

Tonbridge and Malling Elections 2011

Guidance for Parish Clerks



Date of guidance: February 2011

Guidance for Parish Clerks

Important Information

1. About this Guide

This guide has been prepared specifically for parish clerks as an overview of the local elections in Tonbridge & Malling taking place in May 2011. It contains information on various aspects of the electoral process but does not provide the level of detail candidates will require. It is important to note that we do not expect parish clerks to undertake election duties, and that this guide is to make them aware of the overall processes involved. Questions about the elections from prospective candidates should be directed to the Elections Office.

This abridged guidance is supplementary to the Electoral Commission (EC) guidance, to highlight local circumstances. It should be read in conjunction with the EC guidance, which is available from:

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

Telephone: 020 7271 0516

E-Mail: info@electoralcommission.org.uk

The advice is provided as a brief guide. It should not be relied on as legally definitive and neither the Returning Officer nor his staff can accept any responsibility for any errors or omissions, or any act arising from them. If candidates have any doubts about a particular point they are strongly recommended to consult the appropriate legislation and seek their own legal advice.

2. The Elections Office

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

The Elections Office
Tonbridge and Malling Borough Council
Gibson Building
Gibson Drive
Kings Hill
West Malling
Kent ME19 4LZ
Tel: 01732 876022
Fax: 01732 842170
Email: electoral.services@tmbc.gov.uk
Web: www.tmbc.gov.uk/voting

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Elections Staff

3. The Returning Officer and his staff

The Returning Officer for Tonbridge and Malling is David Hughes. For the May 2011 elections, he has appointed three Deputies to assist him, in addition to the staff in the council's Electoral Services team.

Parish Clerks should normally, in the first instance, contact Jackie Geddes or Richard Beesley if they require any clarification or information regarding the election.

Contact details, for use by candidates and parish clerks, for the key officers involved in the preparation and running of this election are shown below.

David Hughes	Returning Officer Chief Executive, TMBC	david.hughes@tmbc.gov.uk 01732 876002
Richard Beesley	Deputy Returning Officer Elections & Special Projects Manager, TMBC	richard.beesley@tmbc.gov.uk 01732 876229
Julie Beilby	Deputy Returning Officer Central Services Director, TMBC	julie.beilby@tmbc.gov.uk 01732 876382
Sharon Shelton	Deputy Returning Officer Director of Finance, TMBC	sharon.shelton@tmbc.gov.uk 01732 876092
Jackie Geddes	Senior Electoral Services Officer	jackie.geddes@tmbc.gov.uk 01732 876375
Daniel George	Electoral Services Officer	daniel.george@tmbc.gov.uk 01732 876021
Joanne Miller	Electoral Services Officer	joanne.miller@tmbc.gov.uk 01732 876022

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

Electoral Services Office
Tel: 01732 876022
Fax: 01732 842170
Email: electoral.services@tmbc.gov.uk
Web: www.tmbc.gov.uk/voting

Elections 2011

4. Polls taking place

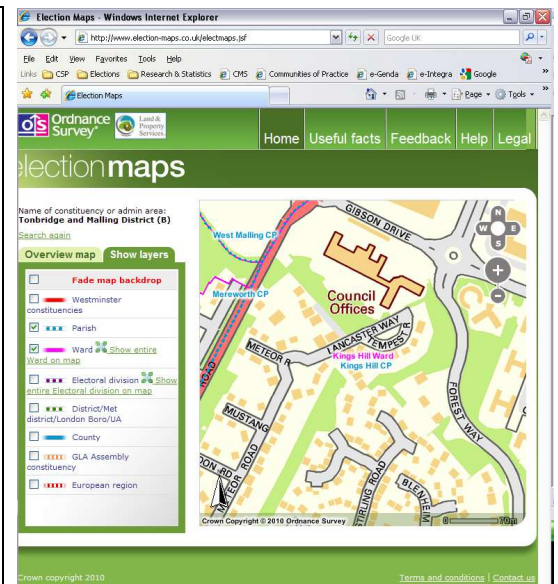
On Thursday 5 May 2011, all seats on Tonbridge and Malling Borough Council and all seats on all parish councils (including warded parishes) within the borough will be up for election. Current councillors formally 'retire' from their posts on Monday 9 May 2011, at which point the newly elected councillors will take their seats. This applies even where a councillor has been elected at a by-election or has been co-opted and so has served less than 4 years. Between all parishes and parish wards in the area, there are 268 parish council seats.

The tables that follow show which seats are up for election, and the areas they serve. The RO is unfortunately not able to provide maps to candidates, agents or parish clerks, but is happy to highlight a useful website that may be of interest; please see the box below for further information.

www.election-maps.co.uk

This site can be used to see the extent of particular wards and parishes. To use the site:

1. Load www.election-maps.co.uk.
2. Read the terms and conditions, then press Enter site.
3. Type Tonbridge and Malling in the search bar.
4. Click Local Authority as the type of election.
5. Press Go.
6. Select Tonbridge and Malling District (B).
7. You can now zoom in or out of the area of interest, and move around the borough. From the Show layers area of the screen, you can select which boundaries to show and/or fade the background map for a clearer view of boundaries.



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Borough Ward	Number of councillors to elect
Aylesford	2
Blue Bell Hill and Walderslade	2
Borough Green and Long Mill Ward	3
Burham Eccles and Wouldham	2
Cage Green	2
Castle	2
Ditton	2
Downs Ward	2
East Malling	2
East Peckham and Golden Green	2
Hadlow, Mereworth and West Peckham	2
Higham	3
Hildenborough	2
Ightham	1
Judd	2
Kings Hill	2
Larkfield North	2
Larkfield South	2
Medway	2
Snodland East	2
Snodland West	3
Trench	2
Vauxhall	2
Wateringbury	1
West Malling and Leybourne	3
Wrotham Ward	1
Total	53

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Parish councils (Wards shown in the next table)	Number of councillors to elect
Addington	7
Aylesford	Warded – see next table
Birling	7
Borough Green	11
Burham	8
Ditton	13
East Malling and Larkfield	Warded – see next table
East Peckham	11
Hadlow	Warded – see next table
Hildenborough	11
Ightham	9
Kings Hill	12
Leybourne	10
Mereworth	Warded – see next table
Offham	7
Platt	9
Plaxtol	9
Ryarsh	7
Shipbourne	7
Snodland Town Council	Warded – see next table
Stansted	7
Trottscliffe	7
Wateringbury	9
West Malling	11
West Peckham	7
Wouldham	8
Wrotham	9

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Parish Wards	Number of councillors to elect
Aylesford Parish	
North Ward	2
South Ward	7
Blue Bell Hill Ward	3
Walderslade Ward	5
Eccles Ward	3
East Malling and Larkfield Parish	
East Malling Ward	6
Larkfield North Ward	6
Larkfield South Ward	5
Hadlow Parish	
Golden Green Ward	2
Hadlow Ward	11
Mereworth Parish	
Mereworth Village Ward	5
The Airfield Ward	2
Snodland Town Council	
Snodland West Ward	9
Snodland East Ward	6

Candidates' Guide and Nomination Pack**5. Changes since the 2007 local elections**

Most parish and borough boundaries have remained unchanged since the 2007 elections. One notable exception, however, is that concerning the Leybourne Park development. Since April 2010, this site has been part of the Larkfield North ward of East Malling & Larkfield parish and no longer part of Ditton parish. From the elections in May 2011, this same area will transfer from Ditton ward to Larkfield North ward. The equivalent change in County Electoral Division representation will take place at the Kent County Council scheduled elections in May 2013.

This change follows a Community Governance Review undertaken by TMBC, designed to ensure electoral areas are (i) reflective of the identities and interests of the community in that area; and (ii) effective and convenient to the community in that area. As well as affecting representation following the election, the change alters the polling station to which electors must attend to cast a vote in person. For the purposes of nominations, the necessary changes have already taken place. This means that electors living in the Leybourne Park development affected by this change would be able to nominate candidates for the Larkfield North borough ward and/or the Larkfield North ward of the of East Malling & Larkfield parish; they are not able to nominate candidates for the elections to represent the borough ward or parish of Ditton.

As a result of that same review, the number of parish councillors serving on several of the councils was revised in line with national guidance. The tables above take these changes into account; the numbers shown are the number of councillors to be elected in 2011, and may not be the same as the current number of serving councillors.

6. Referendum on the voting system

In addition to the Borough and Parish elections, a national referendum on the voting system to be used at Parliamentary Elections will also be taking place on Thursday 5 May 2011. Guidance regarding the referendum is available from the Electoral Commission, the Chair of which is the Chief Counting Officer responsible for the conduct of the referendum. David Hughes is the Counting Officer, responsible for the local delivery of the referendum. Due to that poll being a national event, it takes precedence and certain decisions made centrally will impact on local practice. For example, the colours of ballot papers and timing of the count have been Directed by the Electoral Commission, and we are obliged to follow that ruling.

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The Election Timetable

The table below sets out the main points of the statutory election timetable for the May 2011 elections.

Action	Date
Publication of Notice of Election (last date)*	Friday 25 March 2011
Deadline for delivery of Nomination Papers and Candidates Consent to Nomination	Noon on Monday 4 April 2011
Publication of Statement of Persons Nominated	Wednesday 6 April 2011
Deadline for Withdrawal of Candidature	Noon on Thursday 7 April 2011
Deadline for notice of appointment of election agents	Noon on Thursday 7 April 2011
Last day for applications to be included onto the Register of Electors in order to vote in the election	Thursday 14 April 2011
Deadline for requests for a new postal vote, or to change / cancel existing absent vote arrangements.	5pm on Thursday 14 April 2011
Publication of Notice of Poll	Thursday 21 April 2011
Deadline for new applications to vote by proxy (except medical emergencies)	5pm on Thursday 21 April 2011
Last day for notice of appointment of polling or counting agents	Tuesday 26 April 2011
First day of requests to issue replacement spoilt or lost postal ballot papers	Wednesday 27 April 2011
Polling day	7am to 10pm on Thursday 5 May 2011
Deadline for new applications to vote by proxy on the grounds of a medical emergency	5pm on Thursday 5 May 2011
Last day to issue replacement spoilt or lost postal ballot papers	5pm on Thursday 5 May 2011
Return of election expenses forms (assuming result was declared the day after polling day)	Borough Thursday 9 June 2011 Parish Thursday 3 June 2011

* The Returning Officer is intending to publish this notice ahead of the deadline, on Monday 21 March 2011. This will open the nomination period on Tuesday 22 March 2011, although the last day for nominations will remain Noon on Monday 4 April 2011. The notice will be published on the TMBC website (at www.tmbc.gov.uk/voting) and on parish and community notice boards throughout the Borough.

Nominations

7. Introduction to nominations

In order to stand as a candidate at a parish council election, an individual must be validly nominated. This requires the candidate completing:

- A nomination paper, subscribed by a Proposer and a Secunder
- A consent to nomination
- A Certificate from the registered nominating officer of the party**
- A request for use of political party emblem**
- (*If standing for a registered political party)*

Detailed guidance on completing nomination papers is available in a local guide to candidates, available from the Elections Office.

8. Blank copies of forms

Blank copies of nomination papers are available from the Elections Office. They can be posted or emailed out, or can be collected in person by prospective candidates.

Parish clerks are not required to have copies nor to distribute them to potential candidates. Indeed, the Elections Office will not provide copies to parish clerks for distribution in this way. The reason for this is to (i) ensure independent nature of a parish clerk cannot be inadvertently compromised, and (ii) to ensure the correct forms are provided to the correct candidates. Although not in Tonbridge & Malling, there have been instances in recent years where potential candidates were not validly nominated because they completed the wrong forms provided by someone other than the Elections Office. It is in the best interests of all concerned to prevent that from happening.

9. Nominations

All nomination papers must be subscribed by a proposer and seconder, and the electoral number must be included. The candidate is responsible for ensuring this is provided and that it is correct – a nomination may be rejected if it is missing or inaccurate. Copies of the register of electors are available at the Elections Office to check and record this number, should that be beneficial to candidates, or candidates may request a copy of the Register if they wish (see below).

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10. Delivery of Nomination papers

Nomination papers, and the Consent to Nomination, must be received at:

The Elections Office

Tonbridge and Malling Borough Council
Gibson Building
Gibson Drive
Kings Hill
West Malling
Kent ME19 4LZ

Not later than noon on Monday 4th April 2011.

The Notice of Election will be published not later than Friday 25th March 2011 (although the Returning Officer is intending to publish this notice ahead of the deadline on Monday 21st March 2011 in order to extend the period in which nominations can be delivered). Nomination papers may be delivered from the day after the publication of the Notice of Election between the hours of 10am and 4pm, Monday to Friday until the absolute deadline of noon on Monday 4th April 2011.

Candidates are requested to submit the completed nomination paper to the elections office, together with the Consent to Nomination and any other relevant documentation as soon as possible after the publication of the Notice of Election. **In particular, nominations should not be left until the last two days if this can be avoided because, if an error is discovered, the candidate may not have time to submit a fresh Nomination paper.** Candidates are also advised to make an appointment with the Deputy Returning Officer to submit nomination papers.

On no account will any nomination paper be accepted after the deadline of noon on Monday 4th April 2011.
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The delivery of either document to a different office within the Council Offices or to any other Council office location will not be sufficient to meet this requirement. The papers **must** be received by the elections office.

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11. Statement of persons nominated

The Returning Officer is required to publish a statement of persons who stand nominated and the reasons any other persons nominated no longer stand nominated. This Statement of Persons Nominated will be published not later than noon on Wednesday 6th April 2011.

12. Withdrawal of Candidature

A candidate may withdraw his or her candidature if a Notice of Withdrawal is signed and attested by one witness and delivered to the Returning Officer at the Elections Office at the address given at the front of this guide, by noon on Thursday 7th April 2011. There is no standard form for this purpose although guidance as to its content can be provided on request.

13. Register of Electors

Each candidate is entitled to a free copy of the full register of local government electors (for the Borough Ward or Parish in which they are standing) for the purpose of completing nomination papers. There is a form within this nomination pack for candidates to request the full register and absent voter lists.

14. Uncontested Elections

If the number of validly nominated candidates (after the time allowed for withdrawal) is the same as (or less than) the number of seats to be filled, then those candidates will be declared elected.

Candidates must still declare election expenses (even if nil) for an uncontested election.

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Requirement of Secrecy

15. About the Requirement of Secrecy

Candidates and all other persons concerned with the elections will be required to ensure the secrecy of the ballot at all stages. Candidates and all agents will be issued with a copy of the secrecy requirements, as set out below. Readers should note the high-profile cases in 2010 following which legal action has been taken for breaches of this legislation.

16. The Legislation

Representation of the People Act 1983 as amended

66 Requirement of secrecy

(1) The following persons—

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

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

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

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

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

(3) No person shall—

- (a) interfere with or attempt to interfere with a voter when recording his vote;
- (b) otherwise obtain or attempt to obtain in a polling station information as to the candidate for whom a voter in that station is about to vote or has voted;
- (c) communicate at any time to any person any information obtained in a polling station as to the candidate for whom a voter in that station is about to vote or has voted, or as to the number or other unique identifying mark on the back of the ballot paper given to a voter at that station;

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- (d) directly or indirectly induce a voter to display his ballot paper after he has marked it so as to make known to any person the name of the candidate for whom he has or has not voted.
- (4) Every person attending the proceedings in connection with the issue or the receipt of ballot papers for persons voting by post shall maintain and aid in maintaining the secrecy of the voting and shall not—
- (a) except for some purpose authorised by law, communicate, before the poll is closed, to any person any information obtained at those proceedings as to the official mark; or
 - (b) except for some purpose authorised by law, communicate to any person at any time any information obtained at those proceedings as to the number or other unique identifying mark on the back of the ballot paper sent to any person; or
 - (c) except for some purpose authorised by law, attempt to ascertain at the proceedings in connection with the receipt of ballot papers the number or other unique identifying mark on the back of any ballot paper; or
 - (d) attempt to ascertain at the proceedings in connection with the receipt of the ballot papers the candidate for whom any vote is given in any particular ballot paper or communicate any information with respect thereto obtained at those proceedings.
- (5) No person having undertaken to assist a blind voter to vote shall communicate at any time to any person any information as to the candidate for whom that voter intends to vote or has voted, or as to the number or other unique identifying mark on the back of the ballot paper given for the use of that voter.
- (6) If a person acts in contravention of this section he shall be liable on summary conviction to a fine not exceeding level 5 on the standard scale or to imprisonment for a term not exceeding 6 months.
- (7) In their application in relation to an election of the London members of the London Assembly at an ordinary election, the preceding provisions of this section shall have effect with the insertion, after the words “the candidate for whom”, in each place where they occur, of “, or the registered political party towards the return of whose candidates,”
- (8) In relation to an election of the London members of the London Assembly at an ordinary election, any reference in this section to the return of a registered political party's candidates is a reference to the return of candidates included in the list of candidates submitted by the registered political party for the purposes of the election.

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Absent Voting

17. Applications and deadlines

Applications for voting by post or by proxy are available from the Elections Office. Whilst the Elections Office is able to provide blank copies of forms for use by candidates, agents and political parties, due care must be given to ensure that electors signing such forms are fully aware of what they are signing and the implications it will have. There have been isolated instances where electors have signed application forms without fully realising the implications, and we would prefer this did not happen as it can lead to disenfranchisement of individuals.

The Elections Office is also able to post application forms direct to registered electors for them to sign and return direct to the office. This approach is preferable to one in which political parties handle applications before passing them to the Elections Office in order to avoid any delays in the processing of such applications. Candidates and agents are asked to consult the guidance on handling postal vote applications included in the Electoral Commission guide.

The deadline for new applications to vote by post, or to change or cancel an existing absent vote is **5pm on Thursday 14th April 2011**. By this time, all such applications must have been received by the Elections Office.

New applications to vote by proxy (except medical emergency) must reach the Elections Office by **5pm on Thursday 21 April 2010**.

Applications can be faxed if signed. Signed originals can also be scanned and sent by email (to electoral.services@tmhc.gov.uk). However, we would encourage you to ensure that all original applications are sent to the Elections Office.

18. Issuing of postal votes

We intend to despatch all postal votes on Friday 15th April 2011.

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Polling Day

19. Hours of Poll

All polls (Borough, Parish and the Referendum) will open at 7am and close at 10pm.

20. Polling Stations

The following venues will be used for Polling Stations for this election. Candidates and agents who visit polling stations must carry proof of entitlement to do so. For candidates, this will be the confirmation of validity of their nomination; for agents it will be their notice of appointment.

Polling district and place	Borough ward	Parish election
CA Aylesford Community Centre, 25 Forstal Road, Aylesford	Aylesford	North Ward of Aylesford Parish
CB Royal British Legion Community Hall, Hall Road, Aylesford	Aylesford	South Ward of Aylesford Parish
CC Blue Bell Hill Village Hall, 316 Robin Hood Lane, Blue Bell Hill	Blue Bell Hill and Walderslade	Blue Bell Hill Ward of Aylesford Parish
CD Burham Old School Community Centre, Rochester Road, Bell Lane	Burham Eccles and Wouldham	Burham
CE Cobdown Sports And Social Club, Station Road, Ditton	Ditton	Ditton
CF Ditton Community Centre, Kiln Barn Road, Ditton	Ditton	Ditton
CG Church Hall, 218 Bull Lane, Eccles	Burham Eccles and Wouldham	Eccles Ward of Aylesford Parish
CH, Larkfield Village Hall, New Hythe Lane, Larkfield	Larkfield North	Larkfield North Ward of East Malling and Larkfield Parish
CHA		
CJ Church Farm Hall, 198 New Hythe Lane, Larkfield	Larkfield South	Larkfield South Ward of East Malling and Larkfield Parish
CK Devonshire Rooms, Town Hall, Waghorn Road	Snodland East	East Ward of Snodland Town
CL / Holmesdale Technology College, Malling Road, Snodland	Snodland East / West	East / West Wards of Snodland Town
CN		
CM Snodland Community Centre, Paddlesworth Road, Snodland	Snodland West	West Ward of Snodland Town
CP Tunbury Hall, 45 Catkin Close, Walderslade	Blue Bell Hill and Walderslade	Walderslade Ward of Aylesford Parish
CQ Wouldham Village Hall, High Street, Wouldham	Burham Eccles and Wouldham	Wouldham

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Polling district and place	Borough ward	Parish election
TA Addington Village Hall, Park Road, Addington	Downs	Addington
TAA Birling Village Hall, Snodland Road, Birling	Downs	Birling
TB Borough Green Village Hall, High Street, Borough Green	Borough Green and Long Mill	Borough Green
TBA Hugh Christie Technology College, White Cottage Road, Tonbridge	Cage Green	N/a
TC The Scout Hall, The Ridgeway, Tonbridge	Cage Green	N/a
TCA YMCA Centre, 164 Shipbourne Road, Tonbridge	Castle	N/a
TD Council Chamber, Tonbridge Castle, Castle Street	Castle	N/a
TDA East Malling Village Hall, New Road, East Malling	East Malling	East Malling Ward of East Malling and Larkfield Parish
TE Curran Hall, E.P Methodist Church, Pound Road	East Peckham and Golden Green	East Peckham
TEA Golden Green Community Hall, Three Elm Lane, Golden Green	East Peckham and Golden Green	Golden Green Ward of Hadlow Parish
TF Hadlow Old School, Maidstone Road, Hadlow	Hadlow, Mereworth and West Peckham	Hadlow Ward of Hadlow Parish
TFA Methodist Hall, Higham Lane, / TG Tonbridge	Higham	N/a
TGA St Johns Church Hall, Foxbush, Hildenborough	Hildenborough	Hildenborough
TH Stocks Green County Primary School, Leigh Road, Hildenborough	Hildenborough	Hildenborough
THA Ightham Village Hall, Sevenoaks Road, Ightham	Ightham	Ightham
TJ Teen & Twenty Club, River Lawn Road, Tonbridge	Judd	N/a
TJA St. Stephens Church Centre, Waterloo Road, Tonbridge	Judd	N/a
TK Hayesbrook School, Brook Street, Tonbridge	Judd	N/a
TKA, TKB, TN Kings Hill Centre, 70 Gibson Drive, Kings Hill	Kings Hill	Kings Hill
TKC The Discovery School, Discovery Drive, Kings Hill	Kings Hill	Kings Hill

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Polling district and place	Borough ward	Parish election
TL Leybourne Village Hall, Little Market Row, Leybourne	West Malling and Leybourne	Leybourne
TM Fisher Hall, Lockside, Tonbridge	Medway	N/a
TMA Hillview School For Girls, Brionne Gardens, Tonbridge	Medway	N/a
TP Mereworth Village Hall, 149 Butchers Lane, Mereworth	Hadlow, Mereworth and West Peckham	Village Ward of Mereworth Parish
TPA Offham Village Hall, Church Road, Offham	Downs	Offham
TQ Memorial Hall, Maidstone Road, Platt	Borough Green and Long Mill	Platt
TQA Memorial Hall, School Lane, Plaxtol	Borough Green and Long Mill	Plaxtol
TR Ryarsh Village Hall, Birling Road, Ryarsh	Downs	Ryarsh
TRA Shipbourne Village Hall, Upper Green Road, Shipbourne	Borough Green and Long Mill	Shipbourne
TS Stansted Village Hall, Malthouse Road, Stansted	Downs	Stansted
TSA Six In One Community Centre, Northwood Road, Tonbridge	Trench	N/a
TT Trottiscliffe Village Hall, School Lane, Trottiscliffe	Downs	Trottiscliffe
TTA Royal British Legion Club, 26 Priory Road, Tonbridge	Vauxhall	N/a
TU Tonbridge Grammar School, Deakin Leas, Tonbridge	Vauxhall	N/a
TV Wateringbury Village Hall, 147 Tonbridge Road, Wateringbury	Wateringbury	Wateringbury
TW West Malling CP School, The Old Cricket Ground, Norman Road	West Malling and Leybourne	West Malling
TX West Peckham Village Hall, Church Road, West Peckham	Hadlow, Mereworth and West Peckham	West Peckham
TY St. George's Hall, High Street, Wrotham	Wrotham	Wrotham

The Verification and Count

21. Location and time

The Verification and Count will commence from 9:00am on Friday 6 May 2011. It is likely that counts for parish elections will take place during the early afternoon of that day, although this may be subject to change. Results will be declared as soon as possible, and notices of the results published after the event.