

# Torbay Council Local Elections 2023

The Nomination Process and other information –  
A Guidance Pack for Candidates



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## **Nomination Guidance and Checklist (separate booklet)**

### **The Nomination forms including (separate pack):**

- Nomination paper
- Home address form
- Candidate's consent to nomination form, with prescribed legislation
- Certificate of authorisation to allow a candidate to stand on behalf of a registered political party.
- Request for political party emblem form
- Notice of appointment of an election agent form
- Notice of withdrawal form
- Appointment of postal vote agent form
- Appointment of polling agent form
- Appointment of counting agent form

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To request a copy of the guidance pack in another format or language phone 01803 207075

Please note nomination papers can only be produced in English and not in any alternative languages or formats. Please phone 01803 207075 if you require further information.

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# Introduction

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Thank you for taking an interest in standing for the local Council elections on Thursday 4 May 2023 to be elected as a local Councillor on Torbay Council.

This candidate's pack is designed to help you and your agents through the nomination process and provide you with information on the election processes in the weeks leading up to, and the day of election.

The weeks prior to polling day are a very busy time for candidates and agents. It is imperative that you are aware, in advance, of the very strict legal rules you must follow when standing for elections. We recognise the complexities involved for those wishing to stand for election. The information contained in this pack, plus the support you will receive from the Elections Team, will make the formal completion of the official nomination papers as easy as possible for you. In addition, this pack will also help you gain an understanding of the formal processes which will form a fundamental part of your campaign.

Whilst my colleagues and I will help you as much as possible, it is my duty as Returning Officer to conduct the election in accordance with appropriate laws, rules and regulations. It is important that you are aware that it is our responsibility to comply with these at all times.

Please note that the guidance and information in this pack must not be regarded as legally definitive and you and your agents are advised to seek your own legal advice if you are in any doubt.

If you have any general queries regarding the election process and the Register of Electors please do not hesitate to contact the Elections Team on (01803) 207075. For any, queries relating to the nomination process and of a more specific nature please contact my Deputy Returning Officers, Catherine Hayden, [catherine.hayden@torbay.gov.uk](mailto:catherine.hayden@torbay.gov.uk) or June Gurry, [june.gurry@torbay.gov.uk](mailto:june.gurry@torbay.gov.uk)

I look forward to meeting you during the elections timetable.



Anne-Marie Bond  
**Returning Officer for Torbay Council**

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## How to use this guide

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This guide provides you with local information about the elections in Torbay and is to be used in conjunction with the Electoral Commission guidance (web link provided below).

The nomination forms, together with guidance and checklists on how to complete them are enclosed with this pack. You will also find other useful information attached to this guidance such as polling station locations.

The advice contained in this pack is intended to **guide** candidates and agents through the formal requirements during the election. It should not be relied on as legally definitive and the Returning Officer cannot accept any responsibility for any errors or omissions, or any act arising from them. If candidates or agents have any doubts about a particular point they are strongly recommended to consult the appropriate legislation and seek their own legal advice.

Further guidance is available on the Electoral Commission's website at:

<https://www.electoralcommission.org.uk/i-am-a/candidate-or-agent/local-elections-england>

# What elections are taking place?

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On Thursday 4 May 2023 elections will be held for all wards of Torbay Council, and in Brixham, elections will be held for Parish (Town) Councillors.

## Torbay Council Elections

Torbay Council provide local services to residents and visitors to Torbay. The area is split into wards which are represented by either one, two or three councillors, depending on the size of the ward. Once elected, the councillors serve for a four-year term.

## Brixham Town Council Elections

Brixham Parish (Town) Council provides local services to residents and visitors in Brixham. A parish/town council is a small, elected body made up of local people representing the interests of the local community. Brixham Town Council has 2 wards – Furzeham with Summercombe and St Peter's with St Mary's. Once elected, the councillors will serve for four years.

# The Election Timetable

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The election process is governed by a statutory timetable which starts with the Notice of Election and ends with the final deadline for submission of candidates' and election agents' expenses returns.

A copy of the election timetable is attached, and it is important you make yourself aware of the times and dates it contains. Please note that deadlines in election timetables are governed by law and that these have to be strictly adhered to. If no particular time of day is specified in a timetable, then the deadline is **midnight** on that date.

The last time for receipt of nomination papers for the elections is 4.00pm on Tuesday 4 April 2023.

If, for any reason, you wish to withdraw from being a candidate you must provide, by no later than Tuesday 4 April 2023 at 4.00pm, a Notice of Withdrawal of Candidature, signed by you, and attested by one witness, to Election Team, First Floor, Town Hall, Castle Circus, Torquay, TQ1 3DR.

# Standing for Election

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To become a candidate at a local election, a set of nomination papers must be submitted within the prescribed time period. To be eligible to stand for election, you must be qualified to stand and not be disqualified – see qualifications and disqualifications in section 5, below.

# Qualifications and disqualifications

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The information set out below is intended to provide you with a guide only and we are unable to advise you on your eligibility or disqualification to stand for election. If you have any queries about your eligibility or disqualification you should refer to the Electoral Commission's Guidance in the first instance. Guidance is available on the Electoral Commission's website at:

<https://www.electoralcommission.org.uk/i-am-a/candidate-or-agent/local-elections-england>

## Qualifications for standing for election

To be able to stand as a candidate at a local government election you must:

- be at least 18 years old.
- be a British Citizen, an eligible Commonwealth citizen, or a citizen of any other member state of the European Union; and
- meet at least one of the following four qualifications:
  - a) You are, and will continue to be, registered as a local government elector for the local authority area in which you wish to stand from the day of your nomination onwards.
  - b) You have occupied as owner or tenant any land or premises in the local authority area during the whole of the 12 months before the day of your nomination and the day of election.
  - c) Your main or only place of work during the previous 12 months prior to the day of your nomination and the day of election has been in the local authority area.
  - d) You have lived in the local authority area during the whole of the previous 12 months before the day of your nomination and the day of election.

**Note:** the qualification to be a registered elector is an ongoing qualification that must be satisfied (unless duly qualified under another criterion stated above) for the duration of the term of office should a candidate be successful in their election. It is, therefore, important to mark all of the qualifications that you meet when completing the nomination paper.

## Disqualifications

Apart from meeting the qualifications for standing for election you must also not be disqualified.

**Note: The full range of disqualifications is complex and if you are in any doubt about whether you are disqualified, you must do everything you can to check that you are not disqualified before submitting your nomination papers. You**



**must be sure that you are not disqualified as you will be asked to sign one of the required nomination papers to confirm that you are not disqualified. It is a criminal offence to make a false statement on your nomination papers as to your qualification for being elected, so if you are in any doubt you should contact your employer, consult the legislation or, if necessary, take your own independent legal advice. The Returning Officer will not be able to confirm whether or not you are disqualified.**

There are certain people who are disqualified from being elected to a local authority in England. You cannot be a candidate if at the time of your nomination and on polling day if:

- a. you are employed by the local authority or hold a paid office under the authority (including joint boards or committee)
- b. You hold a politically restricted post
- c. You are the subject of a bankruptcy restrictions order or interim order
- d. You are the mayor for a combined authority area that the local authority is part of. The only exception to this is where the combined authority mayoral election and the election of councillors falls on the same day. In that case, you may stand at both contests. However, if you are elected at both, a vacancy in the office of councillor will automatically arise.
- e. You have been sentenced to a term of imprisonment of three months or more (including a suspended sentence) during the five years before polling day
- f. You have been disqualified under the Representation of the People Act 1983
- g. You are subject to the notification requirement of or under Part 2 of the Sexual Offences Act 2003

For further information on the disqualifications listed above and for the full list of disqualifications, please refer to the Electoral Commission's website at <https://www.electoralcommission.org.uk/i-am-a/candidate-or-agent/local-elections-england>

## The Nomination Process and delivery of nomination papers

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**Your attention is drawn to the rules for completing nomination papers and other provisions relating to nomination papers which are contained in the election rules in the Local Elections (Principal Area) (England and Wales) Rules 2006.**

Accompanying the nomination papers is guidance and a checklist. We recommend you use this when completing your forms.

To become nominated you will need to complete the following forms:

- the nomination form
- a home address form
- your consent to nomination form

If you are standing on behalf of a registered political party, you will also need:

- a certificate of authorisation, authorising the use of the party name or a registered description on the ballot paper
- a written request to use one of the party's emblems

Two nomination forms have been provided in the accompanying nomination pack in case you or your agent makes an error when completing them.

## Delivery of Nomination Papers

**You must make an appointment with the Election Team if you wish for your forms to be informally checked and accepted by the Deputy Returning Officers on 01803 207075 or via email [electoral.registration@torbay.gov.uk](mailto:electoral.registration@torbay.gov.uk) .** It is advisable to submit your nomination papers as early as possible so that there is time to submit a fresh one if the first has a mistake and is invalid.

The earliest date for delivery is from 10.00am on Thursday 23 March 2023 and all nomination papers must be submitted no later than 4.00pm on Tuesday 4 April 2023.

Your nomination papers must be delivered to the Election Team, First Floor, Town Hall, Castle Circus, Torquay, TQ1 3DR.

Only the original completed papers will be accepted. Facsimile transmission and photocopied papers **cannot** be accepted.

Once the nomination has been formally delivered, the Returning Officer will confirm receipt in writing to the candidate as soon as practicable.

The Statement of Persons Nominated will be published by 4.00pm on Wednesday 5 April 2023.

## Uncontested elections

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If, after the close of nominations and the time allowed for withdrawals, the total number of validly nominated candidates in a ward is less than or equal to the number of seats to be filled at the election, those candidates are declared to be elected.

As soon as possible after the latest time for delivery of withdrawals of nominations (4.00pm on Tuesday 4 April 2023) the Returning Officer will declare elected those candidates who remain validly nominated.

It is important to note that if declared to be elected in an uncontested election, you must still make a declaration and return as to election expenses, even if none have been incurred.

# Election and other agents

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## Election agent

The election agent is the person responsible for the proper management of your election campaign and for its financial management. You must have an election agent. If you do not appoint an agent, you will become your own agent by default.

Once appointed, only the election agent can make payments for election expenses.

You must give the Returning Officer notice of the appointment of your election agent in writing by 4.00pm on Tuesday 4 April 2023. The form for completion is included in the nomination forms pack.

## Other agents

You can also appoint other agents to observe the following electoral processes, which both you and your election agent are also entitled to observe without the need of official appointment.

- The opening of postal votes
- The poll
- The count

## Appointment of postal vote agents

You are entitled to appoint one postal vote agent to attend each opening session.

You must make the appointment, in writing, to the Returning Officer. A form for this can be found with the forms accompanying this guidance. The form must be submitted to the Returning Officer before the start of the particular session the agent wishes to attend.

Details of postal vote opening sessions can be found on page 13.

## Appointment of polling agents

There is no limit to the number of polling agents you can appoint, but only one polling agent for each candidate can be present in a polling station at any time.

A polling agent can be appointed to attend multiple polling stations.

The appointment must be made in writing to the Returning Officer by Wednesday 26 April 2023. The appointment form is included with the forms accompanying this guidance

## Appointment of counting agents

The main role of a Counting Agent is to oversee the counting process on behalf of the candidate and see that it is undertaken in an accurate and correct manner. Agents are entitled to be present during the count and when the Returning Officer is adjudicating on doubtful ballot papers. However, they do not participate in the counting process.

The formula used to calculate the number of counting agents allowed per candidate is: the number of candidates divided by the number of counters. As we do not know the number of candidates yet, we will write to you after Tuesday 4 April 2023 with the number of counting agents permitted.

The appointments must be made in writing to the Returning Officer by Wednesday 26 April 2023. The appointment form is included with the forms accompanying this guidance.

## Campaigning dos and don'ts

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The Electoral Commission provide clear guidance on the campaign, including dos and don'ts. We strongly recommend that you make yourself aware of these – they can be found on the Electoral Commission Guidance website as follows:

<https://www.electoralcommission.org.uk/i-am-a/candidate-or-agent/local-elections-england>

## The Importance of Secrecy Regulations

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Section 66 of the Representation of the People Act 1983 sets out the secrecy requirements at elections. Secrecy requirements at elections are attached. People who work on behalf of you as a candidate at election time, and those who accompany or represent you at the polling station or count, need to be aware of the requirements for secrecy.

## Register of Electors and absent voters' lists

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Once you become a candidate you may request a copy of the register of electors and the absent voters list for the ward you are standing in.

You must request if you want to receive a data or paper copy (only one will be supplied).

You are only entitled to receive a copy of the register and the absent voters list if you are an official candidate at the election.

The earliest date you can officially become a candidate is the last date for publication of the notice of election, which will be Wednesday 22 March 2023. You will become a candidate on this date if you or others have already announced your intention to stand.

If your intention to stand has not been announced by 22 March 2023, you will officially become a candidate on the earlier of:

- The date your intention to stand is announced
- The date when you submit your nomination papers

This must be prior to the close of nominations.

If you require more copies your request must be made to the Election Team at [electoral.registration@torbay.gov.uk](mailto:electoral.registration@torbay.gov.uk). These are not pre-printed and available on request, therefore they will be printed following receipt of your written request.

You are given a full copy of the register and the absent voters list, and you must be mindful that the content of the register should be used **only** for electoral purposes.

If you wish to be supplied with a copy of the register and the postal voters' list please complete and return the forms attached. You will be supplied with a copy of the register and postal voters' list only when you become an official candidate for the election.

**If you need to check that a subscriber is on the register in order to complete your nomination paper, please email [electoral.registration@torbay.gov.uk](mailto:electoral.registration@torbay.gov.uk) with the name and the address of the elector.**

## Election spending

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The following expenses forms will be sent to you when the nomination paper has been given a Certificate of Validation:

- Combined Expenses form, including Return of Election Expenses;
- Declaration by Candidate as to Expenses; and
- Declaration by Election Agent as to Expenses.

All questions concerning expenses should be directed to the Electoral Commission, using the contact details below:

[www.electoralcommission.org.uk](http://www.electoralcommission.org.uk)

[pef@electoralcommission.org.uk](mailto:pef@electoralcommission.org.uk)

Telephone: 0333 103 1928

## Calculating spending limits and electorate figures

Your attention is drawn to the Electoral Commission guidance on spending: [2023 Locals England Part 3 C&A.pdf \(electoralcommission.org.uk\)](#)

The number of registered electors in the area in which you are standing will be provided when the expense forms are sent to you.

## Spending returns and declarations

Your election expenses must be submitted to the Returning Officer of Torbay Council by Friday 9 June 2023.

## Postal Voting

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There are currently just under 20,000 electors in Torbay who vote by post. Please note this figure will probably increase in the run-up to the elections.

All postal voters are required to provide personal identifiers namely their signature and date of birth on the postal voting statement accompanying their postal ballot paper.

The postal vote packs for the elections will be issued on Thursday 20 April 2023 and will be posted via first class post.

### Postal vote opening

The postal votes are opened in advance of polling day although the ballot papers are kept face down and not counted at this stage (this is done at the count).

You and your agents are entitled to attend these opening sessions.

The dates of birth and signatures supplied on the elector's postal vote statement will be verified against the identifiers provided on the elector's original postal vote application form.

It is important to note that postal votes where the date of birth and signature given on the postal vote statement do not match the elector's original postal vote application form held by the Election's Team, will be rejected at the opening session.

### Offences relating to absent voting

**Please refer to the Electoral Commission's code of conduct at the end of the document which includes the offences relating to absent voting.**

If you or your agents wish to attend postal vote opening sessions you will be asked to sign a secrecy agreement. I would like to draw your attention to the secrecy regulations enclosed with this pack and ask that you read them carefully.



We also request that mobile phones are kept on silent and away from the proceedings in your bag or pocket. The use of phones is strictly prohibited and will be monitored throughout the sessions.

## Postal vote application forms

Candidates and agents should contact the Election Team on 01803 207075 if you wish to distribute postal vote application forms to electors.

Locally designed forms need to be tested with electoral services software to prevent a situation where votes may be rejected at the opening stage if signatures and dates of birth have not been provided in a suitably formatted form.

## Postal vote opening sessions

We will commence postal vote opening sessions from Monday 24 April 2023 (please note that the first session will not be a full session – it is intended that we run this as a test session, although you are entitled to attend).

The opening of the postal votes will take place in the Churston Room, at the Town Hall, Torquay from 9.30 am on the following days:

Monday 24 April 2023	Tuesday 2 May 2023
Tuesday 25 April 2023	Wednesday 3 May 2023 (if needed)
Wednesday 26 April 2023	Thursday 4 May 2023 - 9.30am
Thursday 27 April 2023	Thursday 4 May 2023 – 8.00pm

If you or another person entitled to be present are planning to attend, you must inform us in writing prior to attendance.

We will not be opening postal votes on days where there have been low rates of return. Therefore, please contact the Elections Team on the day to check we are opening postal votes on the days that you would like to attend.

## Polling Day Information

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Polling day is Thursday 4 May 2023. The hours of poll are 7.00am until 10.00pm.

### Voter ID

The UK Government has introduced a requirement for voters to show photo ID when voting at a polling station at some elections. The new requirement will apply for the first time in England at the local elections on Thursday 4 May 2023.

If an elector doesn't have an accepted form of photo ID, they can apply for a free voter ID document, known as a Voter Authority Certificate. For further information,

please visit the Electoral Commission's website  
<https://www.electoralcommission.org.uk/i-am-a/voter/voter-id>

## Polling Stations

The Returning Officer is responsible for the provision of polling stations at an election. Polling stations must remain impartial. To ensure this the following must be followed:

- It is possible that candidates, their agents, or helpers may be associated with the management of a polling station. In these instances, it is important that any supporters who may have such a connection maintain strict impartiality whilst undertaking any duties in connection with that building on polling day.
- Any building being used as a polling station must not display any party-political information.
- The Presiding Officer, appointed by the Returning Officer, is responsible for the conduct and operation of the polling station and may request the removal of any item which it is felt compromises the impartiality of the polling station. Similarly, the Presiding Officer can request the removal of any person from a polling station if it is felt that they are/could compromise the impartiality of the election.

A full list of the polling stations to be used on polling day is attached.

## Tellers

It is a well-established practice for candidates or their agents to appoint 'tellers', who are outside polling stations to record the names of electors who have voted, usually by asking for their poll card or elector number. This is to assist party workers in identifying potential supporters who have yet to vote.

Unfortunately, we have encountered problems with some tellers on past polling days. In particular, the obstruction of voters entering the polling station.

It is important to remember that the Returning Officer is in charge of the conduct of the election, and so if feels that the poll is being adversely affected by the activities of tellers, will request that tellers either comply with agreed behaviour or leave the polling place. The Presiding Officer may do this on behalf of the Returning Officer.

Please note that the Returning Officer is not responsible for providing facilities at polling stations for Tellers e.g., toilets and refreshments.

## The Verification and Count

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The verification and counting of the ballot papers will be held at the Riviera International Conference Centre, Chestnut Avenue, Torquay, TQ2 5LZ.

The timings of the verification and counts are as follows:

- From 10.00pm on Thursday 4 May 2023 – the verification of all ballot papers
- From 10.00am on Friday 5 May 2023 – the counting of the ballot papers for the Torbay Council elections and the Brixham Town Council elections.

You, as the candidate, your election agent and your appointed counting agents are entitled to attend the verification and counting of the votes on the Thursday night.

### Guests to be present at verification and count

Each candidate will be able to invite a number of guests to the verification and counting of ballot papers. We will confirm the number of guests you may invite in due course.

## Challenges to the election results

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An election can only be challenged by an election petition and any person wishing to do so should take legal advice. The petition must be presented to the High Court within 21 days after the date on which the election was held. If presented on the grounds of a corrupt or illegal practice after the election, or of a complaint relating to election expenses, it may, in certain cases, be presented at a later date.

## Feedback

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In order to further develop the information the Election Team provide to prospective candidates we would appreciate any comments or recommendations you may have to assist us in improving our approach.

Please send your comments either by email to: [electoral.registration@torbay.gov.uk](mailto:electoral.registration@torbay.gov.uk) or via post to Election Team, Torbay Council, Town Hall, Torquay, TQ1 3DR

## Attachments:

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# Register request form

## The Representation of the People Legislation

Request for a Copy of the Register Of Electors (Please Tick Your Requirements)

Name/Organisation	
Address	
I wish to receive a copy of the current register of electors for either:	
Torbay; or	
Ward (please state for which)	
In either (please tick)	
Printed format; or	
Data format	
If data, state email address	

I understand that I may only use the information for research or electoral purposes, and any purposes compatible with the restrictions applicable to the use of the full register of electors by me.

Signed	
Print name	
Position/entitlement to receive register	
Date	

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# Postal voters' list request form

## The Representation of the People Legislation

Request for a Copy of the Postal Voters' List (Please Tick Your Requirements)

Name/Organisation	
Address	
I wish to receive a copy of the current postal voters' list for either:	
Torbay; or	
Ward (please state for which)	
In either (please tick)	
Printed format; or	
Data format	
If data, state email address	

I understand that I may only use the information for research or electoral purposes, and any purposes compatible with the restrictions applicable to the use of the postal voters' list by me.

Signed	
Print name	
Position/entitlement to receive register	
Date	

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Secrecy requirements at elections section 66 of the Representation of the People Act 1983 (as amended) for postal voting, the poll and the count

## Notification of secrecy requirements – postal voting

### Section 66 of the Representation of the People Act 1983 (as amended)

(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.

[ ... ]

(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.

## Notification of secrecy requirements – the poll

### Section 66 of the Representation of the People Act 1983 (as amended)

(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.

[...]

(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.

[...]

(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.

## Notification of secrecy requirements – the count

### Section 66 of the Representation of the People Act 1983 (as amended)

[ ... ]

(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 of 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.

[ ... ]

(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.



## **Code of conduct for campaigners: electoral registration, postal voting, proxy voting, voter authority certificates 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 relevant 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 the run-up to local elections and referendums in England on 4 May 2023. This version of the code will also apply to the following elections in Great Britain from 4 May 2023 onwards:

- UK general elections (the voter ID requirement will apply from October 2023)
- UK parliamentary by-elections
- Local authority elections in England
- Parish council elections in England
- Local mayoral elections in England
- Combined authority mayoral elections in England
- Greater London Authority (GLA) elections in England

- Police and Crime Commissioner (PCC) elections (and Police, Fire and Crime Commissioners (PFCC elections) in England and Wales
- Local authority referendums in England
- Neighbourhood planning and business referendums in England

## **Types of campaigners**

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
- 

## **Other elections and referendums in Great Britain**

This code does NOT apply to any other polls. The code of conduct for campaigners for other types of elections and referendums in Great Britain, can be found here. It covers the following:

- Scottish council elections
- Scottish Parliament elections
- Referendums held under Scottish Parliament legislation
- Senedd Cymru elections
- Welsh local elections
- Referendums held under Senedd Cymru legislation

## **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, absent vote and voter authority certificate 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](http://www.gov.uk/register-to-vote)

**1.2 Campaigners should ensure that any electoral registration, postal or proxy voting applications 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/government/publications/register-to-vote-if-youre-living-in-the-uk](http://www.gov.uk/government/publications/register-to-vote-if-youre-living-in-the-uk), and absent vote application forms from [www.electoralcommission.org.uk/i-am-a/voter/apply-vote-post](http://www.electoralcommission.org.uk/i-am-a/voter/apply-vote-post).

**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 should 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

**1.7 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.

## Voter authority certificates

**1.8 Campaigners should be free to inform voters that they need photographic identification to vote at certain elections and how to apply for a Voter Authority Certificate.**

Campaigners can help to inform voters that they must produce a suitable form of photographic identification to vote in person at a polling station for the elections covered by this code (see scope section above). Campaigners can also encourage voters who lack a suitable form of photographic identification to apply for a Voter Authority Certificate which they can use to vote at their local polling station. Campaigners should encourage voters to check whether they have a suitable photo ID before making an application for a Voter Authority Certificate. The full list of accepted ID can be found here <https://www.electoralcommission.org.uk/i-am-a/voter/voter-id/accepted-forms-photo-id>. Campaigners should encourage voters to apply for a Voter Authority Certificate online although it is also possible to apply using a paper form. Voters can apply online by clicking here [Apply for photo ID to vote \(called a 'Voter Authority Certificate'\) - GOV.UK \(www.gov.uk\)](#). Voters can find details for how to apply using a paper form by clicking here [Applying for a Voter Authority Certificate | Electoral Commission](#)

**1.9 Campaigners should not handle paper-based Voter Authority Certificate applications or assist voters with online applications.**

Voters will have to supply sensitive personal information when they apply for a Voter Authority Certificate, including photographs. Campaigners do not need to have access to this information.

## 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.

Effective from January 2023

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## List of polling stations

<b>Reference</b>	<b>District(s)</b>	<b>Polling Place</b>
1	AA	Mobile Station at DFS Car Park, Willows Retail Park, Nicholson Road, TQ2 7TD
2	AB	St Martins Church, Barton Hill Road, TQ2 8JA
3	AC	Yellow Frog Cafe, Moor Lane, TQ2 8NL
4	AD	Medway Centre, Medway Road, TQ2 8SA
5	AE	Acorn Community Centre, Lummaton Cross, TQ2 8ET
6	AF	Hele Road Baptist Church, Hele Road, Torquay, TQ2 7PP
7	BA, BD	St Georges Church, Barn Road, TQ4 6NG
8	BB	Hookhills Community Centre, Freshwater Drive, TQ4 7SB
9	BC	Mobile Station at Davies Avenue, Davies Avenue, TQ4 7AW
10	BE	Galmpton Village Hall, Greenway Road, TQ5 0LT
11	BF	Churston Library, Broadsands Road, TQ4 6LL
12	CA	Catholic Church Rooms Sacred Heart Church, Cecil Road, TQ3 2SH
13	CB	To be confirmed
14	CC	Catholic Church Rooms Sacred Heart Church, Cecil Road, TQ3 2SH
15	CD	Cross Link Hall (formerly Baptist Youth Hall), Winner Street, TQ3 3LN
16	CE	To be confirmed
17	DA	Mobile station at Purbeck Avenue, Purbeck Avenue, TQ2 6UL
18	DB	St Matthews Church, Top of Walnut Road, TQ2 6JA
19	DC	St Peters Church Hall, Queensway, Torquay, TQ2 6BP
20	DD	St Peters Church Hall, Queensway, Torquay, TQ2 6BP
21	EA	The Parkers Arms, 343 Totnes Road, TQ4 7DE
22	EB	To be confirmed
23	FA	Salvation Army Hall, Castle Lane Entrance, TQ1 3AF
24	FB	Salvation Army Hall, Castle Lane Entrance, TQ1 3AF
25	FC	Boots and Laces, Torquay United Football Ground, Marnham Road, TQ1 3QW
26	GA	Higher Brixham Community Centre, 1-3 Poplar Close, TQ5 0SA
27	GB	Central Garage Showroom, Milton Street, TQ5 0BY



<b>Reference</b>	<b>District(s)</b>	<b>Polling Place</b>
28	GC	Scala Hall (Market Street entrance), Brixham Town Hall, Market Street, TQ5 8TA
29	GD	Scala Hall (Market Street entrance), Brixham Town Hall, Market Street, TQ5 8TA
30	GE	Brixham Cricket Club Pavilion, 63 North Boundary Road, TQ5 8LH
31	GF	Brixham Bowling Club Pavilion, Nelson Road, TQ5 8BH
32	HA, HB	Time Out Coffee Shop, 6 Sturcombe Avenue, TQ4 7EB
33	HC, HD	St Georges Hall, Barn Road, TQ4 6NG
34	HE	Hall at Entrance Clennon Rise, Romaleyn Gardens, Entrance Clennon Rise, TQ4 5HN
35	HF	Torbay Leisure Centre, Penwill Way, TQ4 5JR
36	IA, IB	St Boniface Church Hall, Belfield Road, TQ3 3UY
37	IC	St Boniface Church Hall, Belfield Road, TQ3 3UY
38	ID	Great Parks Community Centre, Queen Elizabeth Drive, TQ3 3YS
39	IE	Great Parks Community Centre, Queen Elizabeth Drive, TQ3 3YS
40	JA	Mobile Station at Preston Down Road, Shopping Parade, TQ3 1DS
41	JB	St Pauls Church - Francis Norrish Room, Torquay Road, TQ3 2DH
42	JC	Mobile Station at Albany Road/Lacy Road, Albany Road/Lacy Road, TQ3 1BU
43	JD	Paignton SNU Spiritualist Centre Hall, Manor Corner, Torquay Road, TQ3 2JB
44	KA	Christ Church Hall, Torquay Road, TQ3 2AA
45	KB	Paignton Club, The Garden Room, Esplanade Road, TQ4 6ED
46	KC	Paignton Club, The Garden Room, Esplanade Road, TQ4 6ED
47	KD	Cross Link Hall (formerly Baptist Youth Hall), Winner Street, TQ3 3LN
48	LA	Sherwell Valley Primary School, Hawkins Avenue, TQ2 6ES
49	LB	St Andrews Church, Exe Hill, TQ2 7NF
50	LC	St Andrews Church, Exe Hill, TQ2 7NF
51	MA, MB	St Marychurch Precinct Centre, Church Road, TQ1 4QY
52	MC	Rear of Dunboyne Court, 170 St Marychurch Road, TQ1 3AB
53	MD	Plainmoor Swimming Pool, Plainmoor, TQ1 3QP
54	ME	Furrough Cross Church Hall, Babbacombe Road, TQ1 3SE
55	MF	St Annes Hall, Babbacombe Road, TQ1 3TJ
56	NA	St Marys Park Bowling Club, St Marys Park, Upton Manor Road, TQ5 9RD

<b>Reference</b>	<b>District(s)</b>	<b>Polling Place</b>
57	NB	Brixham Rugby Club, Astley Park, Rea Barn Road, TQ5 9ED
58	NC	Brixham Rugby Club, Astley Park, Rea Barn Road, TQ5 9ED
59	PA	Central Church Hall, Central Church, Tor Hill Road, TQ2 5RS
60	PB	Central Church Hall, Central Church, Tor Hill Road, TQ2 5RS
61	PC	Essential 6, Unit 1 Marble Court Business Park, Lymington Road, TQ1 4FB
62	PD	Barton Cricket Club, Barton Road, TQ2 7NY
63	PE	Windmill Community Centre, Pendennis Road, TQ2 7QR
64	PF	Torquay Harbour Office, (Beacon Quay car park entrance), Beacon Hill, TQ1 2BG
65	RA	St Matthias Church Hall, Babbacombe Road, TQ1 1HW
66	RB	St Matthias Church Hall, Babbacombe Road, TQ1 1HW
67	RC	Riviera Life Church, 527 Babbacombe Road, TQ1 1HG
68	RD	Riviera Life Church, 527 Babbacombe Road, TQ1 1HG

## Local government elections in England: 4 May 2023

This timetable covers the following polls taking place on 4 May 2023:

- Local government principal area elections in England (i.e. district, borough, county, county borough and unitary authority elections)
- Parish council elections
- Local authority mayoral elections in England

The days which are disregarded in calculating the timetable are Saturday, Sunday, bank holidays and any day appointed for public thanksgiving or mourning.

Please be aware that the timetable may change in the event of days being appointed for public thanksgiving or mourning.

This timetable has been developed based on the legislation as it currently stands and so it may be subject to change. We will update and re-publish the timetable as appropriate if further legislation is made.

<b>Event</b>	<b>Election</b>	<b>Working days before poll (deadline if not midnight)</b>	<b>Date</b>
Publication of notice of election	All	Not later than 25 days	Not later than Monday 27 March
Delivery of nomination papers	All	From the date stated on the notice of election up to 4pm on the nineteenth working day before the election	From the date stated on the notice of election up to 4pm on Tuesday 4 April

<b>Event</b>	<b>Election</b>	<b>Working days before poll (deadline if not midnight)</b>	<b>Date</b>
Deadline for withdrawals of nomination	All	19 days (4pm)	4pm on Tuesday 4 April
Deadline for the notification of appointment of election agent	All, excluding parish council	19 days (4pm)	4pm on Tuesday 4 April
Publication of first interim election notice of alteration	All	At 19 days	Tuesday 4 April
Publication of statement of persons nominated	All	Not later than 18 days (4pm)	Not later than 4pm on Wednesday 5 April
Deadline for receiving applications for registration	All	12 days	Monday 17 April
Deadline for receiving new postal vote and postal proxy applications, and for changes to existing postal or proxy votes	All	11 days (5pm)	5pm on Tuesday 18 April
Deadline for receiving new applications to vote by proxy (not postal proxy or emergency proxies)	All	6 days (5pm)	5pm on Tuesday 25 April
Deadline for receiving applications for Voter Authority Certificates	All	6 days (5pm)	5pm on Tuesday 25 April
Publication of second interim election notice of alteration	All	Between 18 days and 6 days	Between Wednesday 5 April and Tuesday 25 April (inclusive)
Publication of notice of poll	All	Not later than 6 days	Not later than Tuesday 25 April

<b>Event</b>	<b>Election</b>	<b>Working days before poll (deadline if not midnight)</b>	<b>Date</b>
Publication of final election notice of alteration	All	5 days	Wednesday 26 April
Deadline for notification of appointment of polling and counting agents	All	5 days	Wednesday 26 April
First date that electors can apply for replacements for lost postal votes	All	4 days	Thursday 27 April
<b>Polling day</b>	All	<b>0 (7am to 10pm)</b>	<b>7am to 10pm on Thursday 4 May</b>
Last time that electors can apply for a replacement for spoilt or lost postal votes	All	0 (5pm)	5pm on Thursday 4 May
Deadline for emergency proxy applications	All	0 (5pm)	5pm on Thursday 4 May
Last time to alter the register due to clerical error or court appeal	All	0 (9pm)	9pm on Thursday 4 May
Deadline for production of temporary Voter Authority Certificates	All	0 (10pm)	10pm on Thursday 4 May
Delivery of return as to election expenses	Parish council	Not later than 28 calendar days* after the date of the election	Thursday 1 June
Delivery of return as to election expenses	All, excluding parish council	Not later than 35 calendar days* after the date the election result is declared	Refer to the following table for further information on the date for return of election expenses

<b>Event</b>	<b>Election</b>	<b>Working days before poll (deadline if not midnight)</b>	<b>Date</b>
Deadline for sending postal vote identifier rejection notices	All	Within 3 months from the date of the poll	By Friday 4 August

\*If the last day of the period falls on a weekend, bank holiday or any day appointed for public thanksgiving or mourning, in which case the last day moves to the next working day).

## Delivery of return as to election expenses (all, excluding parish council elections)

<b>If the result is declared:</b>	<b>Deadline for return:</b>
Thursday 4 May	Thursday 8 June
Friday 5 May	Friday 9 June
Any declaration made between 6 May and 8 May	Monday 12 June
Tuesday 9 May	Tuesday 13 June