



GUIDE TO PROCEDURES FOR TOWN AND PARISH COUNCIL ELECTIONS



TOWN & PARISH COUNCIL ELECTIONS

www.shropshire.gov.uk

Updated June 2019

TOWN/PARISH COUNCIL ELECTIONS

Introduction to Election Procedures

The election process for all elections is set out in law, so candidates must ensure that they are familiar with the requirements set out in these guidance notes. They are however provided as general guidance only; queries on any specific issues, should be directed to the Electoral Commission and guidance/additional application forms can be downloaded direct from their website if required – www.electoralcommission.org.uk.

The 1983 and 1985 Representation of the People Acts, together with the Local Elections (Parishes and Communities) Rules 1986, and the Representation of the People Act 2000 & the Representation of the People Regulations 2001 made several changes to the way town/parish elections are conducted.

The Returning Officer appointed by Shropshire Council is responsible for the conduct of, and arrangements for town and parish council elections. However, both the town and parish council and its clerk have an important role to play, especially in giving advice to prospective candidates prior to the four-yearly ordinary elections and in the preliminary arrangements for the filling of casual vacancies, including by-elections. They must however remain impartial at all times, so as not to treat any candidate more favourably than another.

SHROPSHIRE COUNCIL'S WEBSITE

Information about every parish, town and unitary vacancy is advertised on Shropshire Council's "**Vacancies and By-Elections**" webpage.

For by-elections called, all relevant notices [*Notice of Election, Statement of Persons Nominated, Notice of Poll and Declaration of Results*] will be published on that page. The Council's website address is:-

www.shropshire.gov.uk

You may also follow us on Twitter @shropcouncil

These notes should be a useful reference if you are involved with town or parish council elections, either as a clerk, serving councillor or candidate. However, if you need any more information on specific local matters, please contact **Shropshire Council's Elections Team** on **0345 678 9015**.

For guidance on legal issues, candidates should obtain their own independent legal advice, and should contact the **Electoral Commission** – e-mail: <https://www.electoralcommission.org.uk/contact-us> or Tel. **0333 103 1928**.

Up-to-date information for candidates is available via the Electoral Commission's website – www.electoralcommission.org.uk.

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ORDINARY TOWN/PARISH COUNCIL ELECTIONS

A1. Term of Office

Town/parish councillors hold office for a period of four years (or if elected/co-opted part way through the cycle, for the remainder of that period only). Councillors formally retire on the fourth day after the ordinary day of election. All newly elected councillors take office (provided they have made declarations of acceptance of office) on the day on which their predecessors retire (Local Government Act, 1972, Section 16(3)). The chair of a town/parish council continues in office until their successor becomes entitled to act in that capacity.

A2. Combination of Elections

The Representation of the People Act 1983, Section 36 allows for the ordinary elections of Shropshire Councillors to be combined with the ordinary elections of town/parish councillors, if they are held on the same day.

If a parliamentary (general) election is called for the same day as the scheduled ordinary elections of Shropshire and town/parish councillors, the law provides for the parliamentary and county polls to be combined, and the town/parish polling day to be postponed for three weeks.

A3. The Election Timetable

We will provide Candidates with a timetable for the relevant election. Key dates will also be shown on Shropshire Council's website contained in the "Notice of Election".

Saturdays, Sundays, Christmas Eve, Christmas Day, Good Friday and Bank Holidays are disregarded when the timetable is being calculated before polling day. They are however, included in the calculation of proceedings following polling day. For example, the last day for the delivery of candidates' returns of election expenses, which is calculated as 28 calendar days after the day of election.

A4. Absent Voting – Postal and Proxy Applications

- New postal vote applications, or applications to change an existing postal vote to a proxy vote (or vice-versa), or to have a postal ballot paper sent to a different address, or to cancel a postal must be made in writing to the Electoral Registration Officer at the Shirehall, Abbey Foregate, Shrewsbury, Shropshire, SY2 6ND by **5pm on the eleventh day before Polling Day**.
- New or amended proxy applications must be made by **5pm on the sixth day before Polling Day**.
- Application forms for postal votes and proxy appointments can be downloaded from our own website or from www.yourvotematters.co.uk

A5. Annual Meeting

The Annual Meeting of the town/parish council must take place between 1st March and 1st June, on a day of their choosing, but must not be held on a Sunday or a Bank Holiday.

In an election year, the Annual Meeting must be held within 4-18 days after the election.

FILLING OF CASUAL VACANCIES

Regardless of whether a Councillor is elected at a contested poll, is elected unopposed, or has been co-opted, in the event that they vacate their office, a “Notice of Vacancy” must be published by the Town/Parish Clerk. The only exception to this is when a vacancy occurs within 6 months of the next scheduled elections, in which case the Council may either fill the vacancy by co-option, or leave the seat temporarily unfilled.

Councils may only proceed to co-opt a new member, once the formal Notice of Vacancy period has expired, and Shropshire Council will always provide formal notification of this at the appropriate time.

If there is more than one vacancy, separate Notices of Vacancy are required for each individual seat.

In the event that a vacancy occurs as a result of the death of a serving Councillor, Shropshire Council would advise that the Notice of Vacancy is not advertised until after the funeral has taken place, as a mark of respect.

The person elected or co-opted to fill a casual vacancy holds office until the person in whose place they are elected or appointed would regularly have retired.

If the number of casual vacancies leaves the Town/Parish Council without a quorum, Shropshire Council may order an election to be held and in the meantime may by order appoint people to fill all or any of the vacancies until other councillors are elected and take up office.

B1. Advertising the Vacancy

Firstly, the Town/Parish Council must advertise the vacancy.

This should be done by displaying a “Notice of Vacancy”, worded as per **Appendix 1**. Copies of the Notice must be displayed in places which are as conspicuous as possible (usually a Parish Noticeboard) within the relevant parish and a copy of that Notice must be sent **immediately** to the Returning Officer, Shropshire Council, The Shirehall, Abbey Foregate, Shrewsbury, Shropshire SY2 6ND or by **email to elections@shropshire.gov.uk**.

In addition, the Town/Parish Council may also advertise the vacancy in any other manner they wish, such as social media or local parish leaflets

It is important to complete the Notice correctly, paying particular attention to the dates on the notice. Draft Notices may be submitted to the Elections Office for checking prior to publication for checking, if desired.

The Notice must be displayed for 14 days from the date following the publication date, and when calculating the dates, it must not include weekends nor bank holidays.

B2. Filling the Vacancy with a By-Election

During the 14 days when the notice is displayed, ten electors from within the parish (or relevant ward of the town/parish) can call for a by-election to be held. To do this, they will need to make their request in writing to *The Returning Officer, Shropshire Council, The Shirehall, Abbey Foregate, Shrewsbury, Shropshire. SY2 6ND.*

A sample Election Request Form can be found in **Appendix 2**; copies can also be downloaded from Shropshire Council's website - <https://shropshire.gov.uk/elections-and-electoral-registration/vacancies-and-by-elections/current-councillor-vacancies/>

If a by-election is called, Shropshire Council will notify the relevant Clerk. The Returning Officer will then decide on the date of the election, which must fall within 60 working days from the date of the Notice of Vacancy.

Nomination Packs

Clerks will be issued within a small number of nomination packs for distribution to interested parties who wish to stand as Candidates.

Registers of Electors are not included as part of the pack, and Candidates may obtain their own copy for campaigning purposes by completing the relevant paperwork contained in their nomination pack. Please note that Shropshire Council is unable to supply maps to candidates.

Candidates will need to obtain the poll numbers of their supporters to include on their nomination form and Shropshire Council recommends that you contact their Elections Team to obtain those poll numbers. Officers will be able to advise as to whether or not a particular person is registered and is therefore eligible to subscribe a nomination paper. More information about the nomination procedure is contained in **Section C**.

Insufficient Nominations Received at Close of Nominations

Where an election has been requested to fill a casual vacancy and there are an equal number of candidates to seats available, that person(s) is elected unopposed, and takes up office immediately after the close of withdrawals.

If there are no nominations, then a new poll date must be set by the Returning Officer and the election will be re-run.

Official Poll Cards

Where the poll at a Town/Parish election is not combined with another type of election, the Town/Parish Council may request the Returning Officer to issue poll cards for that election. A written instruction from the Clerk (by e-mail) to the Elections Team – elections@shropshire.gov.uk - will suffice, but it must be received by 4pm on the day that the nomination period expires. Poll cards will be issued by second class post, unless a specific instruction for first class is received from the Clerk.

Where a town/parish election is combined with a Shropshire Council election, the poll cards will be issued for the unitary election, but will refer to the town/parish election taking place on the same day.

B3. Filling the Vacancy by Co-Option

If no by-election is called by the relevant date shown on the Notice of Vacancy, Shropshire Council will notify the relevant Clerk that the Town/Parish Council must co-opt a member to fill the vacancy as soon as practicable. This notification will either be by letter or by email.

Co-Option - Best Practice

- (i) Advertise the casual vacancy within the parish and local press. Wording for a suggested advert is contained in **Appendix 3**, setting a date by which prospective candidates must write into the chairman or clerk to the town/parish council expressing their interests in these casual vacancies.
- (ii) Notice of the election by co-option should be given in the Agenda for the meeting of the Town/Parish Council.
- (iii) When the item is reached, the Chair should call for nominations, which should be duly proposed and seconded.
- (iv) Candidates can be either interviewed, or their letter of interest can be read out to those present at the Town/Parish Council Meeting.
- (v) The prospective candidates must fulfil the same criteria requirements as those for qualifications for candidature for an election.
- (vi) When all the nominations have been received, a vote should be taken. It is usual for the candidates' names to be put in alphabetical order.
- (vii) The successful candidate should have received an absolute majority vote of those present and voting.
- (viii) It follows therefore, that if there are more than two candidates for one vacancy, and no one of them at the first count receives a majority over the aggregate votes given to the rest, steps should be taken to strike off the candidate with the least number of votes and the remainder should then be put to the vote again. This process should, if necessary, be repeated until an absolute majority is obtained.
- (ix) If there is more than one vacancy, and the number of candidates equals the number of vacancies, all the vacancies may be filled by a single composite resolution. However, if the number of candidates exceeds the number of vacancies, each vacancy should be filled by a separate vote or series of votes.
- (x) After the vote has been taken, the chairman should declare the candidate who received the highest number of votes duly elected.

- (xi) The person elected must make a Declaration of Acceptance of Office before, or at, the first meeting of the town/parish council following his election in the presence of a member of the town/parish council or the Proper Officer of the town/parish council.

Note:

There is nothing preventing councillors from approaching persons asking them to offer themselves for co-option.

Potential candidates should be invited to provide a written “application” or to speak to the relevant council prior to any voting. If such arrangements are to be applied, they should be carefully drafted and provided to applicants. It is imperative that all applicants are treated alike, in order that these arrangements are seen to be fair. Applicants under such arrangements should be discouraged from any personal lobbying.

Steps to be taken after the co-option of a suitable Candidate

Once the co-option has taken place:-

- the name and address of the person co-opted should be sent to Shropshire Council’s **Democratic Services Team** (not the Elections Team), as they keep full records of all current town and parish councillors.
- a copy of their “Declaration of Personal Interest Form” must also be sent to the Shropshire Council’s **Monitoring Officer**.

ELECTION AND NOMINATION PROCEDURES

Whether standing at ordinary scheduled elections or by-elections, the nomination procedures are the same and the following guidance is aimed to assist candidates, both at nomination stage and beyond.

C1. Nomination Procedures

It is important that nomination papers are completed correctly. Whilst it is often the case that the town/parish clerk will arrange to distribute and oversee the completion of nomination papers (particularly so at scheduled elections), it is the responsibility of each individual candidate and not the clerk, to ensure that their papers are submitted to the Returning Officer before the deadline specified within the statutory election timetable.

DELIVERY OF NOMINATION PAPERS

Electoral law states that nomination papers are NOT able to be submitted electronically and cannot be posted; THEY MUST BE DELIVERED IN PERSON.

When delivering your nomination papers, it is advisable to wait for them to be checked by the Elections Team before you leave. This is because if we discover an error, you will be able to take your paper away with you to correct it and re-submit it before the closing date and time.

Please note that nomination papers cannot be submitted until the date after publication of the Notice of Election.

Any papers which are incomplete, incorrect or received after the close of nominations cannot be accepted as valid.

Please take a few moments to familiarise yourself with the following guidance before you complete your nomination paper:-

About Yourself:

Each candidate must be nominated on a separate **nomination paper** in the prescribed form, the notes to which should be read carefully.

The nomination paper must give:-

- the **full names** (surname first) of the candidate and
- may, if desired, give his or her **description**, which must not exceed six words in length and are predominantly for use when the seat is being contested by members of a political party, or when candidates are "Independent".

Please note that your **description** is what will appear on the printed ballot paper. If you therefore write your description as "Farmer - Blue Eyes, Black Hair", this is what will be printed below your name when the ballot papers are produced.

A candidate may not use a description which is likely to lead voters to associate him or her with a Political Party unless that description is authorized by a Certificate signed by or on behalf of the Party's Registered Nominating Officer, which must also be received by the Returning Officer not later than the latest time for the delivery of nomination papers.

If a candidate wishes to use a party's emblem to appear against his or her name on the ballot paper, this must also be requested before the closing time for delivery of nominations.

Guidance on the use of Commonly Used Names:

Great care should be taken when a candidate completes his or her nomination paper if they decide to use a "commonly used" name. The commonly used name will be printed on the Statement of Persons Nominated, the Notice of Poll, and the Ballot Paper.

Candidates may ask to use their commonly used forename, surname, or both, but the Returning Officer may reject the use of this if it is deemed to be misleading or offensive.

Please note that if either the commonly used forename or surname box on the nomination paper is left BLANK, then your ACTUAL forename or surname, depending on which commonly used name box has been left blank, will be used.

Full guidance on this issue can be obtained from the Electoral Commission's website.

Signing Nominations:

The nomination paper must be subscribed by:-

- (i) a Proposer and
- (ii) a Secunder

The proposer and seconder must be local government electors of the town/parish, or if the town/parish is divided into wards, the correct ward, and their electoral numbers must be given on the nomination paper.

Proposers/seconders cannot sign more nomination papers than the number of vacancies to be filled. Whilst the Electoral Team can provide poll numbers, they cannot formally validate a nomination paper immediately, as another candidate may have already submitted a paper bearing a similar proposer/seconder.

It is good practice for the clerk to the town/parish council not to sign nomination papers or advocate the election of any particular candidate. Strict impartiality will avoid any possible accusation of bias.

Home Address Form:

Part 1 of the Home Address form must be completed by **ALL** candidates, which must include:

- the **full names** and **full address** of the candidate.
Please note that the address must not contain abbreviations, and must be the candidates current home address and not a business address (unless they run a business from home).
- a qualifying address, or, the qualifying addresses, where a candidate has declared on the consent to nomination that they meet more than one qualification
- which of the qualifications the qualifying address or addresses relate to e.g. a, b, c or d
- the **full names** and **home address in full** of the witness to the consent to nomination form

Part 2 must be completed if a candidate **does not** wish their home address to be published on the statement of persons nominated or the ballot paper. The statement must include the 'relevant area' in which the home address is situated and also be signed and dated by the candidate.

N.B. For all town and parish council elections, the 'relevant area' should be marked as "SHROPSHIRE", not the local parish area name.

Consent to Nomination:

A submitted Nomination Paper is **NOT** valid unless the candidate's **Consent to Nomination**, given in writing, dated on or within one month before the last day for delivery of nomination papers, is delivered at the place and within the time appointed for the delivery of nomination papers. The consent must contain a statement declaring that, with reference to the day of nomination the candidate is, and on the day of election will be, qualified to be elected (giving particulars of his or her qualification) and must be attested by a witness. Any person may act as a witness to the candidate's signature. The consent to nomination must also include the candidate's date of birth.

Qualifications for Candidature:

To be qualified to be elected a member of a town/parish council, a person must be 18 years of age or over at the date of his or her nomination, and a commonwealth citizen, a citizen of the Republic of Ireland, or a citizen of another member state of the European Community, and either:-

- (i) on that day he/she is and thereafter he/she continues to be a local government elector for the area of the parish; or

- (ii) he/she has during the whole of the twelve months preceding that day occupied as owner or tenant any land or other premises in the parish; or
- (iii) his/her principal or only place of work during that twelve months has been in that area; or
- (iv) he/she has during the whole of those twelve months resided either in the parish or within 4.8 kilometres of it.

Candidates must disclose this information on their Consent to Nomination and are advised to complete as many of the relevant qualifications as apply.

Disqualifications for Candidature:

There are certain disqualifications for election, of which the main (see S.80 of the Local Government Act 1972) are:-

- (a) holding a paid office under the authority;
- (b) bankruptcy;
- (c) having been sentenced to a term of imprisonment (whether suspended or not) of not less than three months, without the option of a fine during the five years preceding the election; and
- (d) being disqualified under any enactment relating to corrupt or illegal practices.

Campaigning and Expenditure:

Election campaigning can be carried out as soon as a person declares himself/herself to be a candidate. It is in the interests of each candidate to undertake their own publicity campaign, so that potential voters know who they are voting for.

Candidates are subject to limits on what they spend during the regulated period in advance of an election. The limit for the local government elections is £740, plus 6p per local government elector in the ward. A record (and receipts) for any expenses incurred should be kept, as towards the end of the election process, each candidate must, by law, complete and return their Election Expenses.

Candidates sometimes believe that they can claim back their campaign expenditure. **No reimbursement of expenses can be made by Shropshire Council to candidates** – it is a record which is required to be submitted by law, and is a public document which is available for public inspection.

Election Imprints for Publicity Material:

IMPORTANT: All election publicity material **MUST** carry the correct imprint. Please either contact the Electoral Commission direct for advice and/or refer to their guidance notes, reproduced as Appendix 4.

C2. Statement of Persons Nominated

As soon as practicable after the closing date and time for receipt of nominations, the Returning Officer is required to publish a **Statement of Persons**. This shows the details of the candidates who are validly nominated, and also the details of those who submitted nomination papers but are not validly nominated/have withdrawn, together with the reasons therefor.

A copy of this statement will be sent to the town/parish clerk for display locally, and a copy will be sent to the relevant town/parish chairman for information. A copy of the notice will be published on Shropshire Council's website, so you may wish to log on to see who the other candidates are (if any).

C3. Withdrawal of Candidature

A candidate may withdraw his or her candidature if, by the time the nomination period closes, he or she delivers to the place fixed for the delivery of nomination papers a **Notice of Withdrawal** signed by him or her, and attested by one witness.

A candidate who is validly nominated for more than one ward of the same town/parish **must** withdraw their candidature in all those wards except one by that deadline, otherwise they shall be deemed to have withdrawn from **all** those wards.

It is only at the expiry of the deadline for withdrawals that we will know whether or not there will be a poll.

C4. Appointment of Agents: Polling Agents, Counting Agents and Persons appointed to view the Postal Vote Opening Proceedings

Election Agents are **not** appointed at Town and Parish level, only Polling Agents, Count Agents and Agents to view the postal vote opening proceedings.

Whilst it is not usual for a town or parish council election, a candidate may, if they wish, appoint polling agents to detect personation at a polling station and counting agents to observe at the count.

A polling agent is **not** the same as a 'teller' (a candidate's helper who takes the numbers of electors leaving the polling station), who has no official standing and is **not** allowed to enter the polling station except to vote.

C5. Uncontested Elections

If the number of people remaining validly nominated after any withdrawals does not exceed the number of Councillors to be elected, such people will be declared to be elected. The Returning Officer will give notice of their names to the town/parish clerk or chairman and to the public.

Even if there is just one candidate, he/she is elected unopposed as at the withdrawal date and time.

People elected in these circumstances at scheduled elections do not take up office until four days after the day of election. In the case of a by-election however, an unopposed candidate will take office immediately after they have been declared to be elected (which is after the latest time for delivery of the close of withdrawals). Refer to "Local Elections (Parishes and Communities) (England and Wales) Rules 2006 - (Rule 50 (2))".

Please note that at scheduled elections, if there are not enough candidates to fill all the vacancies, the Representation of the People Act 1985, Section 21 allows the elected members, provided there is a quorum (i.e. – one third of the whole number of members with a minimum of three) to co-opt members to fill the remaining vacancies.

If the town/parish council fails to exercise their power to co-opt within seven weeks (35 days computed as under paragraph 3) or if there is no quorum, Shropshire Council may order a fresh election to properly constitute the town/parish council.

C6. Contested Elections – Declaration of Result – The Count

When the result of the poll is known, the Returning Officer or the appointed Deputy will:-

- (a) declare to be elected, the candidate(s) to whom more votes have been given than to the other candidates, up to the number of councillors to be elected.
- (b) give notice of the name of each candidate elected to the town/parish clerk and relevant chairman
- (c) give public notice of the name of each candidate and of the total number of votes given for each (whether elected or not) together with the number of rejected ballot papers

Candidates are encouraged to attend the counting of the votes, to oversee proceedings. Forms to advise the Returning Officer of Candidates' attendance, together with their partner/spouse and Counting Agents, are included in the Nomination Pack. These should be submitted as soon as practicable.

C7. Election Expenses

At the end of the election period, even if no poll has taken place, each candidate (whether successful or not) **MUST BY LAW** submit a Statement of Election Expenses/Declaration to show the expenses (if any) incurred as part of their election campaign.

These documents must be made available for public inspection and failure to return one (even if it is a 'Nil Return') is a reported **electoral offence**.

C8. Register of Electors and Absent Voters Lists supplied to Candidates

Candidates at by-elections can request a copy of the **Register of Electors** and **Absent Voters Lists**, using the application forms supplied as part of their Nomination Pack.

The Register will be supplied in data format unless otherwise requested. Any paper copy of the Register supplied, must be **returned** to the Elections Office after the election period.

C9. Declaration of Acceptance of Office

A person elected to the office of a town/parish councillor shall:-

- (a) in the case of the chair, at the meeting at which they are elected; or
- (b) in the case of a councillor, before or at the first meeting of the town/parish council after their election; or
- (c) in either case if the council at that meeting allows, before or at a later meeting fixed by the council.

in the presence of a member of the council who has already themselves, declared, or the proper officer of the Council, sign a ***Declaration of Acceptance of Office*** (see Appendix 4).

Failure to execute the Declaration prior to their first meeting will result in them not being able to participate, and if it remains unsigned, will result in their office becoming vacant. (Local Government Act 1972, Section 83).

CASUAL VACANCIES – CANDIDATES’ CHECKLIST

The various stages of the election process can prove to be daunting if you have not stood as a candidate before. Even though we have provided you with a timetable as part of your nomination pack, you may find it useful if use the checklist below to ensure that you have done everything that is required, in chronological order, including submitting your record of election expenses right at the end of the election process.

Also, please remember to refer to Shropshire Council’s website to view the notices published throughout the election timetable – eg. Notice of Election, Statement of Persons Nominated, Notice of Poll and Election Results.

| | Tick when complete (or as required) |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------|
| Nomination Paper and Consent to Nomination: | |
| Remember that the nomination paper must be delivered in person to the Returning Officer at the Shirehall in Shrewsbury. | |
| It can no longer be posted, nor can it be received electronically. | |
| <ul style="list-style-type: none"> • Has the nomination paper been completed with forename and surname? | |
| <ul style="list-style-type: none"> • If required, has the “commonly used name” section been completed? (See Section C1). | |
| <ul style="list-style-type: none"> • Is a description being used, if so, is it less than six words? | |
| <ul style="list-style-type: none"> • If using a political party description and emblem (as registered on the Electoral Commission’s website), have the necessary consents been completed, countersigned by the Registered Nominating Officer or Authorised Person, and been submitted by the close of the nomination period? | |
| <ul style="list-style-type: none"> • Have the proposer and seconder signed the nomination paper? | |
| <ul style="list-style-type: none"> • Has Part 1, and if required, Part 2 of the “home address” form been fully completed? | |
| <ul style="list-style-type: none"> • Has the “consent to nomination” been fully completed with <ol style="list-style-type: none"> (a) all the qualification sections that apply; (b) the candidate’s signature; (c) the candidate’s date of birth; (d) the name and signature of a witness; and (e) has it been completed within the correct time period (See Section C1)? | |
| Applications for the Register and Absent Voters Lists | |
| <ul style="list-style-type: none"> • If required, complete and submit an application form to receive a copy of the Register and Absent Voters Lists for campaign purposes. • NB - This can be supplied only to the <u>Candidate</u>. | |

| Withdrawal of Candidature | |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| <ul style="list-style-type: none"> If withdrawing from the contest after submitting your nomination paper, have you completed the necessary form and had it witnessed, and submitted it by the due deadline. | |
| Appointment of Agents | |
| <ul style="list-style-type: none"> If required, complete and return the forms for the appointment of Polling Agents, Counting Agents and persons appointed to view the postal vote opening proceedings, and submit them to the Returning Officer by the due deadline. <u>Note</u>: Candidates, their partner/spouse and Counting Agents are welcome to attend the counting of votes, but MUST still submit the necessary paperwork to the Returning Officer in advance, using the forms provided in their nomination pack. | |
| Declaration and Return of Candidates Election Expenses | |
| <ul style="list-style-type: none"> <u>LEGAL REQUIREMENT</u>: Have the “Declaration by Candidates” and “Return of Election Expenses” forms been submitted to the Returning Officer by the due deadline – even if it is a “Nil” return? (See Section C7). | |
| Register of Electors | |
| <ul style="list-style-type: none"> If a paper copy of the Register has been supplied, has it been returned to Shropshire Council’s Returning Officer? | |
| Declaration of Acceptance of Office and Members Interests | |
| <ul style="list-style-type: none"> For successful candidates, has the Declaration of Acceptance of Office been signed and witnessed? | |
| <ul style="list-style-type: none"> For successful candidates, has a Declaration of Members Interests Form been completed and submitted to Shropshire Council’s Monitoring Officer as soon as practicable after taking up office? | |

INSERT: *Name of Parish/Town Council and/or its Coat of Arms or Logo*

NOTICE UNDER LOCAL GOVERNMENT ACT, 1972 (Section 87(2))

**VACANCY FOR A COUNCILLOR
PUBLIC NOTICE IS HEREBY GIVEN**

that a casual vacancy has occurred in the office of Councillor for
[the INSERT NAME OF WARD (if applicable) of]
[INSERT NAME OF COUNCIL] Parish/Town Council,
following the ***resignation/disqualification/death***
on ***[INSERT DATE]*** of Councillor ***[INSERT NAME]***.

Rule 5(2) of The Local Elections (Parishes and Communities) (England and Wales) Rules, 2006 now applies.

The rule allows **TEN ELECTORS** for the parish [ward] in which the casual vacancy has arisen to request the Returning Officer to hold an election to fill the vacancy.* That request must be made within **FOURTEEN DAYS**, calculated in accordance with the rules,** of the date of this notice. The fourteen-day period ends on ***[INSERT DATE]***.

What if a request to hold an election is not received during the permitted time?

Rule 5(5) of the above Rules will apply. The Parish Council must, as soon as practicable after the expiry of the fourteen-day period, co-opt a person to fill the vacancy.

The Returning Officer's address is:

**Electoral Services, Shropshire Council,
The Shirehall, Abbey Foregate, Shrewsbury, Shropshire SY2 6ND**

The telephone number for further guidance is 0345 678 9015.

This notice is dated *[INSERT DATE]*

[INSERT NAME AND CONTACT DETAILS OF PARISH/TOWN CLERK]

* There is no form of words for this request, which might simply be a letter headed with such words as "We the undersigned being electors for the [Ward of] ... Parish, call for an election to fill the vacancy arising from the [death][resignation] of ...". A template entitled "Request for an Election" is available to download from Shropshire Council's website – www.shropshire.gov.uk - under "Current Council Vacancies". It is helpful if the ten signatures are accompanied by printed names and addresses.

** In calculating the notice period, day one is the day following the date of this notice; a Saturday, Sunday, Christmas Eve, Christmas Day, Good Friday or a Bank Holiday or day appointed for public thanksgiving or mourning shall be disregarded, and the period closes at midnight on the fourteenth day after the date of this notice. Rule 5(2) of The Local Elections (Parishes and Communities) (England and Wales) Rules, 2006 now applies.

To: The Returning Officer, Shropshire Council – Elections Office, The Shirehall, Abbey Foregate, Shrewsbury, Shropshire, SY2 6ND.

REQUEST FOR AN ELECTION

We are ten local government electors for the Parish/Town of and *(if applicable)* are registered electors in the Ward. We request that an election be held to fill the casual vacancy in the office of Parish/Town Councillor caused by the resignation* / disqualification* / death* of as published in the Notice of Vacancy dated

| | Print Name | Signature | Address | Nomination Pack Request | For Office Use Only POLL NO. |
|-----------|-------------------|------------------|----------------|--------------------------------|-----------------------------------------|
| 1 | | | | | |
| 2 | | | | | |
| 3 | | | | | |
| 4 | | | | | |
| 5 | | | | | |
| 6 | | | | | |
| 7 | | | | | |
| 8 | | | | | |
| 9 | | | | | |
| 10 | | | | | |

Notes:

Should any elector on this list require a nomination pack to be sent to them so that they can stand as a candidate, please tick the appropriate column above.
This document is available for inspection upon request.

INSERT: Name of Parish/Town Council and/or its Coat of Arms or Logo

**CO-OPTION OF A COUNCILLOR FOR
[INSERT NAME OF WARD OF (if applicable)]
[INSERT NAME OF COUNCIL]**

[INSERT NAME OF COUNCIL] recently advertised a casual vacancy for the statutory notice period, but no requests were received for a by-election to be held.

Applications are now being sought from any suitably qualified person who wishes to stand for co-option onto the Council.

Written applications should be made to the Clerk of the Council by no later than **[DATE]** and these will be considered at the **Town/Parish** Council Meeting to be held on **[DATE]**.

For an informal discussion, please contact the Clerk to the Council.

[INSERT NAME AND CONTACT DETAILS OF PARISH/TOWN CLERK]

This notice is dated **[INSERT DATE]**

ELECTION IMPRINTS

Please refer to this section **BEFORE** producing your election material, as it is an **electoral offence** if your campaign material does not comply with the statutory regulations. For further guidance, please contact the Electoral Commission direct.

You must:

- Use imprints on all your campaign material, including websites.
- Comply with planning rules relating to advertising hoardings and large banners – you should ask the relevant local authority for advice.
- Make sure that outdoor posters are removed promptly after the election – you must do this within two weeks.

You should:

- Consider how to make your campaign accessible to people who are visually impaired, have learning difficulties or low literacy skills, or whose first language isn't English or, in Wales, Welsh. You may want to make contact with disability groups in your local area for advice.

You must not:

- Produce material that looks like the poll cards sent to voters by the Returning Officer.
- Pay people to display your adverts (unless they display adverts as part of their normal business).

USING IMPRINTS

What is an imprint?

An imprint must, by law, be added to campaign material to show who is responsible for its production. It helps to ensure that the campaign is transparent.

What do you need to include?

On printed material, such as leaflets and posters, you must include the name and address of:

- the printer
- the promoter
- any person on behalf of whom the material is being published (and who is not the promoter)

The promoter is the person who has authorised the material to be printed. If the promoter is acting on behalf of a group or organisation, the group or organisation's name and address must also be included.

You can use either home or office addresses.

If you are putting an advert in a newspaper, your advert does not need to include the printer's details.

Example of an Imprint

A standard imprint for independent candidates should look like this:

Printed by [printer's name and address].

Promoted by [agent's name] of [agent's address], on behalf of [candidate's name] of [candidate's address].

If the candidate is also the promoter of the material, the 'on behalf of' part of the imprint is not required.

In all cases, you must make sure that the imprint lists all the promoters and organisations involved.

Where do you put the Imprint?

If your material is single-sided – such as a window poster – you must put the imprint on the face of the document. If it is multi-sided, you must put it on the first or last page.

Websites and other Electronic Material

You should also put an imprint on electronic material, such as websites and emails. The imprint should include the name and address of the promoter and the organisation on whose behalf it has been produced.

**This Section to be completed by the
Newly Elected/Appointed/Co-Opted Parish/Town Councillor**

DECLARATION OF ACCEPTANCE OF OFFICE

Full Name: _____

having been elected to the office of Parish/Town Councillor

For the Parish/Town of: _____

declare that I take that office upon myself, and will duly and faithfully fulfil the duties of it according to the best of my judgement and ability.

Date: _____ Signed: _____

Contact Address: _____

Telephone Number: _____

**This Section to be completed the Witness
So Authorised by the Parish/Town Council**

This Declaration was made and signed before me:

Proper Officer of the Council of the Parish/Town of @

OR

Member of the Council of the Parish/Town of @

AND

Member of the Council of the Parish/Town of @

Date of Co-Option: _____

[This Copy to be retained by the Parish/Town Clerk]