

CALC GUIDE TO ELECTIONS

2019



Ordinary elections

- Ordinary elections are held every four years to coincide with the timetable for the district council.
- All members of the council retire and all the seats become vacant.
- Every member of the council who intends to remain a councillor must stand for re-election.
- A member who is returned unopposed is elected as if there had been an election but without a ballot.
- Candidates have to fulfil the same qualifications whether they are standing for an ordinary election, by-election or co-option.

By-election

- A casual vacancy happens when a seat falls vacant between ordinary elections.
- If this happens, the council must invite electors to call a by-election.
- If a by-election is not called, the council can co-opt someone to fill the vacancy.

Co-option

- The council chooses someone to fill a vacancy.
- Co-option occurs if insufficient candidates are proposed for seats at an ordinary election or a by-election, or if a by-election is not called to fill a casual vacancy.

To stand for election on a parish or town council you must be:

- ✓ a UK or Commonwealth citizen; or
- ✓ a citizen of the Republic of Ireland; or
- ✓ a citizen of another Member state of the European Union; and
- ✓ be aged 18 or over.

To be eligible to stand for an election for a particular parish you must:

- ✓ be registered as a local government elector for the parish; or
- ✓ in the past 12 months have occupied (as owner or tenant) land or other premises in the parish; or
- ✓ work in the parish (as your principal or only place of work); or
- ✓ live within three miles of the parish boundary.

You don't have to be connected to a political party.

However you should not:

- ✗ be subject of a bankruptcy restrictions order; or
- ✗ be a paid employee of the council that you are standing for; or
- ✗ have been convicted of a crime and sentenced to a term of imprisonment of not less than three months within five years before the date of the election; or
- ✗ have been disqualified under any enactment relating to corrupt or illegal practices.

Standing to be a councillor

There are four initial steps to take before standing in elections:

1. Find out when the Notice of Election is published

Contact the Returning Officer in your district council who can provide the timetable.

2. Get a nomination form

Parish or town clerks hold a number of forms. Staff in the Electoral Services Office also have all the papers you need and can give you advice. Anyone who is eligible to stand can request these forms.

3. Complete your nomination form

Put all your personal details and those of the two people supporting your nomination on the form - all three of you must sign it. All three of you must include your Electoral Register number (available from your Electoral Services Office). The technical names for the two people supporting your nomination are Proposer and Secunder.

4. Return your completed nomination form

There is a deadline time and date for delivery of nomination forms which must be delivered in person.

Don't forget to return your form by the deadline time and date. If you don't you will not be able to stand in the election!

As nomination forms are not all that straightforward to complete, take them into the district council Democratic Services section to ensure that they are correctly filled in.

It is the responsibility of the candidate to get the signed nomination paper back to the Returning Officer in time. Nominations which are too late will not be accepted.

Election timetable

The election timetable is as follows:

- **Publication of notice of election**
Not later than the twenty-fifth day before the day of election
- **Delivery of nominations papers**
Not later than noon on the nineteenth day before the day of election
- **Publication of list of candidates**
Not later than noon on the seventeenth day before the day of election.
- **Delivery of notices of withdrawals of candidature**
Not later than noon on the sixteenth day before the day of election.

- **Notice of Poll**

Not later than the sixth day before day of election.

- **Polling**

Between the hours of 7.00 am and 10.00 pm on the day of the election.

In calculating the timetable the following days are disregarded; Saturday, Sunday, Christmas Eve, Christmas Day, Good Friday, a Bank Holiday and a day appointed for public thanksgiving or mourning.

Publicity

During the period between the notice of an election and the election itself, councils should not publish any publicity on controversial issues or report views in such a way that identifies them with any individual members.

It is permissible for councils to publish factual information which identifies the names of candidates at elections. Councils should not issue any publicity which seeks to influence voters.

Councils must not publish, or arrange for the publication of, any material which appears to be designed to affect public support for a political party or persons identified with a political party.

Budget

Councils need to know how much an election will cost in the year of an ordinary election and budget for that cost. You need to know the charges that the district council makes to parish councils for the ordinary elections in May. Ask the Electoral Services department at the district council how much a contested parish council election will cost and also how much an uncontested election would cost.

You also need to find out how much a by-election would cost. The council needs to have a contingency reserve set aside for by-elections and to decide from time to time whether the reserve set aside in the case of a casual vacancy is adequate. As councils don't share any of the costs, they tend to cost more than ordinary elections.

The annual council meeting

The Local Government Act 1972 specifies that every parish and town council must hold an annual meeting in May, and that if it is a year of the council's ordinary election, it must be on the fourth day after the election or within 14 days of that day. Depending on the date of the election, it is possible for the annual council meeting not to take place in May.

The members of the former council retire on the fourth day after elections and newly elected councillors take their seats on the same day.

Each member of the parish or town council must sign a declaration of acceptance of office before they may take part in the annual meeting or any other meeting.

The first item of business at the annual council meeting must be the election of the chairman. The retiring chairman presides at the meeting for that item of business even if he has not been returned at the election. Once the new chairman has been elected, and has signed a declaration of acceptance of office, then he or she presides.

See also –

Electoral Commission website

<http://www.electoralcommission.org.uk/>

Worcs CALC good practice guides:

Casual vacancy for a councillor

NALC legal topic note 8 - Elections

Local District Council elections officers

November 2018

Timetable for local elections in England: 2 May 2019

This timetable covers the following polls taking place on 2 May 2019:

- local government principal area elections (i.e. district, borough, county borough and unitary authority elections)
- parish council elections
- local authority mayoral elections in England
- any combined authority mayoral elections in England

The days which are disregarded in calculating the timetable are Saturday, Sunday, Good Friday, Easter Monday, bank holidays and any day appointed for public thanksgiving or mourning.

Please be aware that the timetable may change in the event of days being appointed for public thanksgiving or mourning.

Event	Election	Working days before poll (deadline if not midnight)	Date
Publication of notice of election	All	Not later than 25 days	Not later than Tuesday 26 March
Delivery of nomination papers	All, excluding combined authority mayoral	From the date stated on the notice of election up to 4pm on the nineteenth working day before the election	From the date stated on the notice of election up to 4pm on Wednesday 3 April

Event	Election	Working days before poll (deadline if not midnight)	Date
Delivery of nomination papers	Combined authority mayoral	From the day after the publication of notice of election until 4pm on the nineteenth working day before the election (10am to 4pm)	Between 10am and 4pm on any working day after publication of the notice of election until 4pm on Wednesday 3 April
Deadline for withdrawals of nomination	All	19 days (4pm)	4pm on Wednesday 3 April
Deadline for the notification of appointment of election agent	All, excluding parish council	19 days (4pm)	4pm on Wednesday 3 April

Event	Election	Working days before poll (deadline if not midnight)	Date
Making objections to nomination papers	Combined authority mayoral	<p>On 19 days (10am to 5pm), subject to the following:</p> <p>Between 10am and 12noon objections can be made to all delivered nominations</p> <p>Between 12 noon and 5pm objections can only be made to nominations delivered after 4pm, 20 days before the poll</p>	<p>Between 10am and 12 noon on Wednesday 3 April objections can be made to all delivered nominations</p> <p>Between 12 noon and 5pm on Wednesday 3 April objections can only be made to nominations delivered after 4pm on Tuesday 2 April</p>
Publication of first interim election notice of alteration	All	19 days	Wednesday 3 April
Publication of statement of persons nominated	All	Not later than 18 days (4pm)	Not later than 4pm on Thursday 4 April

Event	Election	Working days before poll (deadline if not midnight)	Date
Deadline for receiving applications for registration	All	12 days	Friday 12 April
Deadline for receiving new postal vote and postal proxy applications, and for changes to existing postal or proxy votes	All	11 days (5pm)	5pm on Monday 15 April
Deadline for receiving new applications to vote by proxy (not postal proxy or emergency proxies)	All	6 days (5pm)	5pm on Wednesday 24 April
Publication of second interim election notice of alteration	All	Between 18 days and 6 days	Between Thursday 4 April and Wednesday 24 April (inclusive)
Publication of notice of poll	All	Not later than 6 days	Not later than Wednesday 24 April

Event	Election	Working days before poll (deadline if not midnight)	Date
Publication of final election notice of alteration	All	5 days	Thursday 25 April
Deadline for notification of appointment of polling and counting agents	All	5 days	Thursday 25 April
Deadline for notification of appointment of sub agents	Combined authority mayoral	5 days	Thursday 25 April
First date that electors can apply for a replacement for lost postal votes	All	4 days	Friday 26 April
Polling day	All	0 (7am to 10pm)	Thursday 2 May
Last time that electors can apply for a replacement for spoilt or lost postal votes	All	0 (5pm)	5pm on Thursday 2 May
Deadline for emergency proxy applications	All	0 (5pm)	5pm on Thursday 2 May

Event	Election	Working days before poll (deadline if not midnight)	Date
Last time to alter the register due to clerical error or court appeal	All	0 (9pm)	9pm on Thursday 2 May
Delivery of return as to election expenses (parish council elections only)	Parish council	Not later than 28 calendar days after the date of the election	Thursday 30 May
Delivery of return as to election expenses	All, excluding parish council	Not later than 35 calendar days after the date the election result is declared	If result is declared on Thursday 2 May: Thursday 6 June If result is declared on Friday 3 May: Friday 7 June
Sending postal vote identifier rejection notices	All	Within 3 calendar months beginning with the date of the poll	By Friday 2 August