



NOMINATION PACK

Chief Executive's Unit

Kilmory, Lochgilphead, Argyll, PA31 8RT
Tel: 01546 603264 Fax: 01546 604435
e.mail – elections@argyll-bute.gov.uk
www.argyll-bute.gov.uk

Direct Line 01546 604401/4331

Ask for Sandra Campbell

Our Ref: CS/SC/CCelection

Your Ref:

31 August 2020

Date:

Dear Sir/Madam

COMMUNITY COUNCIL BY-ELECTIONS 2020 – NOMINATION PACK

Please find enclosed a nomination pack in respect of Argyll and Bute Council's Community Council By-Elections 2020, which contains the following documents:-

- Nomination Form
- Candidate Statement Form
- Notice of Withdrawal
- Election Timetable
- Guidance Notes
- Council Office for obtaining and submitting Nomination Papers

Nominations should be posted or lodged at the Election Office, Kilmory Headquarters, Lochgilphead PA31 8RT or by e-mail to elections@argyll-bute.gov.uk by not later than **4.00pm on 24 September 2020**. The earliest date for lodging nomination papers is Wednesday 9 September 2020.

Should you require any assistance with your nomination, please feel free to contact the election office at the above address or by telephoning 01546 604401/4331.

The Council would encourage all candidates to submit a Candidate Statement as provided for in Section 13 of the guidance notes. In my experience the provision of such a statement is regarded as very important by voters.

Further details will be issued to candidates following completion of the nomination process.

Yours faithfully

Pippa Milne
Returning Officer

COMMUNITY COUNCIL BY-ELECTIONS

**DATE OF ELECTION:
THURSDAY 5 NOVEMBER 2020**

NOMINATION PACK

NOTE: CLOSE OF NOMINATIONS IS THURSDAY 24 SEPTEMBER 2020

LIST OF CONTENTS	Documents to be returned to the Returning Officer by close of nominations
Nomination Paper (2 pages)	√
Candidate Statement Form	√ (if submitted)
Notice of Withdrawal of Nomination	√ (if appropriate)
Copy of Election Timetable	
Guidance Notes for Prospective Candidates	
Privacy Notice	

Council Office for obtaining Nomination Papers	
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COMMUNITY COUNCIL ELECTIONS – 5 NOVEMBER 2020

NOMINATION PAPER

ELECTION OF COUNCILLORS FOR THE

..... Community Council

(insert name of Community Council above)

CLOSE OF NOMINATIONS IS: THURSDAY 24 SEPTEMBER 2020

I, the undersigned, am hereby nominated as a candidate at the said election.

<i>Candidate's Surname as in Register of Electors</i>	<i>Other Names as in Register of Electors</i>	<i>Home address in full</i>	<i>Electoral Number Tel: 01586 555300 OR 01546 604401</i>

E-Mail:

Tel:

I, the nominee for the election, consent to being nominated as a candidate for the

..... Community
Council
(Insert name of Community Council above)

I declare that I am qualified to be elected, that I have attained the age of 16 years and I am registered as an elector for the Community Council area as in the register of electors in respect of the above.

I declare that I am not disqualified from being a candidate for election as a Community Councillor by reason of any of the disqualifications set out in the Notes for Candidates.

To be completed by **Candidate**

(Signature of Candidate)

.....

(Date)

.....

To be completed by **Proposer**

(Signature of Proposer)

.....

(Name of Proposer) (Block Capitals)

.....

(Address of Proposer)

.....

.....

.....

.....

...(Date)Elector Number

.....

To be completed by **Seconder**

(Signature of Seconder)

.....

(Name of Seconder) (Block Capitals)

.....

(Address of Seconder)

.....

.....

.....

.....

...(Date)Elector Number

.....

Note 1 A person's electoral number consists of the distinctive letter or letters (or number or numbers) of the polling district in which he/she is registered together with his/her number in the register to be used at the election. Telephone 01586 555300.

Note 2 The attention of Candidates is drawn to the Guidance Notes enclosed with this form, in particular Section 13, for information on Candidate Statements. The deadline for receipt of Statements is Thursday 24 September 2020.

ARGYLL AND BUTE COUNCIL
COMMUNITY COUNCIL BY- ELECTIONS
THURSDAY 5 NOVEMBER 2020

CANDIDATE'S SUPPORTING STATEMENT

All candidates are requested to submit a 100 word statement in support of their candidature, which will be used only if a contest is required in the candidate's area.

COMMUNITY COUNCIL
(Insert name of Community Council above)

CANDIDATE

SIGNATURE

DATE

Closing date for submission of Candidate Statements is Thursday 24 September 2020 at 4.00pm.

To be completed by candidates withdrawing their nominations and delivered to the place fixed for the delivery of nomination papers by 4.00 pm on Thursday 24 September 2020

..... **COMMUNITY COUNCIL**
(insert name of Community Council above)

NOTICE OF WITHDRAWAL OF NOMINATION

I, *
of
hereby withdraw my nomination as a candidate for election as a Community Councillor for the
.....Community Council.
(insert name of Community Council above)

Date 2020

(signature of candidate)

N a m e
.....

A d d r e s s
.....

.....

..... (signature of witness)

* Candidate to insert Name and Address as in Nomination Paper

**ARGYLL AND BUTE
COMMUNITY COUNCIL BY-ELECTIONS 5 NOVEMBER 2020**

TIMETABLE

Tuesday 1 September 2020	Register in force
Tuesday 8 September 2020	Publication of Notice of Election
Thursday 24 September 2020 (4pm)	Close of Nominations and withdrawal of Nomination paper (if applicable)
Thursday 1 October 2020	Notice of Poll (if election contested) Notice of Uncontested Election (if election uncontested)
Thursday 15 October 2020	Issue of Postal Ballot Papers
Thursday 5 November 2020	By-Election Day Final Date for Receipt of Postal Ballot Papers 4.pm
Monday 9 November 2020	Count of Votes

COMMUNITY COUNCIL BY-ELECTIONS THURSDAY 5 NOVEMBER 2020

GUIDANCE NOTES

1. The Returning Officer for these By-Elections is Pippa Milne, Kilmory, Lochgilphead, Argyll PA31 8RT.
2. Elections are to be held to fill seats on Community Councils within Argyll and Bute. The day of election is Thursday 5 November 2020. A Notice of Election will be publicised within the Community Council Area by Tuesday 9 September 2020. Nomination Papers will be available from the Election Office, Kilmory Headquarters, Lochgilphead PA31 8RT or can be downloaded at <https://www.argyll-bute.gov.uk/elections>

Duly completed Nomination Papers require to be lodged **by hand** during normal office hours on any day except a Saturday or Sunday at the address specified on the Notice of Election but not later than 4.00 pm on **Thursday 24 September 2020**. Nominations can also be submitted by post but only to the Election Office at Kilmory Headquarters, Lochgilphead PA31 8RT and should be posted in sufficient time as to allow receipt by the closing date.

In the case of a Nomination Paper sent by email for checking, this must be followed up with the original nomination by hand or by post (original signed form) again to be received by the closing date.

Ensure that where signatures are required, you submit the **original signed version** of each completed paper. Documents without original signatures cannot be accepted.

3. **Nomination Papers should be lodged by hand or post only to the Election Office, Kilmory Headquarters, Lochgilphead PA31 8RT a Nomination Paper should not be delivered to any other Council office. If it is, the Returning Officer cannot guarantee that it will be received by her/him. The Returning Officer accepts no responsibility for Nomination Papers delivered other than to Kilmory nor for any which may have been sent by post and which in both cases, may not therefore, reach the Returning Officer by the closing time for nominations.**
4. The attention of prospective candidates is drawn to the notes which are set out at the back of the Nomination Paper and to the following –
 - (i) A Nomination Paper will be rejected if it is not properly completed and signed. To be validly nominated as a candidate, a person must –

- have attained the age of 16 years on the day of the election
 - be listed on the Register of Local Government Electors for an address within the Community Council area.
- (ii) A person is disqualified from standing for election as a Community Councillor if-
- (a) they are an Argyll and Bute Councillor or a member of the Scottish or UK Parliaments.
 - (b) he/she is a person whose estate has been sequestrated by a court in Scotland or who has been adjudged bankrupt elsewhere than in Scotland. (The disqualification ceases if and when the sequestration is recalled or the bankruptcy discharged or annulled).
 - (c) he/she has within five years before the day of nomination or election, or since his/her election been convicted in the United Kingdom of any offence and has had passed on him/her a sentence of imprisonment (whether suspended or not) for a period of not less than 3 months without the option of a fine.
- (iii) The Nomination Paper should be completed giving the candidate's surname, and other names as in the Register of Electors, the candidate's address as in the Register of Electors and the Electoral Number in the Register.
- (iv) The Nomination Paper must be signed by a proposer and seconder, both of whom must be 16 years of age on the day of the election and whose names must be included in the Register of Electors for an address within the Community Council area.
- (v) The proposer and seconder must sign the Nomination Paper and give their address as in the Register of Electors and their Electoral Number as in the Register.
- (vi) An elector shall not sign, as proposer or seconder, more nomination papers than there are vacancies to be filled in the Community Council.
- (vii) Electors included in the Register of Electors which came into force on **Tuesday 1 September 2020** will be those who will be entitled to vote in any contested election.
- (viii) Registers are available for inspection in local libraries and the local Council Offices where Nomination Papers may be lodged as shown elsewhere in this pack. You can also phone the Registration office on 01586 555300 to check electoral numbers.

5. The final date for the withdrawal of a nomination will be 4.00 pm on Thursday 24 September 2020. Notice of Withdrawal must be given on the form provided with the Nomination Paper, signed by the candidate and witnessed and must be lodged at the same place where the Nomination Paper was lodged. The Returning Officer may accept a Notice of Withdrawal sent by post. Unless a Notice of Withdrawal is received by the closing date the candidate will stand validly nominated and will be included on the ballot paper in any contested election.
6. If the number of validly nominated candidates does not exceed the number of vacant elected Community Councillor seats on the Community Council candidates will be elected unopposed, with effect from Thursday 5 November 2020. A Notice confirming those elected unopposed will be posted within the Community Council area as soon as possible thereafter.
7. If the number of validly nominated candidates exceeds the number of vacant elected Community Councillor seats on the Community Council a Notice of Poll will be posted as soon as possible after Thursday 24 September 2020 within the Community Council area.
8. The Poll will be conducted by postal ballot and postal ballot papers will be sent to all those included in the current Register of Local Government Electors for an address within the Community Council area. The following will be sent to electors—
 - A ballot paper containing the names and addresses of each candidate listed in alphabetical order of surname (or where two or more candidates have the same surname by alphabetical order of first forename).
 - Guidance Notes for Voting
 - Postage paid return envelope addressed to the Returning Officer (to hold the marked ballot paper)

Voters will return their ballot paper by posting this in the return envelope to the Returning Officer. Exceptionally, the Returning Officer may accept a ballot paper which is delivered by hand.

9. A voter must complete the ballot paper personally, by marking a (X) in the box against the names of candidates of the voter's choice up to the number of elected Community Councillor seats. For example, if there are ten elected Community Councillor seats to be filled, the voter may vote for up to (but not more than) ten candidates. If a voter spoils a ballot paper, he or she may apply to the Returning Officer for a replacement ballot paper. It will be for the voter to ensure that he or she meets the deadline for return.

10. The closing day for receipt of returned postal ballot papers (or, exceptionally, those delivered by hand) will be 4.00 pm on Thursday 5 November 2020. The votes on any ballot paper returned after that time will not be counted. The Returning Officer will count the votes validly cast as soon as practicable after the closing time. The results of any election will be posted within the relevant Community Council area as soon as possible after the votes have been counted.
11. The Counting of Votes will take place at Argyll and Bute Council Headquarters, Kilmory, Lochgilphead on Monday 9 November 2020. Any candidate (or a person representing a candidate) is entitled to be present at the counting of votes and the name and address of any candidate/person so wishing to attend should be given to the Returning Officer not later than two days before election day.
12. In any poll those candidates who receive the highest number of votes cast will be elected up to the number of seats to be filled.

13. **Candidate Statements**

In order to make themselves known to electors, candidates may submit an election statement in support of their nomination which, in the event of a contested election, will be posted on the Argyll and Bute Council website. The postal ballot pack issued to electors will draw attention to these statements.

Statements must be typed or hand written and must not exceed 100 words in length. Statements which exceed this length will not be accepted. Statements must be suitable for publication. The Returning Officer retains the right to refuse to publish all or any part of any statement containing material which she considers to be unacceptable, particularly which might be considered to be obscene, offensive or defamatory. The contents of statements will not otherwise be edited.

The statement should be submitted at the same time as the nomination form, but may be submitted to the Returning Officer at a later date, up to the deadline for submission of nomination forms (4pm on Thursday 24 September 2020). **Statements will not be accepted after that date.**

COMMUNITY COUNCIL BY-ELECTIONS

Nomination packs may be obtained after Wednesday 9 September 2020 from the Returning Officer at:-

- (1) Election Office
Legal and Regulatory Support
Kilmory Headquarters
Lochgilphead
PA31 8RT

Nomination Packs may also be
downloaded from
www.argyll-bute.gov.uk/elections

Completed Nomination Papers must be delivered only to the Customer Service Point detailed above and should not be returned to any other Office.

PRIVACY NOTICE ELECTIONS AND ELECTORAL SERVICES

Personal Data

The data controller will only use the information you have provided on this form for electoral purposes and will look after your personal information securely, following data protection legislation. The data controller will not give personal information about you and the personal information you may provide on other people to anyone else or another organisation unless required by law.

The lawful basis to collect the information in this form is that it is necessary for the performance of a task carried out in the public interest and exercise of official authority as vested in the Returning Officer as set out in Representation of the People Act 1983 and associated regulations.

The Returning Officer is the Data Controller. For further information relating to the processing of personal data you should refer to our privacy notice(s) on our website. www.argyll-bute.gov.uk/elections

General Data Protection Regulation (GDPR)

Data protection legislation applies to the processing of all personal data. Please contact the [Information Commissioner's Office](#) for further information about how the legislation affects you.

When collecting subscriber information, you should point out what the information will be used for, and how personal data will be processed and kept secure. The lawful basis to collect the information in these forms is that it is necessary for the performance of a task carried out in the public interest and exercise of official authority as set out in the Representation of the People Act 1983 and associated regulations.

You should also explain that the information will be shared with the Returning Officer. For further information on data protection and data processing, you should refer to the Returning Officer's privacy notice on their website.