



## **NOMINATION PACK**

### **Chief Executive's Unit**

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

[www.argyll-bute.gov.uk](http://www.argyll-bute.gov.uk)

Direct Line 01546 604192

Ask for Charles Reppke

Our Ref: SC/CR/CElection

Your Ref:

Date: 14 May 2018

Dear Sir/Madam

### **COMMUNITY COUNCIL BY-ELECTIONS 28 JUNE 2018 – NOMINATION PACK**

Please find enclosed a nomination pack in respect of Argyll and Bute Council's Community Council By-Election 2018, which contains the following documents:-

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

Nominations can be collected at the relevant Customer Services Area Office as detailed elsewhere in this pack and should be lodged at the Election Office, Kilmory Headquarters, Lochgilphead PA31 8RT by not later than **4.00pm on Thursday 24 May 2018**. The earliest date for lodging nomination papers is Wednesday 9 May 2018.

Should you require any assistance with your nomination, please feel free to contact the election office at the above address or by telephoning 01546 604331/4401.

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

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

Yours faithfully

Cleland Sneddon  
Returning Officer

# COMMUNITY COUNCIL BY-ELECTION

**DATE OF BY-ELECTION:  
THURSDAY 28 JUNE 2018**

## NOMINATION PACK

<b>NOTE: CLOSE OF NOMINATIONS IS THURSDAY 24 MAY 2018</b>	
<b>LIST OF CONTENTS</b>	<b>Documents to be returned to the Returning Officer by close of nominations</b>
Nomination Paper (2 pages)	√
Candidate Statement Form	√ (if submitted)
Notice of Withdrawal of Nomination	√ (if appropriate)
Copy of Election Timetable	
Guidance Notes for Prospective Candidates	
Privacy Notice	
Council Offices for obtaining Nomination Papers	

COMMUNITY COUNCIL BY-ELECTION – 28 JUNE 2018

# NOMINATION PAPER

ELECTION OF COUNCILLORS FOR THE

..... Community Council

*(insert name of Community Council above)*

**CLOSE OF NOMINATIONS IS: THURSDAY 24 MAY 2018**

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

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

***E-Mail:***

***Tel:***

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

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

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

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

To be completed by <b>Candidate</b>
(Signature of Candidate) ..... (Date) .....
To be completed by <b>Proposer</b>
(Signature of Proposer) ..... (Name of Proposer) (Block Capitals) ..... (Address of Proposer) ..... ..... ..... (Date) .....Elector Number .....
To be completed by <b>Secunder</b>
(Signature of Secunder) ..... (Name of Secunder) (Block Capitals) ..... (Address of Secunder) ..... ..... ..... (Date) .....Elector Number .....

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

**Note 2** The attention of Candidates is drawn to the Guidance Notes enclosed with this form, in particular Section 13, for information on Candidate Statements. The deadline for receipt of Statements is Thursday 24 May 2018.

**ARGYLL AND BUTE COUNCIL**  
**COMMUNITY COUNCIL BY-ELECTION**  
**THURSDAY 28 JUNE 2018**

**CANDIDATE'S SUPPORTING STATEMENT**

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

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

CANDIDATE .....

SIGNATURE .....

DATE .....

Closing date for submission of Candidate Statements is Thursday 24 May 2018 at 4.00pm.

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

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

## NOTICE OF WITHDRAWAL OF NOMINATION

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

Date ..... 2018 .....  
(signature of candidate)

Name  
.....

Address  
.....

.....  
(signature of witness)

\* Candidate to insert Name and Address as in Nomination Paper

**ARGYLL AND BUTE  
COMMUNITY COUNCIL BY-ELECTION 28 JUNE 2018**

**TIMETABLE**

Thursday 2 April 2018	Register in force
Tuesday 8 May 2018	Publication of Notice of Election
<b>Thursday 24 May 2018 (4.00pm)</b>	<b>Close of Nominations</b> and withdrawal of Nomination paper (if applicable)
Thursday 7 June 2018	Notice of Poll (if election contested) Notice of Uncontested Election (if election uncontested)
Thursday 14 June 2018	Issue of Postal Ballot Papers
<b>Thursday 28 June 2018</b>	<b>Election Day</b> Final Date for Receipt of Postal Ballot Papers
Friday 29 June 2018	Count of Votes

# **COMMUNITY COUNCIL BY-ELECTION**

## **28 JUNE 2018**

### **GUIDANCE NOTES**

1. The Returning Officer for these Elections is Cleland Sneddon, Kilmory, Lochgilphead, Argyll PA31 8RT.
2. By-Elections are to be held to fill seats on Community Councils within Argyll and Bute. The day of the by-election is Thursday 28 June 2018. A Notice of Election will be publicised within the Community Council Area by 8 May 2018. Nomination Papers will be available from Kilmory Headquarters and Customer Service Points from that date. Duly completed Nomination Papers require to be lodged by hand during normal office hours on any day except a Saturday or Sunday at the address specified on the Notice of Election but not later than 4.00 pm on Thursday 24 May 2018. In exceptional circumstances (but see note 3 below), a Nomination Paper sent by post will be accepted if it is addressed to the Returning Officer and is received by him by not later than 4.00pm on Thursday 24 May 2018.
3. Nomination Papers should be lodged at Kilmory Headquarters, Lochgilphead. A Nomination Paper should not be delivered to any other Council office. If it is, the Returning Officer cannot guarantee that it will be received by him. The Returning Officer accepts no responsibility for Nomination Papers delivered other than to Kilmory Headquarters nor for any which may have been sent by post and which in both cases may not therefore reach the Returning Officer by the closing time for nominations.
4. The attention of prospective candidates is drawn to the notes which are set out at the back of the Nomination Paper and to the following –
  - (i) A Nomination Paper will be rejected if it is not properly completed and signed. To be validly nominated as a candidate, a person must –
    - have attained the age of 16 years on the day of the election
    - be listed on the Register of Local Government Electors for an address within the Community Council area.

- (ii) A person is disqualified from standing for election as a Community Councillor if-
  - (a) they are an Argyll and Bute Councillor or a member of the Scottish or UK Parliaments.
  - (b) he/she is a person whose estate has been sequestrated by a court in Scotland or who has been adjudged bankrupt elsewhere than in Scotland. (The disqualification ceases if and when the sequestration is recalled or the bankruptcy discharged or annulled).
  - (c) He/she has within five years before the day of nomination or election, or since his/her election been convicted in the United Kingdom of any offence and has had passed on him/her a sentence of imprisonment (whether suspended or not) for a period of not less than 3 months without the option of a fine.
- (iii) The Nomination Paper should be completed giving the candidate's surname, and other names as in the Register of Electors, the candidate's address as in the Register of Electors and the Electoral Number in the Register.
- (iv) The Nomination Paper must be signed by a proposer and seconder, both of whom must be 16 years of age on the day of the election and whose names must be included in the Register of Electors for an address within the Community Council area.
- (v) The proposer and seconder must sign the Nomination Paper and give their address as in the Register of Electors and their Electoral Number as in the Register.
- (vi) An elector shall not sign, as proposer or seconder, more nomination papers than there are vacancies to be filled in the Community Council.
- (vii) Electors included in the Register of Electors which came into force on Monday 2 April 2018 will be those who will be entitled to vote in any contested election.
- (viii) Registers are available for inspection in local libraries and the local Council Offices where Nomination Papers may be lodged as shown elsewhere in this pack. **You can also phone the Registration office on 01586 555300 to check electoral numbers.**

5. The final date for the withdrawal of a nomination will be 4.00 pm on Thursday 24 May 2018. Notice of Withdrawal must be given on the form provided with the Nomination Paper, signed by the candidate and witnessed and must be lodged at the same place where the Nomination Paper was lodged. The Returning Officer may accept a Notice of Withdrawal sent by post. Unless a Notice of Withdrawal is received by the closing date the candidate will stand validly nominated and will be included on the ballot paper in any contested election.

6. If the number of validly nominated candidates does not exceed the number of vacant elected Community Councillor seats on the Community Council candidates will be elected unopposed, with effect from Thursday 28 June 2018. A Notice confirming those elected unopposed will be posted within the Community Council area as soon as possible thereafter.
7. If the number of validly nominated candidates exceeds the number of vacant elected Community Councillor seats on the Community Council a Notice of Poll will be posted as soon as possible after Thursday 7 June 2018 within the Community Council area.
8. The Poll will be conducted by postal ballot and postal ballot papers will be sent to all those included in the current Register of Local Government Electors for an address within the Community Council area. The following will be sent to electors—
  - A ballot paper containing the names and addresses of each candidate listed in alphabetical order of surname (or where two or more candidates have the same surname by alphabetical order of first forename).
  - Guidance Notes for Voting
  - Postage paid return envelope addressed to the Returning Officer (to hold the marked ballot paper)

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

9. A voter must complete the ballot paper personally, by marking a (X) in the box against the names of candidates of the voter's choice up to the number of elected Community Councillor seats. For example, if there are ten elected Community Councillor seats to be filled, the voter may vote for up to (but not more than) ten candidates. If a voter spoils a ballot paper, he or she may apply to the Returning Officer for a replacement ballot paper. It will be for the voter to ensure that he or she meets the deadline for return.
10. The closing day for receipt of returned postal ballot papers (or, exceptionally, those delivered by hand) will be 4.00 pm on Thursday 28 June 2018. The votes on any ballot paper returned after that time will not be counted. The Returning Officer will count the votes validly cast as soon as practicable after the closing time. The results of any election will be posted within the relevant Community Council area as soon as possible after the votes have been counted.
11. The Counting of Votes will take place at Argyll and Bute Council Headquarters, Kilmory, Lochgilphead on Friday 29 June 2018. Any candidate (or a person representing a candidate) is entitled to be present at the counting of votes and the name and address of any candidate/person so wishing to attend should be given to the Returning Officer not later than two days before election day.
12. In any poll those candidates who receive the highest number of votes cast will be elected up to the number of seats to be filled.

### **13. Candidate Statements**

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

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

The statement should be submitted at the same time as the nomination form, but may be submitted to the Returning Officer at a later date, up to the deadline for submission of nomination forms (4pm on Thursday 24 May 2018). **Statements will not be accepted after that date.**

## PRIVACY NOTICE



### Your Personal Data

#### What information do we need?

Argyll and Bute Council will act as the 'Data Controller' in regard to the personal data you provide to us. The Data Protection Officer can be contacted as follows:  
Address: Argyll and Bute Council, Governance and Law, Kilmory, Lochgilphead PA31 8RT.  
Email: [data.protection@argyll-bute.gov.uk](mailto:data.protection@argyll-bute.gov.uk)  
Telephone: 01546 604188

Unless specifically agreed with you, we will only collect personal data about you which does not include any *special categories* of personal information about you (also known as '*sensitive personal data*'). The information will include details such as your name, address, e-mail address (if applicable), telephone number and electoral number.

#### Why we need this information?

Your information is being collected to allow Argyll and Bute Council to administer the Community Council elections.

We need to know this basic personal data in order to provide the electoral administration service. If you do not provide this information then we will be unable to provide those services to you. We will not collect any personal data from you that isn't needed for delivery of those services.

The legal basis for collecting your information in these circumstances is:

**Legal Obligation:** *As set out in the Local Government (Scotland) Act 1973, local authorities are required to introduce Community Council schemes for their area, and this includes the administering of elections to Community Councils.*

#### What we will do with your information?

We will include your name and address on any public notice in connection with the elections, i.e Notice of Poll, Notice of Uncontested Election etc.  
If there is a contested election then we will share your name, address and candidate statement with the electors within your Community Council area.  
We may also publish additional contact details for you on our website, but this will be subject to obtaining consent from you at a later date.

You should also be aware that your data will be stored on servers located within the United Kingdom. We will take all reasonable steps to ensure that your data is kept secure and more information on how we do this can be provided by contacting the Data Protection Officer (contact details can be found above).

#### How long will we keep your information?

We will keep your information for the length of time you remain a Community Councillor, after which it will be destroyed under secure arrangements. For unsuccessful candidates, information relating to your nomination will be retained for a maximum of 1 year, and after

this period it will be destroyed under secure arrangements. More information on our retention policy can be obtained from the Data Protection Officer (contact details can be found above).

### Automated Decision Making

*No automated decision making will take place*

### Your Rights

When you provide information to the Council, you will have the following rights:

- to withdraw consent at any time, where the legal basis specified above is consent
- to lodge a complaint with the Information Commissioner's Office
- to request access to your personal data
- to data portability, where the Legal basis specified above is i) consent or ii) performance of a contract
- to request rectification or erasure of your personal data, as far as the legislation permits

## COMMUNITY COUNCIL BY-ELECTION

Nomination packs may be obtained after Tuesday 8 May 2018 from the Returning Officer at:-

- |     |  |  |
|-----|--|--|
| (1) | Customer Services<br>Governance and Law<br>Kilmory<br>Lochgilphead<br>PA31 8RT | Governance and Law<br>Municipal Buildings<br>Albany Street<br>Oban<br>PA34 4AW       |
|     | Governance and Law<br>22 Hill Street<br>Dunoon<br>PA23 7AP                     | Governance and Law<br>Civic Centre<br>38 East Clyde Street<br>Helensburgh<br>G84 7PG |
|     | Eaglesham House<br>Mountpleasant Road<br>Rothesay<br>PA20 9HQ                  |  |

**Completed Nomination Papers must be delivered only to the Customer Service Point at Kilmory Headquarters, Lochgilphead and should not be returned to any other Office.**

Nomination Packs may also be downloaded from [www.argyll-bute.gov.uk/elections](http://www.argyll-bute.gov.uk/elections)