

Newcastle-under-Lyme Borough Council



GUIDANCE DOCUMENT FOR PROSPECTIVE TOWN COUNCIL CANDIDATES



Kidsgrove Town Council By-Election
20 June 2024

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MAY 2024

INTRODUCTION FROM THE RETURNING OFFICER

Hello – My name is **Anthony Harold** and I am the Returning Officer for the Kidsgrove Town Council By-Election being held within Newcastle-under-Lyme Borough Council's area on 20 June 2024.

My Elections Team will endeavour to help you with any queries you may have during the election process, but this guidance will hopefully answer many of your initial queries. It is not intended as an authoritative interpretation of the law, and candidates are advised to seek their own legal advice, which may involve you contacting the Electoral Commission direct.

I would also urge you to make reference to our webpage – “Kidsgrove Town Council (Newchapel and Mow Cop) by-election 2024” – which will provide you with information throughout the election process. The webpage can be found at: <https://www.newcastle-staffs.gov.uk/elections-registration-1/kidsgrove-town-council-newchapel-mow-cop-ward-election-2024>

All relevant notices will be published on that page, and this should be your first port of call as it will be quicker to find out who you are standing against online, rather than trying to telephone a member of the Elections Team.

In addition to the guidance produced by Newcastle-under-Lyme Borough Council, the Electoral Commission, which is the UK's independent elections watchdog, has provided information on how to stand as a candidate, conduct your election campaign and spending limits for candidates.

I strongly recommend that all candidates should download and familiarise themselves with the Electoral Commission's comprehensive notes obtainable via the following link:-

<https://www.electoralcommission.org.uk/guidance-candidates-parish-council-elections-england>

Topics covered in this local guidance are as follows:-

- Important Nomination Deposit Notice and Changes Introduced to Absent Voting
- Part 1 - The Election Timetable
- Part 2 - Introduction to Election Procedures
- Part 3 – Candidates, Nominations, Withdrawal of Candidature and Election Agents
- Part 4 – Postal and Proxy Voting
- Part 5 – Tellers, Polling and Counting Agents, Agents for Postal Vote Proceedings
- Part 6 – Voter ID
- Part 7 – Enhanced Accessibility
- Part 8 – Polling Day, Polling Stations and The Count
- Part 9 – Post-Election Matters
- Part 10 – Elections Expenses and the Electoral Campaign
- Part 11 – Candidates Checklist
- Appendices (*Tellers do's and don'ts, Election Expenses, Request for Electoral Register (Campaign Purposes), Request for Absent Voters List, Notice of Withdrawal Form, Appointment of Postal Vote Opening Agents Form, Appointment of Counting Agents Form and Appointment of Polling Agent Form*)

If you have any issues or concerns during the election process,
you should contact

Newcastle-under-Lyme Borough Council's Elections Team

who are based at Castle House, Barracks Road, Newcastle-under-Lyme, ST5 1BL

Tel: **01782 742249** E-mail: **electreg@newcastle-staffs.gov.uk**

IMPORTANT!

Completed Nomination Papers **CANNOT** be submitted to the Returning Officer in the post, by e-mail or by fax. The law states that they can only be **HAND-DELIVERED** to the Returning Officer by the Candidate, their Agent or a person that they trust.

Any Nomination Forms, Home Address Forms or Consents to Nomination received by post have not been “delivered” in accordance with the rules.

The Candidate is therefore not deemed to stand nominated and no decision can be taken as to whether the papers are valid.

An appointment-booking system is in place for an informal check and submissions of Nomination Forms. Please contact the Elections office to make an appointment by calling 01782 742249 or e-mailing electreg@newcastle-staffs.gov.uk.

IMPORTANT!

Changes to voting in a polling stations (Voter ID requirements)

As part of the Elections Act 2022, electors are now required to provide ID to vote in polling stations. Further information can be found in Part 6 of this guide.

Changes to Absent Voting

As part of the Elections Act 2022, the way in which electors apply for an absent vote has changed. Further information can be found in Part 4 of this guide.

Changes around undue influence and intimidation and digital imprints

Legislation has been made and came into effect from November 2023 around undue influence and intimidation and digital imprints as part of the Elections Act 2022. We strongly recommend that you read Electoral Commission guidance regarding this.

Changes around Postal Vote Handling

Legislation came into effect from May 2024 onwards preventing political parties and campaigners from handling postal vote packs for other electors entirely. Further information can be found in Part 4 of this guide.

Changes around European Candidacy Rights

Legislation came into effect from May 2024 onwards as part of the Elections Act 2022 now means that European Union citizens standing as a candidate must be a qualifying EU citizen or an EU citizen with retained rights. Further information can be found in Part 3 of this guide.

Changes around Commonly Used Names

Legislation came into effect from May 2024 allowing greater flexibility around commonly used names on nomination papers and ballot papers. Further information can be found in Part 3 of this guide.

Current Members

Current Council members are reminded that they should not use council equipment or council e-mail addresses during the election period (from 15th May) with regards to election campaigning or any correspondence which relates to the election.

Part 1: The Election Timetable

Following a casual vacancy arising at Kidsgrove Town Council on 25 March 2024, Rule 5(2) of the Local Elections (Parishes and Communities) (England and Wales) Rules 2006 allowed ten electors for the area in which the casual vacancy has arisen to request the Returning Officer to hold an election to fill the vacancy by the 16 April 2024. This request has now been received and an election period commences.

The election timetable is set down in law and commences with the Publication of the Notice of Election on 15 May 2024. An appointment-booking system is in place for submissions of Nomination Forms. Please contact the Elections office to make an appointment by calling 01782 742249 or e-mailing electreg@newcastle-staffs.gov.uk. The full timetable can be found below.

NEWCASTLE-UNDER-LYME Kidsgrove Town Council By-Election Timetable of Proceedings for Thursday 20 June 2024

All deadlines within the timetable must be strictly observed.

Publication of Notice of Election	Wednesday 15 May 2024
Receipt of Nominations	4:00 pm Thursday 23 May 2024
Withdrawal of Candidate	4:00 pm Thursday 23 May 2024
Publication of Statements of Persons Nominated	by 4:00 pm Friday 24 May 2024
Last Date for Registration	Tuesday 4 June 2024
Receipt of Postal Vote Applications	5:00 pm Wednesday 5 June 2024
Last day for Voter Authority Certificates	5.00 pm Wednesday 12 June 2024
Publication of Notice of Poll	Wednesday 12 June 2024
Receipt of Proxy Vote Applications	5.00 pm Wednesday 12 June 2024
Appointment of Poll and Count Agents	Thursday 13 June 2024
First Day to Issue Replacement Lost Postal Ballot Papers	Friday 14 June 2024
Last Day to Issue Replacement Spoilt or Lost Postal Ballot Papers	5:00 pm Thursday 20 June 2024
Receipt of Emergency Proxy Vote Applications	5:00 pm Thursday 20 June 2024
Day of Poll	7:00 am to 10:00 pm Thursday June 2024
Return of Election Expenses	Thursday 18 July 2024

Part 2: Introduction to Election Procedures

These notes are to advise prospective candidates of the practice relating to Town and Parish Council elections. It is for general guidance only and is not intended as a comprehensive statement of the law.

The Returning Officer appointed by Newcastle-under-Lyme Borough Council is responsible for the conduct of, and arrangements for, Town Council Elections. However, the Town Council and their Clerk have an important role to play, especially in giving advice to prospective candidates prior to the four-yearly ordinary elections and in the preliminary arrangements for the filling of casual vacancies, including by-elections.

Notices will be issued to local Town Council Clerks for display at various key dates during the election timetable. This information will also be displayed on Newcastle-under-Lyme Borough Council's website – www.newcastle-staffs.gov.uk on its webpage “**Kidsgrove Town Council (Newchapel and Mow Cop Ward) by-election 2024**” - <https://www.newcastle-staffs.gov.uk/elections-registration-1/kidsgrove-town-council-newchapel-mow-cop-ward-election-2024>.

The information which will be published includes:-

Notice of Election:

This is the first stage of the election process which makes prospective candidates aware that an election has been called and what action they should take. It also provides eligible people within that area with the key dates to apply to register or apply for postal or proxy voting, should a poll take place.

Statement of Persons Nominated:

This shows which candidates have submitted valid nomination papers to stand at the election.

Notice of Uncontested Election:

In the event that there are fewer than or an equal number of candidates as there are seats available, this notice informs electors of those candidates remaining validly nominated, who are then elected unopposed.

Notice of Poll:

Should there be more candidates than seats available, this notice informs local electors of the date and time of the poll, and which polling station they should attend on polling day.

Declaration of Results:

For all contested elections, this notice records the results of votes cast in the poll, including any rejected votes and the reason for their rejection.

To find out who you are standing against, we will be sending a copy of the Statement of Persons Nominated to the Town Clerk for display locally. A copy of the notice will also be published on Newcastle-under-Lyme Borough Council's website, so you may wish to log in to see who the other candidates are (if any). **These notices will be available on our website as soon as possible after the close of nominations on 23 May and not later than 4pm on 24 May 2024.** When viewing the page, please remember to press “Refresh” on your browser bar to ensure that you have the most up-to-date information available.

Town Councillors hold office for a period of four years (or if elected part way through the cycle, for the remainder of that period only) and retire on the fourth day after the ordinary day of election. The newly elected Councillors take office (provided they have made declarations of acceptance of office) on the day on which their predecessors retire (Local Government Act, 1972, Section 16(3)).

The Chair of a Town Council continues in office until their successor becomes entitled to act as such.

Part 3: Candidates, Nominations, Withdrawal of Candidature and Election Agents

- We **recommend** that you download and keep a copy of the Electoral Commission's Guidance for Parish Council Elections in England

Candidates

STANDING FOR ELECTION

To be eligible to stand as a member of a Town Council, you must be:

- Aged 18 or over at the date of his or her nomination;
- Either be a British citizen, an eligible Commonwealth citizen, a citizen of the Republic of Ireland, or – from May 2024 - a qualifying EU citizen¹ or an EU citizen with retained rights².

Secondly, you must meet at least one of the following four qualifications:

- You are, and will continue to be, registered as a local government elector for the town in which you wish to stand from the day of your nomination onwards;
- You have occupied as owner or tenant any land or other premises in the town area during the whole of the 12 months before the day of your nomination and the day of election;
- Your main or only place of work during the 12 months prior to the day of your nomination and the day of election has been in the town area;
- You have lived in the town area or within three miles of it during the whole of the 12 months before the day of your nomination and the day of election.

If you qualify under more than one heading, it is good practice to include all those which apply.

You will be unable to stand as a candidate if:-

- You are employed by the town council or hold a paid office under the town council (including joint boards or committees); or
- You are the subject of a bankruptcy restrictions order or interim order; or
- You 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 polling day; or
- You have been disqualified under the Representation of the People Act 1983 (which covers corrupt or illegal electoral practices and offences relating to donations); or

¹ A person is a qualifying EU citizen if they are a citizen of a country with which the UK has a bilateral Voting and Candidacy Rights (VCR) treaty and are resident in the UK with any form of leave to remain, or do not require such leave. Currently the UK holds bilateral treaties with the following countries: Denmark, Luxembourg, Poland, Portugal and Spain.

² An eligible Commonwealth citizen is a Commonwealth citizen who either does not need leave to enter or remain in the United Kingdom, or has indefinite leave to remain in the United Kingdom.

- You are subject to the notification requirement of or under Part 2 of the Sexual Offences Act 2003, and the ordinary period allowed for making an appeal or application in respect of the order or notification has passed.

The full range of disqualifications is highly complex and if you are in any doubt about whether you are disqualified, you must do everything you can to check that you are not disqualified before submitting your nomination papers; neither the Returning Officer nor members of the Election Team are able to provide you with guidance on this matter.

It is a criminal offence to make a false statement on your nomination papers as to your qualification for being elected, so if you are in any doubt you should contact your employer, consult the legislation or, if necessary, take your own independent legal advice.

Full details can be obtained online from the Electoral Commission – www.electoralcommission.org.uk

Nominations

NOMINATION PAPER

The first stage in running for election is to submit a **nomination paper**. It is vital that nomination papers are completed correctly.

Whilst it is often the case that the Town Clerk will arrange to distribute nomination papers, it is the responsibility of each Candidate and not the Clerk, to ensure that their papers are submitted to the Returning Officer before the deadline specified within the statutory election timetable.

To be validly nominated, you must complete and submit the following forms:

- Nomination Paper
- Home Address Form (Part 1)
- Candidate's Consent to Nomination
- If you are standing for a political party, you will also need to submit a "Registration of Political Parties" Certificate and (if applicable) the "Request for Use of Registered Party Emblem" (*Additional information is provided under the topic "Descriptions" below*).

Great care should be taken in the completion of nomination papers, to ensure that they are not ruled to be invalid by the Returning Officer. Candidates are advised to ensure that nomination papers are free of errors and crossings out. Correction fluids are not recommended and **could** result in a nomination paper being declared invalid.

Names:

The candidate's full name must be written on the nomination paper – initials alone are not permitted.

Candidates can also use "commonly used names" and, as of May 2024, changes introduced via the Elections Act 2022 now offer greater flexibility in the names that candidates can put on their nomination paper and how this appears on the ballot paper. Guidance on this issue is listed on the Electoral Commission website - <https://www.electoralcommission.org.uk/guidance-candidates-parish-council-elections-england/nominations/completing-your-nomination-papers/nomination-form/commonly-used-names>. It is strongly recommended that you study this in full before using a "commonly used name" on your ballot paper.

Descriptions:

A candidate may, if desired, give a description, which must not exceed six words in length. As this description is what will appear on the printed ballot paper, if a candidate were to write their description as being “Hairdresser – Wavy Hair, Brown Eyes”, that is what will be printed below their name on the ballot paper!

A candidate may not use a description/use an emblem which is likely to mislead voters into believing that they are associated with a political party, unless that description is authorised by a Certificate signed by or on behalf of the Party’s Registered Nominating Officer. Any such request, must be received by the Returning Officer not later than the latest time for the delivery of nomination papers.

Proposers and Seconders:

Each nomination paper must be subscribed by a proposer and seconder, who must be registered local government electors of the appropriate town area and **specific ward** (in the event that the town is “warded” or “grouped”). The electoral numbers (poll numbers) of the proposer and seconder must also be shown on the nomination paper.

You can obtain the relevant poll numbers from the Elections Team by either e-mailing the names and address of the proposer and seconder to electreg@newcastle-staffs.gov.uk or by telephoning 01782 742249.

No person shall subscribe to more nomination papers than there are vacancies in the town or ward if the town is warded.

Candidates should ensure that their full name, (and description, if required) are completed correctly BEFORE they seek a proposer and seconder. They should also offer the nomination paper for signature to each person, so that those details are clearly visible to avoid any confusion as to what they are being asked to sign. Usual signatures should be used and the proposer and seconder names should be printed as signed.

HOME ADDRESS FORM

The Home Address Form allows the candidate to choose whether or not they want their address published or whether it should be shown as the relevant area on election notices and the ballot papers.

There are two parts to the form. **Part 1 must be completed** whether a candidate wishes to publish their address or not. **Part 2 is only to be completed if the candidate wishes not to make their address public**. Further guidance on Home Address Forms can be obtained from the Electoral Commission guidance (Part 2a for independent candidates and Part 2b for political party candidates).

CONSENT TO NOMINATION

Candidates must, on or within one month before the last day and time for the delivery of nomination papers, also deliver to the Returning Officer, a signed “**Candidates Consent to Nomination**”. The consent should contain a statement declaring that on the day of their nomination, they are qualified to be elected and provide details of their qualification. The consent must be attested by an independent witness. The nomination is not valid unless the consent, properly completed and attested, is delivered within the time stated.

WHERE TO SUBMIT YOUR NOMINATION PAPERS

When delivering your nomination papers, it is advisable to wait for them to be checked by the Elections Team before you leave. **Please contact the Elections Team on 01782 742249 to make an appointment.** This is because if an error is discovered, you will be able to take your paper away with you for correction and re-submission before the closing date and time.

Nomination papers should be hand-delivered to Castle House, Barracks Road, Newcastle-under-Lyme, ST5 1BL between the hours of **10am to 4pm** on Monday to Friday, before 4pm on Thursday 23 May 2024.

Other useful information about the nominations process

- One free copy of the Nominal Register of Electors may be supplied for the area in which the candidate is standing – a Register Application Form is enclosed. Please note that Registers may only be supplied after the last date allowed for the Notice of Election to be published (15 May 2024).
- If that person subsequently does not stand or is unsuccessful at the election, the Register must be returned to the Elections Office in Newcastle.
- Please note that candidates/agents may only use their copy of the Register for campaign purposes and must not pass a copy of it on to any other person, or disclose information from it which is not contained in the open version of the register (which is available to the public). This is a strict legal requirement.

CLOSE OF NOMINATIONS

The nomination period will close at **4pm precisely on Thursday 23 May 2024**. Whilst all nomination papers will have been formally lodged, the Team will then go through the process of making final checks before producing the “Statements of Persons Nominated”.

Statements of Persons Nominated will be published on the Council’s website as soon as they become available.

The Statements of Persons Nominated will be published no later than 4pm on **Friday 24 May 2024** so please keep checking on our website for full details. When viewing the website, we would recommend candidates press the “refresh” button, to ensure that they have the most up-to-date webpage on screen. Please refer to the “Kidsgrove Town Council (Newchapel and Mow Cop Ward) by-election 2024 webpage at <https://www.newcastle-staffs.gov.uk/elections-registration-1/kidsgrove-town-council-newchapel-mow-cop-ward-election-2024> .

WITHDRAWAL OF CANDIDATURE

Any candidate wishing to withdraw their candidature must do so in writing and deliver this to the following office ONLY:

*The Returning Officer – Newcastle-under-Lyme Borough Council,
Castle House, Barracks Road, ST5 1BL*

It must be signed by the candidate and one witness, and must be received no later than **4pm on Thursday 23 May 2024**.

A Withdrawal Form, if required, is enclosed as an appendix to this document.

UNCONTESTED ELECTIONS

If the number of people remaining validly nominated after any withdrawals does not exceed the number of Councillors to be elected, those candidates will be declared to be “elected unopposed”. The Returning Officer will give notice of their names to the Town Clerk and to the public, as well as publishing this information on our website.

If there are not enough candidates to fill all the vacancies, the Representation of the People Act 1985, Section 21 allows the elected members, provided there is a quorum (i.e. – one third of the whole number of members with a minimum of three) to co-opt members to fill the remaining vacancies.

If the Town Council fails to exercise the power to co-opt within seven weeks (35 days computed as under paragraph 3) or if there is no quorum, Newcastle-under-Lyme Borough Council may order a fresh election to properly constitute the Town Council.

AGENTS

At Town Council level, candidates are not required to appoint Election Agents. They can however appoint Polling and Counting Agents and also postal vote agents, should they so wish.

Appointment Forms and further information on how these agents can be appointed can be found further on in the guide.

Part 4: Postal and Proxy Voting

- We **recommend** that you download and keep a copy of the Electoral Commission's Guidance on this topic.

ADDITIONAL GUIDANCE

Candidates should refer to the Electoral Commission's Guidance Documents available on their website on the Code of Conduct for Campaigners: electoral registration, postal vote, proxy voting and polling stations.

POSTAL AND PROXY APPLICATION FORMS

If during your canvassing, if you meet an elector who wishes to vote by post, it is sometimes better to check with the Elections Team to see if that person already has a postal vote in place. Every year, we get a large number of duplicate applications, when people have simply forgotten that they have a permanent postal vote in place, or think that they have to re-apply.

Postal and proxy vote application forms can be downloaded from <https://www.electoralcommission.org.uk/i-am-a/voter>

CHANGES TO ABSENT VOTING

As part of the Election Act 2022, absent voters can now apply for a postal or proxy vote online. For every application received online or by paper, an elector will be required to provide their National Insurance Number.

As part of a new initiative, electors will also be able to apply online for a postal or proxy vote if they so wish by visiting:

- For postal vote applications: <https://www.gov.uk/apply-postal-vote>
- For proxy vote applications: <https://www.gov.uk/apply-proxy-vote>

There will also be a limit to how many people a voter can act as a proxy for.

Voters are now also to acting as a proxy for two people, regardless of their relationship.

DEADLINES FOR RECEIPT OF ABSENT VOTE APPLICATIONS

- The final date for **new postal vote applications** or written **cancellation of existing postal votes** is **5pm on Wednesday 5 June 2024**.
- The final date for **new proxy vote applications** is **5pm on Wednesday 12 June 2024**.
- Any appointed proxy who wishes to apply to vote by post on behalf of the elector, must complete a postal proxy application form by **5pm on Wednesday 5 June 2024**.
- The final date for late proxy vote applications on the grounds of a medical emergency, work reasons or because of photo ID is **5pm on Thursday 20 June 2024**.

LISTS OF ABSENT VOTERS

Any candidate may obtain a list of absent voters (postal and/or proxy), by completing and submitting the appropriate form contained in the appendix to this guidance document.

They are entitled to ONE full list only, in either data or paper format. Once a list has been issued, then any subsequent request will only contain the latest updates, rather than being a comprehensive list.

OPENING OF POSTAL BALLOT PAPERS

Sessions for the opening of postal ballot papers will be held at **Meeting Room, FF01** (first floor) at **Castle House** in Newcastle-under-Lyme on the following dates:-

Wednesday 19 to Thursday 20 June

10.00am to 4.00pm

This may finish earlier if daily quantity of post is less.

A final postal vote opening session will be held at **Astley and Queen Elizabeth II Rooms, Castle House, Barracks Road, Newcastle-under-Lyme, ST5 1BL** on polling day, as follows:-

Thursday 20 June

10.30pm

RETURN OF POSTAL BALLOT PAPERS

Candidates or their Agents should **not** collect postal ballot papers on behalf of any elector. Completed ballot packs can either be returned by post or in person to the Returning Officer at Castle House in advance of, or on, polling day. Electors may also return their completed ballot pack to any polling station **within the electoral ward (Newchapel and Mow Cop) only** on polling day between the hours of 7.00am and 10.00pm.

Those who choose to hand their postal vote packs in at a polling station or at the offices of Castle House will only be able to hand in a total of 6 (a voter's own and up to 5 others). The voter will also be asked to fill in a form when handing postal votes in at a polling station or our offices. Based on new legislation, any postal vote packs handed into a polling station or the offices of Castle House by someone who does not complete a form will be rejected and not included in the vote.

Part 5: Tellers, Polling and Counting Agents, Agents for Postal Vote Proceedings

- We **recommend** that you download and keep a copy of the Electoral Commission's Guidance on this topic.

TELLERS

Some candidates appoint Tellers to stand outside polling stations and mark off the poll numbers of electors who have voted. Tellers are not permitted to be inside the polling station other than to exercise their own vote or to vote as a proxy.

Tellers have no legal status and should concern themselves only with checking who has voted. Any other involvement with potential voters could give rise to the risk of allegations of exercising undue influence on voters.

A "Tellers' Do's and Dont's" based on guidance issued by the Electoral Commission can be found later in this document.

POLLING AND COUNTING AGENTS

The Returning Officer must also be informed in writing of any Polling Agent and Counting Agent Appointments by **Thursday 13 June 2024**. The appointment of any such Agents forms part of the statutory timetable and **the deadline must be strictly observed**.

Polling Agents may be appointed, but there is no requirement to do so. Their purpose is to detect personation in a polling station. They may mark their own copy of a register, but no such register will be supplied to them by the Returning Officer. The removal of such a marked copy of the register during the hours of poll is not permitted. No more than one polling agent may be admitted to a polling station at the same time on behalf of the same candidate, and no more than four polling agents may attend any particular polling station. The necessary appointment form for Polling Agents is enclosed at the back of this guide.

Counting Agents may attend the verification and counting of votes to observe the proceedings but are not allowed to touch the ballot papers at any stage of the proceedings.

The timetable for the Count is detailed in the next section.

AGENTS FOR POSTAL VOTE PROCEEDINGS

A Candidate and their Election Agent may attend the opening of postal ballot papers without giving notice in advance, but in addition, named Agents may be appointed to attend the sessions held to open the postal ballot papers.

Daily opening sessions for opening the postal votes will be held at Castle House in Newcastle-under-Lyme from Wednesday 19 June 2024, with final sessions being held at the Count venue on polling day, as detailed in Part 4 of this document.

An appointment form is enclosed with this guide, which must be received no later than the **13 June 2024**.

Attendees will be required to sign "in" and "out" on each occasion that they attend to observe the postal vote opening process at the named venue.

PART 6: Voter ID

Due to changes with the Elections Act 2022, electors who vote in person at a polling station will now be required to show an approved form of photo identification before they can be issued with a ballot paper. A list of accepted ID will be provided on electors' poll cards.

If an elector's photographic identification document has expired it will still be accepted so long as the photograph is still a good likeness, unless it is a temporary Voter Authority Certificate which is not valid for use on the date of poll.

An elector may be required to provide further proof of identity if there is any discrepancy between the name shown on the photographic identification and the name of the elector.

If an elector does not have an approved form of ID, they can apply for a free Voter Authority Certificate. Electors can apply online at <https://www.gov.uk/apply-for-photo-id-voter-authority-certificate>

Paper applications are also available if needed.

Further information on voter ID can be found on NULBC's website at <https://www.newcastle-staffs.gov.uk/elections-registration-1/voter-identification> and on the Electoral Commission website at <https://www.electoralcommission.org.uk/i-am-a/voter/voter-id>

The deadline to apply for a Voter Authority Certificate is **5pm on Wednesday 12 June 2024**.

PART 7: Enhanced Accessibility

The Elections Act 2022 made changes to what help is available to people voting in a polling station. Returning Officers now have a requirement to provide reasonable equipment to assist disabled voters in polling stations where possible.

Each station will have equipment available for electors such as:

- Ramps
- Pencil grips
- Easy grip pencils
- Seating
- Magnifying glass
- Large print ballot papers
- Staff will also assist electors with the voting process if the elector asks for help.

Part 8: Polling Day, Polling Stations and The Count

HOURS OF POLL

The hours of poll will be 7.00am to 10.00pm inclusive. There are however various statutory provisions for a poll not to take place or to be abandoned/adjourned in the event of the death of a candidate or a riot.

POLLING STATIONS

The location of polling stations will be published on the appropriate Notices of Poll, as well as appearing on the Council's website.

Please note that entry to polling stations is restricted to the following parties only:-

- The Returning Officer and his appointed staff
- The Presiding Officer and Poll Clerk(s)
- Voters (and any persons assisting a voter with disabilities)
- Candidate
- Election Agent
- Polling Agent
- Electoral Commission's Accredited Observers
- Police Officers
- Children under the age of 18, accompanying voters

THE COUNT

The venue for the Counting of Votes will be **Astley and Queen Elizabeth II Rooms, Castle House, Barracks Road, Newcastle-under-Lyme, ST5 1BL.**

ENTRY TO THE COUNT

Those people attending **must** present their letter of admittance prior to gaining entry to the venue where the counts are taking place, and will be required to sign against their name on an Attendance Sheet, they will be issued with a wristband which must be worn at all times. Movements of candidates and their agents will be restricted to certain areas only within the venue used for the count.

Please note that once you have submitted your list of attendees, you will not be permitted to make any substitutions to that list.

Part 9: Post-Election Matters

- We **recommend** that you download and keep a copy of the Electoral Commission's Guidance on this topic.

DECLARATION OF ACCEPTANCE OF OFFICE

Successful candidates are not permitted to act as a Councillor until they have made a Declaration of Acceptance of Office. A person elected to the office of a Town Councillor must make this Declaration at or before the first meeting of that Council following their election, or with the prior agreement of the Council, at an alternative time.

Failure to do this will mean their office will become vacant (as noted in Local Government Act 1972, Section 83). The person making the declaration is required to observe the Code of Conduct adopted by the Town Council.

RETURN OF ELECTION EXPENSES

Despite the term "expenses", **election expenses are not refundable**. They relate purely to the costs that a candidate can legitimately incur in promoting his/her candidature, and form a legal document which is made available for public viewing.

Each candidate (whether successful or not) must complete and return a declaration of election expenses incurred during their campaign. It is a legal requirement to complete and return one – even if it shows a "nil" return. **Failure to do so is a reportable electoral offence.**

Election expenses are required to confirm that any expenses incurred by the Candidate do not exceed the authorised amount. The level of campaign expenditure is set at **£960 plus 8p per each registered elector** (or other amount if amended by the Electoral Commission following publication of this document).

Forms for the return of election expenses are contained within your nomination pack.

A breakdown of the amount permissible is shown at **Appendix 2**.

CORRUPT AND ILLEGAL PRACTICES

There are a number of corrupt and illegal practices that candidates should be aware of. Broadly speaking, a corrupt practice involves bribing or using undue influence to obtain votes. An illegal practice might involve the making of a false statement about the personal character or conduct of another candidate, or paying others to canvass, display notices or pay for transport for voters to and from the polling station. **Failing to display the names and addresses of the publisher or printer on any election material is also an illegal practice.**

Part 10: Elections Expenses and the Electoral Campaign

- We **recommend** that you download and keep a copy of the Electoral Commission's Guidance on this topic.

ELECTION EXPENSES

Candidates should complete their election expenses return and refer to the Electoral Commission guidance to ensure their expense returns have been completed correctly.

Staff in the Elections Office are purely the recipients for the elections returns – they are not permitted to advise on how to complete forms or to check their accuracy.

THE ELECTORAL CAMPAIGN

The Electoral Commission's website at www.electoralcommission.org.uk provides invaluable information designed to assist Candidates and their Agents. Please make sure that you visit the site and download any suggested documents.

The Electoral Commission may be contacted:

- by phone on 0333 103 1928
- online at <https://www.electoralcommission.org.uk/about-us/contact-us/contact-us-online>, or
- by post/in person at 3 Bunhill Row, London, EC1Y 8YZ.

DEFINITION OF A CANDIDATE

A person becomes a candidate at an election under the Local Government Act either:-

- On the last day for publication of the notice of election if on or before that day he has been declared by himself (or by someone else) to be a candidate; or
- On the day on which he declares himself (or is so declared by someone else) to be a candidate; or
- On the day on which he is nominated as a candidate at the election (whichever is the earlier).

CANDIDATE'S LITERATURE

Any candidate wishing to publish and distribute election literature should ensure that it bears the name and address of the printer and publisher on it. Please refer to the Electoral Commission's Campaign publicity dos and don'ts guidance, on this issue, as failure to display the names and addresses of the publisher/printer/promoter (as appropriate) on election material is an **illegal practice**.

Election material must **not** be "fly posted" on the highway, on street furniture or any public property. If it is to be displayed on private property, the permission of the owner must be sought in advance. Any such advertisements, posters, etc. relating specifically to a pending election must be removed within 14 days following the close of the poll.

Part 11: Candidates Checklist

As there are a number of key issues to be juggled during the election process, you may find it helpful to run through our Checklist below, to make sure you have done everything required by the dates set out in the statutory election timetable.

	Tick when Complete
NOMINATION PAPER, HOME ADDRESS FORM AND CONSENT TO NOMINATION:	
Remember that the nomination paper, home address form and consent to nomination must be <u>delivered in person</u> and be received by the deadline for receipt of nominations.	
<ul style="list-style-type: none"> • Has the nomination paper been completed with the correct ward name and the date of election? 	
<ul style="list-style-type: none"> • Has the nomination paper been completed with the Candidate's Surname and Forename(s) in full? 	
<ul style="list-style-type: none"> • If required, have the Commonly Used Name sections been completed? 	
<ul style="list-style-type: none"> • Is a Description being used, and if so, is it the approved wording? 	
<ul style="list-style-type: none"> • Have the Proposer and Secunder signed the Nomination Paper and have their polling district numbers been completed? 	
<ul style="list-style-type: none"> • Has the Candidate's Home Address Form been fully completed with the Candidate's name, home address and ward information, together with <ul style="list-style-type: none"> (a) the candidate's full name (b) the candidate's full home address; (c) the candidate's qualifying address(es) and qualifications (d) the attester's full name and full home address? 	
<ul style="list-style-type: none"> • Has the Candidate's Consent to Nomination been fully completed with the Candidate's name, home address and ward information, together with <ul style="list-style-type: none"> (e) all the qualification sections that apply; (f) the candidate's date of birth; (g) the candidate's signature and date of signing; (h) the signature, name and address of a witness? 	
<ul style="list-style-type: none"> • If using a Political Party Description and Emblem, have the necessary consents been completed, countersigned by the Registered Nominating Officer or Authorised Person, and been submitted by the close of the nomination period? 	
WITHDRAWAL OF CANDIDATURE (if required)	
<ul style="list-style-type: none"> • If withdrawing from a particular contest after submitting a nomination paper, have the necessary form(s) been completed, witnessed, and submitted by the due deadline. 	
APPOINTMENT OF AGENTS	
<ul style="list-style-type: none"> • If required, have all the forms for the appointment of polling agents, verification agents, counting agents and postal vote opening agents been completed and submitted to the Returning Officer by the due deadline(s). 	
DECLARATION AND RETURN OF CANDIDATES ELECTION EXPENSES	

<ul style="list-style-type: none"> • Have the “Declaration by Candidates” and “Return of Election Expenses” forms been submitted to the Returning Officer by the due deadline – even if it is a “Nil” return? 	
REGISTER OF ELECTORS and ABSENT VOTERS LISTS	
<ul style="list-style-type: none"> • Have you submitted Register and/or Absent Voter List requests by the due deadline? • For candidates who have withdrawn or were not elected, has the Register of Electors been sent back to Newcastle-under-Lyme Borough Council’s Returning Officer? 	
DECLARATION OF ACCEPTANCE OF OFFICE AND MEMBERS INTERESTS	
<ul style="list-style-type: none"> • For elected candidates, has the Declaration of Acceptance of Office been signed and witnessed? 	
<ul style="list-style-type: none"> • For elected candidates, has a Declaration of Members Interests Form been completed and submitted to Newcastle-under-Lyme Council’s Monitoring Officer as soon as practicable after taking up office? 	

Tellers do's and don'ts

Tellers are usually volunteers for candidates. They stand outside polling places and record the electoral number of electors who have voted. By identifying electors who have not voted and relaying this information to the candidate or their supporters, tellers play an important role in elections and referendums. The candidate or their supporters may then contact the voters who have not yet been to vote during polling day and encourage them to vote.

There should be no more than one teller at a polling station for each candidate at any time. Where a polling place contains more than one polling station with separate entrances, it may be appropriate for there to be tellers at each entrance, but no more than one per candidate.

Tellers have no legal status and voters have the right to refuse to give them any information.

The Returning Officer or their staff may provide further guidance on the activities of tellers.

Tellers must:

- always remain outside the polling station
- only enter the polling station to cast their own vote, to vote as a proxy or to assist a disabled voter
- always comply with the instructions of the Returning Officer and Presiding Officer

Tellers must not:

- be able to see or hear what is happening inside the polling station
- impede, obstruct or intimidate voters on their way in or out of the polling station
- demand any information relating to a voter's elector number, name or address
- ask voters to re-enter the polling station to ascertain their elector number
- have discussions with voters that may give rise to allegations of undue influence (e.g. voting intentions or party affiliations)
- display any campaign material in support of or against any particular political party or candidate other than a rosette or badge

Tellers may

- approach voters for information as they enter or leave the polling station
- display a coloured rosette or badge displaying the name of the candidate, party and/or emblem or description; the rosette/badge should not bear a slogan and must not be oversized

ELECTION EXPENSES

For guidance the expenses below are based on the election fee of **£960 plus 8p per registered elector** on the Register. The expenses should be based on the electorate as at the last day for publication of the Notice of Election.

ELECTORAL WARD	Registered Electors	Limit
Kidsgrove (Newchapel & Mow Cop)	4,494	£1,319.52
<i>Total Electorate</i>	4,494	