dock Road, Chatham, ME4 4TR. Any nomination papers left at the Gun Wharf reception desk or received in the post will automatically be declared invalid by the Returning Officer.
  - Any Certificate of Authorisation and emblem request form **may** be delivered by hand or by post, cannot be submitted by fax, email or other electronic means. A copy attached to an email submitted to and then printed out by the Returning Officer is deemed to be a copy and not the original document. They must be received by 4pm on Thursday 9 April
  - The **original** of each completed paper must be submitted
- 5.40 **Candidates are strongly advised to make an appointment in advance for the final submission so that candidates are not kept waiting.** There will be over 300 candidates standing in the Local elections alone, and the Returning Officers' staff will deal with those who have made appointments before any other candidates who arrive without an appointment. It may take up to 20 minutes to formally check and accept a nomination paper.

## Withdrawing as a candidate

- 5.41 Once the Deputy Returning Officer has accepted a candidate's nomination papers, they can still withdraw from the election if they deliver a written notice to the Returning Officer before **4pm on Thursday 9 April**. The notice, which is normally in the form of a letter, must be signed by the candidate and witnessed by one other person. Please note that after this date it is not possible to withdraw a candidate's name from the election, and the candidate's name will appear on the ballot paper. **This date has changed since the last Parish elections in 2011.**

## Determination of nominations

- 5.42 As soon as possible after the checking of a nomination being submitted formally, the Deputy Returning Officer will advise the candidate whether the nomination is valid or whether an issue needs to be resolved.
- 5.43 A formal letter of validity or invalidity will be sent to the candidate to their home address as given on the nomination paper as soon as possible after the deadline for nominations.
- 5.44 Once the Returning Officer has formally made a determination on a nomination paper it cannot be challenged during the election, but may be challenged by way of an election petition.

## Inspection of nomination papers and consents to nomination

- 5.45 An person may inspect, and take copies of, the nomination papers and consents to nomination any day during normal office hours between the deadline for submission (4pm on Thursday 9 April) and the day before polling day (6 May).

## Uncontested elections

- 5.46 If, after the deadline for withdrawal has passed at 4pm on Thursday 9 April, the number of valid nominations does not exceed the number of vacancies in the Parish/ward, the remaining validly nominated candidates will be declared elected by way of a notice that will be published on the Council's web-site; copies will be sent to each candidate and Parish Clerks will be asked to display it on Parish notice boards and web-sites.

## Publication of the list of valid nominations

- 5.47 In the case of any contested Parishes, on Friday 10 April, a list of the persons nominated in the Parish/Ward (called a Statement of Persons Nominated) will be published. This will be published on the Council's web-site, copies will be sent to each candidate and Parish Clerks will be asked to display it on Parish notice boards and web-sites.



## Contested elections

5.48 If, after the deadline for withdrawal the number of valid nominations exceeds the number of vacancies, a Poll will take place on 7 May.

### *Summary*

The original version of your Nomination papers must be submitted no later than **4pm on Thursday 9 April 2015**, and must include:

1. Form of nomination – must be submitted by hand
2. Candidate's consent to nomination – must be submitted by hand;

And, if you are standing as a party candidate, you must also include:

3. Certificate of authorisation signed on behalf of a registered political party; *and, if desired,*
4. Request to use a registered party's emblem on the ballot paper.

**Nomination papers must be delivered to the Jane Ringham, Deputy Returning Officer, or Daune Ashdown at Level 3, Gun Wharf, Dock Road, Chatham, ME4 4TR**

## 6 Other assistance: polling agents, counting agents and tellers

- 6.1 Parish Council candidates are not obliged to appoint an election agent to manage their campaign and particularly election expenses; therefore candidates must take care to manage their expenses carefully. You can also appoint people to help you on election day in polling stations and at the count. These are known as your polling or counting agents. You could also act as your own polling or counting agent.

### Polling Agents

- 6.2 You can only appoint up to four polling agents to attend each polling station and only one of your polling agents will be allowed into a polling station at any time. However, each polling agent may be appointed to attend more than one polling station – you might appoint a polling agent to cover all of the polling stations in a particular ward, for example.
- 6.3 The Electoral Services Section will send you forms on which to appoint polling and counting agents but you do not have to use these forms. You must notify the Deputy Returning Officer, Jane Ringham **in writing** of the names and addresses of any polling agents no later than **Wednesday 29 April**.

### Counting Agents

- 6.4 Section 8 of this guide describes the arrangements for the counting of the votes in more detail. The Returning Officer (RO) will decide the maximum number of counting agents you will be allowed to appoint. Each candidate in the Parish/Ward will be allowed to appoint exactly the same number of counting agents. The formula will be calculated by dividing the number of counting staff engaged by the RO by the number of candidates in each Parish/ward. The RO will advise you of the maximum number of counting agents allowed soon after the close of nominations.

## **Postal vote opening agents**

- 6.5 Each candidate and election agent is entitled to attend the sessions that take place where returned postal votes are opened. The candidate may also appoint agents for this purpose as well. They are specifically entitled to observe the opening of the postal voters' ballot box, the opening of returned postal votes and the checking of signatures and dates of birth provided on returned postal voting statements. It should be noted that the votes on the ballot papers are not counted during these sessions. These sessions will take place each day between 27 April to 7 May (inclusive) and will take place at Gun wharf. We will provide more details at the candidates and agents briefing on 15 April.
- 6.6 Everyone who attends the postal vote opening sessions must be aware of, and comply with, the secrecy provisions contained in section 66 of the Representation of the People Act 1983. In particular this means that it is an offence either to attempt to ascertain the number of votes for each candidate (i.e. keep a tally) or to communicate the result. Attempting to ascertain is itself an offence, even if there is no communication. Therefore the Acting Returning Officer will not tolerate anyone attempting to keep such a tally at any of the opening sessions.

**Written notification of Polling, Opening of Postal Votes and Count Agents must be delivered to the Deputy Acting Returning Officer, c/o Medway Electoral Services, Gun Wharf, Dock Road, Chatham, ME4 4TR:**

- **Before the start of any particular postal vote opening session that a postal vote opening agent is seeking to attend**
- **No later than 29 April 2015 in respect of polling and counting agents**

## 7 The Register of Electors & absent voters' list

7.1 As mentioned in section 5, you are entitled to a free copy of the section of the full electoral register for the electoral area you are contesting, and a free copy of the list of overseas electors for the area. You will need this to identify the elector numbers of the proposer and seconder for your nomination paper at the very least. You are encouraged to request your copy of the register in good time once you have become a candidate. This should be in writing to the Electoral Services Office, Gun Wharf, Dock Road, Chatham, Kent, ME4 4TR or by email to [electoralservices@medway.gov.uk](mailto:electoralservices@medway.gov.uk). You need to specify the Parish register you require and the format (see below).

7.2 The register for Medway will be supplied to you in data form, unless you specifically request a paper copy. The data will be supplied in a CSV (comma-separated values) format.

*Using data in a Comma Separated Values (CSV) format*

CSV files are a simple form of spreadsheet representation that can be read or modified with a number of common desktop applications.

CSV files can be opened using most spreadsheet or database applications, including Microsoft Excel and Access, and can also be read or modified with any text editor or word processing programmes such as Microsoft Word. In particular, CSV files can be used with the mail merge function of most word-processing programmes to create mailing labels or form letters.

7.3 The registration data provided will include the relevant part of the register for the electoral area that was published on 1 December 2014 as well as reflecting any alterations made to the register published at the beginning of January, February and March depending on when you request a copy of it.

7.4 The Electoral Registration Officer is required to publish two versions of the electoral register: a full version containing the details of all electors in the area, and an edited version which is available for sale and which does not contain information about electors who have requested that their details are not included. As a candidate you will be supplied with a copy of the Full Register.

- 7.5 It is important to note that a number of legal restrictions apply to the use of information in the full electoral register. If you have been supplied with a copy of the full electoral register for a particular area, you must not:
- pass on a copy of the register to any other person;
  - disclose any information from the register (which is not contained in the open (edited) version of the register also published by the Electoral Registration Officer); or
  - make use of any information from the register *other than for electoral purposes*.
- 7.6 If you are found guilty of breaching these conditions you may face a fine of up to £5,000.
- 7.7 You are also entitled to a copy of the lists of absent voters who are entitled to vote by post for the area and proxy voters. The Electoral Services Office on request will also supply these lists to you in data format.

## 8 Polling day

- 8.1 If the election in the Parish is contested, Polling day will be **Thursday 7 May 2015**, and polling hours are between **7am and 10pm**.
- 8.2 Details of the locations of polling stations in each Parish/ward will be confirmed by the RO in a notice.

### Entitlement to attend the polling station

- 8.3 As a candidate, you are entitled to visit any polling station in the Parish in which you are standing, as is any election agent you appoint. Your polling agents may also attend at the polling station for which they have been appointed. Only one of your polling agents is allowed to enter each polling station at any time on the day of the election. You do not have to take your letter of validity with you to the polling station but it might assist the Presiding Officer to confirm your identity.

### Tellers

- 8.4 Candidates may sometimes use 'tellers' to stand outside polling stations and request the electoral numbers of people who have attended the polling station. However, tellers have no status in electoral law, and they are not allowed to actually enter the polling station itself.
- 8.5 Your tellers should not hand out election material, or try to influence the way someone should vote. They should not ask any voter who they voted for, or how they intend to vote. Voters are not *required* to give any information to tellers, and they should not be pressed if they refuse to answer. Any tellers working for you should not give the impression that the information they request is required for official purposes.
- 8.6 In view of the lack of legal guidelines for tellers, you may wish to ensure that your tellers are given a copy of Code of Conduct issued by the Electoral Commission that is available from the Elections office. However, it should be noted that the guidance is not mandatory and therefore has no legal force.
- 8.7 The RO will allow Tellers to wear coloured rosettes that bear the emblem of a registered political party and the name of any candidate, but not the words "Vote for (name of candidate)". Presiding Officers will be briefed to ask any teller wearing rosettes that do not comply with this guidance to remove them.

## 9 The count

- 9.1 The verification of ballot papers for the General, Local and any contested Parish Council Elections will take place on **Thursday 7 May 2015** at Medway Park (formerly known as the Black Lion Sports Centre), Mill Road, Gillingham, ME7 1HF from the close of poll at 10pm. The verification will involve separating out the ballot papers for each election, and then counting how many there are of each type. The ballot papers for the Local and Parish elections will then be stored securely until they are counted.
- 9.2 It is intended to count the ballot papers for any contested Parish elections simultaneously with those for the Local Council elections on **Friday 8 May** at the same venue. Further information about the verification and count will be provided by the Returning Officer at a briefing for candidates and agents on Wednesday 15 April at 6.30pm at Gun wharf, Dock Road, Chatham.

### Count procedure

- 9.3 Other than the RO, the Deputy Returning Officers and his staff, only the following people are entitled to attend the count:
- you as candidate, and your partner, husband or wife;
  - your election agent (if one appointed);
  - any of your appointed counting agents;
  - Electoral Commission staff; and
  - observers accredited by the Electoral Commission
- 9.4 The RO may also permit other people to attend the count at his discretion, but is not obliged to do so. The decision of the Returning Officer as to who may attend the count is final.
- 9.5 The maximum number of counting agents to be appointed by each candidate in each Parish will be determined by the RO, but will be not less than the total number of counting staff divided by the total number of candidates. The number permitted must be the same for each candidate in the Parish/Ward.

## 10 Election expenses

**Note:** All candidates contesting parish and town level elections are subject to controls on their election expenses and are required to submit a return of election expenses to the proper officer of the authority within **28 calendar days** after the day of the election – **Thursday 4 June 2015**. This return must be accompanied by a declaration by the candidate as to their election expenses. The relevant forms can be provided by the Deputy Returning Officer on request. Returns must be submitted even if the election is uncontested or the candidate has not incurred any expenditure.

### General guidance

- 10.1 The following notes provide general guidance on election expenditure. More detailed information on election expenditure can be found in the guidance provided by the Electoral Commission.
- 10.2 As there is no provision in law for election agents at a parish council election, it is the responsibility of candidates to control their election expenditure and to complete the return and declaration as to expenses incurred.

### Calculation of maximum amount

- 10.3 All candidates contesting an election are subject to limits on expenditure incurred on items used in advance of an election. The current limit on expenditure related to the conduct or management of the election is £740 together with an additional 6p for every entry in the register of electors in force on the day the Notice of Election is published. Any expenses incurred by a candidate on behalf of their candidature are not refundable by the Parish Council, Medway Council or any other organisation.

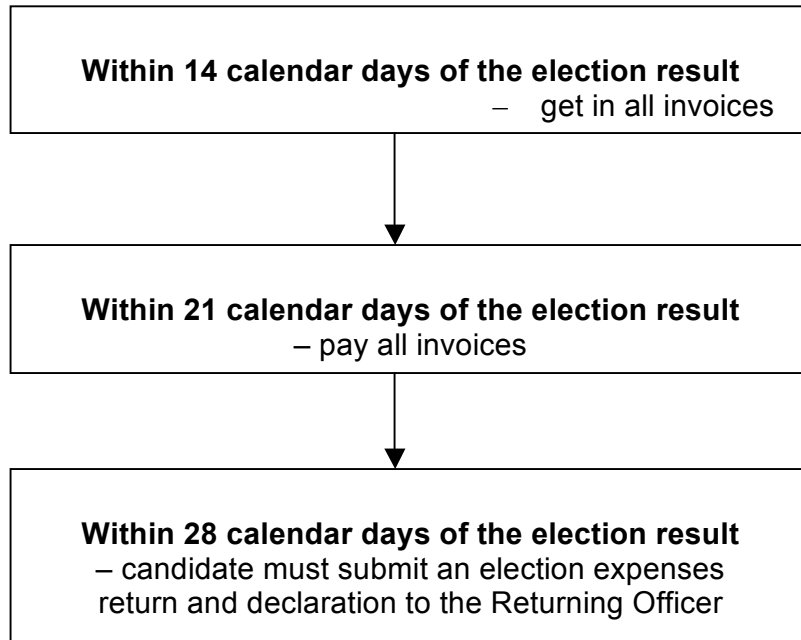
### Limits for joint candidates

- 10.4 Maximum limits for expenditure are reduced in the case of joint candidates. Candidates are to be considered joint candidates when they have the same election agent, hire or use the same campaign rooms, or publish joint material. Where there are two joint candidates the limit for each candidate is reduced by a quarter (25%), and where there are three or more joint candidates the limit for each is reduced by a third (33%).



## Time for sending in and paying claims

**Chart 1: What you need to do after the election**



- 10.5 Candidates should note that for all payments of £10 or more an accompanying invoice or receipt must be submitted with the return.
- 10.6 The Register to be used for this election will be that in force on 30 March 2015. The electorate currently in each Parish is shown below to give you an idea of the limit of your expenses. We will advise you of the electorate at 30 March.

Parish/Ward	Electorate as at 2 Jan 2015	Parish/Ward	Electorate as at 2 Jan 2015
Allhallows	1221	Halling – North Ward	284
Cliffe and Cliffe Woods – Cliffe Village Ward	2061	Halling – Upper Ward	337
Cliffe and Cliffe Woods – Cliffe Woods Ward	2194	High Halstow	1504
Cooling	148	Hoo St Werburgh – Central Ward	2660
Cuxton	2042	Hoo St Werburgh – East Ward	3024
Frindsbury Extra – East Ward	1173	Hoo St Werburgh – West Ward	1440
Frindsbury Extra – North Ward	1442	St James, Isle of Grain	1060
Frindsbury Extra – South Ward	1134	St Mary Hoo	205
Frindsbury Extra – West Ward	1450	Stoke	700
Halling – Lower Ward	1637		

# 11 After the Election

## Declaration of acceptance of office

- 11.1 The appointment of successful candidates as councillors becomes effective on the fourth day after the election (Monday 11 May 2015). If successfully elected, the candidate must sign a declaration of acceptance of office, in which they agree to follow the council's code of conduct in the performance of their duties, before they can act as a councillor. This declaration must be made before or at the first meeting of the parish council after the candidate's election or, if the council at that meeting so permit, before or at a later meeting of the council. If the declaration of acceptance of office is not submitted by this deadline, the seat is declared vacant and a by-election must be held to fill the vacancy.
  
- 11.2 The Parish Clerk will be notified of the details of the elected Councillors and contact the successful candidates to let them know about the next meeting of the Parish Council.

## 12 Inspection of materials and documents after the election

- 12.1 A number of documents are available for inspection by any person after the election, however, ballot papers and corresponding numbers lists are not available, to ensure the secrecy of the ballot.

### Marked register of electors and marked absent voters list

- 12.2 These documents show who has been issued with a ballot paper in a polling station and who has returned their postal ballot paper, or who has had their proxy vote on their behalf. They are available for inspection under supervision free of charge where hand written notes may be taken. Requests for an appointment for inspection should be made to [electoralservices@medway.gov.uk](mailto:electoralservices@medway.gov.uk)
- 12.3 Copies of the marked register from polling stations can be supplied to candidates and election agents and those who are entitled to a copy of the Full Register. It is only available in PDF format and will be charged at a statutory fee of £2 per 1000 entries (or part thereof) plus a £10 administrative charge.
- 12.4 The marked register of postal ballot papers stations can also be supplied to candidates and election agents and those who are entitled to a copy of the Full Register. It is only available in data format as described in paragraph 6.2 and a statutory fee of £1 per 1000 entries (or part thereof) plus a £10 administrative charge.
- 12.5 The marked registers from polling stations and of postal ballot papers are only retained for a year and the ERO is then obliged to destroy them.

## 13 Glossary of terms

Candidate	Person standing for election
Counting Agent	Person appointed by a candidate to observe the counting of the votes
Election agent	A person appointed by a candidate on whose behalf expenses of the election campaign are incurred. The election agent is responsible for the submission of an expenses return to the Returning Officer within a specified time after the Declaration of the Result
Electoral number	The unique number given to each elector in the Register of Electors. It comprises the letters signifying the Ward as well as a number. The electoral number must be included for each of the people assenting to a candidates' Nomination Paper and can be found next to the persons' entry in the Register of Electors
Nomination Papers	The forms that must be provided to the Returning Officer by the specified deadline in respect of each candidates' nomination (See section 5)
Notice of Election	Formal notice that initiates the election.
Notice of Poll	Formal notice advising electors of the arrangements for the election, including the polling station to which they have been allocated
Polling agent	People appointed by a candidate to detect personation at the polling station, i.e. if they suspect a person has already voted or that a person pretends someone who they are not, they may request the Presiding Officer to ask statutory questions. If the elector does not give satisfactory answers to those questions, they will not be given a ballot paper
Polling Station	The premises within a polling place in which voting takes place. Only specified people may visit a polling station
Postal vote	An elector may choose to cast their vote by post rather than attend the polling station in person
Presiding Officer	A member of staff appointed by the Returning Officer who has a statutory responsibility for the conduct of the poll at the Polling Station to which they are appointed
Proxy vote	An elector may appoint a proxy to vote on their behalf if the elector cannot attend the polling station in person. The proxy can apply to vote by post
Tellers	People appointed by a candidate to stand outside a polling station and ask electors for their elector number so that they can see who has voted. They are not allowed to ask for which candidate an elector has voted, nor are they entitled to be in the room where the voting is taking place
Statement of Persons Nominated	Formal notice comprising a list of the candidates standing in each Parish as well as the proposer and seconder for each candidate

