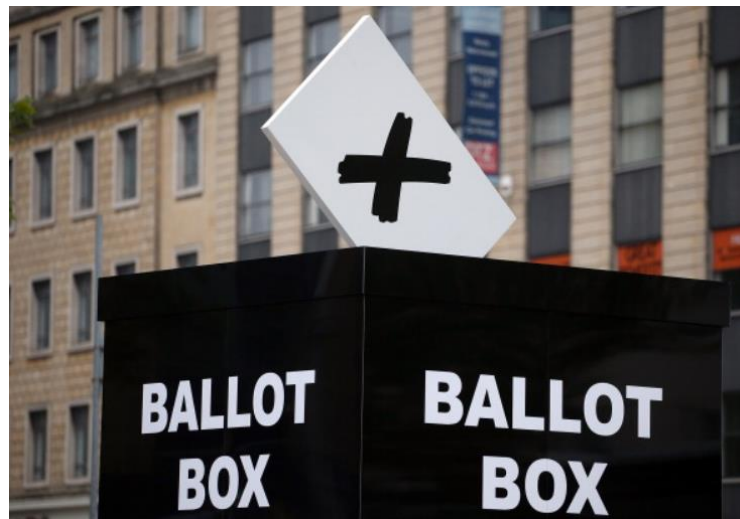


Newcastle-under-Lyme Borough Council



GUIDANCE DOCUMENT FOR PROSPECTIVE BOROUGH CANDIDATES



Town Local Government By-Election
– 23 January 2025

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December 2024

MESSAGE FROM THE RETURNING OFFICER

Hello – My name is **Gordon Mole** and I am the Returning Officer for the Town local government by-election taking place on 23 January 2025.

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 directly.

I would also urge you to make reference to our webpage – “Town ward local by-election 2025” – 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/town-ward-election-2025>

All relevant notices will be published on our website, 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 the spending limits for candidates.

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

<https://www.electoralcommission.org.uk/guidance-candidates-and-agents-local-government-elections-england>

In addition, my Elections Team have provided guidance on the following topics:-

Important Election Information about Nomination Papers

- (1) Election Timetable
- (2) Candidates, Nominations, Withdrawal of Candidature and Appointment of Election Agents
- (3) Postal and Proxy Voting
- (4) Tellers, Polling and Counting Agents, Agents for Postal Vote Proceedings
- (5) Voter ID
- (6) Enhanced Accessibility
- (7) Polling Day, Polling Stations and The Count
- (8) Post-Election Matters
- (9) Elections Expenses and the Election Campaign
- (10) Candidates Checklist
- (11) Appendices and Forms:
 - *Tellers In and Around Polling Places*
 - *Election Expenses per Ward*
 - *Notice of Withdrawal Form*

If you have any issues or concerns during the election process,
please contact the Elections Team during normal office hours:

by phone on **01782 717717**

by e-mail: electreg@newcastle-staffs.gov.uk

or in person at the Castle House, Barracks Road, Newcastle-under-Lyme, ST5 1BL

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 5 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 3 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 3 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 2 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 2 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 13th December) with regards to election campaigning or any correspondence which relates to the election.

Part 1: The Election Timetable

The election timetable is set down in law.

An appointment-booking system is in place for submissions of Nomination Forms. The law states that Candidates (or their Agent/Representative) may only deliver their nomination paper **in person**.

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 Town By-Election Timetable of Proceedings for Thursday 23 January 2025

All deadlines within the timetable must be strictly observed.

Publication of Notice of Election	Friday 13 December 2024
Receipt of Nominations	4:00 pm Monday 23 December 2024
Withdrawal of Candidate	4:00 pm Monday 23 December 2024
Appointment of Election Agents	4:00 pm Monday 23 December 2024
Publication of Notice of Election Agents	4:00 pm Monday 23 December 2024
Publication of Statements of Persons Nominated	by 4:00 pm Friday 27 December 2024
Last Date for Registration	Tuesday 7 January 2025
Receipt of Postal Vote Applications	5:00 pm Wednesday 8 January 2025
Last day for Voter Authority Certificates	5.00 pm Wednesday 15 January 2025
Publication of Notice of Poll	Wednesday 15 January 2025
Receipt of Proxy Vote Applications	5.00 pm Wednesday 15 January 2025
Appointment of Poll and Count Agents	Thursday 16 January 2025
First Day to Issue Replacement Lost Postal Ballot Papers	Friday 17 January 2025
Last Day to Issue Replacement Spoilt or Lost Postal Ballot Papers	5:00 pm Thursday 23 January 2025
Receipt of Emergency Proxy Vote Applications	5:00 pm Thursday 23 January 2025
Day of Poll	7:00 am to 10:00 pm Thursday 23 January 2025
Return of Election Expenses	Thursday 27 February 2025

Part 2: Candidates, Nominations, Withdrawal of Candidature and Appointment of Election Agents

- We **recommend** that you download and keep a copy of the Electoral Commission's Guidance for Candidates and Agents at local government elections in England

Candidates

STANDING FOR ELECTION

To be eligible to stand as a Borough councillor for Newcastle-under-Lyme Council, you **must** be:

- Aged 18 or over;
- Either a British citizen, an eligible Commonwealth citizen, a citizen of the Republic of Ireland, 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 in the Newcastle-under-Lyme Borough Council area in which you wish to stand from the day of your nomination onwards; or
- You have occupied as owner or tenant any land or other premises in the Newcastle-under-Lyme Borough Council area during the whole of the 12 months before the day of your nomination and the day of election; or
- 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 Newcastle-under-Lyme Borough Council area (providing the address of the place of work and where appropriate, the name of the employer); or
- You have lived in the Newcastle-under-Lyme Borough Council area during the whole of the 12 months before the day of your nomination and the day of the 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 local authority or hold a paid office under the authority (including joint boards or committees). Note that you may be 'employed by the local authority' if, for example, you work at certain schools, fire services, police or health services. This list is not exhaustive. or
- You hold a politically restricted post; or
- You are the subject of a Bankruptcy Restrictions Order or Interim Order; 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 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).

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

Nominations

SUBMITTING A NOMINATION PAPER

The first stage in running for election is to submit a nomination paper. When the nomination period closes, if there are more candidates than seats for that particular ward, there will need to be a poll. If there are the same number or fewer candidates than seats for that particular ward, those candidates will be elected unopposed.

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 as a candidate for a political party, you must also return the "Registration of Political Parties" Certificate and (if applicable) the "Request for Use of Registered Party Emblem"

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

If a candidate wishes to use a description, it can only be one of the following:-

- (a) one certified as an authorised or registered description as mentioned in Rule 5 of the election rules, or
- (b) the word 'Independent'.

A candidate may not use a description or 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.

Due to a change with the 2022 Elections Act, it is now a requirement for each nomination paper to have only two subscribers (a proposer and a seconder). The proposer and seconder must both be local government electors of the relevant electoral ward and have their electoral numbers (poll numbers) shown on the nomination paper.

No person shall subscribe to more nomination papers than there are vacancies in that electoral ward.

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

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.

If candidates want to use a “commonly used name” on their nomination paper, they will also need to supply their full given name. Further guidance on the use of “commonly used names” may be obtained from the Electoral Commission guidance.

Completed nomination papers must be submitted to the Returning Officer IN PERSON – not via the postal system - before the deadline for close of nominations – **4pm on Monday 23 December 2024**.

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.

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 same witness who attests the Home Address form). 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 Monday 23 December 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 (13 December 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 Monday 23 December 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” for every electoral ward.

Statements of Persons Nominated for each area will be published on the Council’s website as soon as they become available and no later than 4pm on **Friday 27 December 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 “Town ward local by-election 2025” webpage at <https://www.newcastle-staffs.gov.uk/elections-registration-1/town-ward-election-2025>

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 Monday 23 December 2024**.

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

APPOINTMENT OF ELECTION AGENTS

Candidates do not have to appoint an Election Agent. Where nobody has been appointed, the candidate will be deemed to be their own agent.

The appointment of an Election Agent must be in writing and be submitted by **4pm on Monday 23 December 2024**.

Candidates may change their Election Agent after that date, by giving notice in writing to the Returning Officer.

An Appointment Form, if required, is enclosed as part of your Nomination Pack.

Part 3: 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 is also a limit to how many people a voter can act as a proxy for. The limit is two people, unless the proxy is voting on behalf of UK voters who leave overseas, where the limit becomes four (2 UK voters living overseas and 2 domestic electors or up to 4 overseas electors).

Voters are now also able to act as a proxy for two domestic and two overseas or service electors, regardless of their relationship. Domestic electors are those electors who are neither service voters nor overseas electors.

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 8 January 2025**.
- The final date for **new proxy vote applications** is **5pm on Wednesday 15 January 2025**.
- 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 8 January 2025**.
- 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 23 January 2025**.

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 **FF01, Newcastle-under-Lyme Borough Council, Castle House, Barracks Road, Newcastle-under-Lyme, Staffordshire, ST5 1BL** on the following dates:-

Wednesday 22 to Thursday 23 January 2025 10.00am to 4.00pm

This may finish earlier if daily quantity of post is less. If you prefer to check this with us beforehand please contact the Elections Team on 01782 742249.

A final postal vote opening session will be held at the **Astley & Queen Elizabeth II Rooms, Newcastle-under-Lyme Borough Council, Castle House, Barracks Road, Newcastle-under-Lyme, Staffordshire, ST5 1BL** on polling day (23 January 2025). The time of this session will be confirmed on the Postal Voting Agent appointment letter.

RETURN OF POSTAL BALLOT PACKS

Candidates or their Agents should **not** collect postal ballot papers on behalf of any elector. Further information on this can be found in Electoral Commission guidance at the following link: <https://www.electoralcommission.org.uk/code-conduct-campaigners-uk-parliamentary-general-elections-great-britain-local-elections-england/postal-voting-documents>. Completed ballot packs can either be returned by post or in person to the Returning Officer in advance of, or on, polling day. Electors may also return their completed ballot pack to any polling station **within the electoral ward (Town)** on polling day between the hours of 7.00am and 10.00pm on polling day.

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 4: 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 16 January 2025**. 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 as part of your Nomination Pack.

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.

Two opening sessions for opening the postal votes will be held at FF01, Newcastle-under-Lyme Borough Council in Newcastle-under-Lyme from Wednesday 23 January 2025, with a final session being held at the Count venue (Astley & Queen Elizabeth II Rooms, Newcastle-under-Lyme Borough Council) on polling day, as detailed in Part 3 of this document.

An appointment form is enclosed as part of your Nomination Pack, which must be received no later than **Thursday 16 January 2025**.

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 5: Voter ID

Due to recent 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 please see the Electoral Commission website or contact the Electoral Services Office for more information.

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 15 January 2025**.

Part 6: 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 7: 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 & Queen Elizabeth II Rooms, Castle House, Barracks Road, ST5 1BL on Thursday 23 January 2025 at 10.30pm.**

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 8: 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. This must be done within two months of the date of the election. If no such Declaration is made within the specified time, their office will become vacant and must be re-advertised.

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 for each Ward 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 9: 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

Within the nomination pack, there is a comprehensive guide detailing how Candidates and/or their Agents should complete their election expenses return.

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
- by e-mail on info@electoralcommission.org.uk, 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 Part 4 of the Electoral Commission's 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 10: 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 attestor'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 PER WARD

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
Town	4,077	£1,286.16
<i>Total Electorate</i>	4,077	

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Request for the Electoral Register (Campaign Purposes) – January 2025

Name of Electoral Ward	
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This completed form must be submitted to the **Electoral Registration Officer, Elections Office, Castle House, Barracks Road, Newcastle-under-Lyme, ST5 1BL** or can be scanned and e-mailed to electreg@newcastle-staffs.gov.uk
 The form must be completed by the **Candidate**.

SUPPLY AND USE OF THE ELECTORAL REGISTER INFORMATION

Name of Candidate	
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I declare that I am a candidate / party list election agent at the above named election. I will use my copy of the electoral register for electoral purposes and checking the validity of donations only. I will only allow others who are assisting me in my campaign to use my copy of the electoral register for the same purposes only. I understand that any use other than for electoral or donation checking purposes is illegal and is punishable by a fine. In England and Wales, the fine is unlimited; in Scotland the fine can be up to £5,000. My request is for the register as at the last date for notice of election and any revisions or notices of amendment while I am a candidate.

Candidate's Signature	
-----------------------	--

REGISTER DELIVERY DETAILS

My application is for the electoral register in (tick one box only):

Paper format		
Data format		

Postal Delivery Address or Email Address for Data Versions:	<i>Registers send via e-mail will be password protected</i>
---	--

CONTACT DETAILS (in case of query)

Telephone	
Mobile	
Email <i>(if not used above)</i>	

NOTE: *This Electoral Register can only be supplied, at the earliest, on the last date allowed for the Notice of Election to be published (13 December 2024).*

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Request for the Absent Voters List – January 2025

Name of Electoral Ward	
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This completed form must be submitted to the **Electoral Registration Officer, Elections Office, Newcastle-under-Lyme Borough Council, Castle House, Barracks Road, Newcastle-under-Lyme, ST5 1BL** or can be scanned and e-mailed to electreg@newcastle-staffs.gov.uk
The form must be completed by the **Candidate**.

SUPPLY AND USE OF THE ABSENT VOTER LIST INFORMATION

Name of Candidate	
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- I declare that I am a Candidate at the above named election.
- I will use my copy of the Absent Voter List (postal and/or proxy voters list) for **electoral purposes only**.
- I will only allow others who are assisting me in my campaign to use my copy of this data for the same purposes only.
- I understand that any use other than electoral purposes is illegal, with a maximum **fine of £5,000**.

Candidate's Signature	
-----------------------	--

APPLICATION AND DELIVERY DETAILS

My application is for the following Absent Voter Lists:- *(Tick as many boxes as you wish)*

• The current list of postal voters		
• The current list of proxy voters		
• The final list of postal voters		
• The final list of proxy voters		

Please supply the information in the following format:- *(Tick one box only)*

Paper format		
Data format		

Postal Delivery Address or Email Address for Data Versions:	<i>Lists sent via e-mail will be password protected</i>
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CONTACT DETAILS (in case of query)

Telephone	
Mobile	
Email <i>(if not used above)</i>	

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BOROUGH COUNCIL ELECTIONS – January 2025

NOTICE OF WITHDRAWAL

For use by a Candidate validly nominated for a
BOROUGH WARD of NEWCASTLE-UNDER-LYME COUNCIL
To be completed by Candidates withdrawing their nomination.
This form must be delivered to the Returning Officer, Elections
Office, Newcastle-under-Lyme Borough Council, Castle House,
Barracks Road, Newcastle-under-Lyme, ST5 1BL
by 4pm on Monday 23 December 2024

ELECTION OF A BOROUGH COUNCILLOR FOR NEWCASTLE-UNDER-LYME COUNCIL

Name of Electoral Ward

Election Date

23 January 2025

I (*Candidate's Name*)

I (*Candidate's Address*)

having been validly nominated, **withdraw** my nomination as a Candidate for the above Election.

SECTION 1 – To be completed by the Candidate in the presence of a Witness

Signature of Candidate

Date

SECTION 2 – To be completed by Witness

Signature of Witness

Print Name of Witness
(in BLOCK CAPITALS)

Date

For Official Use Only

Date Lodged

Time Lodged

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NEWCASTLE-UNDER-LYME COUNCIL - BOROUGH ELECTION

Form for the Appointment of Agent(s) to Attend the Opening of the Postal Votes

DEADLINE FOR SUBMISSION: Thursday 16 January 2025

Please return your completed form to the Returning Officer, Elections Office, Castle House,
Barracks Road, Newcastle-under-Lyme, ST5 1BL

- Postal Votes will be opened daily at FF01, Newcastle-under-Lyme Borough Council, Castle House, Barracks Road, Newcastle-under-Lyme, Staffordshire, ST5 1BL on Wednesday 22 January and Thursday 23 January 2025 inclusive. A Final Opening Session will be held in the Astley & Queen Elizabeth II Rooms, Newcastle-under-Lyme Borough Council, Castle House, Barracks Road, Newcastle-under-Lyme, Staffordshire, ST5 1BL.
- Should you wish to appoint an Agent (**one only**) to attend any of the Opening Sessions or the Final Opening Session on 23 January 2025, please complete this form with the relevant person's details.

BOROUGH CANDIDATE DETAILS	
Candidate Name	
Electoral Ward	
I hereby give you notice that I have appointed the following person to attend the OPENING OF POSTAL VOTES (22 January and 23 January 2025) at FF01, Newcastle-under-Lyme Borough Council and the Final Opening Session held in the Astley & Queen Elizabeth II Rooms, Newcastle-under-Lyme Borough Council on Thursday 23 January 2025.	
NAME	ADDRESS

SIGNED: _____ **Date:** _____

[Candidate] [Election Agent] *Please delete as appropriate*

FOR OFFICE USE ONLY	Date Rec'd	Processed By

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NEWCASTLE-UNDER-LYME COUNCIL BOROUGH ELECTIONS

Form for the Appointment of Counting Agents & Guests

DEADLINE FOR SUBMISSION: THURSDAY 16 JANUARY 2025

Please return your completed form to the Returning Officer, Elections Office, Castle House,
Barracks Road, Newcastle-under-Lyme, ST5 1BL
Once this form has been lodged NO SUBSTITUTIONS can be made to those people listed.

The VERIFICATION OF VOTES and COUNTING OF VOTES will take place at:
Astley & Queen Elizabeth II Rooms, Castle House, Newcastle-under-Lyme Borough Council,
Barracks Road, Newcastle-under-Lyme, ST5 1BL
Commencing at 10.30pm on THURSDAY 23 JANUARY 2025

Entry to the Counting venue will be strictly monitored and Candidates, their Appointed Agent(s) and Guest(s) MUST produce their official appointment letter to gain entry.

Each Candidate is able to attend in person and may also appoint a maximum of TWO Count Agents and ONE guest.

BOROUGH CANDIDATE DETAILS	
Candidate Name	
Electoral Ward	
I hereby give you notice that I have appointed the following person(s) to attend the VERIFICATION and COUNTING OF VOTES on Thursday 23 January 2025.	

	GUEST NAME	ADDRESS FOR ENTRY LETTER
(1)		

	COUNT AGENT NAME	ADDRESS FOR ENTRY LETTER
(1)		
(2)		

SIGNED: _____ **Date:** _____

[Candidate] [Election Agent] *Please delete as appropriate*

FOR OFFICE USE ONLY	Date Rec'd		Processed By
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NEWCASTLE-UNDER-LYME COUNCIL BOROUGH ELECTIONS Appointment of polling agents

DEADLINE FOR SUBMISSION: THURSDAY 16 JANUARY 2025

Please return your completed form to the Returning Officer, Elections Office, Castle House,
Barracks Road, Newcastle-under-Lyme, ST5 1BL
Once this form has been lodged NO SUBSTITUTIONS can be made to those people listed.

Polling agents can be appointed using this form by the candidate or their election agent.

You are allowed two Polling Agents for the Town By-election.

Local authority:	NEWCASTLE UNDER LYME
Name of ward/division/constituency/region	Town
Name of candidate (Optional: include description, if any):	
Signature of candidate or election agent:	

I appoint the following people as polling agents:

Name and address of polling agent (include postcode)	List of polling stations to which they are appointed
1.	
2.	