

Parish & Town Council Elections – 4th May 2023

Guidance for Candidates

Please note that the following is intended as an **introductory guide only**. You should consult the latest guidance for local Government candidates issued by the Electoral Commission and available at **www.electoralcommission.org.uk**.

The Returning Officer, Kersten England (Chief Executive), has the responsibility for the organisation of elections. The day to day administration of the elections will be carried out by the Electoral Services team based at City Hall. Please note, the role of the Returning Officer is prescribed in law and the Returning Officer or her staff are restricted to providing information only in respect of the election arrangements and are not permitted to give legal advice.

Standing as a candidate

The formal election timetable will begin on Thursday, 23rd March 2023 when the “Notice of Election” will be published. Nomination Papers for candidates wishing to stand for election may be submitted from Thursday, 23rd March 2023. The close of nominations for candidates wishing to submit nomination papers will be 4pm, on Tuesday, 4th April 2023 – please note this is a statutory deadline and nomination papers cannot be accepted after this date and time. More information on the nomination process is provided overleaf.

To qualify to be a candidate for a Parish/Town council election, on the day of your nomination and on the day of the election, by law you must be:

- aged 18 years or over
- and either a UK or Commonwealth citizen, or a citizen of the Irish Republic, or a citizen of a member state of the EU.

In addition, you must meet at least **one** of the following criteria:

- *on the day of nomination and on the day of the election you are and thereafter, you continue to be registered as a voter in the Parish or Town Council area.*
- *for the whole of twelve months before the day of nomination and the day of the election you have occupied any land, or other premises as owner, or tenant in the Parish or Town Council area.*
- *for the whole of twelve months before the day of nomination and the day of the election your principal, or only place of work has been in the Parish or Town Council.*
- *for the whole of twelve months before the day of nomination and the day of the election you have resided in the Parish or Town Council area, or within 4.8 kilometres of it.*

The Nomination Process

Persons intending to stand as candidates are required to complete and submit a nomination paper. On request, the Returning Officer will supply a blank nomination paper for use by candidates.

Nomination papers will also be available from the Parish/Town Council Clerk. Candidates are advised to contact the Electoral Services team or the Clerk to the Parish/Town Council in mid-March for a full nomination pack, which will provide all the necessary forms that are required to be completed.

It is strongly recommended that candidates read the guidance provided by the Electoral Commission at www.electoralcommission.org.uk relating to standing for election that covers the nominations process. The nomination process is strictly prescribed in law and the Returning Officer has no powers to deviate from the regulations. Nomination papers not meeting the legal requirements will be rejected, preventing further participation in the elections process, unless a fresh paper is submitted by the legal deadline.

Particular attention is drawn to the following key legal requirements and information:-

- Candidates must enter the name of the Parish/Town Council ward in which they wish to stand on the nomination paper.
- Candidates must state their surname and forename(s) **in full**, and also their full home address, including postcode.
- Each nomination paper must be supported by a proposer and a seconder. The proposer and seconder must be registered electors in the **Parish or Town Council ward** in which the candidate is standing.
- The electoral numbers of proposers and seconders are required on the nomination paper and can be found on the electoral registers held at City Hall, Bradford, Keighley Town Hall and Shipley Town Hall. The Parish/Town Council Clerk will also have a copy available. Alternatively, you can request a copy from Electoral Services. Please ensure you are referring to the most up to date version of the Electoral Register.
- Candidates wishing to stand may use one of the following descriptions: -
 - a description (of not more than six words in length) which, in the opinion of the Returning Officer is not likely to lead voters to associate the candidate with a political party, OR the word 'Independent', OR leave this blank
 - a description (of not more than six words in length) authorised by a certificate issued by, or on behalf of, the registered nominating officer of a registered party.
- Candidates are not obliged to use a description, but if doing so, must adhere to the requirements above.
- A nomination paper which includes a description that does not comply with the legal requirements will be rejected.
- The certificate of authorisation must be delivered to the Returning Officer within the time allowed for the delivery of nomination papers.

Delivery of Nomination Paper to the Returning Officer

The completed nomination paper must be delivered by hand to the Returning Officer directly at the place stated and within the time stated. They should not be delivered to any other part of the building – these are legal requirements. The place of delivery is Electoral Services, 3rd Floor, City Hall, Bradford BD1 1HY. The time for delivery is not later than **4:00 pm Tuesday 4th April 2023**.

The responsibility to submit nomination papers rests with candidates. Please submit nomination papers **as soon as possible (from 23rd March 2023)** to allow for informal checks to be carried out, sufficient time to correct any errors and by no later than **4:00 pm Tuesday 4th April 2023**.

Please note that the time constraint is absolute and no papers can be accepted after 4:00 pm Tuesday 4th April 2023.

The nomination period is extremely busy and therefore, an appointments system is in operation for the delivery of nominations. Please telephone the Electoral Services team on 01274 432287 to arrange an appointment (see attached sheet for further details).

The method of submitting the nomination form to the Returning Officer is **in person** (but not limited to you or your agent), **and by hand – legal requirement**.

Candidates should also note that the law does not permit the receipt of a nomination paper sent by email, scan, or facsimile transmission. It must be the original nomination paper, not a copy.

Adjudication on Nominations

The Returning Officer is required to give a decision on each and every nomination paper received. After checking, each paper will be declared to be either "valid" or "invalid". A candidate, whose nomination is declared "invalid", may submit a fresh nomination paper, provided the time constraints can be met.

Details of all nominations formally received (valid and invalid) will be published by the Returning Officer as soon as possible after the close of nominations.

Only candidates whose nominations are declared to be valid will proceed to the next stage of the election process.

List of candidates

A list of candidates will be available after the close of nominations and will be published on the Council's website, www.bradford.gov.uk. If the election is uncontested (i.e. there are less than, or exactly the same number of candidates as there are seats to be filled), then the validly nominated candidate(s) will be declared elected unopposed and no election will be held. The Returning Officer will send a notice to such candidates and will also give public notice to that effect.

The Return and Declaration of Election Expenses

Election expenses forms will be issued to candidates to complete and return.

The Returning Officer will supply the necessary forms (issued to you after the close of nominations), and the completed forms must be submitted to the Returning Officer by no later than Friday 2 June 2023.

Election expenses forms must be submitted regardless of whether the election is contested or not. They must be completed, signed and submitted to the Electoral Services Unit at the address given at the end of this guidance, even if no expenses have been incurred and there is a "nil" return. **This is a legal requirement.**

Failure to: -

- submit a return within the time/date specified, or
- submit a complete return of expenses, or
- attach all required bills and receipts

will render the candidate liable for conviction and a fine, with the additional penalty of being disqualified from standing for election for a considerable period. The submission of a false return is also an election offence.

The Candidate must ensure that careful records are kept, with receipts, for all items of expenditure, including sundry small amounts of stationery, postage, telephone calls, etc. Candidates who are in any doubt about the legality of an item of proposed expenditure, are advised to seek their own legal advice, or refer to the Electoral Commission guidance at www.electoralcommission.org.uk.

The purpose of submission of the election expenses forms is twofold. Firstly, it is to ensure that the regulatory limit on election related expenditure is not exceeded. Secondly, it is to ensure that expenditure has only been incurred on permitted items. The expenses limits differ for each election area. Shortly after the commencement of the election process the Returning Officer will inform each candidate of the limit for the election in which they are standing.

It is the responsibility of the candidate to ensure the limit is not exceeded and to meet all election expenditure incurred. If donations are received towards the expenses, these must be recorded on the "income" section of the Return.

Please note - Candidates are not entitled to any refund of expenses from the Council, or the Returning Officer.

In relation to election expenses, the Returning Officer's function is limited to receipt and storage of the election expenses forms. The Returning Officer has no duty to scrutinise the election expenses forms, but is obliged to report to the Electoral Commission instances of failure to make a return. The Returning Officer must also make the election expenses forms available for public inspection throughout a specified period.

Further advice and guidance regarding candidate's election expenses may be obtained from the Electoral Commission at www.electoralcommission.org.uk.

Declaration of the Result of the Poll

If the election is uncontested (i.e. there are less than or exactly the same number of

candidates as there are seats to be filled), then the validly nominated candidate(s) will be declared elected unopposed. The Returning Officer will send notice to such candidates and will also give public notice to that effect.

If the election is contested, a poll will be held. After the close of nominations candidates will be issued with a pack containing all relevant information required, including count arrangements.

After the counting of the votes, the Deputy/Returning Officer will declare to be elected, the candidate(s) who polled the highest number of votes.

Key Timetable Dates

Publication of Notice of Election and commencement of the nomination period	23 rd March 2023
Deadline for delivery of nomination papers	4pm, 4 th April 2023
Publication of statement of persons nominated	4pm, 5 th April 2023
Deadline for receiving applications for registration	17 th April 2023
Deadline to apply for a postal vote	5pm, 18 th April 2023
Polling Day	7am to 10pm, 4 th May 2023

Assistance and Advice

The Electoral Services team are not entitled to give legal advice, but will be happy to help or provide information regarding the organisation and/or conduct of the election.

Contact details for Electoral Services are:-

Electoral Services

3rd Floor, City Hall

Bradford

BD1 1HY

Tel: 01274 432287

Email: electoralservices@bradford.gov.uk