



To: Prospective candidates

Your ref:

My ref: Nominations

Date: 28 February 2022

Dear Sir/Madam

Election – St Ives Town Council – St Ives West Ward – 7 April 2022

In response to your recent request I enclose a nomination pack for the above-mentioned election. This pack contains all the information you should require to stand as a candidate in this election.

Polling Day and Requirement of Secrecy

Polling will take place between the hours of **7.00 a.m.** and **10.00 p.m.** on **Thursday 7 April 2022.**

I am required to ensure that every person attending at a Polling Station (otherwise than for the purpose of voting or assisting a blind voter or as a Constable on duty there) or attending at the opening of postal ballot envelopes or attending at the counting of votes (other than any Constable on duty at the counting) has been given a copy, in writing, of the appropriate sub-sections of Section 66 of the Representation of the People Act, 1983 relating to the requirement for secrecy.

A copy of those sub-sections will be supplied to the persons appointed by you in connection with the various proceedings detailed in this letter. In the meantime, I enclose a copy of the relevant sub-sections for you which cover proceedings in connection with the poll.

Nomination Paper and Consent to Nomination

Legislation still requires that all nomination papers have to be delivered in person/by hand – any received by post will be invalid.

Withdrawal of nominations closes at the same time as receipt of nominations.

Please see the enclosed notice providing details of where and when nomination papers will be accepted. The deadline for receipt of papers is **4pm on Friday 11 March.**

If you are standing as a political party candidate, I would particularly draw attention to the Certificate of Authorisation form (**2**). Please note that this form must be completed, if appropriate, and signed by the party's nominating officer or his/her

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representative, who has previously been notified in writing to me, and submitted with your Nomination Paper (**1a**), Home Address Form (**1b**) and Consent to Nomination (**1c**). **Nomination Papers must be submitted in person to the Deputy Returning Officer by 4pm on Friday 11 March 2022.**

I would be grateful if you would comply with the following procedure:

We will offer the facility of informally checking your nomination papers, as they may help uncover any errors before the formal submission. **Only one person will be allowed admission to submit the papers. Please book an appointment** for the submission of your nomination papers and then wait to have them checked by Electoral Services staff, **telephone (01209) 614373.**

Please wear a face covering (unless you have a medical exemption) when attending council offices.

It is important to understand that the Returning Officer cannot be held responsible for failing to identify an error or omission during the informal check – the correct completion of the nomination form remains the responsibility of the candidate and agent.

You should bear in mind that if a Nomination Paper delivered on the last day for nominations is rejected, you may have insufficient time to prepare a new one. It is advisable, therefore, for you to deliver your Nomination Paper as early as possible.

At previous elections a number of candidates have had papers rejected because they were not completed correctly. The following guidelines should therefore be borne in mind when completing the Nomination Papers:

◆	It is important that great care is taken in completing the Nomination Paper, as any alterations on it may cause it to be rejected. (Please do not use correcting fluid, such as Tippex; any error should be neatly crossed through, amended and clearly initialled.)
◆	Please ensure that before any signatures are entered on the Nomination Paper you fill in all the relevant details in the top half of the form i.e. your surname, your other names in full, your commonly used surname (if any), your commonly used forenames (if any), your description (if any).
◆	Although descriptions such as `Mr`, `Mrs` and `5ft 2in brown haired` are legal and have been used in the past, they are not really what is meant by description. More useful descriptions, which could help electors decide who to vote for, are `Retired Farmer`, `Independent`, `Against the By-Pass` etc'. (Political party names can only be used with the written permission of the party concerned.) The description must be no more than 6 words.
◆	Candidates do not have to give a description and can leave the description box blank.
◆	If you want the word `independent`, to appear on the ballot paper underneath your name, you need to state this on the nomination form.

◆	If you wish to stand as a political candidate and have an emblem you must complete Forms 2 and 3 - 'Certificate of authorisation and Request for a Party Emblem'. Form 2 must be signed by the party's Nominating Officer or appointed local representative (Delegated Nominating Officer). Political Party descriptions on nomination papers must match exactly the registered description or party name as stated on the Certificate of Authorisation.
◆	The polling district reference and elector's number can be obtained by calling Electoral Services on 01209 614373
◆	Individual electors may nominate as many candidates as there are vacancies. Family members can sign the Nomination Paper providing that they are eligible to vote in the election and are on the register.
◆	You should make any person who subscribes your nomination aware that under electoral legislation we are required to publish the names of subscribers, in the notice of poll.
◆	No alterations may be made to a Nomination Paper once it has been completed and signatures entered upon it. Descriptions cannot be added later.
◆	On the Consent to Nomination, the candidate only has to fulfil one of the 4 qualifications in order to be validly nominated. However, it is good practice to complete as many qualifications as apply in case the qualification chosen is ever challenged.
◆	The Consent to Nomination form must be signed and dated by the candidate. The date must be on or within 31 calendar days before the last day for the delivery of nomination papers.
◆	Please note that the age at which an elector can stand for election has been lowered from 21 to 18 and that there is now a requirement to include your date of birth on the Consent to Nomination form.
◆	All candidates must complete part 1 of the Home Address form. This form must be signed by the same person who signs to witness your Consent to Nomination form. A candidate must only complete part 2 of the Home Address form if they do not want their home address to be made public.

Register of Electors

You are only entitled to receive a copy of the Full Version of the Register of Electors after the close of nominations. **This will be provided to you as long as you have completed the request form that we supplied with your nomination pack.** As you need to know the proposer and seconder's electoral numbers to complete your nomination paper please telephone **01209 614373** to ascertain this information before submitting your nomination paper.

The Register that will be supplied is a copy of the **March Register of Electors** and should be used for all purposes associated with this election along with the Notices of Alteration supplied during the election. Please note that a copy of the Polling Day Register will be available upon request after Wednesday 30 March 2022.

Misuse of the information contained in the Register is subject to a fine of £5,000.

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Candidate's Literature

Electoral law still requires that every item of election literature must have the name and address of the printer and promoter shown on the face of the document. A factsheet is enclosed for your guidance.

The Electoral Commission has advised that all electronic communication should carry a statement about where it originates and who is promoting it.

Candidates who have "blogs" or websites and use these methods to promote their candidacy should account for any costs in their 'Return of Election Expenses'. When using "blogs" or websites, candidates should keep in mind section 106 of the RPA 1983, which talks about false statements about other candidates. The candidate should take as much care over the content of the material as they would over the same material if it was being printed.

Highways

Cornwall Council, as Highway Authority, does not give any permission to any person or body to place election posters or other election material within highway limits, or on street lighting columns, traffic signs or other street furniture. Candidates and Election Agents are advised that any election poster or material should not be sited or displayed in a manner which obscures any highway sign or creates a safety risk or hazard to the use of the highway. Any signs or posters erected in contravention of these requirements are liable to be removed or may result in the responsible person(s) being asked to remove them.

For all enquiries related to this matter, please contact the call centre on 0300 1234 222 or neighbourhoodplanning@cornwall.gov.uk

Polling Agents

Candidates are required to notify me of the appointment of any Polling Agents by not later than **Thursday 31 March 2022**. Only four or less Polling Agents may be appointed for any one Polling Station and not more than one such Agent may be admitted to a Polling Station at any one time. The task of such Agents is to detect personation and plurality of voting. Although Candidates are entitled to make such appointments it is, in fact, rarely done in local elections. However, I enclose a form (5), for notifying me of the appointment of Polling Agents if required.

I should point out that Polling Agents are not the same as Candidates' "Tellers" who have no official standing and are usually seen marking off the electoral registration numbers of persons who are entering a Polling Station to cast their votes. "Tellers" are not permitted inside the Polling Station and must not intervene or interfere with the election.

Issue of Postal Ballot Papers

Postal ballot papers will be issued from our mailing house and these will be despatched around Friday 25 March 2022.

Opening of Postal Voters' Ballot Box

The first opening of the postal voters' ballot boxes will take place at County Hall, Treyew Road, Truro, TR1 3AY on Tuesday 5 April 2022 at 9.30am followed by an opening on Thursday 7 April, 2022 at 9.30am and a final opening at the count venue on Thursday 7 April, 2022 at 10pm or as soon as practicable thereafter. Please note that these ballot papers will be placed face down until 10pm on 7 April.

The Candidate, and one other person appointed by the Candidate may attend those proceedings. Candidates should notify me, in writing on form (6), of such appointment if any, who will be attending those proceedings.

Due to covid restrictions these numbers will be limited, and you will need to wear a face covering (unless you have a medical exemption) when attending.

Counting of Ballot Papers

The Counting of Votes will take place at The Guildhall, Street -An-Pol, St Ives TR26 2DS on Thursday 7 April 2022 at 10.00pm or as soon as practicable thereafter. The candidate, a guest, and a **Counting Agent** are entitled to attend all of the above proceedings. Admission will be by ticket only.

Candidates must supply me with the name and address of the person (if any) appointed as a Counting Agent to attend those proceedings by not later than **Thursday 31 March 2022** and form (7) should be used for that purpose. An admission ticket will be supplied to that person.

Due to covid restrictions these numbers will be limited and you will need to wear a face covering (unless you have a medical exemption) when attending.

Party Colours, Badges Etc.

Tellers and Polling Agents etc. are permitted to wear party colours. However, these should not be endorsed in any way.

Lapel badges, posters, stickers, or rosettes, bearing the name of any party, candidate, or encouraging voters to vote for any particular candidate or party must NOT be worn or displayed on, or within, any part of the Polling Station.

Candidate's Election Expenses

The spending limits apply to the 'regulated period' – the period between the date a person becomes a candidate and polling day – see the Electoral Commission's "Candidate spending return and declaration for parish elections in England" for further information.

A candidate's election expenses have been increased to £806 plus 7p for every entry of a person on that part of the register of electors to be used at your election. Where there are two joint candidates the maximum is reduced by a quarter (25%) and where there are more than two joint candidates the maximum is reduced by a third (33%).

Your expenses forms should be completed and returned by not later than **Thursday 5 May 2022.**

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If you are the person elected, you should note, that if you fail to deliver your expenses forms before the expiry time you must not, sit or vote in any parish/town council meetings. If you do so, you are liable to a fine of £50 for every day in which you sit or vote until your expenses have been returned.

Please note this return is required for the purpose of checking that the expenses incurred do not exceed the authorised amount and does not, of course, entitle the candidate to any refund of such expenses from the Council.

NIL Returns should also be made by candidates who do not incur any expenses. Everyone who stands for election needs to complete their expenses returns (even if the election is uncontested and no poll is needed).

General

A description of the Polling Districts, Polling Stations and the persons entitled to vote thereat will be found in the appropriate Notice of Poll, a copy of which will be sent to you when it has been printed.

Further independent guidance and advice can be obtained from:

Electoral Commission: www.electoralcommission.org.uk

telephone: 020 7271 0500; e-mail: info@electoralcommission.org.uk

**For Independent candidates: Local Government Association
Independent Group - www.local.gov.uk/lga-independent**

telephone: 020 7664 3224; e-mail: Independent.GroupLGA@local.gov.uk

If you require any further information or advice, please do not hesitate to contact me.

Yours faithfully



Kate Kennally
Returning Officer
Tel: 01209 614373

Disclaimer:

Any guidance contained in this pack should not be relied on as legally definitive and the Returning Officer cannot accept responsibility for any errors or omissions, or any act arising from them. If in doubt, candidates and agents are advised to refer to the appropriate legislation and seek their own legal advice.

If you would like this information in another format, please contact:
Cornwall Council, County Hall, Treyew Road, Truro TR1 3AY
Telephone: 0300 1234 100