

TOTNES TOWN COUNCIL (Town Ward) – 20 June 24

You must print off the forms in this pack before submitting them

The following papers must be delivered by hand:

1a: Nomination paper

1b: Home address form (part 1 and part 2)

1c: Candidate's consent to nomination (including the pages of legislation)

The following papers can be delivered by hand or by post:

2: Certificate of authorisation

3: Request for a party emblem

The notice of election published by the Returning Officer will specify the times and exact location to which nomination papers must be delivered.

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

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.

CL	Parish/Town election in England	Candidate checklist
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This checklist is designed to assist candidates standing in a town council election¹ in England in preparing to submit their nomination, and should be read alongside the Electoral Commission's [Guidance for candidates and agents](#).

Task	Tick
Nomination paper (all candidates)	
Add your full name – surname in the first box and all other names in the second	
Optional - Use the commonly used name(s) box(es) if you are commonly known by a name other than your full name and want it to be used instead of your full name	
Description – Party candidates can use a party name or party description registered with the Electoral Commission and this must match the details shown on the required certificate of authorisation from that party. Any candidate may use a description that is not likely to lead electors to associate the candidate with a registered political party or can use 'Independent' or leave this blank. Whatever you enter in this box will appear as your description on the ballot paper	
Subscribers – both subscribers must sign and have their name printed. Use your copy of the electoral register to make sure the elector number of both subscribers is accurate. When collecting subscriber information ensure that you explain what the information will be used for and that the information will be shared with the Returning Officer.	
Method of submitting the form to the RO: in person (but not limited to yourself), by hand, to be accompanied by the home address form. It cannot be submitted by post, fax, e-mail or other electronic means.	
Candidate's home address form (all candidates)	
Add your full name	
Add your home address in full	
Add your qualifying address, or qualifying addresses, to each of the relevant qualifications, and tick those which apply	
Add the full name and home address in full of the person who will witness your consent to nomination form. The home address form will not be accepted without this information.	
Please also complete part 2 of the form if you do not want to have your home address printed on the ballot papers, giving the name of the relevant area - this is the county/district/London borough which your home address is in - or, where outside the UK, the country in which your home address is situated and sign the form. Please submit part 2 of the home address form with your nomination papers, even if you do not want to withhold your home address from the ballot papers.	
Method of submitting the form to the RO: in person (but not limited to you), by hand, to be accompanied by the nomination form. It cannot be submitted by post, fax, e-mail or other electronic means.	
Candidate's consent (all candidates)	
You must be a British citizen, a qualifying Commonwealth citizen, a citizen of the Republic of Ireland, a qualifying EU citizen, or an EU citizen with retained rights, who does not require leave to enter or remain in the United Kingdom or has indefinite leave to remain. You must also be 18 years old or older on the date you sign this form.	

¹ This is not to be used for mayoral or principal area elections. Separate [forms and guidance are available](#).

You must declare that you meet at least one of the listed qualification(s) and should cross through any that do not apply . Those left should match the qualification(s) as given on your home address form.	
You must not sign the form if you are disqualified to stand. Make sure that you read the Electoral Commission guidance on standing for election as well as the legislation listed. If you are not sure if you are able to stand you should contact your employer (where relevant), consult the legislation or, if necessary, take your own independent legal advice.	
Add your full date of birth	
Sign and date the document in the presence of another person. You must not sign the consent form earlier than one calendar month before the deadline for submitting your nomination papers	
Get the other person to complete and sign the witness section. This should be the same person whose details you provided as your witness on the home address form.	
Method of submitting the form (which must include all pages of legislation) to the RO: in person (but not limited to yourself), by hand. It cannot be submitted by post, fax, e-mail or other electronic means.	
Certificate of authorisation (party candidates only)	
Ensure the certificate contains the candidate's full name.	
Check the certificate allows the registered party name or description given on the nomination paper to be used (or allows the candidate to choose to use the party name or any registered description).	
Ensure it is issued by the party Nominating Officer (or someone that they have authorised to issue it on their behalf) and that it is the original copy signed by that person.	
Method of submitting the form to the RO: in person (but not limited to yourself) or by post.	
Request for party emblem (party candidates only)	
Write the name or description of an emblem registered by the party and published on the Electoral Commission's website.	
Ensure the request is made by the candidate.	
Method of submitting the form to the RO: in person (but not limited to yourself) or by post.	

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1a – Nomination paper		Office use only			
Parish/Town election in England		Date received	Time received	Initials	No
*ELECTION OF TOWN COUNCILLOR for the					
Town	*ward of the				
Town of	Totnes				
Date of election:	20 June 2024				

We, the undersigned, being local government electors for the said *ward/Town do hereby nominate the under-mentioned person as a candidate at the said election.

Candidate's Details	
Candidate's surname	Mr/Mrs/Miss/ Ms/Dr/Other
Other forenames in full	
Commonly used surname (if any)	
Commonly used forenames (if any)	
Description (if any) Use no more than six words	

	Signature	Print name	Electoral number	
			Polling District	Elector Number
Proposer				
Secunder				

Notes

1. The attention of candidates and electors is drawn to the rules for filling up nomination papers and other provisions relating to nomination papers contained in the election rules in the Local Elections (Townes and Communities) (England and Wales) Rules 2006 (as amended).
2. Where a candidate is commonly known by some title they may be described by their title as if it were their surname.
3. Where a candidate commonly uses a name or names –
 - (a) that are different from the candidate's full names as stated on the nomination paper, or
 - (b) in a different way from the candidate's full names as stated on the nomination paper,the commonly used name or names may also appear on the nomination paper, but if they do so, the commonly used name (instead of any other name) will appear on the ballot paper.
4. But the ballot paper will show the other name if the returning officer thinks that the use of the commonly used name may
 - (a) be likely to mislead or confuse electors, or
 - (b) that the commonly used name is obscene or offensive.
5. An elector may not –
 - (a) subscribe more nomination papers than there are vacancies to be filled in the electoral area in which the election is held; or
 - (b) subscribe a nomination paper for more than one ward in a Town divided into wards.
6. In this form 'elector' –
 - (a) means a person whose name is registered in the register of local government electors for the electoral area in question on the last day for the publication of notice of election; and
 - (b) includes a person then shown in the register as below voting age if (but only if) it appears from the register that he will be of voting age on the day fixed for the poll.
7. However, a person who has an anonymous entry in the register of local government electors cannot nominate a candidate for election.

1b – Home address form		Office use only			
Parish/Town elections in England		Date received	Time received	Initials	No
*ELECTION OF TOWN COUNCILLOR for the					
Town		*ward of the			
Town of		Totnes			
Date of election:		20 June 2024			

You must complete Part 1

Only complete Part 2 if you do not wish your home address to be made public

Part 1: To be completed by all candidates in England	
Full name of candidate	
Home address (in full)	
Qualifying address: Add your qualifying address, or qualifying addresses (in full) to each of the relevant qualifications below (you can complete more than one qualification).	
Qualifications that apply (tick those which apply)	Address
(a) I am registered as a local government elector for the area of the Town named above	
(b) I have, during the whole of the preceding 12 months occupied as owner or tenant land or other premises in the Town named above	
(c) my principal or only place of work during the preceding 12 months has been in the Town named above	
(d) I have during the whole of the preceding 12 months resided in the Town named above or within 4.8 kilometres of it.	
Witness details	
Full name of the person who will witness the candidate's consent to nomination form	
Full home address of the person who will witness the candidate's consent to nomination form	

Part 2: To be completed only if you do not wish your home address to be made public.

Note: Please submit this part (part 2) of the home address form with your nomination papers, even if your home address is to be made public.

If you request that your home address is not made public then your address will not appear on the statement of persons nominated, notice of poll or the ballot paper. Instead the name of the relevant area in which your home address is situated (or country, if outside the UK), as explained below, will appear on the statement of persons nominated, notice of poll and the ballot papers.

Statement: I require my home address not to be made public

The relevant area my home address is situated in:	(insert name of relevant area) ²
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OR

My home address is situated outside the UK. My home address is situated in:	(insert name of country)
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Signature of candidate (only required where Part 2 above has been completed)

Candidate's signature:	
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Date:	
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Deliver both Parts 1 and 2 with the nomination form to the Returning Officer by no later than **4pm** on the last day to deliver nominations

² the name of the "relevant area" in which your home address is situated (if your home address is in the UK)

- **For home addresses in England:**
 - if the address is within a district for which there is a district council, that district;
 - if the address is within a county in which there are no districts with councils, that county;
 - if the address is within a London borough, that London borough;
 - if the address is within the City of London (including the Inner and Middle Temples), the City of London; and
 - if the address is within the Isles of Scilly, the Isles of Scilly
- **For home addresses in Wales:**
 - if the address is within a county, that county;
 - if the address is within a county borough, that county borough
- **For home addresses in Scotland:**
 - the local government area in which the address is situated
- **For home addresses in Northern Ireland:**
 - the local government district in which the address is situated

Note: The relevant area should be given in the format described above and is not the ward or parish, nor should the local authority name be given in full

1c – Candidate’s consent to nomination			Office use only			
Parish/Town elections in England			Date received	Time received	Initials	No
*You must declare that you meet at least one of the listed qualification(s) below and may declare more than one qualification if applicable. To do this, strike through any that do not apply. Any qualification(s) that apply must match the information given on your home address form.						
Date of election:			20 June 2024			
I (name in full):						
hereby consent to my nomination as a candidate for election as councillor for the:			Town		* ward	
of the *Town of:			Totnes			
I declare that on the day of my nomination, I am qualified and that, if there is a poll on the day of election, I will be qualified to be so elected by virtue of being on that day or those days a qualifying Commonwealth citizen, a citizen of the Republic of Ireland, a qualifying EU citizen, or an EU citizen with retained rights, who has attained the age of 18 years and that:						
*a. I am registered as a local government elector for the area of the Town named above; or						
*b. I have, during the whole of the 12 months preceding that day or those days occupied as owner or tenant land or other premises in the Town named above; or						
*c. my principal or only place of work during those 12 months has been in the Town named above; or						
*d. I have during the whole of those 12 months resided in that Town named above or within 4.8 kilometres of it.						
I declare that to the best of my knowledge and belief I am not disqualified for being elected by reason of any disqualification set out in, or decision made under, sections 80 or 81A of the Local Government Act 1972 or section 34 of the Localism Act 2011, or section 30 of the Elections Act 2022 (copies of which are printed overleaf).						
Note 1: A candidate who is qualified by more than one qualification may complete any of those which may apply.						
Note 2: Disqualifications set out under s.81A of the Local Government Act 1972 only apply to a person who is subject to any relevant notification requirements, or a relevant order, made on or after 28 June 2022.						
Date of birth:			Signature:		Date of consent:	
Witness: I confirm the above-mentioned candidate signed the declaration in my presence.						
Witness (name in full):						
Witness’s signature:						

Local Government Act 1972**80. Disqualifications for election and holding office as member of local authority.**

(1) Subject to the provisions of section 81 below, a person shall be disqualified for being elected or being a member of a local authority if he –

- (a) holds any paid office or employment (other than the office of chairman, vice-chairman, deputy chairman, presiding member or deputy presiding member or, in the case of a local authority which are operating executive arrangements which involve a leader and cabinet executive, the office of executive leader or member of the executive) appointments or elections to which are or may be made or confirmed by the local authority or any committee or sub-committee of the authority or by a joint committee or National Park authority on which the authority are represented or by any person holding any such office or employment; or
- (b) is the subject of a bankruptcy restrictions order or an interim bankruptcy restrictions order, or a debt relief restrictions order under Schedule 4ZB of the Insolvency Act 1986; or
- (c) [This has been removed and no longer applies]
- (d) has within five years before the day of election or since his election been convicted in the United Kingdom, the Channel Islands or the Isle of Man of any offence and has had passed on him a sentence of imprisonment (whether suspended or not) for a period of not less than three months without the option of a fine; or
- (e) is disqualified for being elected or for being a member of that authority under Part III of the Representation of the People Act 1983.

(2) Subject to the provisions of section 81 below, a paid officer of a local authority who is employed under the direction of –

- (a) a committee or sub-committee of the authority any member of which is appointed on the nomination of some other local authority; or
- (b) a joint board, joint authority, economic prosperity board, combined authority, joint waste authority or joint committee on which the authority are represented and any member of which is so appointed;

shall be disqualified for being elected or being a member of that other local authority.

(2AA) A paid member of staff of the Greater London Authority who is employed under the direction of a joint committee the membership of which includes –

- (a) one or more persons appointed on the nomination of the Authority acting by the Mayor, and
- (b) one or more members of one or more London borough councils appointed to the committee on the nomination of those councils,

shall be disqualified for being elected or being a member of any of those London borough councils.

(2A) Subsection (2) above shall have effect as if the reference to a joint board included a reference to a National Park authority.

(2B) For the purposes of this section a local authority shall be treated as represented on a National Park authority if it is entitled to make any appointment of a local authority member of the National Park authority.

(3) Subsection (1)(a) shall have effect in relation to a teacher in a school maintained by the local authority who does not hold an employment falling within that provision as it has effect in relation to a teacher in such a school who holds such an employment.

(5) For the purposes of subsection (1)(d) above, the ordinary date on which the period allowed for making an appeal or application with respect to the conviction expires or, if such an appeal or application is made, the date on which the appeal or application is finally disposed of or abandoned or fails by reason of the non-prosecution thereof shall be deemed to be the date of the conviction.

81 Exception to provisions of section 80

(4) Section 80(2) and (3) above shall not operate so to disqualify –

- (a) any person by reason of his being a teacher, or otherwise employed, in a school or other educational institution maintained or assisted by a county council for being a member of a district council by reason that the district council nominates members of the education committee of the county council

81A Disqualification relating to sexual offences etc

(1) A person is disqualified for being elected or being a member of a local authority in England if the person is subject to—

- (a) any relevant notification requirements, or
- (b) a relevant order.

(2) In this section "relevant notification requirements" means—

- (a) the notification requirements of Part 2 of the Sexual Offences Act 2003;
- (b) the notification requirements of Part 2 of the Sex Offenders (Jersey) Law 2010;
- (c) the notification requirements of Part 2 of the Criminal Justice (Sex Offenders and Miscellaneous Provisions) (Bailiwick of Guernsey) Law 2013;
- (d) the notification requirements of Schedule 1 to the Criminal Justice Act 2001 (an Act of Tynwald: c. 4).

(3) In this section "relevant order" means—

- (a) a sexual harm prevention order under section 345 of the Sentencing Code;
- (b) a sexual harm prevention order under section 103A of the Sexual Offences Act 2003;
- (c) a sexual offences prevention order under section 104 of that Act;
- (d) a sexual risk order under section 122A of that Act;
- (e) a risk of sexual harm order under section 123 of that Act;

- (f) a risk of sexual harm order under section 2 of the Protection of Children and Prevention of Sexual Offences (Scotland) Act 2005;
 - (g) a sexual risk order under section 27 of the Abusive Behaviour and Sexual Harm (Scotland) Act 2016;
 - (h) a restraining order under Article 10 of the Sex Offenders (Jersey) Law 2010;
 - (i) a child protection order under Article 11 of that Law;
 - (j) a sexual offences prevention order under section 18 of the Criminal Justice (Sex Offenders and Miscellaneous Provisions) (Bailiwick of Guernsey) Law 2013;
 - (k) a risk of sexual harm order under section 22 of that Law;
 - (l) a sexual offences prevention order under section 1 of the Sex Offenders Act 2006 (an Act of Tynwald: c. 20);
 - (m) a risk of sexual harm order under section 5 of that Act.
- (4) For the purposes of subsection (1)(a), a person who is subject to any relevant notification requirements is not to be regarded as disqualified until—
- (a) the expiry of the ordinary period allowed for making an appeal or application against the conviction, finding, caution, order or certification in respect of which the person is subject to the relevant notification requirements, or
 - (b) if such an appeal or application is made, the date on which it is finally disposed of or abandoned or fails because it is not prosecuted.
- (5) For the purposes of subsection (1)(b), a person who is subject to a relevant order is not to be regarded as disqualified until—
- (a) the expiry of the ordinary period allowed for making an appeal against the relevant order, or
 - (b) if such an appeal is made, the date on which it is finally disposed of or abandoned or fails because it is not prosecuted.

Localism Act 2011

Section 34(4) describes how a person may be disqualified from standing in local government elections under this section. The remaining provisions of section 34 do not directly affect a person's entitlement to stand for election

34 Offences

- (1) A person commits an offence if, without reasonable excuse, the person—
- (a) fails to comply with an obligation imposed on the person by section 30(1) or 31(2), (3) or (7),
 - (b) participates in any discussion or vote in contravention of section 31(4), or
 - (c) takes any steps in contravention of section 31(8).
- (2) A person commits an offence if under section 30(1) or 31(2), (3) or (7) the person provides information that is false or misleading and the person—

(a) knows that the information is false or misleading, or

(b) is reckless as to whether the information is true and not misleading.

(3) A person who is guilty of an offence under this section is liable on summary conviction to a fine not exceeding level 5 on the standard scale.

(4) A court dealing with a person for an offence under this section may (in addition to any other power exercisable in the person's case) by order disqualify the person, for a period not exceeding five years, for being or becoming (by election or otherwise) a member or co-opted member of the relevant authority in question or any other relevant authority.

(5) A prosecution for an offence under this section is not to be instituted except by or on behalf of the Director of Public Prosecutions.

(6) Proceedings for an offence under this section may be brought within a period of 12 months beginning with the date on which evidence sufficient in the opinion of the prosecutor to warrant the proceedings came to the prosecutor's knowledge.

(7) But no such proceedings may be brought more than three years—

(a) after the commission of the offence, or

(b) in the case of a continuous contravention, after the last date on which the offence was committed.

(8) A certificate signed by the prosecutor and stating the date on which such evidence came to the prosecutor's knowledge is conclusive evidence of that fact; and a certificate to that effect and purporting to be so signed is to be treated as being so signed unless the contrary is proved.

(9) The Local Government Act 1972 is amended as follows.

(10) In section 86(1)(b) (authority to declare vacancy where member becomes disqualified otherwise than in certain cases) after " 2000 " insert " or section 34 of the Localism Act 2011 ".

(11) In section 87(1)(ee) (date of casual vacancies)—

(a) after "2000" insert " or section 34 of the Localism Act 2011 or ", and

(b) after "decision" insert " or order ".

(12) The Greater London Authority Act 1999 is amended as follows.

(13) In each of sections 7(b) and 14(b) (Authority to declare vacancy where Assembly member or Mayor becomes disqualified otherwise than in certain cases) after sub-paragraph (i) insert—

"(ia) under section 34 of the Localism Act 2011,".

(14) In section 9(1)(f) (date of casual vacancies)—

(a) before "or by virtue of" insert " or section 34 of the Localism Act 2011 ", and

(b) after "that Act" insert " of 1998 or that section ".

Elections Act 2022

30 Disqualification orders

(1) This section applies where—

- (a) a person (“the offender”) is convicted of a Schedule 9 offence,
- (b) the offender was aged 18 or over when the offence was committed, and
- (c) the court is satisfied beyond reasonable doubt that the offence is aggravated by hostility related to persons falling within any of sections 32 to 34.

(2) The court must, when dealing with the offender for the offence, also make an order (a “disqualification order”) that the offender is disqualified, for the period of 5 years beginning with the date on which the order is made—

- (a) for being nominated for election to a relevant elective office, and
- (b) for being elected to or holding a relevant elective office.

(3) Subsection (2) does not apply where the court considers that there are particular circumstances relating to the offence or to the offender which would make it unjust in all the circumstances to make the order; and in such a case the court must state in open court the reasons for not making the order.

(4) For the purposes of this section an offence is aggravated by hostility related to persons falling within any of sections 32 to 34 if—

- (a) at the time of committing the offence, or immediately before or after doing so, the offender demonstrated towards the victim of the offence hostility based on the victim being (or being presumed to be) a person falling within any of sections 32 to 34, or
- (b) the offence was motivated (wholly or partly) by hostility towards persons falling within any of those sections in their capacity as such.

(5) For the purposes of subsection (4) it is immaterial whether or not the offender's hostility is also based, to any extent, on any other factor not mentioned in that subsection.

(6) For the purpose of deciding whether to make a disqualification order the court may consider evidence led by the prosecution and the defence.

(7) It is immaterial whether evidence led in pursuance of subsection (6) would have been admissible in the proceedings in which the offender was convicted.

(8) Where a Schedule 9 offence is found to have been committed—

- (a) over a period of 2 or more days, or
- (b) at some time during a period of 2 or more days,

it is to be taken for the purposes of subsection (1)(b) to have been committed on the last of those days.

(9) In this section—

“presumed” means presumed by the offender;

“Schedule 9 offence” means an offence listed in Schedule 9 (and any reference in that Schedule to an offence includes a reference to that offence committed by aiding, abetting, counselling or procuring the commission of that offence).

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2 – Certificate of authorisation	Office use only			
Parish/Town elections in England	Date received	Time received	Initials	No

To accompany the nomination of a candidate standing on behalf of a registered political party. (Note: candidates standing on behalf of two or more parties require a certificate from each party and each must allow the same registered joint description to be used).

This certificate must be issued by the registered Nominating Officer of the party or by a person authorised to sign on their behalf.

This certificate authorises the candidate to use a specific registered description or the name of the party as registered with the Electoral Commission, or to use 'any registered description or the party name as registered with the Electoral Commission'.

This authorised party name or description can then be included by the candidate on the nomination form. It is this which will appear as their description on the ballot paper. Party names and registered descriptions are listed on the Electoral Commission's website (<http://search.electoralcommission.org.uk>).

Details of candidate to be authorised and the allowed description/party name			
[Ward]/Parish/Town name:		Date of election:	
The candidate (name in full):			
Name of political party:	Political party registered with the Electoral Commission		
I hereby certify that the candidate may include the following registered description or party name in their nomination form:			
Note: it is an offence to sign this form if you are not the party's registered nominating officer or authorised to do so by the party's registered nominating officer			
Signature of party's registered Nominating Officer (or person authorised by the registered Nominating Officer):			
Name of person signing this form:			
Date:			

This form must be delivered to the Returning Officer by no later than **4pm** on the last day to deliver nominations.

3 – Request for a party emblem	Office use only			
Parish/Town elections in England	Date received	Time received	Initials	No

This form is for a candidate of a political party who is subject to a certificate of authorisation and who wishes to have a party emblem printed on the ballot paper next to their name.

Party emblems are listed on the Electoral Commission's website (<http://search.electoralcommission.org.uk>).

This form must be signed by the candidate.

Candidate's request for use of an emblem			
[Ward]/Parish/Town name:		Date of election:	
Candidate name in full:			
I request that the ballot paper shall contain, against my name, the following registered emblem (please identify which emblem if the party has registered more than one):			
Emblem to be used (Please use name or description as on the Electoral Commission's website):			
Candidate's signature:			
Date:			

This form is only effective if delivered for a candidate standing on behalf of a political party to the Returning Officer by no later than 4pm on the last day to deliver nominations.

Candidates standing on behalf of more than one political party and using a joint description may choose one emblem from one of the parties that you are standing for. Please indicate the name of the party and the emblem name in the 'Emblem to be used' box above.