

**Electoral Services**  
North Somerset Council  
Town Hall  
Walliscote Grove Road  
Weston-super-Mare  
BS23 1UJ



**NORTH SOMERSET COUNCIL – PORTISHEAD EAST BY-ELECTION –  
THURSDAY 6 MAY 2021**

This nomination pack is for use by candidates who are standing for election for  
**North Somerset Council**

**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
- 1c: Candidate's consent to nomination (*pages 1 to 4*)

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

- 2: Certificate of authorisation (*party candidates only*)
- 3: Request for a party emblem (*party candidates only*)
- 4: Notification of election agent
- 5: Contact details

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

Please ensure that you complete your details at the top of the nomination paper, including any description (a political party name or 'Independent') before obtaining signatures from your proposer, seconder and assentors. Ensure all your signatories are registered electors in the Ward where you are standing and they have not signed for more nominations than there are vacancies.

Completed nominations must be delivered to the Returning Officer at North Somerset Council, Town Hall, Walliscote Grove Road, Weston-super-Mare BS23 1UJ between 10am and 4pm on any week day between Tuesday 23 March 2021 and Thursday 8 April 2021.

The closing date for receipt of nominations is Thursday 8 April 2021 at 4pm however it is advisable to deliver your nomination prior to this date. Please do not ask us for information on other nominations we have received until after the closing date as we are unable to provide that information.

Where possible, the Elections Team will communicate with candidates by email, and we therefore request that you provide an email address. It would also be helpful if you could provide a telephone number in case the Elections Team need to contact you urgently. Please use Form 5 for this purpose.

## **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.

This checklist is designed to assist candidates standing for election to North Somerset Council in preparing to submit their nomination, and should be read alongside the Electoral Commission's [Guidance for candidates and agents](#).

Task	Tick
<b>Form 1a - Nomination form (all candidates)</b>	
Add your electoral ward	
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 on the ballot paper instead of your full name.	
Description – The description, if any, can only be: <ul style="list-style-type: none"> <li>• Party candidates can use a party name or description registered with the Electoral Commission and supported by a certificate of authorisation from that party; or</li> <li>• Others can use 'Independent' or leave this blank.</li> </ul> Any description given on the nomination paper will be included on the ballot paper.	
Subscribers – all ten subscribers must sign and have their name printed. They must be registered electors in the Ward where you are standing and not have signed for more nominations than there are vacancies. Use your copy of the electoral register to make sure the elector numbers of all subscribers are 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.	
<b>Submit your nomination paper by hand</b> (someone else can deliver the nomination paper on your behalf).	
<b>Form 1b - Candidate's home address form (all candidates)</b>	
Add your full name.	
Add your home address in full.	
Add your qualifying address, or qualifying addresses, and indicate which of the qualifications you've declared on your consent to nomination the address(es) relate to.	
Add the full name and home address in full of the person attesting your home address form (which must be the same person as signs your consent to nomination form).	
Optional - If you do not want to have your home address printed on the ballot papers, complete part 2 of the form, giving the name of the relevant area or, where outside the UK, the country, in which your home address is situated, and sign the form.	
<b>Submit your home address form by hand</b> (someone else can deliver the home address form on your behalf).	
<b>Form 1c - Candidate's consent to nomination (all candidates)</b>	
You must be a British, Commonwealth or other European Union Citizen and not require leave to enter or remain in the United Kingdom or have indefinite leave to remain. You must also be 18 years old or older on the date you sign this form.	
You must meet at least one of the listed qualifications (a, b, c or d), and mark the form to show which qualification applies. You should mark as many qualifications as apply.	
<b>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.</b>	

Add your full date of birth.	
Sign and date the document in the presence of another person (which must be the same person as the witness on your home address form). 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.	
<b>Submit your consent to nomination by hand</b> (someone else can deliver the consent to nomination on your behalf).	
<b>NB: All 4 pages of the consent must be submitted</b> (i.e. including the pages of legislation extracts).	
<b>Form 2 - Certificate of authorisation (party candidates only)</b>	
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 the certificate 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.	
Submit your certificate of authorisation by hand or by post (someone else can deliver the certificate of authorisation on your behalf).	
<b>Form 3 - Request for party emblem (party candidates only)</b>	
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.	
Submit your request for party emblem by hand or by post (someone else can deliver the request for party emblem on your behalf).	
<b>Form 4 – Notification of election agent (all candidates)</b>	
Give the name, address and office address of the appointed election agent	
Ensure the appointed agent signs the form showing their acceptance	
Submit your appointment of an election agent by hand or by post (someone else can deliver the appointment of an election agent on your behalf).	
<b>Form 5 – Contact details (all candidates)</b>	
Where possible, the Elections Team will communicate with candidates by email, and we therefore request that you provide an email address. It would also be helpful if you could provide a telephone number in case the Elections Team need to contact you urgently.	

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1a

## Nomination paper

ELECTION OF A COUNCILLOR for the

Electoral ward	Portishead East
Of the District of	North Somerset
Date of election:	Thursday 6 May 2021

We, the undersigned, being local government electors for the said electoral ward 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) <small>*see note 5 overleaf</small>		

	Signature	Print name	Electoral number	
			Polling district	Elector number

We, the undersigned, being local government electors for the said electoral ward, do hereby propose / second the foregoing nomination

Proposer:				
Seconder:				

We, the undersigned, being local government electors for the said electoral ward, do hereby assent to the foregoing nomination:

1	<div>NOT REQUIRED FOR ELECTIONS ON MAY 6 2021</div> <div>The Local and Greater London Authority Elections (Coronavirus, Nomination of Candidates) (Amendment) Rules 2021 – The number of subscribers (i.e. signatures) that a candidate will require for their nomination form is 2 (instead of 10).</div>			
2				
3				
4				
5				
6				
7				
8				

## Notes

1. The attention of candidates and electors is drawn to the rules for completing nomination papers and other provisions relating to nomination papers contained in the election rules in the Local Elections (Principal Areas) (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 which is different from any other name they have, the commonly used name may also appear on the nomination paper, but if it does 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) be obscene or offensive.
5. The description, if any, can only be:
  - (a) one certified as an authorised or registered description as mentioned in Rule 5 of the election rules, or
  - (b) the word 'Independent'
6. An elector may not:
  - (a) subscribe more nomination papers than there are vacancies to be filled in the ward in which the election is held, or
  - (b) subscribe a nomination paper for more than one ward in the same district.
7. 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.
8. However, a person who has an anonymous entry in the register of local government electors cannot nominate a candidate for election.

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1b

## Home address form

Electoral ward	Portishead East	Date of election	6 May 2021
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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	
Full name of candidate	
Home address (in full)	
Qualifying address, or, where you have declared on your consent to nomination that you meet more than one qualification, your qualifying addresses. You must also state which of the qualifications your qualifying address or addresses relate to (a,b,c and/or d).	
Attestor's full name*	
Attestor's full home address*	
*The person attesting your home address form must be the same person as signs your consent to nomination	
End of Part 1	

If you are only completing Part 1, please now deliver this form with the nomination paper to the Returning Officer by no later than 4pm on the last day to deliver nominations.

If you do not wish your home address to be included on the statement of persons nominated or ballot paper, complete Part 2 of this form (printed over the page).

Please note that if you are successfully elected, your details will be passed to the clerk / Proper Officer of the council to which you have been elected.

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Part 2: To be completed in full only if you do not wish your home address to be made public	
If you request that your home address is not made public then your address <b>will not</b> appear on the statement of persons nominated or the ballot paper	
If you choose not to make your home address public, the name of the relevant area <sup>1</sup> in which your home address is situated (or country, if outside the UK) will appear on the statement of persons nominated 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) <sup>1</sup>
Or	
My home address is situated outside the UK. My home address is situated in:	(insert name of country)
Signature of candidate completing Part 2	
Candidate's signature:	
Date:	

Deliver with the nomination form to the **Returning Officer** by no later than **4pm** on the last day to deliver nominations.

<sup>1</sup> 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

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1c

## Candidate's consent to nomination (page 1 of 4)

Date of election:		Thursday 6 May 2021	
I (name in full):			
hereby consent to my nomination as a candidate for election as councillor for the:		Portishead East	electoral ward
of the district of:		North Somerset	
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 or a citizen of a Member State of the European Union, who has attained the age of 18 years and that			
*a. I am registered as a local government elector for the electoral area of North Somerset; or Yes/No <i>[delete as applicable]</i>			
*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 area of North Somerset; or Yes/No <i>[delete as applicable]</i>			
*c. my principal or only place of work during those 12 months has been in the area of North Somerset; or Yes/No <i>[delete as applicable]</i>			
*d. I have during the whole of those 12 months resided in the area of North Somerset. Yes/No <i>[delete as applicable]</i>			
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, section 80 of the Local Government Act 1972 or section 34 of the Localism Act 2011 (copies of which are printed overleaf), and I do not hold a politically restricted post, within the meaning of Part 1 of the Local Government and Housing Act 1989, under a local authority, within the meaning of that Part.			
Candidate's 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:			

**Notes: A candidate who is qualified by more than one qualification should complete any of those that apply.**

**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

#### **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 ".

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## Certificate of authorisation

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 name:	Portishead East	Date of election:	Thursday 6 May 2021
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:	Registered description or party name		
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.

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## Request for a party emblem

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 name:	Portishead East	Date of election:	Thursday 6 May 2021
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, description and id number as on the <a href="http://search.electoralcommission.org.uk">Electoral Commission's website</a> ):			
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.



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## Notification of election agent

Ward name	Portishead East	Date of election	Thursday 6 May 2021
<b>Candidate's notification of their election agent</b>			
I, (Candidate name in full):			
Hereby declare that the name and address of my election agent is			
Agent's name:			
Agent's address (in full):			
The office address of my election agent to which all claims, notices, legal process and other documents may be sent is:			
Agent's office address in full:			
Candidate's signature (or of person authorised to act on behalf of candidate):			
Date:			
<b>Confirmation of acceptance by election agent</b>			
I [agent named above] confirm my acceptance as the election agent for the above named candidate. I understand that I must carry out my duties according to law. I understand that there are penalties if I fail to fulfil my duties according to law.			
Agent's signature			
Date			

Return to the **Returning Officer** by no later than **4pm** on the last day to deliver nominations.

If no election agent is appointed, the candidate is deemed to be their own agent.

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### Election of Councillors to North Somerset Council

<b>Electoral Area</b>	Portishead East Ward
<b>Date of Election</b>	Thursday 6 May 2021

Where possible, the Elections Team will communicate with candidates and agents by e-mail.

Please provide your and/or your agent's email addresses on this form. We will use this as the main means of communication unless notified otherwise.

It would also be helpful if you and/or your agent could provide a phone number in case the Elections Team need to contact you urgently.

<b>Candidate's Name</b>	
<b>Candidate's email address</b>	
<b>Candidate's phone number(s)</b>	
<b>Election Agent's Name</b>	
<b>Election Agent's email Address</b>	
<b>Election Agent's phone number(s)</b>	

*We will only use the information you give us on this form for electoral purposes. We will look after your personal information securely and we will follow data protection legislation. We will not give personal information about you, or any personal information you may provide on other people, to anyone else or another organisation unless we must by law. We will securely destroy this information after the close of the election process.*

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

*The Returning Officer is the Data Controller. For further information relating to the processing of personal data you should refer to the privacy notice which can be found on our website.*

I confirm that I have read and understood the privacy statement above	
Signed (either the candidate or election agent can sign this form):	
Date:	

**Return this form to the Elections Team, North Somerset Council, Walliscote Grove Road, Weston-super-Mare, BS23 1UJ.**