

# Nomination

# Pack

Scottish Local Government By-election  
Ward 4 - Arran  
Thursday 12 September 2024



North Ayrshire Council  
Comhairle Siorrachd Àir a Tuath



## Returning Officer: Craig Hatton

Election Office, Cunninghame House, Irvine KA12 8EE

Tel: 01294 324729

Email: [elections@north-ayrshire.gov.uk](mailto:elections@north-ayrshire.gov.uk)

Web: [www.north-ayrshire.gov.uk/elections](http://www.north-ayrshire.gov.uk/elections)



Thursday 1 August 2024

## Prospective Candidates for the Scottish Local Government By-election

Dear Sir/Madam

### Scottish Local Government By-election - Thursday 12 September 2024 Ward 4 - Arran

I enclose nomination papers, including relevant supporting documentation, for the By-election to be held on Thursday 12 September 2024 in Ward 4 - Arran.

The Election Team can accept nomination papers between 10am and 4pm from **Friday 2 August 2024 to Monday 12 August 2024** at the Election Office, Cunninghame House, Irvine KA12 8EE or at the Council Offices, Lamlash, Isle of Arran KA27 8JY. The Arran Office is closed for lunch from 12:30pm to 1:15pm each day. If you require specific access arrangements to attend, please contact the Election Office on 01294 324729.

To ensure an appropriate member of staff is on hand to receive nominations, it would be helpful if Candidates or Election Agents could contact the Election Office on 01294 324729 to arrange a mutually convenient date and time for checking and lodging the nomination papers.

Completed nomination papers **must be lodged by 4pm on Monday 12 August 2024** at the Election Office, Cunninghame House, Irvine KA12 8EE or at the Council Offices, Lamlash, Isle of Arran KA27 8JY.

Candidates are advised to read the Electoral Commission's Guidance to Candidates and Agents which contains all the relevant information for this By-election. This can be found on their [website](#). This guidance covers:

- Part 1 - [Can you stand for elections?](#)
- Part 2a - [Standing as an Independent Candidate](#)
- Part 2b - [Standing as a Party Candidate](#)
- Part 3 - [Spending and Donations](#)
- Part 4 - [The Campaign.](#)
- Part 5 - [Your right to attend key events](#)
- Part 6 - [After the declaration of results](#)

You will note from this Guidance that the Electoral Commission advise Returning Officers will offer briefings ahead of the By-election and they strongly encourage you to attend, even if you have been an Election Agent or stood for election before. The Candidates Briefing Session will be held via Teams on **Tuesday 13 August 2024 at 5.30pm** to provide you with additional information about the poll and count. The session provides an important opportunity for you to clarify any issues or ask any questions you may have about the arrangements for the By-election.

The spending limit for the regulated period is £806, plus 7p per local government elector in the ward registered to vote on the last day for publication of the Notice of Election in the ward which you are standing for. As at Monday 29 July 2024 there were 4032 electors registered which means the spending limit is approximately £1088.24. Exact spending figures will be given to you after Friday 2 August 2024.

There are separate spending limits for joint candidates. You are a joint candidate if you stand in the same ward and:

- Have the same election agent, or
- Use the same campaign rooms, or
- Publish joint material

<b>Number of joint candidates</b>	<b>Reduction of spending limit</b>
Two	25% - a quarter
Three or more	33% - a third

It would be helpful if you could complete and return the attached pro forma advising if you and/or your Election Agent wish to attend the briefing session. This will ensure we can make appropriate arrangements on each occasion.

In the meantime, if you have any questions or require clarification on the above or any part of the nomination pack, please do not hesitate to contact the Election Office.

Yours faithfully,

A handwritten signature in black ink, appearing to be 'CH', written over a horizontal line.

**Craig Hatton**  
**Returning Officer**

Enc

**Scottish Local Government By-election – Thursday 12 September 2024**

**Ward 4 - Arran**

**Attendance at Candidates' and Election Agents' Awareness Session on Tuesday 13 August 2024 at 5.30pm**

<b>Name of Candidate</b>	
<b>Name of Election Agent</b>	
<b>Party Description/Independent</b>	
<b>Email address(es) to be used for invite</b>	

**Date** \_\_\_\_\_

**Signature** \_\_\_\_\_

**Please return this pro forma to the Election Office as soon as possible.**



# Scottish Local Government By-election - Thursday 12 September 2024

## Nomination Pack Contents

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

**You should also read the Electoral Commission's [Guidance for candidates and agents](#) when completing the forms in this pack. Only original forms and original signatures will be accepted.**

Candidate Checklist – this checklist is designed to assist Candidates in preparing to submit their Nomination.

- Nomination Form and Consent to Nomination – this form must be **delivered by hand** and cannot be submitted by post, fax, email or other electronic means.
- Home Address Form – this form must be **delivered by hand** and cannot be submitted by post, fax, email or other electronic means.
- Certificate of Authorisation to Use Party Description/Party Name (for Party Candidates only) – this form can be delivered by hand or post but may not be submitted by fax, email or other electronic means.
- Request to Use Registered Emblem (for Party Candidates only) - this form can be delivered by hand or post but may not be submitted by fax, email or other electronic means.
- Notification of Appointment of Election Agent - this form can be delivered by hand or post but may not be submitted by fax, email or other electronic means.

*Electoral Commission guidance for Candidates and Agents states:*

*The original version of the forms must be submitted. A certificate of authorisation which has been sent as an attachment to an email to be printed out, for example, would make it a 'copy document' and not the original document.*

- Requirement of Secrecy
- North Ayrshire Council Policy for Letting Vacant Council Property for Election Purposes
- List of Rooms in Halls & Centres available for election meetings
- Application by a Candidate for a copy of the Electoral Register and/or Absent Voters List
- Election Timetable of Key Dates
- North Ayrshire Ward Map
- Being a Local Councillor
- Code of Conduct for Elected Members
- Candidate Contact Details

## Delivery of Nominations

Nomination Papers can be delivered on working days between **10am and 4pm commencing on Monday 29 July 2024. The deadline for the delivery of nomination papers is no later than 4pm on Monday 12 August 2024.** Please contact the Election Office to make an appointment to submit nominations. Phone: (01294) 324729 or email: [elections@north-ayrshire.gov.uk](mailto:elections@north-ayrshire.gov.uk)

Candidates/Agents requiring a pre-check of nomination papers should contact the Election Office to make an appointment by email: [elections@north-ayrshire.gov.uk](mailto:elections@north-ayrshire.gov.uk) or phone: (01294) 324729.

## **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.

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.

The information will be processed by the Returning Officer. For further information on data protection and data processing, you should refer to the Returning Officer's privacy notice on the Council's [website](#).



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

Task	Tick
<b>Nomination form (all candidates)</b>	
If not pre-printed, add the name of the electoral ward and day and date of the election you are standing in.	
Add your full name – surname in the first box and all other names in the second.	
Optional - Use the commonly used name(s) boxes if you are commonly known by a name other than your full name and want it to be used instead of your full name.	
Description – Party candidates can use a party name or description registered with the Electoral Commission and supported by a certificate of authorisation from that party; others can use 'Independent' or leave this blank. Whatever you enter in this box will appear as your description on the ballot paper.	
You must be a British citizen, qualifying Commonwealth citizen, qualifying foreign national or a schedule 6A national and not require leave to remain in the United Kingdom, or have indefinite leave to remain, or (in the case of foreign nationals) have pre-settled status. You must also be 18 years old or older on the date you sign this form.	
You must declare that you meet at least one of the listed qualifications (a, b, c or d) and should cross through any that do not apply. Those left should match the qualification(s) given on your home address form.	
You must not sign the form if you are disqualified to stand. Make sure that you read the Electoral Commission guidance on standing for election as well as the legislation listed. If you are not sure if you are able to stand you should contact the Electoral Commission or take your own legal advice.	
Sign and date the document in the presence of another person. You must not sign the consent to nomination earlier than one calendar month before the deadline for submitting your nomination papers.	
Get the other person to complete and sign the witness section. This must be the same person whose details you provided as your witness on the home address form.	
Method of submitting the nomination form (which must include all pages of legislation) to the RO: by hand, in person (but not limited to you or your agent). It cannot be submitted by post, fax, email or other electronic means.	
<b>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, to each of the relevant qualifications and tick those which apply.	
Add the full name and home address in full of the person who will witness your nomination form. The home address form will not be accepted without this information.	

Please also complete part 2 of the form, this part must be submitted as part of your nomination papers. Part 2 includes a statement to be completed if you wish for your home address to be made public.	
Method of submitting the form to the RO: in person (but not limited to you or your agent), by hand, to be accompanied by the nomination form. It cannot be submitted by post, fax, e-mail or other electronic means.	
<b>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 form to be used (or allows the candidate to choose to use the party name or any registered description).	
Ensure it is issued by the party Nominating Officer (or someone that they have authorised to issue it on their behalf) and that it is the original copy signed by that person.	
Method of submitting the certificate of authorisation to the RO: by hand (but not limited to you or your agent) or by post (it cannot be submitted by fax, email or other electronic means).	
<b>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.	
Method of submitting the emblem request to the RO: by hand (but not limited to you or your agent ) or by post (it cannot be submitted by fax, email or other electronic means).	
<b>Notification of appointment of an election agent</b>	
Give the name, address and office address of the appointed election agent. If you do not appoint an agent or choose to act as your own agent and do not provide an office address, your home address will be published on the notice of election agents if that address is within the required area.	
Give your name and signature (or the signature of a person authorised to act on your behalf).	
Ensure the appointed agent signs the form showing their acceptance (you do not need to sign the form again if you are appointing yourself as the election agent).	
Method of submitting the notification of election agent to the RO: by hand or by post (it cannot be submitted by fax, email or other electronic means).	

Office Use only	Date received	Time received	Initials	No.

<b>1</b>	<b>Council election</b>	<b>Nomination form</b>
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<b>*ELECTION OF COUNCILLORS / A COUNCILLOR for the</b>	
electoral ward:	Ward 4 - Arran
of North Ayrshire	Council
Day and date of election	Thursday 12 September 2024

I, the undersigned, am hereby nominated as a candidate at the said election.	
<b>Candidate's Details</b>	
Candidate's surname	
Other names in full	
Commonly used surname (if any) <i>(see Note 3 below)</i>	
Commonly used forenames (if any) <i>(see Note 3 below)</i>	
Description (if any) <i>(see Note 6 below)</i>	

I, the nominee for election, consent to being nominated as a candidate for the	
electoral ward:	Ward 4 - Arran
Of North Ayrshire	Council
I declare that I am qualified to be elected; that I have attained the age of 18 years and am a qualifying Commonwealth citizen or a citizen of the Irish Republic or a qualifying foreign national or a schedule 6A national; that I am not subject to any legal incapacity; and that in terms of Section 29 of the Local Government (Scotland) Act 1973:	
*a. I am registered as a local government elector for the local government area named above as in the register of electors	
and my electoral number <i>(see Note 5 below)</i> is:	
and / or	*b. I have during the whole of the 12 months preceding the day of nomination occupied as owner or tenant land or premises in the area named above;
and / or	*c. I have during the 12 months preceding the day of my nomination had my principal or only place of work in the area named above;

and / or	*d. I have during the whole of the 12 months preceding my nomination resided in the area named above.
*Delete qualifications that are not applicable	
I declare that	
<p>a. I am not disqualified from being nominated as a candidate for election as a local government councillor by reason of any of the disqualifications in Section 31 of the Local Government (Scotland) Act 1973, a copy of which is printed overleaf;</p> <p>b. I am not disqualified for election by reason of holding a politically restricted post in terms of Section 1(1) of the Local Government and Housing Act 1989, under a local authority within the meaning of Part 1 of that Act; and</p> <p>c. I am not disqualified from being nominated as a candidate for election as a local government councillor by reason of any sanction imposed by the Standards Commission for Scotland in terms of Section 19(1)(d) of the Ethical Standards in Public Life etc. (Scotland) Act 2000</p>	
Candidate's signature	
Date	
Witness: I confirm the above-mentioned candidate signed the declaration in my presence.	
Signature of witness:	
Witness (name in full):	
Date	

This form must be delivered to the Returning Officer by no later than 4pm on the last day for delivery of nomination papers.

A candidate who is qualified by more than one qualification should complete all of those that apply.

## Notes

1. The attention of candidates and local government electors is drawn to the rules for completing nomination papers and other provisions relating to the nominations contained in the local government election rules contained in Schedule 1 to the Scottish Local Government Elections Order 2011.
2. Where a candidate is commonly known by some title they may be described by their title as if it were their surname.
3. If a candidate's nomination form gives a commonly used surname or forename in addition to or instead of another name the nomination form may state the commonly used forename or surname in addition to or instead of the other name.
4. But in terms of rule 14(7) and (8) the ballot paper will not show the other name if the Returning Officer thinks:
  - (a) that the use of the commonly used name may be likely to mislead or confuse electors; or
  - (b) that the commonly used name is obscene or offensive.
5. A person's electoral number consists of the distinctive letter or letters (or number or numbers) of the polling district in which the candidate is registered together with the number in the register to be used at the election, except that before publication of the register the distinctive letter or letters (or number or numbers) of the polling district in which the candidate is entitled to be registered together with the number (if any) in the electors lists for that register shall be used instead.
6. Description (if any) and commonly used surname / forename (if any) must be read in terms of rule 4 of the election rules. See the Electoral Commission's [Guidance for candidates and agents](#) for full details.

# Local Government (Scotland) Act 1973: Disqualifications

## **31 – Disqualifications for nomination, election and holding office as member of local authority**

(1) Subject to subsections (2) and (3) below, a person shall be disqualified for being nominated as a candidate for elections as, or for being elected, or for being a member of a local authority if –

- (a) *[This has been removed and no longer applies]*
- (b) he is a person whose estate has been sequestrated by a court in Scotland or who has been adjudged bankrupt elsewhere than in Scotland; or
- (ba) he is subject to a bankruptcy restrictions order;
- (c) he has, within five years before the day of nomination, or election or since his election, as the case may be, been convicted in the United Kingdom, the Channel Islands, the Isle of Man or the Irish Republic 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
- (d) he is disqualified for being elected or for being a member of that authority under Part III of the Representation of the People Act 1983.

(1A) A person is disqualified for being a member of a joint board if he or a partner of his holds any paid office or employment (other than the office of convener or depute convener of the board) or other place of profit in the gift or disposal of the board.

(2) Where a person is disqualified under subsection (1) by reason of his estate having been sequestrated, the disqualification shall cease if and when –

- (a) the sequestration of his estate is recalled or reduced; or
- (b) he is discharged under or by virtue of the Bankruptcy (Scotland) Act 2016.

(3) Where a person is disqualified under subsection (1) above by reason of having been adjudged bankrupt, then –

- (a) if the bankruptcy is annulled on the ground that he ought not to have been adjudged bankrupt or on the ground that his debts have been paid in full, the disqualification shall cease on the date of the annulment;
- (b) if he is discharged with a certificate that the bankruptcy was caused by misfortune without any misconduct on his part, the disqualification shall cease on the date of his discharge; and
- (c) if he is discharged without such a certificate, his disqualification shall cease on the expiration of five years from the date of his discharge.

(3A) A person who is for the time being an officer or employee of the Strathclyde Passenger Transport Authority or an employee of a subsidiary of that Authority shall be disqualified for being appointed or for being a member of the Strathclyde Passenger Transport Authority.

(3B) In subsection (1)(ba) above, “bankruptcy restrictions order” means –

- (a) a bankruptcy restrictions order made under section 155 of the Bankruptcy (Scotland) Act 2016;
- (b) *[This has been removed and no longer applies]*
- (c) a bankruptcy restrictions order made under paragraph 1 of Schedule 4A to the Insolvency Act 1986; or
- (d) a bankruptcy restrictions undertaking entered into under paragraph 7 of that Schedule.

**[The following section refers to candidates who are elected. Holders of posts mentioned in this section, except those in subsection (6), are not disqualified from standing for election, but must resign in compliance with this section]**

### **31A – Disqualification of officers, employees etc. from remaining members of local authority**

(1) A person elected a member of a local authority who is the holder of any paid office or employment or other place of profit in the gift or disposal of the authority is disqualified from remaining a member of the authority after the relevant day unless the person complies with subsection (2) below.

(2) A person complies with this subsection by resigning, not later than the relevant day, from that office, employment or, as the case may be, other place of profit.

(3) A resignation effected in pursuance of subsection (2) above terminates the holding of the office, employment or other place of profit with immediate effect notwithstanding any contrary provision in the terms and conditions under which the office, employment or place of profit is held.

(4) In this section the “relevant day” is the day first occurring after that on which the person elected a member of the local authority was, under the local elections rules, declared to be so elected (no account being taken of a day which is a Saturday or Sunday or Christmas Eve, Easter Monday, or a bank holiday in Scotland under the Banking and Financial Dealings Act 1971 or a day appointed for public thanksgiving or mourning in Scotland).

(5) In subsection (4) above, the “local elections rules” means an order made under section 3(1) of the Local Governance (Scotland) Act 2004.

(6) This section does not affect section 1 (disqualification and political restriction of certain local government officers and staff) of the Local Government and Housing Act 1989.

## **Local Government and Housing Act 1989: Political restrictions of officers and staff**

### **1 – Disqualification and political restriction of certain officers and staff**

(1) A person shall be disqualified from becoming (whether by election or otherwise) or remaining a member of a local authority if he holds a politically restricted post under that local authority or any other local authority in Great Britain.

# Ethical Standards in Public Life etc. (Scotland) Act 2000: Enforcement

## 19 – Action on finding of contravention

- (1) Where the members of the Commission conducting a hearing find that a councillor has contravened the councillors' code or a member of a devolved public body the members' code, they shall impose one of the following sanctions—
  - (a) censuring, but otherwise taking no action against, the councillor or member;
  - (b) suspending, for a period not exceeding one year, the councillor's or member's entitlement to attend one or more but not all of the following—
    - (i) all meetings of the council or body;
    - (ii) all meetings of one or more committees or sub-committees of the council or body;
    - (iii) all meetings of any other body on which the councillor or member is a representative or nominee of the council or body;
  - (c) suspending, for a period not exceeding one year, the councillor's or member's entitlement to attend meetings of the council or body and of any committee or sub-committee thereof and of any other body on which the councillor or member is a representative or nominee of the council or body;
  - (d) in the case of a councillor, disqualifying the councillor for a period not exceeding five years, from being, or from being nominated for election as, or from being elected, a councillor;
  - (e) in the case of a member of a devolved public body, removing the member from membership of the body and disqualifying the member, for a period not exceeding five years, from membership of the body.
- (2) A period of suspension imposed under subsection (1)(b) or (c) above which would continue until or after the day of the next following ordinary election of councillors shall end at the beginning of that day.
- (3) Disqualification imposed under subsection (1)(d) above—
  - (a) has the effect of vacating the councillor's office; and
  - (b) extends to the councillor's membership of committees and sub-committees of the council of which the councillor was a member and any joint committee, joint board or other body on which the councillor is a representative or nominee of the council.
- (4) Where the members of the Commission disqualify, under subsection (1)(d) above, a councillor who is also a member of a devolved public body otherwise than as a representative or nominee of the council, they may also, in respect of that membership, remove and disqualify that person under subsection (1)(e) above.
- (5) The members of the Commission, on removing and disqualifying a member of a devolved public body under subsection (1)(e) above, may—
  - (a) where the member is a councillor, disqualify that person under subsection (1)(d) above; or
  - (b) direct that the removal from membership and disqualification apply also in respect of any other devolved public body of which the member is a member.
- (6) The members of the Commission may, on imposing a suspension under subsection (1)(b) or (c) above on a member of a devolved public body, direct that any remuneration or allowance deriving from membership of the body that would be payable to the member be not paid or be reduced as they direct.
- (7) The powers to remove and disqualify a person from membership of a devolved public body under subsections (4) and (5)(b) above are exercisable as respects that body only after the members' code applicable to that body first has effect.



- (8) The Commission shall, after consulting such association of local authorities and any such other bodies or persons as it thinks fit, issue guidance to councils on the extent to which a councillor should engage in activities (other than those mentioned in subsection (1)(c) above) which are, or may be perceived to be, the activities of a councillor during a period of suspension.



<b>Home address form</b>	Office use only			
<b>Local government elections in Scotland</b>	Date received	Time received	Initials	No
ELECTION OF COUNCILLORS / A COUNCILLOR for the				
Ward 4 - Arran	electoral ward of the			
LOCAL GOVERNMENT AREA of:	North Ayrshire			
Date of election:	Thursday 12 September 2024			

You must complete Part 1 and Part 2. Only sign Part 2 if you wish for your home address to be made public.

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

**Part 2:**

**Note: This part (part 2) of the home address form must be submitted as part of your nomination papers**

If you DO NOT wish for your home address to be made public you MUST indicate in which relevant area your home address is situated, but do not need to sign this form. The name of the relevant area in which your home address is situated (or country, if outside the UK), as explained below, will appear on the notice of poll and the ballot paper, but your home address will not.

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)

**OR;** you can request that your home address is made public; your address will then appear on the notice of poll and the ballot paper.

**Statement:** I require my home address to be made public, I understand that the address will appear on the notice of poll and the ballot paper (put an X in the box to the right and sign in the box below)

Signature of candidate (only required where the statement above requiring home address to be made public has been completed)

Candidate's signature:

Date:

Deliver the home address form with the nomination papers to the Returning Officer by no later than **4pm** on the last day for delivery of nomination papers.

<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 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
- **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

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

Office Use only	Date received	Time received	Initials	No.

3

Council election

Certificate of authorisation

To accompany the nomination of a candidate standing **on behalf of a registered political party**. Candidates standing on behalf of two or more parties require a certificate from each party and each must allow the registered joint description to be used.

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

The Nominating Officer can authorise the candidate to use either the name of the party or a particular description registered with the Electoral Commission, or to use 'any registered description or the party name as registered with the Electoral Commission'. Party names and registered descriptions are listed on the Electoral Commission website (<http://search.electoralcommission.org.uk>).

Details of candidate to be authorised and the allowed description/party name			
Council:	North Ayrshire	Date of election:	Thursday 12 September 2024
Ward:	Ward 4 - Arran		
I hereby certify that			
The candidate (name in full):			
Is authorised to stand for:	Name of political party registered with the Electoral Commission		
The candidate may include the following registered description/party name in their nomination form:			
Note: An incorrect or fraudulently completed form may lead to the rejection of the nomination form as invalid			
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 for a candidate standing on behalf of a political party to the Returning Officer by no later than 4pm on the last day for delivery of nomination papers.

Office Use only	Date received	Time received	Initials	No.

4

Council election

Request for a party emblem

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

The registered emblems of a political party can be found on the Commission's website at <http://search.electoralcommission.org.uk>.

**This form must be signed by the candidate.**

Candidate's request for use of an emblem			
Council:	North Ayrshire	Date of election:	Thursday 12 September 2024
Ward:	Ward 4 - Arran		
Candidate's name in full:			
I request that the ballot paper shall contain, against my name, the following registered emblem (please identify which emblem if the party has registered more than one):			
Emblem to be used (please use name or description as on the <a href="http://www.electoralcommission.org.uk">Electoral Commission website</a> ):			
Candidate's signature:			
Date:			

This form must be delivered for a candidate standing on behalf of a political party to the Returning Officer by no later than 4pm on the last day for delivery of nomination papers.

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 they are standing for. Please indicate the name of the party and the emblem name in the 'Emblem to be used' box above.





	Date received	Time received	Initials	No.
Office Use only				

5

Council election

Notification of election agent

Council:	North Ayrshire	Date of election:	Thursday 12 September 2024
Ward:	Ward 4 - Arran		

### Candidate's notification of their election agent

I, (Candidate's 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 a person authorised to act on behalf of candidate):

Date:

### Confirmation of acceptance by election agent

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:

### Agent's other details in case of query (Optional – will not be published)

Home telephone:

Work telephone:

Mobile telephone:

Email address:

This form must be delivered to the Returning Officer by no later than 4pm on the last day for delivery of nomination papers.

# **The Scottish Local Government Elections Order 2011**

## **Rule 27**

### **Requirement of Secrecy**

Dear Stakeholder

This document sets out the requirement of secrecy as provided for in the Scottish Local Government Elections Order 2011 (Rule 27).

So far as you have an interest in any of the proceedings relating to the By-election in Ward 4 - Arran to be held on Thursday 12 September 2024, you are required to adhere to the statutory provisions contained herein.

**Craig Hatton**  
**Returning Officer**

## **The Scottish Local Government Elections Order 2011**

### **Rule 27: Requirement of secrecy**

**27.**—(1) The following persons attending at a polling station, namely—

- (a) a returning officer or a member of staff of a returning officer;
- (b) a presiding officer or clerk;
- (c) a candidate;
- (d) an election agent;
- (e) a polling agent;
- (f) a person attending by virtue of sections 6A to 6D of the Political Parties, Elections and

Referendums Act 2000(27) (representatives of the Electoral Commission and accredited observers),

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 the information described in paragraph (2).

(2) The information referred to in paragraph (1) is any information as to—

- (a) 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;
- (b) 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
- (c) the official mark being used in accordance with rule 16(1).

(3) 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.

(4) No person shall—

- (a) interfere with or attempt to interfere with a voter when the voter is recording the voter's 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 or candidates 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 a ballot paper given to a voter at that station; or
- (d) directly or indirectly induce a voter to display a ballot paper after the voter has marked it so as to make known to any person the name of the candidate or candidates for whom the voter has or has not voted.

(5) 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 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;
- (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 any ballot paper sent to any person;
- (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 ballot papers the name of 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) No person having undertaken to assist a voter with disabilities to vote shall communicate at any time to any person any information as to the name of the candidate or candidates for whom that voter intends to vote or has voted, or as to the number or other unique identifying mark on the back of a ballot paper given for the use of that voter.

(7) No person may publish before the close of the poll—

- (a) any statement relating to the way in which voters have voted in the poll where that statement is (or might reasonably be taken to be) based on information given by voters after they have voted; or
- (b) any forecast or estimate as to the result of the election which is (or might reasonably be taken to be) based on information so given.

(8) If a person acts in contravention of this rule that person shall be liable on summary conviction to a fine not exceeding the amount specified as level 5 on the standard scale or to imprisonment for a term not exceeding three months.

(9) In this rule—

- (a) a voter with disabilities is a voter who has made a declaration under rule 35 that the voter is so incapacitated by blindness or other disability or by inability to read, as to be unable to vote without assistance;
- (b) “publish” means make available to the public at large (or any section of the public), in whatever form and by whatever means; and
- (c) the reference to the result of the election is a reference to the result of the election either as a whole or so far as any particular candidate or candidates at the election are concerned.

(10) The returning officer shall make such arrangements as are reasonably practicable to ensure that every person attending a polling station and every person attending at the counting of the votes has been given a copy of these provisions.

(11) But these arrangements shall not apply to—

- (a) a person attending the polling station for the purpose of voting;
- (b) a person under the age of 16 years of age accompanying a voter;
- (c) a person assisting a voter with disabilities to vote; or
- (d) a constable on duty at a polling station or at the count.



**North Ayrshire Council**

Comhairle Siorrachd Àir a Tuath

**Policy for Letting Vacant Council Property  
for Election Purposes**

## **Introduction**

This policy was approved by the North Ayrshire Council's former Corporate Policy Committee on 22 March 2005 and provides for the temporary use of vacant Council property by a political party during an Election. The policy applies to all types of election or referendum and applies to property to be let within North Ayrshire.

## **Application Procedure**

Applications must be submitted in writing on the form provided for the purpose.

Applications may only be accepted if they are received after 12 noon on the day following the publication of the Notice of Election i.e. Friday 2 August 2024 for the Scottish Local Government By-election.

Application forms should be returned to Matt Strachan, Senior Manager Business Development (email applications are acceptable). These can be obtained from:

North Ayrshire Council  
22 Quarry Rd  
Irvine  
KA12 0TH



## APPLICATION FOR TEMPORARY LEASE OF NON-OPERATIONAL COUNCIL PROPERTY FOR ELECTION PURPOSES

I ..... (please insert full name and address)

being the nominated election agent for and on behalf of

.....

(Please insert full name of candidate) who is standing for the Scottish Local Government By-election to return a Candidate to serve in Ward 4 - Arran.

\*Delete as appropriate

to be held on .....(Please insert Date of Election)

hereby apply for and offer to take on the lease of non-operational Council subjects at and known as

.....(Please insert full address of property)  
from

the ..... (Please insert date access/entry is required).

Please Note: All conditions as printed overleaf form an integral part of any contract to follow hereon.

Signature: .....

Date: .....

Time: .....

**FORM TO BE RETURNED TO THE SENIOR MANAGER BUSINESS DEVELOPMENT, NORTH  
AYRSHIRE COUNCIL, 22 QUARRY ROAD, IRVINE KA12 0TH**

### FOR OFFICIAL USE ONLY

<b>APPLICATION</b>	Date Application Received	.....
	Time Application Received	.....
	Decision on Application	Grant/Refuse (delete as Appropriate)
	Authorisation (Officers Signature)	.....
<b>PAYMENT</b>	Amount of Payment Due	.....
	Payment Received	.....
<b>KEYS</b>	Date and Time Keys Handed Out	.....
	Date and Time Keys Returned	.....
<b>SERVICES</b>	Electricity Meter Reading No (at Entry)	.....
	Electricity Meter Reading No (at Termination)	.....
	Gas Meter Reading No (at Entry)	.....
	Gas Meter Reading No (at Termination)	.....

### **Conditions of Let**

1. Only subjects which are owned by the Council and would otherwise be vacant for the whole period of let shall be available for temporary lease for Election purposes. If the Council have previously entered into a lease with a third party in respect of the subjects or if they are subject to an existing lease then they shall not be available for Election purposes. Properties subject to repair or not in compliance with all statutory consents e.g. in benefit of an Energy Performance Certificate, will not be available.
2. Applications shall only be accepted if received after 12 noon on the date after the Election has been formally announced and by timeous completion of this form. (Email applications are acceptable).
3. Properties shall be allocated in accordance with the time/date applications are received by the Senior Manager Business Development, North Ayrshire Council.
4. Entry shall be mutually agreed.
5. The period of the lease shall be from the date in clause 4 above to the fifth day after the Election date given overleaf.
6. Rental shall be charged at a standard rate per week or any part thereof and shall be paid in advance and in full. The standard weekly rental charge for the property shall be £100 irrespective of size or location.
7. All operating and running costs of the subjects such as rates, electricity, and gas etc shall be the sole responsibility of the applicant. If any of these are not paid directly by the applicant then the Council shall be entitled to make a full recovery thereof from the applicant of any connection and supply costs which are levied against the Council by the supplier. The applicant shall satisfy himself as to the adequacy and condition of such services and shall be solely responsible for any connection charges. Where applicable rates shall be payable in advance and in full by the applicant.
8. The applicant shall be responsible for all costs associated with the provision and/or use of any telephone supply.
9. The applicant shall be solely responsible for obtaining any statutory consents which may be required. In particular the applicants attention is drawn to any requirement to make application for planning permission, building warrant or any statutory permissions, which must, if they are required, be obtained before the date of entry.
10. The applicant shall accept the subjects as they stand in their present condition, state of repair and decoration and shall upon termination of the temporary let, return them to the Council in the same condition. All debris and litter (including all posters affixed within or outwith the subjects of let) shall be removed by the applicant all to sight and satisfaction of the Council. Any costs which the Council may incur in regard to carrying out the aforementioned works shall be charged back to the applicant should they fail to comply with this condition.
11. Any insurance of whatever description deemed necessary by the applicant shall be effected by the applicant at their sole cost and, for the avoidance of doubt, the applicant shall if required by the Council arrange to effect insurance cover for the full reinstatement value of the building, in respect of perils normally incurred by a tenant of commercial premises, to the satisfaction of the Council and shall, on demand, produce the appropriate policy and premium receipt for inspection.
12. The tenant shall exhibit, prior to the date of entry, evidence of appropriate public liability insurance cover in respect of their occupation of the subject let for the duration of the let, all to the satisfaction of the Council.
13. The tenant agrees to indemnify the Council and to free and relieve the Council of all claims arising from the occupation and use of the property.



## North Ayrshire Council Comhairle Siorrachd Àir a Tuath

### List of Rooms in Halls & Centres available To Candidates for Election Meetings

The attached list has been prepared by the Education Authority in pursuance of paragraph 2 (1) of Schedule 5 of the Representation of the People Act 1983. It lists the rooms in Halls and Centres which will be available to Candidates for Election Meetings.

The attention of candidates and agents is drawn to the provisions of Sections 95 to 98 of the Representation of the People Act 1983, and to the said Schedule, with regard to the use for election meetings of rooms in Halls and Community Centres.

Any queries in relation to the attached lists or to book any venues marked **CR** should be directed to:

**Communities and Education Directorate  
Connected Communities  
Community Resources  
Volunteer Rooms, High Street, Irvine, KA12 0AB**

**Booking Line: 01294 324473 – phonedlines open Monday, Wednesday & Thursday please email outwith these times:**

**[communityresources@north-ayrshire.gov.uk](mailto:communityresources@north-ayrshire.gov.uk)**

To make bookings for venues marked **C** you would contact direct by telephone the numbers listed:

*Updated by: Community Resources 28/02/2024*

**Halls and Centres Available to Let**

**C - Bookings taken by local Community Association, CR - Bookings taken by Community Resources**

<b><u>Venue/Area</u></b>	<b><u>Address</u></b>	<b><u>Booking Number</u></b>	<b><u>Areas for let</u></b>
<b><u>Isle of Arran</u></b>			
Brodick Hall - C	Brodick, Isle of Arran, KA27 8DL	01770 302065	Main Hall

**Application by a Candidate or Election Agent  
for a copy of the Electoral Register and/or Absent Voters List for the  
Scottish Local Government By-election to be held on Thursday 12 September 2024**

**Electoral Register**

I request a copy of the Electoral Register as at last date for notice of election.

The Register will be supplied by Email

Please state format required: PDF  Excel

Further supplements to the Register may be supplied in the same format.  
Please tick this box if supplements are required.

**Absent Voters List**

I request a copy of the Absent Voters List.

The Absent Voters List will be supplied by Email

Please state format required: PDF  Excel

**Ward/Constituency Contested:**

**Name of Candidate:**

For security reasons, all information supplied in data format will be password protected.

Please note the following restrictions on the use of Registers provided:

**You may not supply a copy of the Electoral Register to any person, disclose any information contained in it that is not included in the Open Register or make use of any such information other than for electoral purposes.  
Once the purpose for which the Register has been supplied has expired, you must securely destroy the Register.**

I am aware of the restrictions on the use of the Register of Electors as detailed in the Representation of the People (Scotland) (Amendment) Regulations 2002.

**Name: (block capitals)**

Candidate  Election Agent

**Postal Address:**

\_\_\_\_\_

\_\_\_\_\_

**Telephone Number:**

\_\_\_\_\_

**Email Address:**

\_\_\_\_\_

**Signature:**

**Date:**

\_\_\_\_\_



# Scottish Local Government By-election - Thursday 12 September 2024

## Ward 4 - Arran

### Election Timetable

Event	Date
Publication of notice of Election	Thursday 1 August 2024
Delivery of nomination papers	Friday 2 August 2024 to Monday 12 August 2024 between 10am and 4pm
Deadline for withdrawals of nomination	4pm on Monday 12 August 2024
Deadline for the notification of appointment of election agents	4pm on Monday 12 August 2024
Publication of notice of poll, including situation of polling stations	As soon as practicable after 4pm on Monday 12 August 2024
Dispatch of poll cards to electors	Tuesday 13 August 2024
Deadline for receiving applications for registration	Tuesday 27 August 2024
Second dispatch of Poll Cards	As soon as practicable after last date to apply to register to vote
Deadline for receiving new postal vote and postal proxy applications, and for changes to existing postal or proxy votes	5pm on Wednesday 28 August 2024
Dispatch of postal ballot packs	Friday 30 August 2024 (as soon as practicable after last date to apply for a postal vote)
Deadline for new applications to vote by proxy (not postal proxy or emergency proxies)	5pm on Wednesday 4 September 2024
Deadline for notification of appointment of polling and counting agents	Thursday 5 September 2024
<b>POLLING DAY</b>	<b>7am to 10pm on Thursday 12 September 2024</b>
Last time that electors can apply for a replacement for a lost and spoilt postal vote	10pm on Thursday 12 September 2024
Deadline for emergency proxy applications	5pm on Thursday 12 September 2024
Last time to alter the register due to clerical error or court appeal	9pm on Thursday 12 September 2024
Verification and count	Friday 13 September 2024
Latest date for candidates to submit their return and agent declaration	Friday 18 October 2024









## Being a local councillor

Being a councillor involves a huge variety of work, some of which can be challenging, but is almost always hugely rewarding as you can make a real difference to individuals lives and to the area you represent.

If you are considering standing for election, the Improvement Service has a dedicated website that will help you understand the many different aspects of a councillor's role, provide you with information to help you decide if being a councillor is for you and ensure you are well prepared should you be elected.

The website covers four main sections:

- What do Councillors do?
- What's expected of a Councillor?
- How do I become a Councillor?
- Resources

The website can be accessed at <https://www.localcouncillor.scot/>