

## **ELECTIONS 2019**

### **FREQUENTLY ASKED QUESTIONS**

#### **Who posts the Notice of Election?**

The Clerk

#### **When can nomination papers be submitted?**

Nomination papers can be submitted from the date stated on the notice of election up to 4pm on the nineteenth working day before the election (3rd April). It must be the original signed documents that are submitted.

#### **Who delivers the nomination papers?**

The candidate or candidate's agent NOT the clerk

#### **Can candidates collect their own nomination packs from the District Council?**

Yes

#### **My parish is warded. Can I stand for election on more than one ward?**

No. The guidance says that if you are validly nominated in more than one ward within the same parish you must withdraw from all wards but one by 4pm on the 19th working day before the poll. If you do not, then you will be deemed to have withdrawn from all wards.

#### **If a parish/town council has chosen to be non-political in the past and wishes to change does this need to be approved by resolution?**

No – this is not a decision that can be made by a council, it cannot do anything to stop someone with political inclination from standing.

#### **Can a spouse/relative nominate?**

Yes, anyone can nominate providing they are on the Electoral Roll

**Do existing councillors have to apply to stand?**

Yes

**What happens if there is a general election?**

All elections can happen on the same day if necessary

**Can a clerk canvas for prospective councillors?**

The Clerk can advertise generally but not target specific candidates

**If there are the same number of candidates as vacancies does the Council still have to hold an election?**

Yes, but it will be uncontested and valid candidates returned unopposed

**If a candidate is nominated for a specific ward can they be moved to another ward if there are not enough candidates for that ward?**

No

**Are prospective councillors given all the information they need?**

Yes, they will be given a pack which includes a nomination form and all the information that they require

**Is it ok for Clerks to ask current councillors who will be re-standing?**

Yes - but they don't have to tell you!

**Can you preclude a candidate?**

No, provided the nomination is accepted by the Returning Officer a person may stand

**Should Clerks send packs to existing councillors?**

Yes, the packs will not automatically be sent to existing councillors

**Who has to prove whether a candidate is eligible to stand?**

The candidate

### **When can we hold our annual meeting of the council?**

The law requires annual meetings to be held on or within 14 days of the new council taking office therefore the earliest date the meeting may take place is Monday 13<sup>th</sup> May (allowing for 3 clear days notice) and the latest is Tuesday 21<sup>st</sup> May.

### **When does a councillor have to complete their Declaration of Acceptance?**

The declaration must be delivered before or at the first meeting after the election (the annual council meeting) or, if permitted by the council at that meeting, at a later meeting fixed by the council. If a councillor fails to deliver the declaration at the due time, he or she will be unable to take their seat.

### **When does a councillor have to complete their Register of Interests?**

Every member is required to complete a register of disclosable pecuniary interests. Under the council's Code of Conduct (and the law) this register must be completed as soon as possible after election and no later than 28 days after taking office.

### **Can a candidate be reimbursed expenses?**

No, never. A declaration of election expenses must be delivered to the Returning Officer. If a councillor fails to deliver the required information, he or she may be disqualified. If no expenses have been incurred councillors still need to submit a "nil" return.

### **What are candidates likely to incur expenses for?**

Prints & promotional material, travel - candidates **MUST** submit declaration of expenses forms following elections even if the figure is zero

### **When does the purdah period start?**

For the elections on 2 May 2019, the latest date the pre-election period could start is 26

March 2019 – please check with your District Council the exact date that Purdah commences in your district.

**Does Purdah need to be observed in a non-political Council?**

Yes

**Can our Neighbourhood Planning Group continue to work on our Neighbourhood Plan during Purdah?**

Neighbourhood Planning is an activity that cannot 'shut down' during electoral purdah restrictions, but extra care should be taken during this time of heightened sensitivity. The guidance provided by the Local Government Association says a council can continue to discharge normal council business (including determining planning applications, even if they are controversial).

**Can we hold our Annual Parish Meeting (APM) during purdah?**

The APM is not a council meeting but often involves the use of council resources to run it, we do not recommend that it takes place during Purdah.

**Should I stop my District Council attending our parish council meeting during Purdah?**

The general rule is that it is "business as usual". However, councils should be cautious about any attempt by councillors to use the meeting as a platform to promote themselves.

**Can I mention any specific councillors in reports during Purdah?**

No, this is not recommended

**Is it ok to include a report from the Mayor, Chairman or councillors in the parish magazine during Purdah?**

No, this is not recommended

**Can the Council hold events during Purdah?**

Yes, providing there is no political agenda

**If more than one candidate is standing for Co-option can the council ask the candidate to leave the room while the vote takes place?**

No – the Council must be transparent

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**Further information can be found on the FAQ page provided by the Local Government Association here: <https://www.local.gov.uk/our-support/purdah/frequently-asked-questions>**

