

PARISH COUNCIL NOMINATION PACK
INDEPENDENT CANDIDATE

You must print off the forms in this pack before submitting them
CLOSE OF NOMINATIONS IS NOT LATER THAN 4PM, WEDNESDAY
3rd APRIL 2019

The following papers must be delivered by hand:

- 1a: Nomination paper
- 1b: Home address form
- 1c: Candidate's consent to nomination

The following papers can be delivered by hand or by post:

- 2: Appointment of Counting Agents
- 3: Appointment of Postal Vote Agents
- 4. Appointment of Polling Agents

The notice of election published by the Returning Officer will specify the times and exact location to which nomination papers must be delivered to the Returning Officer, Sedgemoor District Council, Bridgwater House, King Square, Bridgwater, TA6 3AR

Ensure that where signatures are required, you submit the **original signed version** of each completed paper. Documents without original signatures cannot be accepted.

General Data Protection Regulation (GDPR) – Candidate Requirements

Revised data protection legislation applies from 25 May 2018 and will apply to the processing of all personal data. Please contact the [Information Commissioner's Office](#) for further information about how the General Data Protection Regulation affects you.

When collecting subscriber information, you should point out what the information will be used for, how personal data will be processed and kept secure. The lawful basis to collect the information in this form is that it is necessary for the performance of a task carried out in the public interest and exercise of official authority as set out in Representation of the People Act 1983 and associated regulations.

You should also explain that the information will be shared with the Returning Officer. For further information on data protection and data processing, you should refer to the Returning Officer's privacy notice enclosed..

Privacy Notice – Candidates and Agents

The Chief Executive of Sedgemoor District Council is the Data Controller for information held in connection with electoral registration and elections.

The Data Protection Officer can be contacted by emailing: foi@sedgemoor.gov.uk.

What data we need to collect and the legal basis for processing it:

To provide this service, we will process information about Candidates and Agents at an election as it is our legal obligation. These records include:-

- Basic details for example, name, address, date of birth and nationality
- Contact details that have been provided to us
- Expense returns

How long we will keep your data for:

Data will be kept until the election period is finished and there has been no call for an election petition. Generally 1 year.

The declaration of results, which contains the candidate's name is made publicly permanently.

Why we need to collect your data:

We are collecting and processing this data in order to register their candidacy and meet our legal obligations.

Who the data might be shared with

- Names and addresses of candidates are made available to the public (unless specifically requested otherwise)
- Agent information is made public for district level and above elections.
- Electoral Commission
- Cabinet Office
- Returning Officer

Your rights as a data subject:

You have the right to have your details removed from the pool of potential employees held by Electoral Services to aid staffing future electoral events.

We want to make sure that your personal information is accurate and up to date. You may ask us to correct or remove information you think is inaccurate. We ask that you give us accurate information, and that you tell us as soon as possible if there are any changes, such as a new address.

All individuals have certain rights under the Regulation and this includes the right to request access to your own data, the right to request your information to be erased and the right to request that your information is corrected. If you would like more information about this please contact the Data Protection Officer at foi@sedgemoor.gov.uk.

Further information and contact details

Please contact us if you have any questions about our privacy policy or information we hold about you:

Data Protection Officer, foi@sedgemoor.gov.uk

you may complain to: The Information Commissioner at www.ico.org.uk

District & Parish Election in Sedgemoor – Thursday 2nd May 2019

Timetable of proceedings

Event	Election	Working days before poll (deadline if not midnight)	Date
Publication of notice of election	District & Parish	Not later than 25 days	Monday 18 March
Delivery of nomination papers	District & Parish	From the date stated on the notice of election up to 4pm on the 19 th working day before the election	4 pm Wednesday 3 April
Deadline for withdrawals of nomination	District & Parish	19 days 4pm	4pm on Wednesday 3 April
Deadline for appointment of election agent	District	19 days (4pm)	4pm on Wednesday 3 April
Publication of statement of persons nominated	District & Parish	20 days (4pm)	4pm on Thursday 4 April
Last date for Registration	District & Parish	12 days	Friday 12 April
Last day to receive new Postal/Postal proxy applications or make changes to existing	District & Parish	11 days	5pm on Monday 15 April
Last day to receive new Proxy applications	District & Parish	6 Days	5pm on Wednesday 24 April
Publication of Notice of Poll	District & Parish	6 Days	Wednesday 24 April
Appointment of polling & counting agents	District	5 Days	Thursday 25 April
Polling Day	District & Parish	7am – 10pm	Thursday 2 May
Return of election expenses	District	Not later than 35 calendar days after the date the election result is declared	Thursday 7 June
Return of election expenses	Parish	Not later than 28 calendar days after the date of the election	Thursday 30 May

This checklist is designed to assist candidates standing in a parish council election¹ in England in preparing to submit their nomination, and should be read alongside the Electoral Commission's [Guidance for candidates and agents](#).

Task	Tick
Nomination paper (all candidates)	
Add your full name – surname in the first box and all other names in the second	
Optional - Use the commonly used name(s) box(es) if you are commonly known by a name other than your full name and want it to be used instead of your full name	
Description – Party candidates can use a party name or party description shown on the Electoral Commission's website and supported by a certificate of authorisation from that party. Any candidate may use a description that is not likely to lead electors to associate the candidate with a registered political party or can use 'Independent' or leave this blank. Whatever you enter in this box will appear as your description on the ballot paper	
Subscribers – both subscribers must sign and have their name printed. Use your copy of the electoral register to make sure the elector number of both subscribers is accurate. When collecting subscriber information ensure that you explain what the information will be used for and that the information will be shared with the Returning Officer.	
Method of submitting the form to the RO: in person (but not limited to yourself), by hand, to be accompanied by the home address form. It cannot be submitted by post, fax, e-mail or other electronic means.	
Candidate's home address form (all candidates)	
Add your full name	
Add your home address in full	
Add your qualifying address, or qualifying addresses, and indicate which of the qualifications you've declared on your consent to nomination the address(es) relate to.	
Add the full name and home address in full of the person attesting your home address form (which must be the same person as signs your consent to nomination form)	
Optional - If you do not want to have your home address printed on the ballot papers, complete part 2 of the form, giving the name of the relevant area or, where outside the UK, the country in which your home address is situated and sign the form.	
Method of submitting the form to the RO: in person (but not limited to you), by hand, to be accompanied by the nomination form. It cannot be submitted by post, fax, e-mail or other electronic means.	
Candidate's consent (all candidates)	
You must be a British, Commonwealth or other European Union Citizen and not require leave to enter or remain in the United Kingdom or have indefinite leave to remain. You must also be 18 years old or older on the date you sign this form.	
You must meet at least one of the listed qualifications (a, b, c or d), and mark the form to show which qualification applies. You should mark as many qualifications as apply.	
You must not sign the form if you are disqualified to stand. Make sure that you read the Electoral Commission guidance on standing for election as well as the legislation listed. If you are not sure if you are able to stand you should contact the Electoral Commission or, if necessary, take your own legal advice.	
Add your full date of birth	

Sign and date the document in the presence of another person (which must be the same person who as the witness on your home address form). You must not sign the consent form earlier than one calendar month before the deadline for submitting your nomination papers	
Get the other person to complete and sign the witness section	
Method of submitting the form (which must include all pages of legislation) to the RO: in person (but not limited to yourself), by hand. It cannot be submitted by post, fax, e-mail or other electronic means.	
Certificate of authorisation (party candidates only)	
Ensure the certificate contains the candidate's full name	
Check the certificate allows the registered party name or description given on the nomination paper to be used (or allows the candidate to choose to use the party name or any registered description)	
Ensure it is issued by the party Nominating Officer (or someone that they have authorised to issue it on their behalf)	
Method of submitting the form to the RO: in person (but not limited to yourself) or by post	
Request for party emblem (party candidates only)	
Write the name or description of an emblem registered by the party and published on the Electoral Commission's website	
Ensure the request is made by the candidate	
Method of submitting the form to the RO: in person (but not limited to yourself) or by post	

Sedgemoor District Council

*ELECTION OF COUNCILLORS / A COUNCILLOR for the	
	ward of the
Parish of	
Date of election:	2 May 2019
Candidate name	
Telephone no	
e-mail	

In the event of my being elected as a Councillor at the Parish Council elections on 2 May 2019, I hereby authorise the Returning Officer to notify my contact details, including my address, to the Proper Officer of the relevant parish council.

Signed _____
A candidate at the election

Office Use only	Date received	Time received	Initials	No.

1a

Parish election in England

Nomination paper

*ELECTION OF PARISH COUNCILLORS for the			
1		*[ward of the] <i>if applicable</i>	
*parish of *Delete whichever is inappropriate		2	
Date of election:			

We, the undersigned, being local government electors for the said *ward/parish do hereby nominate the under-mentioned person as a candidate at the said election.

Candidate's Details	
Candidate's surname	Mr/Mrs/Miss/ Ms/Dr/Other
Other forenames in full	
Commonly used surname (if any)	
Commonly used forenames (if any)	
Description (if any) use no more than six words	

	Signature	Print name	Electoral number	
			Polling district	Elector number
Proposer:				
Secunder				

¹ Insert name of parish ward (if any).

² Insert name of parish.

Notes

1. The attention of candidates and electors is drawn to the rules for filling up nomination papers and other provisions relating to nomination papers contained in the election rules in the Local Elections (Parishes and Communities) Rules 2006 (as amended).
2. Where a candidate is commonly known by some title they may be described by their title as if it were their surname.
3. Where a candidate commonly uses a name that is different from any other name they have, the commonly used name may also appear on the nomination paper, but if it does so, the commonly used name (instead of any other name) will appear on the ballot paper.
4. But the ballot paper will show the other name if the returning officer thinks that the use of the commonly used name may
 - (a) be likely to mislead or confuse electors, or
 - (b) that the commonly used name is obscene or offensive.
5. An elector may not –
 - (a) subscribe more nomination papers than there are vacancies to be filled in the electoral area in which the election is held; or
 - (b) subscribe a nomination paper for more than one ward in a parish divided into wards.
6. In this form 'elector' –
 - (a) means a person whose name is registered in the register of local government electors for the electoral area in question on the last day for the publication of notice of election; and
 - (b) includes a person then shown in the register as below voting age if (but only if) it appears from the register that he will be of voting age on the day fixed for the poll.
7. However, a person who has an anonymous entry in the register of local government electors cannot nominate a candidate for election.

Office Use only	Date received	Time received	Initials	Number

1b

Parish election in England

Home address form

Parish council [ward of parish council] of *Delete whichever is inappropriate		Date of election	
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You must complete Part 1

Only complete Part 2 if you do not wish your home address to be made public

Part 1: To be completed by all candidates

Full name of candidate	
Home address (in full)	
Qualifying address, or, where you have declared on your consent to nomination that you meet more than one qualification, your qualifying addresses. You must also state which of the qualifications your qualifying address or addresses relate to (a,b,c and/or d)	
Attestors full name *	
Attestors full home address*	

*(The person attesting your home address form must be the same person as signs your consent to nomination)

End of Part 1

If you are only completing Part 1, please now deliver this form with the nomination paper to the Returning Officer by no later than 4pm on the last day to deliver nominations

Part 2: To be completed in full only if you do not wish your home address to be made public

If you request that your home address is not made public then your address **will not** appear on the statement of persons nominated or the ballot paper

If you choose not to make your home address public, the name of the relevant area in which your home address is situated (or country, if outside the UK) will appear on the statement of persons nominated and the ballot papers

(continued on next page)

Statement: I require my home address not to be made public	
The relevant area my home address is situated in:	(insert name of relevant area) ²
Or	
My home address is situated outside the UK. My home address is situated in:	(insert name of country)
Signature of candidate completing Part 2	
Candidate's signature:	
Date:	

Deliver with the nomination form to the **Returning Officer** by no later than **4pm** on the last day to deliver nominations

² the name of the “relevant area” in which your home address is situated (if your home address is in the UK)

- **For home addresses in England:**
 - if the address is within a district for which there is a district council, that district;
 - if the address is within a county in which there are no districts with councils, that county;
 - if the address is within a London borough, that London borough;
 - if the address is within the City of London (including the Inner and Middle Temples), the City of London; and
 - if the address is within the Isles of Scilly, the Isles of Scilly
- **For home addresses in Wales:**
 - if the address is within a county, that county;
 - if the address is within a county borough, that county borough
- **For home addresses in Scotland:**
 - the local government area in which the address is situated
- **For home addresses in Northern Ireland:**
 - the local government district in which the address is situated

1c

Parish election in England

Candidate's consent to nomination

*Delete whichever is inappropriate

Date of election:				
I (name in full):				
hereby consent to my nomination as a candidate for election as councillor for the:				* ward [if applicable]
of the *parish of:				
I declare that on the day of my nomination, I am qualified and that, if there is a poll on the day of election, I will be qualified to be so elected by virtue of being on that day or those days a qualifying Commonwealth citizen, a citizen of the Republic of Ireland or a citizen of a Member State of the European Union, who has attained the age of 18 years and that				
*a. I am registered as a local government elector for the area of the parish of;				
or				
*b. I have, during the whole of the 12 months preceding that day or those days occupied as owner or tenant land or other premises in the parish named above;				
or				
*c. my principal or only place of work during those 12 months has been in the parish named above;				
or				
*d. I have during the whole of those 12 months resided in that parish named above or within 4.8 kilometres of it.				
or				
I declare that to the best of my knowledge and belief I am not disqualified for being elected by reason of any disqualification set out in, or decision made under, section 80 of the Local Government Act 1972 or section 34 of the Localism Act 2011 (copies of which are printed overleaf).				
Date of birth:		Signature:		Date of consent:
Witness: I confirm the above-mentioned candidate signed the declaration in my presence.				
Witness (name in full):				
Witness's signature:				

Notes: A candidate who is qualified by more than one qualification may complete any of those which may apply.

Local Government Act 1972

80. Disqualifications for election and holding office as member of local authority.

(1) Subject to the provisions of section 81 below, a person shall be disqualified for being elected or being a member of a local authority if he –

- (a) holds any paid office or employment (other than the office of chairman, vice-chairman, deputy chairman, presiding member or deputy presiding member or, in the case of a local authority which are operating executive arrangements which involve a leader and cabinet executive, the office of executive leader or member of the executive) appointments or elections to which are or may be made or confirmed by the local authority or any committee or sub-committee of the authority or by a joint committee or National Park authority on which the authority are represented or by any person holding any such office or employment; or
- (b) is the subject of a bankruptcy restrictions order or an interim bankruptcy restrictions order, or a debt relief restrictions order under Schedule 4ZB of the Insolvency Act 1986; or
- (c) [This has been removed and no longer applies]
- (d) has within five years before the day of election or since his election been convicted in the United Kingdom, the Channel Islands or the Isle of Man of any offence and has had passed on him a sentence of imprisonment (whether suspended or not) for a period of not less than three months without the option of a fine; or
- (e) is disqualified for being elected or for being a member of that authority under Part III of the Representation of the People Act 1983.

(2) Subject to the provisions of section 81 below, a paid officer of a local authority who is employed under the direction of –

- (a) a committee or sub-committee of the authority any member of which is appointed on the nomination of some other local authority; or
- (b) a joint board, joint authority, economic prosperity board, combined authority, joint waste authority or joint committee on which the authority are represented and any member of which is so appointed;

shall be disqualified for being elected or being a member of that other local authority.

(2AA) A paid member of staff of the Greater London Authority who is employed under the direction of a joint committee the membership of which includes –

- (a) one or more persons appointed on the nomination of the Authority acting by the Mayor, and
- (b) one or more members of one or more London borough councils appointed to the committee on the nomination of those councils,

shall be disqualified for being elected or being a member of any of those London borough councils.

(2A) Subsection (2) above shall have effect as if the reference to a joint board included a reference to a National Park authority.

(2B) For the purposes of this section a local authority shall be treated as represented on a National Park authority if it is entitled to make any appointment of a local authority member of the National Park authority.

(3) Subsection (1)(a) shall have effect in relation to a teacher in a school maintained by the local authority who does not hold an employment falling within that provision as it has effect in relation to a teacher in such a school who holds such an employment.

(5) For the purposes of subsection (1)(d) above, the ordinary date on which the period allowed for making an appeal or application with respect to the conviction expires or, if such an appeal or application is made, the date on which the appeal or application is finally disposed of or abandoned or fails by reason of the non-prosecution thereof shall be deemed to be the date of the conviction.

81. Exception to provisions of section 80

(4) Section 80(2) and (3) above shall not operate so to disqualify –

- (a) any person by reason of his being a teacher, or otherwise employed, in a school or other educational institution maintained or assisted by a county council for being a member of a district council by reason that the district council nominates members of the education committee of the county council

Localism Act 2011

Section 34(4) describes how a person may be disqualified from standing in local government elections under this section. The remaining provisions of section 34 do not directly affect a person's entitlement to stand for election

34 Offences

- (1) A person commits an offence if, without reasonable excuse, the person—
- (a) fails to comply with an obligation imposed on the person by section 30(1) or 31(2), (3) or (7),
 - (b) participates in any discussion or vote in contravention of section 31(4), or
 - (c) takes any steps in contravention of section 31(8).
- (2) A person commits an offence if under section 30(1) or 31(2), (3) or (7) the person provides information that is false or misleading and the person—
- (a) knows that the information is false or misleading, or
 - (b) is reckless as to whether the information is true and not misleading.

- (3) A person who is guilty of an offence under this section is liable on summary conviction to a fine not exceeding level 5 on the standard scale.
- (4) A court dealing with a person for an offence under this section may (in addition to any other power exercisable in the person's case) by order disqualify the person, for a period not exceeding five years, for being or becoming (by election or otherwise) a member or co-opted member of the relevant authority in question or any other relevant authority.
- (5) A prosecution for an offence under this section is not to be instituted except by or on behalf of the Director of Public Prosecutions.
- (6) Proceedings for an offence under this section may be brought within a period of 12 months beginning with the date on which evidence sufficient in the opinion of the prosecutor to warrant the proceedings came to the prosecutor's knowledge.
- (7) But no such proceedings may be brought more than three years—
- (a) after the commission of the offence, or
 - (b) in the case of a continuous contravention, after the last date on which the offence was committed.
- (8) A certificate signed by the prosecutor and stating the date on which such evidence came to the prosecutor's knowledge is conclusive evidence of that fact; and a certificate to that effect and purporting to be so signed is to be treated as being so signed unless the contrary is proved.
- (9) The Local Government Act 1972 is amended as follows.
- (10) In section 86(1)(b) (authority to declare vacancy where member becomes disqualified otherwise than in certain cases) after “ 2000 ” insert “ or section 34 of the Localism Act 2011 ”.
- (11) In section 87(1)(ee) (date of casual vacancies)—
- (a) after “2000” insert “ or section 34 of the Localism Act 2011 or ”, and
 - (b) after “decision” insert “ or order ”.
- (12) The Greater London Authority Act 1999 is amended as follows.
- (13) In each of sections 7(b) and 14(b) (Authority to declare vacancy where Assembly member or Mayor becomes disqualified otherwise than in certain cases) after sub-paragraph (i) insert—
- “(ia) under section 34 of the Localism Act 2011,”.
- (14) In section 9(1)(f) (date of casual vacancies)—
- (a) before “or by virtue of” insert “ or section 34 of the Localism Act 2011 ”, and
 - (b) after “that Act” insert “ of 1998 or that section ”.

A counting agent may be appointed using this form by the candidate.

This form must be delivered to the Returning Officer no later than Thursday 25 April 2019. Only one counting agent may be appointed

Parish

Name of parish ward (if any)

Date of Poll

2 May 2019

Name of candidate:

Signature of candidate

I appoint the following as counting agent:

Name of counting agent

Address of counting agent (including postcode)

Postal vote agents may be appointed by the candidate or their election agent using this form. Only one counting agent may be appointed for each postal vote opening.

Name of Parish	
Name of parish ward (if any)	
Date of Poll	2 May 2019
Name of candidate:	
Signature of candidate	

I appoint the following people as agents to attend postal vote openings:

Name of postal vote agent	Address of postal vote agent

Polling agents can be appointed using this form by the candidate. This form must be delivered to the Returning Officer no later than Thursday 25 April 2019. Only one polling agent may be appointed

Parish	
Name of parish ward (if any)	
Date of Poll	2 May 2019
Name of candidate:	
Signature of candidate	

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

Parish council election

Notice of withdrawal

*Election of councillors / a councillor for (*Delete whichever is inappropriate)	
Ward (if warded)	
of	Council
Date of election:	

To be completed by candidates seeking to **withdraw their nomination** and to be delivered to the Returning Officer at the place fixed for the delivery of nomination papers by 4pm on Wednesday 3rd April. If the candidate is outside the United Kingdom please contact the Returning Officer for further advice.

I (candidate's name)	
of (address of candidate)	
having been 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	
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Section 2 – to be completed by witness

Signature of witness		Date	
Print name of witness (in BLOCK CAPITALS)			

The data controller will only use the information you have provided on this form for electoral purposes and will look after your personal information securely, following data protection legislation. The data controller will not give personal information about you and the personal information you may provide on other people to anyone else or another organisation unless required by law.

The lawful basis to collect the information in this form is that it is necessary for the performance of a task carried out in the public interest and exercise of official authority as vested in the Returning Officer as set out in Representation of the People Act 1983 and associated regulations.

The Returning Officer is the Data Controller. For further information relating to the processing of personal data you should refer to their privacy notice on their website.

For official use only
Lodged _____ (date) _____ (time) _____

