IMMINGHAM BLUESTONE WARD TOWN COUNCIL BY-ELECTION

THURSDAY, 15TH MARCH 2018

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IMMINGHAM TOWN COUNCIL BY-ELECTION

Following the recent death of Town Councillor Morris Prior, there is a vacancy for the position of Town Councillor in the Bluestone Ward of Immingham Town Council. The successful candidate for this vacancy will be elected until the next Town and Parish Council elections on 2nd May 2019.

ELECTIONS TIMETABLE:
A copy of the election timetable is enclosed.

NOMINATIONS:
The election begins with publication of the Notice of Election on Thursday, 8th February 2018. Nominations may be delivered between the hours of 9.30am and 4pm from the day after the publication of the Notice of Election (e.g. delivered from 9th February 2018) but not later than 4pm on Friday, 16th February 2018. It is the responsibility of the candidate to submit his/her nomination form. There is no power to accept late nominations – even if they are late by just a few seconds. It is advisable not to delay delivery until the last moment because if there is an error on the form there may be insufficient time to correct it.

The name and home address of the candidate must be in full. If the candidate is standing on behalf of a registered political party, the nomination must be accompanied by the correct documentation, ie. certificate of authorisation from the party and, if desired, a request to use the party’s emblem on the ballot paper. Other candidates can use any other description of up to 6 words, or Independent, or leave the Description section blank.

The nomination requires a Proposer and a Seconder from the relevant town ward they are standing for. The Proposer and Seconder must each sign the nomination paper, print their name and include their full electoral register number (ie. the letters representing the polling district together with the elector’s number on the register). The Clerk of the Town Council can assist you with the electoral numbers.
The consent to nomination must be completed and signed by the candidate. Candidates are advised to complete as many sections as apply to them on the consent form.

**Qualifications to be a councillor:**
A candidate must be a British, qualifying Commonwealth, Irish, or European Union citizen, and aged 18 by polling day. In addition, the candidate must meet at least one of the following criteria:-

(a) registered as a local government elector for the area of the Parish/Town; or
(b) an owner or tenant of land or property in the Parish/Town for the whole of the 12 months before the day they are nominated; or
(c) had an only or principal place of work in the Parish/Town for the whole of the 12 months before the day they are nominated; or
(d) resided in the Parish/Town, or within 4.8 kilometres of it for the whole of the 12 months before the day they are nominated.

A Candidate must not be disqualified to stand by reason of any disqualification set out in, or decision made under, Section 80 of the Local Government Act 1972, Section 78 (a) of the Local Government Act 2000, or Section 34 of the Localism Act 2011, copies of which are supplied with the Consent to Nomination. Candidates are advised to complete as many sections as apply to them on the Consent form (sections (a) – (d)).

**Statement of Persons Nominated:**
The Statement of Persons Nominated will be published not later than 4pm on Monday, 19th February 2018. Any written notices of withdrawal of candidature must be delivered to the Returning Officer by 4pm on 16th February 2018.

If the number of validly nominated candidates is equal to the number of seats (one) to be filled, that candidate will be declared to be elected. The Returning Officer will issue a notice of uncontested election to the Clerk.

If more than one candidate is validly nominated and a poll is necessary, it will be held on Thursday, 15th March 2018 between the hours of 7am and 10pm.

**SECRECY REQUIREMENTS:**
The requirements in section 66 of the Representation of the People Act 1983 help to maintain the secrecy of the ballot. They apply to all candidates, agents and to every person attending at the polling stations, the issue and receipt of postal ballot papers and the count. A copy is set out at Appendix B of the Electoral Commission’s guidance.

**ELECTION POSTERS:**
Candidates are issued with a copy of North East Lincolnshire Council’s Conditions for the Display of Election Posters on or adjacent to the Highway. There shall be no general display of election posters within the highway, including street lighting columns, poles, posts, trees and structures within the highway. These conditions must be adhered to.
COUNT:
The verification of all ballot papers will take place at the conclusion of the poll from 10pm onwards on Thursday, 15th March 2018 at the Civic Centre, Pelham Road, Immingham.

At a contested election, those entitled to attend the count are the candidate and a guest, their appointed agent (if applicable), and the candidate’s counting agents (the number permitted for each candidate will be notified by the Returning Officer). Notification in writing of a candidate’s counting agents must be given to the Returning Officer not later than Thursday, 8th March 2018.

Entrance to the counting of votes is strictly controlled and passes will be issued for security reasons.

ABSENT VOTES:
The closing dates for applications to vote by post and proxy are set out in the timetable. Postal votes will be sent out around 5th March 2018. Those postal votes received up to 2pm on 15th March 2018 will be opened in the Municipal Offices, Town Hall Square, Grimsby. Any postal votes received after 2pm will be opened at the Civic Centre, Pelham Road, Immingham during the count at 10pm. Further details will be provided to candidates in due course.

A copy of the Electoral Commission’s Code of Conduct for Campaigners: Electoral Registration, Postal Voting, Proxy Voting and Polling Stations is enclosed. Candidates and agents are asked to ensure that they and everyone working with them take note of the contents of this document.

TELLERS IN AND AROUND POLLING PLACES:
A copy of “Tellers do’s and don’ts” issued by the Electoral Commission is enclosed. Candidates are asked to bring this guidance to the attention of their tellers at polling stations.

EXPENSES:
The spending limit for local government elections depends on the number of electors in the parish/ward being contested. The current limits are £740 plus 6p per local government elector on the register for the electoral area. Maximum limits are reduced in the case of joint candidates. Please note that these limits are subject to change, in line with inflation or in the light of any legislative changes. Copies of the relevant forms may be downloaded from the Electoral Commission’s website.

The last day for delivery to the Returning Officer of Return of Election Expenses and Candidate’s Declaration is Thursday, 12th April 2018. Each candidate must submit a return and declaration (even if a ‘nil’ return).

“DANGER AREAS”:
There are several areas where there are regular difficulties and the following are examples:-

- Failing to meet the time deadlines;
- Failing to complete all sections of the nomination paper (except for ‘Description’ which is optional);
• Failing to sign the consent to nomination and ensure that the appropriate sections are fully completed;
• Failing to ensure that all notices, leaflets comply with legislation;
• Failing to control supporters about, for example, unlawful flyposting, defacing opponents' posters, unlawful display of posters, etc.

These examples are not intended to be an exhaustive list. The candidate is responsible for ensuring that nominations are completed accurately and that any election campaign is conducted in accordance with the law.

**FURTHER INFORMATION:**
The legislation relating to elections is very extensive. These notes and the Electoral Commission’s guidance cover the main issues only, and candidates are advised to familiarise themselves with the provisions of the legislation relating to the conduct of a parish election.

The Returning Officer and his staff are available to give general advice to candidates and outline the legislation. However, they are not able to give detailed definitive advice on individual circumstances. In such matters, candidates should seek their own legal advice.

February 2018
IMMINGHAM TOWN COUNCIL
IMMINGHAM BLUESTONE
15 March 2018

Election Timetable

New applications for first interim publication date: 
- Wednesday 7 February 2018

Notice of Election: To be published not later than: 
- Thursday 8 February 2018

Delivery of nomination papers: Commencing on: 
- Friday 9 February 2018

Last day for delivery of nomination papers: 
- Not later than 4 pm on: 
  - Friday 16 February 2018

Last day for withdrawals of candidature: 
- Not later than 4 pm on: 
  - Friday 16 February 2018

Publish notice of alteration for first interim publication date: 
- Not later than 4 pm on: 
  - Monday 19 February 2018

New applications for second interim publication date: 
- Wednesday 21 February 2018

Deadline for applications to be included on the register of electors to be used at the election: 
- Tuesday 27 February 2018

Last day for new applications to vote by post or to change or cancel an existing postal vote or proxy appointment: 
- Not later than 5 pm on: 
  - Wednesday 28 February 2018

Publish notice of alteration for second interim publication date: 
- Friday 2 March 2018

Last day for new applications to vote by proxy: 
- Not later than 5 pm on: 
  - Wednesday 7 March 2018

Publication of Notice of Poll: 
- Wednesday 7 March 2018

Last day for appointment of counting and polling agents: 
- Not later than: 
  - Thursday 8 March 2018

Publish notice of alteration of register as a result of late applications: 
- Thursday 8 March 2018

First day to issue ballot papers in response to requests to replace lost postal ballot papers: 
- Friday 9 March 2018

Last day to make alterations to the register to correct a clerical error or to implement a court decision: 
- Not later than 9 pm on: 
  - Thursday 15 March 2018

Last day to issue replacements for spoilt or lost postal ballot papers: 
- Not later than 5 pm on: 
  - Thursday 15 March 2018

POLLING DAY: (7 am to 10 pm) 
- Thursday 15 March 2018

Last day for new applications to vote by proxy on grounds of medical emergency: 
- Not later than 5 pm on: 
  - Thursday 15 March 2018

Last day for receipt of return of election expenses: 
- Thursday 12 April 2018

North East Lincolnshire Council
Municipal Offices, Town Hall Square
Grimsby
DN31 1HU

ROB WALSH
RETURNING OFFICER
North East Lincolnshire Council
Display of Election Posters on or Adjacent to the Highway

Introduction

Under powers delegated to the Strategic Director of Environment, Economy and Housing, there shall be NO general display of election posters within the highway, including street lighting columns, poles, posts, trees and structures within the highway.

The erection of election posters within private land is subject to the following conditions:

Conditions
1. There shall be no display of posters on fences, walls, hedges etc. of public property abutting the highway.
2. Posters on fences, walls, in hedges etc., of private property abutting the highway shall be displayed only with the consent of the owners.
3. No poster shall be displayed so as to obscure or hinder the ready interpretation of any authorised signs so as to endanger or inconvenience any users of the highway.
4. No posters shall be displayed within the limits of sightlines so as to obscure the view of users of the highway at junctions. No posters shall be displayed within the limits of pedestrian crossing road markings.
5. Free standing signs or signs fixed to stakes driven into the ground which is private property shall be confined to grass verges and shall be erected at least 2 metres from the edge of the carriageway. Precautions shall be taken to ensure that no damage is caused to Statutory Undertakers underground services.

Contravention
Contravention of these conditions will lead to the removal of any unauthorised signs and may lead to prosecution under Section 132 of the Act with a fine not exceeding level 4 on the standard scale. Unauthorised signs so removed may be collected by the owners from the local highway depots.

Issue of these Conditions
These conditions are issued without prejudice to the requirements of any other Act, Regulations or by-law covering Elections.

Interpretation
Any advice on the interpretation of these Conditions should be obtained from:-

The Strategic Director of Environment, Economy and Housing
North East Lincolnshire Council
Municipal Offices, Town Hall Square
GRIMSBY, North East Lincolnshire DN31 1HU
Tel: (01472) 324710

Approval
The delegated decision of the Strategic Director of Environmental Services was considered and noted by the Planning and Transportation Committee at its meeting on 17th December 1999.

Complaints
Complaints about alleged offences in contravention of the above should be directed, in the first instance, to Mr Martin Ambler (Enforcement Officer) 01472 324245 or Mr Matthew Chaplin 01472 324530

Last Updated : 21st February 2012
Last Reviewed : 21st February 2012
Review Frequency : Annual
Code of conduct for campaigners: electoral registration, postal voting, proxy voting and polling stations

Campaigners are an essential element of a healthy democracy, and their right to put their arguments to voters should be supported and protected. It is equally important, however, to ensure that the activities of campaigners do not bring into question the integrity of the electoral process.

This Code provides a guide for campaigners, electoral administrators and police forces to what is, and is not, considered acceptable behaviour at polling stations and in the community during the lead-up to polling day.

As a guiding principle, if there is any doubt about a particular activity, campaigners should ask themselves “What would a reasonable observer think?”

More detailed guidance about electoral offences can be found in the guidance for candidates and agents, which is available at:
http://www.electoralcommission.org.uk/i-am-a/candidate-or-agent

The Code has been sent to all registered political parties in Great Britain, and Returning Officers will draw it to the attention of all candidates and parties contesting elections.

Some Returning Officers may identify the need to develop and seek agreement to specific local provisions which supplement the terms of this Code, in order to address identified local risks. Returning Officers must consult with local campaigners and the relevant national Nominating Officers as well as police forces to secure appropriate local agreement to such provisions, and should ensure that they are communicated and well-understood by campaigners locally.
Scope of this code

This code covers all those actively involved in campaigning in elections or referendums in Great Britain. All references to campaigners in this code include:

- Candidates standing at an election, their agents and their staff and supporters
- Political party officers, members and supporters campaigning at an election
- Other people and organisations campaigning for or against a candidate, a group of candidates or a party at an election
- People and organisations campaigning for or against a particular outcome at a referendum

Compliance with this code

Any concerns that this code has been breached should be raised first with the candidate, political party or campaigner in question.

Any further concerns should be drawn to the attention of the Electoral Commission. The Commission will raise them with the relevant party or campaigner if appropriate, and will agree appropriate actions to remedy or prevent a reoccurrence of any breach.

1 Electoral registration and absent vote applications

1.1 Campaigners should be free to encourage voters to register to vote and apply to vote by post or appoint a proxy to vote on their behalf, if that is the most convenient way for them to vote.

Campaigners can help to inform voters about how to participate in elections, and Electoral Registration Officers should support you by providing you with a reasonable number of registration and absent vote application forms on request. Voters can also register online at:

www.gov.uk/register-to-vote

1.2 Campaigners should ensure that any electoral registration forms and postal or proxy voting application forms conform fully to the requirements of electoral law, including all the necessary questions and the options open to electors.
You can download electoral registration forms from [www.gov.uk/register-to-vote](http://www.gov.uk/register-to-vote) and absent vote application forms from [www.aboutmyvote.co.uk](http://www.aboutmyvote.co.uk)

1.3 Campaigners should ensure that the local Electoral Registration Officer’s address is clearly provided as the preferred address for the return of registration and absent vote application forms.

To ensure voters can make their own choice about how to return registration or absent vote application forms, you should always clearly provide the relevant Electoral Registration Officer’s address as the preferred return address, even if an alternative address is also given. This will also minimise the risk of suspicion that completed applications could be altered or inadvertently lost or destroyed.

1.4 Campaigners should send on unaltered any completed registration or absent vote application forms given to them to the relevant Electoral Registration Officer’s address within two working days of receipt.

To minimise the risk of absent vote applications being refused because completed forms arrive with the Electoral Registration Officer after the statutory deadline before a poll, you must ensure that there is no unnecessary delay in forwarding on application forms which you receive directly.

1.5 Campaigners should always explain to electors the implications of applying to vote by post or appointing a proxy.

It is important that electors understand that they will not be able to vote in person on polling day if they or their proxy apply for and are granted a postal vote, and will not be able to vote in person if their appointed proxy has already voted on their behalf. To avoid duplication and unnecessary administrative pressures for Electoral Registration Officers, campaigners should try to ensure that electors who are included in current postal or proxy voter lists, or have already applied for a postal or proxy vote for a particular poll, do not submit an additional application.

### Postal vote applications

1.6 Campaigners should never encourage electors to have their postal ballot pack redirected to anywhere other than the address where they are registered to vote.
Electors should take care to protect their ballot paper and postal ballot pack, and they will be best able to do so at their home address unless there are compelling reasons why receiving the postal ballot pack at the address where they are registered to vote would be impractical. Electors must state on the application form the reason why they need their postal ballot pack sent to another address.

Proxy vote applications

1. Electors should be encouraged to explore other options for people to act as a proxy – including relatives or neighbours, for example – before a campaigner agrees to be appointed as a proxy.

To minimise the risk of suspicions that campaigners may be seeking to place undue pressure on electors, electors should not be encouraged to appoint a campaigner as their proxy.

2 Postal voting ballot papers

2.1 Campaigners should never touch or handle anyone else’s ballot paper.

If you are asked for assistance in completing a ballot paper, you should always refer the voter to the Returning Officer’s staff at the elections office who may be able to arrange a home visit if necessary. Assistance will also be available for electors at polling stations.

2.2 Campaigners should never observe voters completing their ballot paper. If you are with a voter when they complete their ballot paper, remember they should always complete it in secret.

You should ensure that the voter seals both envelopes personally and immediately after completing their ballot paper and postal voting statement. If you are asked to give advice, it is acceptable and often helpful to explain the voting process, but do not offer to help anyone to complete their ballot paper.

2.3 Campaigners should never handle or take any completed ballot paper or postal ballot packs from voters.

Wherever practical, you should encourage voters to post or deliver the completed postal ballot pack themselves. If you are approached or asked for help by a voter who is unable to post their completed postal ballot pack or make any other arrangements for it to be returned in time, you should contact the Returning Officer to ask them to arrange for it to be collected. The Returning Officer may agree that it would be in the voter’s best interest for you to deliver the completed postal ballot pack to the relevant office or polling station, if there are no feasible alternative options.
3 Campaigning outside polling places

3.1 Campaigners should be allowed to put their messages to voters on polling day, including in public spaces outside polling places.

Polling station staff and police officers should not seek to discourage or remove campaigners who are otherwise peacefully communicating with voters, as long as they are not within or impeding access to the grounds of the polling place. You should be careful, however, to ensure that your approach is proportionate and should recognise that groups of supporters may be perceived as intimidating by voters.

3.2 Campaigners should keep access to polling places and the pavements around polling places clear to allow voters to enter.

The Presiding Officer is responsible for maintaining order in the polling place, and you may be asked to move by polling station staff or police officers if you are impeding access by voters to a polling place.

4 Complaints and allegations about electoral fraud

4.1 Campaigners should be prepared to give the police a statement and substantiate any allegations of electoral fraud they make.

The police will investigate allegations where someone is prepared to provide evidence or a statement in support of the complaint, but unsubstantiated claims about electoral fraud have the potential to damage confidence in the integrity of the electoral process. You should ensure you are confident that evidence can be provided to the police before considering whether it is appropriate to publicise any specific allegation.

4.2 Campaigners who are concerned or think that electoral fraud may have taken place should raise the matter with their election agent or local party, or with the relevant Electoral Registration Officer or Returning Officer for the area.

They may be able to explain whether or not an election-related crime has been committed, and refer it to the police if appropriate or provide details of the police contact for the relevant area so that campaigners can report their allegation. Concerns about breaches of the political finance rules should be raised directly with the Electoral Commission.
4.3 Any campaigner who has actual evidence that an electoral offence has been committed should report it directly and without delay to the police.

If appropriate, the police will investigate the matter. Every police force has designated a Single Point of Contact (known as a SPOC) to lead on election matters and who will deal directly with the matter or give advice to local police officers. The Electoral Commission can help provide contact details for local police force SPOCs.

Agreed and effective from [December 2014]
Tellers do’s and don’ts

Tellers are usually volunteers for candidates. They stand outside polling places and record the electoral number of electors who have voted. By identifying electors who have not voted and relaying this information to the candidate or their supporters, tellers play an important role in elections and referendums. The candidate or their supporters may then contact the voters who have not yet been to vote during polling day and persuade them to vote, which may help to increase turnout.

There should be no more than one teller at a polling station for each candidate at any time. Where a polling place contains more than one polling station with separate entrances, it may be appropriate for there to be tellers at each entrance, but no more than one per candidate.

Tellers have no legal status and voters have the right to refuse to give them any information.

**Tellers must:**

(a) Always remain outside the polling station/place.
(b) Only enter the polling station to cast their own vote, to vote as a proxy or to assist a voter with disabilities.
(c) Always comply with the instructions of the Returning Officer.

**Tellers must not:**

(a) Be able to see or hear what is happening inside the polling station.
(b) Impede, obstruct or intimidate voters on their way in or out of the polling station/place.
(c) Demand any information relating to a voter’s elector number, name or address.
(d) Ask voters to re-enter the polling station to ascertain their elector number.
(e) Have discussions with voters that may give rise to allegations of undue influence (e.g. voting intentions or party affiliations).
(f) Display any campaign material in support of or against any particular political party or candidate other than a rosette.

**Tellers may:**

(a) Approach voters for information as they enter/leave the polling station/place.
(b) Display a coloured rosette displaying the name of the candidate or party. While the rosette must not be oversized, it may carry a description or emblem.