



ORDINARY ELECTIONS FOR

PARISH COUNCILS

Notes for the Guidance of Town and Parish Council
Clerks and Existing/Prospective Councillors

Andy Wright
Returning Officer



LIVE IN THE BRAINTREE DISTRICT?

BRING

**TO
VOTE
ON 2**

MAY 2019



**BRAINTREE DISTRICT COUNCIL
IS TAKING PART IN A CABINET
OFFICE SCHEME TO TEST WAYS OF
PROTECTING YOUR VOTE.**

**In order to vote at a Polling
Station in the Braintree District**
you will need to show either
1 piece of Photo ID or 2 pieces of
Non Photo ID before you are given
your ballot paper.

We will be writing to every
household in February 2019 to let
you know what these are.

Further information will be published on our
website at www.braintree.gov.uk/VoterID
call 01376 552525
email csc@braintree.gov.uk



INTRODUCTION

We are fast approaching the time when our respective Councils are dissolved and Councillors decide whether to stand down or seek re-election.

As Returning Officer for the Braintree administrative area I am responsible for all Electoral Registration and the overall conduct of Elections. It is my hope that you, as either Clerk or Councillor, will find the notes contained within this guide both informative and helpful.

I have summarised below the key points:

- ▶ The ordinary Town/Parish elections are scheduled to be held on 2 May 2019.
- ▶ On 2 May 2019 **ALL** seats are offered for election.
- ▶ Existing Councillors will however remain in post until they officially retire on 6 May 2019 (four days after the day of the election), when the new council comes into office.
- ▶ Any Town/Parish Councillors who **would like to continue to be a Councillor **MUST seek re-election**** by, in the first instance, completing and submitting the statutory Nomination Paper to the Returning Officer, there is no alternative process.
- ▶ Where there are more Nominated Candidates than seats, formal elections will be held and combined with elections to Braintree District Council.

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Returning Officer



THE NOMINATION PROCESS

The Returning Officer will, nearer the date of election, publish a generic Town and Parish Nomination pack on the District Council website (www.braintree.gov.uk) and would seek Clerks assistance in promoting this to all councillors who wish to seek re-election.

If your Parish is warded it may be appropriate to consider checking/ co-ordinating nominations to avoid having an election in one ward and insufficient candidates in another.

Candidates must be a British, Commonwealth, Irish or European Union citizen and aged 18 or over.

The nomination period is between 9.30 am and 4.00 pm on each working day from Wednesday 27 March 2019 until the close of nominations at **4.00pm on Wednesday 3 April 2019.**

This deadline cannot be extended for any reason.

The nomination period is also the period during which you can withdraw your nomination.

FILLING IN YOUR NOMINATION

The Nomination pack contains:

Mandatory forms without which you cannot be nominated

The Nomination Paper

Home address form

Consent to Nomination

Optional forms

Appointment of Agents and Counting Agents

Authorisation to use Political Party Name

Authorisation to use Political Party Logo

THE NOMINATION PAPER requires the following:

Full name

Proposer and Seconder must be registered electors from the Town or Parish (ward where appropriate). They must sign the nomination and include their electoral number. This number can be found on individual Poll Card or on the Clerks copy of the Electoral register.

Note: Supporters can support as many candidates as there are vacancies.

The following are Optional:

Description (maximum of 6 words). The description of a candidate is optional. If you wish to use a political party description you **MUST** provide the party's authorisation.

Commonly used surname or forename

Candidate may choose to use either, provided that it is **different** from their full name eg:

Full name	Stephen Peter Smith	
	Stephen Smith	Not Allowed
	Peter Smith	Not allowed
	Steve Smith	Allowed
	Pete Smith	Allowed

HOME ADDRESS FORM

Part 1: This part **MUST** be completed

Part 2: This part is **OPTIONAL**

- completion of part 2 will stop publication of your address on Ballot paper and Public Notices

CONSENT TO NOMINATION FORM

A candidate must also complete the Consent to Nomination form which is included in the nomination pack.

Candidates must fulfil and indicate at least one of the following qualification criteria:

- 1** Be on the electoral register for the parish,
- 2** During the twelve months before close of nominations have owned or occupied land or property in the parish,
- 3** During the twelve months before close of nominations have their main place of work in the parish,

- 4** During the twelve months before close of nominations reside in the parish or within 4.8 kilometres (3 miles) of it.

Forms must also include:

The consent form must be **signed and dated** by the candidate within 1 calendar month of close of the nominations.

Candidates Date of Birth

Witness signature (this can be any person including spouse, partner or relative known to the Candidate)

IMPORTANT

*Whilst Legislation requires that **All** Nomination and Consent to Nomination forms **must be hand delivered** to the Returning Officer's office, Causeway House, Bocking End, Braintree, CM7 9HB it does not specify who actually completes the delivery.*

Candidates are however advised that following legal opinion the following methods of delivery are Not permitted:

Electronic delivery
Royal Mail

Certain people are disqualified from standing, and these include paid officers (including the Clerks) of the council, bankrupts and those subject to recent sentences of imprisonment.

PUBLICATION OF PUBLIC NOTICES

Following Close of Nomination the Returning Officer is required to publish a number of Notices for all elections in your area and these can be viewed on the District Council website www.braintree.gov.uk. The Returning Officer would also be grateful if Clerks could assist by publishing both District and Parish Notices on their noticeboards and websites as and when requested:

District Council Election

- ▶ Statement of Persons Nominated and Notice of Poll
- ▶ Notice of Poll and Situation of Polling Stations
- ▶ Declaration of Result

Town/Parish Election

Contested

- ▶ Statement of Persons Nominated and Notice of Poll
- ▶ Declaration of Result

or

Uncontested

- ▶ Notice of Uncontested Election

Useful Links

Parish Clerks; you can contact Parish clerks by following this link <http://braintree.cmis.uk.com/braintree/ParishandTownCouncils.aspx>

Election and Nomination details <https://www.braintree.gov.uk/elections>

Electoral Commission

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

POST ELECTION ACTION

Declaration of Election Expenses

ALL candidates in Contested and Uncontested elections, whether elected or not are required to submit a Declaration of Election Expenses to the Returning Officer within 30 days of the Declaration of Result.

Note – Where candidates have not incurred any expenditure a **Nil return is required.**

All newly elected Councillors will be contacted by their Clerk who will advise you of the date of the first meeting and arrange for you to complete the following documents:

Acceptance of Office

Clerks are also reminded that a Declaration of Acceptance of Office form should be signed by each councillor and attested by a Member of the Parish Council or the Clerk before or at the first meeting of the council after their election.

Declaration of Interest

All members will need to register their interests within 28 days of taking office by completing a Register of Interests Form. This requirement applies to all members. If members are re-elected to office we advise that they must complete a new form. These forms will normally be collected by your Clerk, and copies sent to the District Council Monitoring Officer.

Failure to complete this form within the prescribed timescale is a criminal offence.