**Town and Parish Clerk Guidance on Elections 2023**

The parish and town council local elections take place on Thursday 4 May 2023, the same day as our District Council elections. I am expecting all District Council wards across the district to be contested and therefore have an election. I am also expecting a few parishes to be contested too. For polling stations in areas where there is a combined poll, electors will be automatically given both ballot papers. They will be different colours. The district ballot papers will be white. Parish papers are likely to be yellow.

**6-Month Rule**

As from Monday 7 November 2022, the 6-month rule kicks in. This means that elections are precluded where a casual vacancy occurs within 6 months before the day on which that councillor would regularly have retired. The retirement date for parish councillors is four calendar days after the date of poll, hence Monday 8 May 2023.

Please be mindful of this deadline especially if you believe you have some councillors who may be thinking of resigning.

The vacancy still needs to be advertised and the Proper Officer will send you the notice to display and it will just refer to the above rule and no reference to requesting an election within 14 days. The parish can still co-opt if it so choses and if it doesn’t, the seat will be filled at the May elections.

**Budgeting for May**

All Town and Parish Councils will receive an invoice from the Returning Officer for these polls in May, whether the election is contested or not. An uncontested parish will receive an invoice for around £40 in accordance with the council’s approved scheme, this being for each uncontested electoral area, countermanded election or elections at which there are insufficient valid nominations. If your parish is warded, each ward is an electoral area so if your parish is warded in to say three areas and all are uncontested your invoice would be around £120. Please factor this into your budgeting for next May.

For contested polls, a 50% split for costs will be applied between the district and parish council, provided the district ward is contested. For example, with polling staff costs, polling stations, postal votes, poll cards. Certain costs the parish will pick up direct e.g. cost of printing ballot papers.

To give an idea of possible costs of a poll, below is an indicative cost for a recent poll.

One polling station with 1,200 electors and 150 postal voters = £5,000. By-elections do proportionality cost more as there are no opportunities for bulk cost saving on printing etc.

There may also be some additional cost implications of the Elections Act 2022, such as additional poll clerks required at some stations and increased costs with poll cards being in the form of an A4 enveloped letter and the costs of postage and printing is rising. Additional financial burdens will generally be picked up by the District Council.

**Pre-election period (purdah)**

This is the period between publication of Notice of Election and election day. The Returning Officer is likely to publish the Notice of Election for the District Council and for the Parishes on Wednesday 22 March so “purdah” will start then. Nomination papers can be returned from that date.

It does not stop the Council working – it’s business as usual. It does place restrictions on local authority publicity which may imply public support for a candidate or political party. There is a Code of Practice published by the LGA and this council will publish guidance for which you will be sent a copy.

**Some general tips:**

* Care to be given to issuing publicity that may give the impression that the council are promoting the public image of a particular candidate, or group of candidates
* Publicity should be factual and not party political
* It should avoid dealing with controversial issues
* Sitting councillors with key responsibilities may comment in an emergency or where their views are needed in response to an important event
* Proactive events should not involve members standing for election
* Avoid publishing newsletters and annual reports in the pre-election period

**Election Process**

We shall have regular contact with you to guide you through the process. Full details of the polls and for candidates to refer to will be published on our website linked from this page [Local Elections 2023 - Uttlesford District Council](https://www.uttlesford.gov.uk/article/7886/Local-Elections-2023)

You can also greatly help us, such as by displaying election posters that we shall send to you. These are to be displayed in each electoral area. For example, if your parish is warded there should be a notice in each warded area. The legislation just says “displayed in a conspicuous place” – a hard copy on village noticeboards and on your website is the minimum expected. In the lead up to the elections any information you can give in village magazines and on your website would be good as you are key in helping us advertise the elections, this includes the key changes like voter ID at polling stations and the poll card enveloped letter – see under Implications of the EA below.

**Implications of the Elections Act 2022**

Reference can be found on our website [Elections Act 2022 - Uttlesford District Council](https://www.uttlesford.gov.uk/article/7850/Elections-Act-2022)

The notably changes that will come into effect for the May 2023 elections relate to electors needing to show an approved form of photo ID at a polling station before voting. This will include such ID as a passport, driving licence and national bus pass. If this ID has expired, it will still be applicable to use provided the photo is still a good likeness. For those voters without a suitable form of ID they can apply for a Voter Authority Certificate (VAC) via the Gov.uk website. Details will be on poll cards and on our website. Our website will be updated further once the secondary legislation has been passed. A national and local publicity campaign will take place in due course.

Poll cards as previously indicated are changing. The back of the A4 “card” will list the suitable forms of acceptable ID. The poll cards will be combined i.e. they will be for the District and say the Parish area.

Some stations may require additional poll staff to help voters with this change. Some additional aids and support will be provided to assist accessibility at polling stations for voters with disabilities. We await further details on what this may entail.

The Act contains numerous other changes but none of the others will be in force for the May 2023 elections.

**Prior to close of nominations**

It is the Notice of Election that publicly starts the election process as this says the date of the poll and how to obtain a nomination paper. Also, key dates for registration and for arranging an absent vote are listed. You will be sent two notices – one for the parish and one for the District Council. Please display as I have indicated above.

**Nominations**

Nomination papers can be obtained from the date of the Notice – the legal deadline for the Returning Officer to publish is 28 March, however we shall publish a week early and the election and purdah starts from this date (Wednesday 22 March) and nominations can be brought in from the day. Nomination papers and all other key documents will be on our website to download from early March. Hard copies can be provided on request. EVERYONE who wishes to seek election or re-election MUST complete and submit a nomination paper by the legal deadline. These are to be hand delivered to our Council Offices at London Road, Saffron Walden and handed to a member of the elections team. Anyone can bring these in by hand. We shall be arranging an appointments system, but we still accept any papers without an appointment. The Elections Team are likely to be based on the ground floor for the duration of the nomination period.

As we are expecting several hundred nomination papers, we need your help to manage the process. You can help in this period by making sure all your sitting councillors who wish to stand again obtain their nomination pack ASAP and then submit their nomination paper as a priority in the tight legal timeframe. We check all papers whilst someone waits.

What is I know some parish clerks do is obtain a copy of the nomination packs – print off and give out to all existing councillors seeking re-election at a meeting and they all fill these in at the meeting and then one nominated person for the parish brings all those papers in together. This is much simpler and easier for us. You also have peace of mind that everyone one has done what they needed to do all in one go. Anyone can bring the papers in, including yourself, however it is the candidate’s personal responsibility for their own nomination and not yours!

As we carry out an informal checking stage, any papers that are not correct and cannot be corrected at point of delivery, will need to be taken back and corrected and then re-submitted.

Once we have entered the candidates’ details on our system we generate and send out by post a Validity Notice which is a legal requirement and acts as a double check.

It is MOST IMPORTANT that your parish achieve the “magic number” of 3 councillors to be quorate and hence legally operate after 8 May. If you are warded, some wards may not attract any nominations. This doesn’t matter provided across the whole parish area you achieve the minimum number to be quorate. I shall keep a close eye on all parishes to see that they have had nominations in. It is not our role to chase, however we shall as much as possible to ensure that all parishes that have nominations and achieve the minimum number.

Please ensure that you check your emails regularly during this busy period. If you do not achieve the required number we must re-run the nomination process with a possible by-election straight after 4 May, so it is very important to achieve this number. Your parish would pick up the full cost.

The nomination deadline is 4pm on Tuesday 4 April. After close of nominations my priority is to deal with the contested parishes and district wards. I shall however let you know which parishes or wards of parishes are contested ASAP that evening.

**After close of nominations**

The Returning Officer will contact you about whether you are contested or uncontested.

* **Contested**

If there are more candidates that seats, we shall have a contested election on 4 May. This will be a combined poll at the polling station (provided the district ward is contested). I shall write to all candidates in the contested parish about the next step.

* **Uncontested**

If the parish is uncontested i.e. same number of candidates as the number of seats or less, candidates will be written to saying they have been elected unopposed and what there next step is. They do not take office until the fourth calendar day after the day of the poll (Monday 8 May).

The Returning Officer will publish the Uncontested election notice on its website and send you these. Candidates elected unopposed will be written to direct.

Something that candidates uncontested often forget is that they MUST still submit an elections expenses return and declaration even though they probably incurred no expenditure. It is a legal requirement.

**The Count**

The parish election counts will take place on Friday 5 May, the same day as our district election counts. On the Thursday night, after close of poll, we shall just be taking receipt of the station ballot boxes, finalising the postal votes and then locking away all the votes until the next day.

Full details and timings will be provided to you nearer the time, but it is likely that we shall have a number of local count areas and each one will have an allocated number of district wards and parishes to count. District wards will be counted first. As soon as we have declared a result it will be Tweeted and posted on our website.

**Post declaration**

**Contact details of newly elected**

You obviously need to know who has been elected as soon as possible to contact them. Please note that some candidates will have suppressed their address from appearing on official notices and on the ballot papers and it will just say “address within Uttlesford”. We shall need to provide their address and contact details for any new councillors who have done this.

**Declaration of Acceptance of Office**

Newly elected or re-elected candidates must sign a declaration of acceptance of office form at or before the first meeting of your parish council.

We do not need to have a copy of this.

**Declaration of Pecuniary Interests**

All elected candidates (whether uncontested or by election) must complete and return to us a Declaration of Pecuniary interests – Democratic Services upload these forms into our computer system and publish them on our website.

**Balance of seats**

Parishes are authorised to co-opt suitably qualified electors to fill the remaining seats. We do not publish any formal notice here as an election cannot be requested to fill the seats. If no one comes forward for the vacancy, it stands until such time as it is filled. You may just want to put your own notice on your website or notice boards about anyone interesting in standing for the parish to contact you.

As usual if you co-opt someone you need to get them to sign the above-mentioned forms and another form from us giving us their details.

**Meeting dates**

You need to set a date for your first meeting of the new council and ensure everyone is signed up to serve.

You also need to set a date for your annual meeting between 1 March and 1 June.

Myself and my team will be here to help you through the process. The general email to use is our elections@uttlesford.gov.uk

**Phil Hardy**

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**24 October 2022\_revised**