



# **County Council Elections**

## **Thursday 4 May 2017**

### **Briefing Note for Candidates and Agents**

### **Nominations**

**9am Tuesday 21 March to 4pm Tuesday 4 April**

<b>Introduction</b>	<b>2</b>
<b>The Returning Officer's role</b>	<b>2</b>
<b>Informal checks, submission and formal determinations</b>	<b>3</b>
<b>Following formal determination</b>	<b>4</b>
<b>Nomination packs</b>	<b>5</b>
Nomination form	5
Candidate consent to nomination	5
Certificate of authorisation	6
Request for a party emblem	6
Notification of election agent	6
Appointment of polling agents	6
Appointment of counting agents	6
Appointment of postal voting agents	6
<b>Other versions of the nomination forms</b>	<b>6</b>
<b>Nomination registers</b>	<b>7</b>
<b>Requests for copies of nomination registers</b>	<b>7</b>
<b>Final thought</b>	<b>7</b>
<b>Election Timetable</b>	<b>8</b>

## Introduction

The Notice of Election will be published on Monday 20 March. This officially opens the election period and it is from the following day that the Returning Officer can accept nomination forms.

This document provides information on the process for submitting nomination forms for candidates (and agents) at the all-out County Council elections to be held on Thursday 4 May 2017. It is not intended as a guidance document towards completing nomination forms. The Electoral Commission provides detailed [guidance to candidates](#) and it is in reference to this that candidates should undertake the completion of nomination forms.

To support the information provided here, the Returning Officer has scheduled a briefing session at 5pm on Tuesday 14 March. This will be held in the Council Chamber at County Hall. The session will focus exclusively on the nomination process. A further briefing session for validly nominated candidates will be provided after the close of nominations and will provide a broader range of information pertinent to candidates standing in contested elections. This will again be held in the Council Chamber at County Hall and will take place at 5pm on Friday 7 April.

During the nomination period the Returning Officer will offer informal checks of all nomination forms, provided through a team of Deputy Returning Officers at three locations across the County. The primary purpose of these checks is to identify any issues that might result in forms being rejected as invalid submissions. The checks are also intended to highlight any issues that, whilst not invalidating the nomination, may cause problems for a successful candidate after the poll and may result in legal challenge to their election.

An appointment system will be in place to coordinate informal checks. Further information about this, and the offices across the County at which this service will be available, is provided below.

No appointment is necessary to submit nomination forms if no informal check is requested. Any nomination submitted in this way, in the event that it is determined to be invalid, will be rejected with no opportunity to make amendments to the submitted form. In this instance, a fresh nomination form will need to be submitted. It is strongly advised that candidates take full advantage of the informal checking service.

## The Returning Officer's role

It is the Returning Officer's role to determine whether or not an individual's nomination can be accepted as standing validly nominated or must be rejected as invalid. The first task, however, is to establish that the individual stands as being nominated in the first place. This can only be the case if a legally compliant form has been fully and properly completed and delivered in the appropriate manner (i.e. a paper form with all the necessary component parts, delivered by hand). Only then can a determination of validity be made.

The grounds on which the Returning Officer may reject a nomination as being invalid are:

- that the particulars of the candidate or the persons subscribing the nomination form are not as required by law, or
- that the form is not subscribed as required

A candidate is deemed to stand validly nominated if, by 4pm on Tuesday 4 April, the Returning Officer has received the following validly completed forms:

- The nomination form
- A consent to nomination form

For candidates standing on behalf of a political party, the party must be registered on the Electoral Commission's [register of political parties](#) and be listed as allowed to field candidates in England. The candidate will also need to submit:

- A certificate of authorisation, authorising the use of the party name or a registered description on the ballot paper. The party name or description authorised by the certificate must match the party name or description given on the nomination form or the whole nomination will be invalid.
  - **N.B.** A certificate of authorisation must be submitted for each individual candidate (i.e. no group lists can be accepted)
- A written request to use one of the party's registered emblems (if desired)

**N.B.** The description given by the candidate on the nomination form is part of the candidate's particulars. If no certificate of authorisation is forthcoming to authorise the use of this description, or if the description doesn't match the registered description authorised, this will invalidate the nomination and cause it to be rejected. Fresh nomination forms will need to be submitted in this event.

The Returning Officer has no role to play in determining the truth or accuracy of the information provided to them. It is the candidate's responsibility to ensure the truth and accuracy of the information they provide and to complete the declaration to this effect on the consent to nomination form.

Questions of eligibility or disqualification are for the candidate to determine. The Returning Officer and their staff cannot give advice on such matters. Candidates are directed to the Electoral Commission's guidance for candidates and agents in the first instance and to seek independent legal advice should they deem it necessary.

## **Informal checks, submission and formal determinations**

The Returning Officer will be offering informal checks of nomination forms prior to formal submission. This is an opportunity to identify any issues that would invalidate the submission and to enable their correction. It is also an opportunity to identify any issue that, whilst not constituting grounds for determining a submission to be invalid, may cause problems for a candidate, enabling legal challenge that may potentially jeopardise their election following the poll.

The checks will be offered on a strict appointment basis to enable the smooth operation of this service. Appointments will be available at the following locations between 9am and 4pm from Tuesday 21 March to Monday 3 April:

- County Hall, Morpeth, Northumberland, NE61 2EF
- Hexham Wentworth Leisure Centre, Wentworth Park, Wentworth Place, Hexham, NE46 3PD
- Alnwick Registry Office, 27 Fenkle Street, Alnwick, NE66 1HW

Bookings for informal check appointments will be taken from Wednesday 7 March 2015. To book an appointment, please call 01670 624811 (between 9am and 5pm) or email [elections@northumberland.gov.uk](mailto:elections@northumberland.gov.uk). You will need to provide the following information:

- The location at which you would like to book an appointment
- The time and date you would like to attend (9am to 4pm between Tuesday 21 March and Monday 3 April)
- The number of nomination forms you wish to submit
- The election for which you wish to submit papers (i.e. Parish or County) or how many of each if a mix of both
- A contact telephone number (preferably a mobile)

- A contact email address

If booking by phone you will be prompted for the above information. If booking by email, please ensure the full information is provided to ensure a booking can be made based on your initial enquiry without the need for follow-up. If booking by email, it may be a good idea to provide a broad timeframe or a range of suitable options for your appointment as it may not be possible to meet your first preference precisely. Bookings made by email will receive a confirmation by reply stating the details of the booking that has been placed.

It is strongly recommended not to wait too long before booking an appointment and to bear in mind that a late appointment will leave less time to remedy any issues. Candidates and agents are urged to book an appointment that allows sufficient time to remedy any issues that arise. It is respectfully requested that all those seeking to book an appointment for informal checks bear in mind the need to be flexible if their preferred time and date cannot be offered.

You will receive a reminder of the details of your booking the day before your appointment if you have provided an email address to which this can be sent.

When you arrive for your appointment you will be met by a Deputy Returning Officer or a member of their team. Handing over the nomination forms you wish to submit for checking, you will be given an indication of how long the checks are anticipated to take. In all locations there will be seating provided in which to wait whilst the checks are conducted.

Once the checks are completed you will be advised as to which candidates' forms can be accepted as valid submissions without amendment and which, if any, will need amendment. In the event that changes are necessary, you will be given full detail as to the issue(s) to resolve and of what needs to be done to achieve this. If a further informal check is required following amendment, it will be necessary to book another appointment as detailed above.

This is an optional service offered by the Returning Officer. It is not compulsory for nomination forms to be submitted for informal checks before formal submission. Forms can be submitted at any time between 9am and 4pm at any of the above nomination locations between Tuesday 21 March and Monday 3 April without an appointment. If you are submitting forms without an informal check please note the following:

- **The only location at which forms will be accepted on the final day of the nomination period, Tuesday 4 April, is County Hall. The deadline is 4pm.**
- Any nomination formally submitted without an informal check must be rejected outright if it is deemed to be invalid. There will be no opportunity to make changes and a fresh application will need to be completed and submitted. The original application cannot be returned.
- The nomination paper and candidate's consent to nomination cannot be delivered by post. In an instance where these are received by post, the candidate cannot be deemed to stand nominated and no decision can be taken as to whether the papers are valid. Such papers will be returned to the candidate for delivery by hand.
- Only forms submitted through the appointment booking process will be given an informal check. All forms delivered without an appointment will be regarded as formally submitted on receipt and will be determined valid or invalid as received.

## Following formal determination

The Returning Officer will send a notice to the candidate(s) as soon as practicable following determination, be it acceptance as valid or rejection as invalid. This notice will be sent to the candidate's home address. In

the event that a nomination is rejected, every effort will be made to ensure that the candidate is given sufficient detail and is informed in sufficient time to allow them to submit a fresh application.

## **Nomination packs**

The nomination pack provided by the Returning Officer includes all of the forms necessary in order to stand validly nominated, to use a political party description and emblem and to appoint the various agents permitted to represent candidates at the poll. The nomination form is available electronically from the [Council website](#).

The law does not allow the delivery of completed nomination forms by electronic means. Candidates may choose to complete some parts of the forms electronically, typing in details where possible, however, forms must be printed and can only be delivered as original hard copies.

If you are not able to print your own copy, paper copies of the nomination pack will be available for collection. These will be available from Wednesday 7 March and can be collected from the following locations:

- Alnwick Customer Information Centre, Greenwell Lane, Alnwick, NE66 1HB
- Ashington Customer Information Centre, Wansbeck Square, Ashington, NE63 9XL
- Berwick Customer Information Centre, Walkergate Building, Walkergate TD15 1DJ
- County Hall Main Reception, Morpeth, Northumberland, NE61 2EF
- Hexham Customer Information Centre, Hadrian House, Market Street, Hexham, NE46 3NH

Please note that County Council elections will be held alongside Parish Council elections on May 4 and that the nomination periods for the two elections run in parallel. The nomination paper for these two different types of election are different and the nomination of a County Council election candidate cannot be accepted on a Parish nomination paper. Care should be taken to obtain and complete the correct version.

The nomination pack includes:

### **Nomination form**

This form is used to record the candidate's details, the registered party description or other description to be used on the ballot paper and to specify the electoral area in which they wish to stand for election. It is also the form on which ten registered electors (subscribers) from the relevant electoral area must propose, second and support the individual's candidature.

Particular care should be taken over the completion of this form and the accuracy of the information provided. The details given here dictate how the candidate will appear on the ballot paper as well as other official election documentation. Incorrect candidate particulars and subscriber details are grounds on which a nomination may be determined invalid, causing it to be rejected.

### **Candidate consent to nomination**

This form provides the candidate's consent to their nomination. It also provides the declaration of their qualification to stand for election and a declaration stating the absence of any known disqualification. The form must be completed by the candidate in the presence of a witness, who must then give their full name and address and sign the form themselves.

**N.B.** The legislative extracts immediately following the candidate consent to nomination are an integral part of the form itself and must be submitted with the form for the candidate to stand as nominated.

Including these notes, the candidate consent to nomination form provided by the Returning Officer extends to five pages: all of these must be submitted together.

### **Certificate of authorisation**

This must accompany the nomination of a candidate standing on behalf of a registered political party, providing authorisation for them to do so. The party description authorised here must be one registered with the Electoral Commission and must match the one given on the nomination paper. This form must be signed by the party's Nominating Officer or someone authorised by them to do so.

**N.B.** A certificate of authorisation must be submitted for each individual candidate (i.e. no group lists can be accepted)

### **Request for a party emblem**

This form is for a candidate of a political party who is subject to a valid certificate of authorisation in order to request a party emblem to appear on the ballot paper next to their name. The relevant emblem should be identified by recording here the official emblem name as registered with the Electoral Commission. Without submission of this form, no emblem will appear next to their name on the ballot paper.

### **Notification of election agent**

Should the candidate wish to nominate an election agent, this form must be used to notify the Returning Officer of the agent's details and authorise their appointment. The form also provides space for the agent to confirm that they accept the appointment.

This form does not need to be delivered at the same time as the nomination forms. The deadline for returning this form is the same as the close of nominations, 4pm on Tuesday 4 April. Any candidate who has not notified the Returning Officer of their agent's appointment by this time will act as their own election agent.

### **Appointment of polling agents**

This form is used to nominate agents to support the candidate in providing scrutiny of the poll taken in polling stations. The role of polling agents is set out in Electoral Commission guidance. There is no limit on the number of polling agents a candidate may appoint, but only one per candidate may be present in a particular polling station at a given time. The full name and address of appointed polling agents must be provided as well as an indication of the polling station(s) to which they are appointed.

This form does not need to be delivered at the same time as the nomination forms. The deadline for its submission is Wednesday 26 April 2017.

### **Appointment of counting agents**

This form is used to nominate a counting agent to represent the candidate at the count. The Returning Officer has discretion as to how many such agents are permitted for each candidate. For this election, due to the expected volume of candidates and health and safety considerations at the count venue, the limit has been set at one counting agent per candidate. In addition to this, each candidate may also bring a spouse or partner whose details should also be submitted using this form.

This form does not need to be delivered at the same time as the nomination forms. The deadline for its submission is Wednesday 26 April 2017.

## **Appointment of postal voting agents**

Using this form, the candidate may appoint any number of postal voting agents to represent them at postal vote opening sessions. Whilst there is no limit on the number that may be appointed, the Returning Officer uses their discretion to limit the number present at any given time to one per candidate.

This form does not need to be delivered at the same time as the nomination forms. Details of postal vote opening agents must be received by the Returning Officer no later than the day before any opening session to be attended.

## **Other versions of the nomination forms**

The version of the nomination pack provided by the Electoral Commission will also be accepted and can be obtained via the Electoral Commission's dedicated local government election candidate and agent pages. This version does not include the forms necessary to nominate polling, count and postal vote opening agents. These can be downloaded separately from the Electoral Commission's website.

Nomination forms may be available from other sources but the Returning Officer urges caution in using these as they may not provide the correct statutory version of the nomination paper.

## **Nomination registers**

The nomination paper includes a section for the details of ten registered electors (subscribers) who propose, second and support the candidate to stand for election. The register in force for nominations is the March 2017 register. Any elector (18+ on election day) in this register for the electoral area in which a candidate wishes to stand can propose or second their nomination. Such an elector cannot propose, second or support more candidates than there are vacancies at the election (e.g. in single vacancy divisions, an elector may subscribe to no more than one nomination).

To receive a copy of the nomination register, you must be entitled to do so. Anyone relying on their candidacy at these elections for their entitlement to a copy of the nomination register (i.e. who is not otherwise statutorily entitled to a copy of the full register of electors under the provisions of the Representation of the People Regulations 2001) can only receive a copy following publication of the notice of election on Monday 20 March.

Any older version of the 2017 register will not be up to date; it will not reflect all recent registrations and electors who are included may have since ceased to be registered. Any version of the register from a previous year cannot be used as all elector numbers change from one register year to the next.

## **Requests for copies of nomination registers**

A register request form can be obtained [here](#). Please use this form to make your request in order to ensure that you provides all the necessary information and is compliant with legislative requirements.

Completed register request forms should be returned to [elections@northumberland.gov.uk](mailto:elections@northumberland.gov.uk) or by post to:

- The Returning Officer, Electoral Services, County Hall, Morpeth, Northumberland, NE61 2EF

## **Final thought**

The Returning Officer's objective is to facilitate participation and to guarantee that anyone qualified and wishing to stand for election is able to do so without difficulty or obstruction. The Returning Officer and their staff will make every effort to ensure that sufficient capacity is in place to fully meet demand and that



candidates and agents receive excellent, flexible and responsive customer service. Candidates and agents can help by familiarising themselves fully with Electoral Commission guidance, by taking care to complete nomination forms correctly and by following the Returning Officer's instructions where these are given.

## Election Timetable All-Out County and Parish Elections 2017

Event	Date
Publication of notice of election	Monday 20 March
Delivery of nomination papers	From Tuesday 21 March up to 4pm on Tuesday 4 April
Deadline for withdrawals of nomination	4pm on Tuesday 4 April
Deadline for the notification of appointment of election agent ( <b>County Council elections only</b> )	4pm on Tuesday 4 April
Publication of statement of persons nominated	Not later than 4pm on Wednesday 5 April
Deadline for receiving applications for registration	Thursday 13 April
First issue postal vote packs released to Royal Mail	Tuesday 18 April
Deadline for receiving new postal vote and postal proxy applications, and for changes to existing postal or proxy votes	5pm on Tuesday 18 April
Second issue postal vote packs released to Royal Mail	Tuesday 25 April
Deadline for receiving new applications to vote by proxy (not postal proxy or emergency proxies)	5pm on Tuesday 25 April
Publication of notice of poll	Tuesday 25 April
Second issue postal vote packs released to Royal Mail	Tuesday 25 April
Deadline for notification of appointment of polling and counting agents	Wednesday 26 April
First date that electors can apply for a replacement for lost postal votes	Thursday 27 April
Polling day	Thursday 4 May (7am to 10pm)
Last time that electors can apply for a replacement for spoilt or lost postal votes	5pm on Thursday 4 May
Deadline for emergency proxy applications	5pm on Thursday 4 May
Last time to alter the register due to clerical error or court appeal	9pm on Thursday 4 May
Deadline for submission of candidate expenses return and covering declaration ( <b>Parish Council elections only</b> )	Tuesday 1 June
Deadline for submission of candidate expenses return and covering declaration ( <b>County Council elections only</b> )	Wednesday 9 June

