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## **Tonbridge & Malling Elections Thursday 2 May 2019**

Tonbridge & Malling Borough Council (54 Councillors)

Parish and Town councils within the TMBC area

## **Pre Nomination Guidance for Prospective Candidates and Agents**

# Contents

<b>Part 1</b>	Important information.....	3
	Conventions in this document.....	3
	Contacting us .....	3
	Contacting the Electoral Commission .....	3
<b>Part 2</b>	The Returning Officer and her staff.....	4
	Role of the Returning Officer .....	4
<b>Part 3</b>	Elections taking place.....	5
	Borough Council elections .....	5
	Parish and Town Council elections.....	6
<b>Part 4</b>	Election timetable .....	7
<b>Part 5</b>	Nominations .....	8
	Submitting nominations .....	9
	Uncontested elections .....	9
<b>Part 6</b>	Requirement of Secrecy .....	10
<b>Part 7</b>	Registering to vote .....	11
<b>Part 8</b>	Absent voting .....	12
	Postal voting.....	12
	Proxy voting .....	12
	Emergency proxy voting .....	12

## Part 1 Important information

This guidance has been produced for candidates and election agents involved in the May 2019 elections within Tonbridge & Malling. It contains local information to supplement that provided by the Electoral Commission. Please read it through carefully before you complete any nomination papers. This document also provides links to nomination forms which are available from the Electoral Commission.

### **Important!**



These guidance notes briefly set out the main points for candidates at the May 2019 elections. They are intended for general guidance only and are not a comprehensive statement of the law. The precise interpretation and adherence to the legislation is the responsibility of the candidate and election agent. However, if candidates or agents have any query with the guidance notes, the Returning Officer or her deputies will do their best to clarify matters.

## Conventions in this document

This document is intended to be viewed electronically. All links shown should direct you to the relevant webpage, and links and cross-references within the document should work. If you have a paper copy of this document and wish to have an electronic version for ease of reference, please email [voting@tmbc.gov.uk](mailto:voting@tmbc.gov.uk).



Wherever this symbol is shown, the link will take you to a webpage. Note that neither TMBC nor the Returning Officer have any control over any external websites referenced.

RO Throughout this document, the term Returning Officer (abbreviated as RO) is used to refer to the Returning Officer for the local elections in Tonbridge & Malling.

## Contacting us

The Elections Office at Tonbridge & Malling Borough Council can be contacted as follows:

The Elections Office

Tonbridge and Malling Borough Council

Gibson Building

Gibson Drive

Kings Hill

West Malling

Kent ME19 4LZ

Tel: 01732 876022

Email: [voting@tmbc.gov.uk](mailto:voting@tmbc.gov.uk)

Web:  [www.tmbc.gov.uk/voting](http://www.tmbc.gov.uk/voting)

## Contacting the Electoral Commission

Guidance in this document is supplementary to Electoral Commission (EC) guidance, to highlight local circumstances. It should be read in conjunction with the EC guidance which is available from the following contacts at the Commission:

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

Telephone: 020 7271 0516

E-Mail: [info@electoralcommission.org.uk](mailto:info@electoralcommission.org.uk)

## Part 2 The Returning Officer and her staff

The Returning Officer for Tonbridge & Malling is Julie Beilby. For this election, Julie has appointed three deputies to assist her in addition to the staff in the council's Electoral Services team.

Candidates and agents should normally, in the first instance, contact **Daune Ashdown** if they require any clarification or information regarding the election.

Julie Beilby	Returning Officer Chief Executive, TMBC	
Daune Ashdown	Deputy Returning Officer Head of Electoral Services, TMBC	<a href="mailto:daune.ashdown@tmbc.gov.uk">daune.ashdown@tmbc.gov.uk</a> 01732 876229
Sharon Shelton	Deputy Returning Officer Director of Finance & Transformation, TMBC	
Adrian Stanfield	Deputy Returning Officer Director of Central Services, TMBC	
Elections office staff:		
Jackie Geddes	Senior Electoral Services Officer	
Joanne Miller	Electoral Services Officer	
Allison Biggadike	Electoral Services Officer	

If candidates and agents wish to provide contact details to electors, please provide the following generic information. An officer in the team will be able to assist, and using group email and telephone numbers helps us to ensure enquiries are dealt with promptly.

Elections Office

Web:  [www.tmbc.gov.uk/voting](http://www.tmbc.gov.uk/voting)

Email: [voting@tmbc.gov.uk](mailto:voting@tmbc.gov.uk)

Tel: 01732 876022

### Role of the Returning Officer

The primary duty of the Returning Officer is to deliver a free and fair election, which delivers the result expressed by the electorate in the ballot box, in accordance with appropriate legislation. The extent of her role is set out in law, and extends to preparing and delivering the elections.

There are two principal areas in which neither the Returning Officer nor her staff have any jurisdiction and are unable to provide advice. These are:

- (i) Disagreements between candidates or parties regarding the conduct of another. The Returning Officer is not in a position to adjudicate between individuals or groups nor offer advice to either side. Breaches of the law should be reported to the police; disagreements which remain within the law should be resolved between those concerned.
- (ii) Election finance. This is a complex area outside of the jurisdiction of the Returning Officer. Advice is available from the Electoral Commission. Neither the RO nor her staff are able to advise how to complete the statutory forms, nor whether particular expenses should be included or not. The time limit for returning expense forms remains in force regardless of unresolved queries, so candidates and agents are advised to contact the Electoral Commission early in the process if anything is unclear.

## Part 3 Elections taking place

On 2 May 2019 there will be a number of different elections taking place within the borough of Tonbridge & Malling. These include the elections for all Borough Council seats, and elections to all parish and town councils.

### Borough Council elections

From the May 2019 elections there will be 54 Borough Councillors. Ward boundaries and the numbers of councillors representing each ward are detailed below.



Maps of the boundaries are available from [www.tmbc.gov.uk/voting](http://www.tmbc.gov.uk/voting), and click on maps. Alternatively our direct link is <http://goo.gl/JR3tGe>.

Borough ward	Number of councillors to elect
Aylesford North & Walderslade	3
Aylesford South	2
Borough Green & Long Mill	3
Burham & Wouldham	2
Cage Green	2
Castle	2
Ditton	2
Downs & Mereworth	2
East Malling	2
Hadlow & East Peckham	3
Higham	2
Hildenborough	2
Judd	2
Kings Hill	3
Larkfield North	2
Larkfield South	2
Medway	3
Snodland East & Ham Hill	2
Snodland West & Holborough Lakes	3
Trench	2
Vauxhall	2
Wateringbury	1
West Malling & Leybourne	3
Wrotham, Ightham & Stansted	2

## Parish and Town Council elections

Parish and parish ward boundaries and the numbers of councillors representing each area.



Maps of the boundaries are available from [www.tmbc.gov.uk/voting](http://www.tmbc.gov.uk/voting), and click on maps. Alternatively our direct link is <http://goo.gl/JR3tGe>.

Parish	Number of councillors to elect
Addington	7
Aylesford	Warded – see next table
Birling	7
Borough Green	11
Burham	8
Ditton	13
East Malling and Larkfield	Warded – see next table
East Peckham	11
Hadlow	Warded – see next table
Hildenborough	11
Ightham	9
Kings Hill	12
Leybourne **	11
Mereworth	Warded – see next table
Offham	7
Platt	9
Plaxtol	9
Ryarsh	7
Shipbourne	7
Snodland Town Council	Warded – see next table
Stansted	7
Trottscliffe	7
Wateringbury	9
West Malling	11
West Peckham	7
Wouldham	8
Wrotham	9

Parish ward	Number of councillors to elect
<b>Aylesford Parish</b>	
Aylesford North Ward	2
Aylesford South Ward	8
Blue Bell Hill Ward	2
Walderslade Ward	5
Eccles Ward	3
<b>East Malling and Larkfield Parish</b>	
East Malling Ward	6
Larkfield North Ward	6
Larkfield South Ward	5
<b>Hadlow Parish</b>	
Golden Green Ward	2
Hadlow Ward	11
<b>Mereworth Parish</b>	
Mereworth Village Ward	5
The Airfield Ward	2
<b>Snodland Town Council</b>	
Snodland East & Ham Hill Ward	6
Snodland West & Holborough Lakes	9

## Part 4 Election timetable

Action	Local
Publication of Notice of Election	Monday 18 March
Delivery of Nomination Papers (including consent, deposits, political party forms)	10am to 4pm on working days from Tuesday 19 March to Wednesday 3 April
Deadline for delivery of Nomination Papers	4pm on Wednesday 3 April
Deadline for Withdrawal of Candidature	4pm on Wednesday 3 April
Deadline for notice of appointment of election agents	4pm on Wednesday 3 April
Publication of first interim election notice of alteration	Wednesday 3 April
Publication of Statement of Persons Nominated	Thursday 4 April
Deadline for Registration applications to be received for applicants to be included onto the Register of Electors in order to vote in the election	Midnight Friday 12 April
Deadline for requests for a new postal vote, or to change / cancel existing absent vote arrangements.	5pm on Monday 15 April
Publication of second interim election notice of alteration	Between Monday 15 April and Wednesday 24 April
Deadline for new applications to vote by proxy (except medical emergencies)	5pm on Wednesday 24 April
Publication of final election notice of alteration	Thursday 25 April
Last day for notice of appointment of polling or counting agents	Thursday 25 April
First day of requests to issue replacement spoilt or lost postal ballot papers	Friday 26 April
Polling day	<b>Thursday 2 May 2019</b>
Deadline for new applications to vote by proxy on the grounds of a medical emergency	5pm on Thursday 2 May 2019
Last day to issue replacement spoilt or lost postal ballot papers	5pm on Thursday May 2019
Return of election expenses forms	Borough: Friday 7 June Parish: Thursday 30 May

## Part 5 Nominations

Candidates and election agents are **strongly advised** to read this section before completing any nomination forms. It should be read in conjunction with the Electoral Commission guidance.

Note that nomination forms are available from the same links. All signatures on nomination forms must be in 'wet ink'; electronic signatures cannot be accepted.



Electoral Commission guidance for candidates and agents regarding the Borough council elections is available from <http://goo.gl/bF4QIJ>



Electoral Commission guidance for candidates and agents regarding the parish / town council elections is available from <http://goo.gl/9wFz8O>

In order for a candidate to be validly nominated, the Returning Officer must receive the following duly completed documents:

Borough council election	Parish/Town council election
Nomination paper, completed and then signed by 10 registered electors from within the Borough ward.	Nomination paper, completed and then signed by 2 registered electors from within the parish or parish ward.
Candidate's consent to nomination, completed, signed and witnessed.	Candidate's consent to nomination, completed, signed and witnessed.
<i>Not applicable</i>	<i>Not applicable</i>
If standing on behalf of a political party: <ul style="list-style-type: none"> <li>certificate from the registered nominating officer of the party.</li> </ul> Optionally, such a candidate may also request use of a political party emblem.	If standing on behalf of a political party: <ul style="list-style-type: none"> <li>certificate from the registered nominating officer of the party.</li> </ul> Optionally, such a candidate may also request use of a political party emblem.
Election Agent appointment (optional)	<i>Not applicable – Election agents do not apply at parish / town council elections</i>

Borough council election	Parish/Town council election
Delivery of Nomination Papers: 10am to 4pm on working days from Tuesday 19 March to Wednesday 3 April	Delivery of Nomination Papers: 10am to 4pm on working days from Tuesday 19 March to Wednesday 3 April



## Submitting nominations

All the relevant nomination documents must be delivered by **4pm on Wednesday 3 April 2019**. Forms must be delivered in person (by the candidate, agent or a representative) and may not be posted. You are strongly advised to make an appointment to deliver forms, and advised to deliver them as early as possible in the nomination window to ensure they can be checked.

Nomination forms must be delivered to:

Elections Office, accessible only via the main reception (not the civic suite)

Tonbridge & Malling Borough Council

Gibson Building

Gibson Drive

Kings Hill

West Malling

Kent

ME19 4LZ

The delivery of nomination documents to a different office within the Council Offices or to any other Council office location will not be sufficient to meet this requirement and such papers would not be valid.

## Uncontested elections

The deadline for withdrawal from the election is **4pm on Wednesday 3 April 2019** (the same time as the deadline for nominations). If after this time the number of validly nominated candidates is the same as (or less than) the number of seats to be filled, then those candidates will be declared elected. Candidates must still declare election expenses (even if nil) for such an uncontested election.

## Part 6 Requirement of Secrecy

Candidates and all other persons concerned with the elections will be required to ensure the secrecy of the ballot at all stages. Candidates and all agents will be issued with a copy of the secrecy requirements, as set out below.

### Representation of the People Act 1983 as amended

#### 66 Requirement of secrecy

(1) The following persons—

- (a) every returning officer and every presiding officer or clerk attending at a polling station,
- (b) every candidate or election agent or polling agent so attending,
- (c) every person so attending by virtue of any of sections 6A to 6D of the Political Parties, Elections and Referendums Act 2000,

shall maintain and aid in maintaining the secrecy of voting and shall not, except for some purpose authorised by law, communicate to any person before the poll is closed any information as to—

- (i) the name of any elector or proxy for an elector who has or has not applied for a ballot paper or voted at a polling station;
- (ii) the number on the register of electors of any elector who, or whose proxy, has or has not applied for a ballot paper or voted at a polling station; or
- (iii) the official mark.

(2) Every person attending at the counting of the votes shall maintain and aid in maintaining the secrecy of voting and shall not—

- (a) ascertain or attempt to ascertain at the counting of the votes the number or other unique identifying mark on the back on any ballot paper;
- (b) communicate any information obtained at the counting of the votes as to the candidate for whom any vote is given on any particular ballot paper.

(3) No person shall—

- (a) interfere with or attempt to interfere with a voter when recording his vote;
- (b) otherwise obtain or attempt to obtain in a polling station information as to the candidate for whom a voter in that station is about to vote or has voted;
- (c) communicate at any time to any person any information obtained in a polling station as to the candidate for whom a voter in that station is about to vote or has voted, or as to the number or other unique identifying mark on the back of the ballot paper given to a voter at that station;
- (d) directly or indirectly induce a voter to display his ballot paper after he has marked it so as to make known to any person the name of the candidate for whom he has or has not voted.

(4) Every person attending the proceedings in connection with the issue or the receipt of ballot papers for persons voting by post shall maintain and aid in maintaining the secrecy of the voting and shall not—

- (a) except for some purpose authorised by law, communicate, before the poll is closed, to any person any information obtained at those proceedings as to the official mark; or
- (b) except for some purpose authorised by law, communicate to any person at any time any information obtained at those proceedings as to the number or other unique identifying mark on the back of the ballot paper sent to any person; or
- (c) except for some purpose authorised by law, attempt to ascertain at the proceedings in connection with the receipt of ballot papers the number or other unique identifying mark on the back of any ballot paper; or
- (d) attempt to ascertain at the proceedings in connection with the receipt of the ballot papers the candidate for whom any vote is given in any particular ballot paper or communicate any information with respect thereto obtained at those proceedings.

(5) No person having undertaken to assist a blind voter to vote shall communicate at any time to any person any information as to the candidate for whom that voter intends to vote or has voted, or as to the number or other unique identifying mark on the back of the ballot paper given for the use of that voter.

(6) If a person acts in contravention of this section he shall be liable on summary conviction to a fine not exceeding level 5 on the standard scale or to imprisonment for a term not exceeding 6 months.

## Part 7 Registering to vote

### Register to vote



Individuals may apply to register to vote online at [www.gov.uk/register-to-vote](http://www.gov.uk/register-to-vote). Alternatively paper forms may be requested from the Elections Office. In either case, they must have their National Insurance number and date of birth to hand.

Once an application is submitted, the personal identifiers must be verified against government records. Whilst this has been taking around 24 hours, it can take up to 4 days. During that time, we are not able to set-up postal votes or proxy arrangements for electors.

If you are encouraging or supporting residents in registering to vote, please:

- Encourage them to register online wherever possible. This saves considerable time in us receiving the application and in the amount of time needed to process it and check personal identifiers.
- Do not fill in the forms for them – the elector must be present and aware if registering online, and must sign paper applications themselves.
- Try not to get involved in handling applications. If you are handed any, please return them to us immediately.
- Try to get all registration applications in as early as possible.

The deadline to register to vote is midnight **Friday 12 April 2019**.

## Part 8 Absent voting

### Postal voting

To apply to vote by post for the first time, or to change an existing postal or proxy vote, we must receive a valid application form by **5pm on Monday 15 April 2019**. Any applications received after that time cannot be accepted.



Forms to apply to vote by post are available from our website at [www.tmbc.gov.uk/voting](http://www.tmbc.gov.uk/voting), or direct from <http://goo.gl/wlmsdl>. Note that forms must be printed and then completed by hand. We must receive a 'wet ink' signature on the application form for it to be considered valid. We are also able to post application forms direct to registered electors for them to sign and return to the office.

Signed forms can be delivered to our offices, or scanned and sent by email to [voting@tmbc.gov.uk](mailto:voting@tmbc.gov.uk).

If you are encouraging or supporting residents in applying for a postal vote, please:

- Do not fill in the forms for them – the elector must understand what they are doing and the implications of having a postal vote, and must sign paper applications themselves.
- Try not to get involved in handling applications. If you are handed any, please return them to us immediately. Candidates and agents are asked to consult the guidance on handling postal vote applications included in the Electoral Commission guide.
- Try to get all applications in as early as possible.

### Proxy voting

New applications to vote by proxy (except medical emergency) must reach the Elections Office by **5pm on Wednesday 24 April 2019**.

Signed forms can be delivered to our offices, or scanned and sent by email to [voting@tmbc.gov.uk](mailto:voting@tmbc.gov.uk).

### Emergency proxy voting

Electors can apply for an emergency proxy after the regular deadline for a proxy vote under certain circumstances up to 5pm on polling day. You are advised to refer to the Electoral Commission guidance in these cases.