Argyll and Bute Election Office Returning Officer: Pippa Milne



Kilmory, Lochgilphead, Argyll PA31 8RT Tel: 01546 603264 Fax: 01546 606874 e.mail: elections@argyll-bute.gov.uk www.argyll-bute.gov.uk/elections

Direct Line: 01546 603264
Ask For: David Logan
Our Ref: SC/LGE/01

Your Ref:

Date: 02 March 2022

To Prospective Candidates

Dear Sir/Madam

ARGYLL AND BUTE COUNCIL LOCAL ELECTIONS – NOMINATION PACK Date: Thursday 5 May 2022

I enclose nomination papers, including relevant supporting documentation for the Local Elections for Argyll and Bute Council to be held on Thursday 5 May 2022.

For the safety of candidates, agents and election staff, Covid compliant arrangements have been made to accept nomination papers at:

Kilmory Headquarters, Lochgilphead, Argyll PA31 8RT

Candidates and election agents are asked to be aware that different rules will apply about access to the Election Office and contact with staff in line with Scottish Government guidance on COVID-19. While it is expected that covid restrictions will continue to ease in the near future, in order to minimise risk and maintain the integrity of the election process, your cooperation in doing as much as possible through e-mail and telephone would be appreciated. Not everything can be managed in that way but we all should aim to avoid face-to-face meetings as far as possible. You should submit completed papers by e-mail to elections@argyll-bute.gov.uk for an informal check prior to arranging to deliver these by hand.

To assist in ensuring that appropriate members of staff are on hand to receive nominations, it would be helpful if candidates and/or election agents would contact a member of the Election Team on 01546 603264 or by e-mail to arrange a mutually convenient date and time for checking of the nomination papers and thereafter to lodge formally your nomination paper. The nomination period starts on Tuesday 15 March 2022 and nomination papers can be lodged up to 4pm on each working day until the deadline which is noted below. You should have regard to the Covid arrangements for Nominations which are outlined in this pack.

Nominations must be lodged not later than 4pm on Wednesday 30 March 2022.

COVID-19

As I am sure you appreciate, this election is being planned and delivered in the context of the coronavirus pandemic and the related restrictions which were in place across the country to attempt to control and supress the virus. The pandemic has required an enhanced approach to risk assessment for each part of the electoral process and, indeed, for the date of the poll itself.

With the dual aims of ensuring the poll is delivered in a safe and secure manner, it will be necessary to make some changes to the usual operational arrangements for an election and these will include:-

- Revised polling place set ups to ensure appropriate distancing, hand hygiene and voter flow.
- Enhanced cleaning arrangements at all polling places and the count centre.
- Deployment of extra staff where required, to manage voters and monitor revised arrangements.
- Raising awareness of the arrangements for voter safety, and the options for voting, through a range of communication channels.
- Changes to the count centre set up to ensure the process can be observed whilst maintaining some distancing.

I will continue to monitor the COVID related risks and ensure you receive information about the specific arrangements for polling and the count.

Yours sincerely

PIPPA MILNE Returning Officer

SCOTTISH GOVERNMENT - 2022 LOCAL GOVERNMENT CANDIDATE DIVERSITY SURVEY

<u>All</u> candidates_standing for election at the 2022 local council elections are being invited to complete a brief <u>voluntary</u> questionnaire on their:

- · demographic characteristics,
- previous experience and
- any caring responsibilities

HOW CANDIDATES CAN TAKE PART

Online using this QR code or weblink

https://response.guestback.com/tisbgovernment/2022diversitydataproject

cs1 [LD2] The survey should take no more than 5 minutes to complete

Data protection impact assessment will be published. All responses will be kept confidential and stored securely, to be used solely for statistical and research purposes.

A report of aggregated findings will be published by the Scottish Government following the results of the election.

ARGYLL AND BUTE COUNCIL ELECTIONS

DATE OF ELECTION - 5 MAY 2022

NOMINATION PACK

LIST OF CONTENTS AND CHECKLIST FOR NOMIN

IMPORTANT

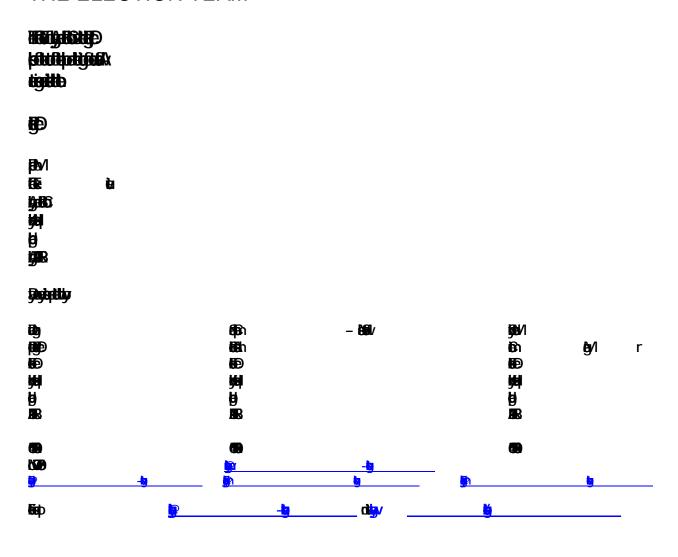
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THE ELECTION TEAM





Kilbrannan House, Bolgam Street, Campbeltown PA28

ARGYLL AND BUTE COUNCIL ELECTIONS DATE OF ELECTION – 5 MAY 2022 NOTES FOR PROSPECTIVE CANDIDATES



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COVID -19 MEASURES FOR NOMINATIONS.

In looking to proceed with the Local Government Election, the election team have been liaising with the Electoral Management Board for Scotland and following guidance from the Electoral Commission in assessing the current circum stances and risks. We have had regard to the need to ensure we have a robust risk assessment of the process and the physical facilities to ensure we are able to identify and deploy mitigating measures and build confidence in the safety of the Poll among staff and the wider public. These considerations, and the additional measures to address them, have provided us with assurance, as things currently stand, that a poll can continue to be conducted safely while maximising the positive message to voters that the process and arrangements are safe and appropriate.

Specifically in respect of Nominations, the alteriations to process which we have put in place are:

- 1. Nominations will be conducted by appointment where possible at Kilmory Headquarters, Lochgilphead.
- 2. Informal checks of papers is strongly encouraged to ensure that the papers brought for submission are correct and the time spent face to face is minimised. Please scan your papers and email them to the elections inbox (

ARGYLL AND BUTE LOCAL ELE	ARGYLL AND BUTE LOCAL ELECTIONS – 5 MAY 2022					
Notice of Election to be published not before		Monday 14 March 2022				
Notice of Election: to be published not later than 4.00pm on	-28	Wednesday 23 March 2022				
Delivery of nomination papers: between the hours of 9.00am and 4.00pm on any day after the date of publication of the notice of election		From Tuesday 15 March 2022				
First Issue of Poll Cards	-23	Tues / Wed 15-16 March 2022				
Latest time for lodging Nomination Papers not later than 4.00pm on	-23	Wednesday 30 March 2022				
Latest time for lodging appointment of Election Agent not later than 4.00pm on		Wednesday 30 March 2022				

Latest time for withdrawal of Nomination Paper not later than 4.00pm on

-23 Wednesday 30 March 2022

NOTICE OF ELECTION

ARGYLL AND BUTE COUNCIL

Election of Councillors

Councillors are to be elected for each of the 11 wards of Argyll and Bute Council. The number of councillors to be elected for each ward is as follows:

	Ward	Number of Councillors to be elected
1	South Kintyre	3
2	Kintyre and the Islands	3
3	Mid Argyll	3
4	Oban South and the Isles	4
5	Oban North and Lorn	4
6	Cowal	3
7	Dunoon	3
8	Isle of Bute	3
9	Lomond North	3
10	Helensburgh Central	4
11	Helensburgh and Lomond South	3

- Nomination forms can be downloaded from www.argyll-bute.gov.uk/elections or obtained from the Election Office at Kilmory Headquarters, Lochgilphead, Argyll PA31 8RT. This office is open for the issue and delivery of nomination papers, on weekdays from 9am to 4pm from Tuesday 15 March.
- 2. Completed nomination forms must be delivered to the Returning Officer at the above address by 4pm on Wednesday 30 March 2022.
- 3. An election will be held in each contested ward and voting will take place between 7am and 10pm on Thursday 5 May 2022.
- 4. Applications to register to vote **must** reach the Electoral Registration Officer at Kilbrannan House, Bolgam Street, Campbeltown PA28 6HZ by 12 midnight on Monday 18 April 2022. Applications can be made online: https://www.gov.uk/register-to-vote.

Postal or proxy voting

- 1. Any elector may apply for a postal or proxy vote at this election.
- 2. Applications, amendments or cancellations of postal votes must reach the Electoral Registration Officer at Kilbrannan House, Bolgam Street, Campbeltown PA28 6HZ by 5pm on Tuesday 19 April 2022.

Printed and published by the Returning Officer, Kilmory Headquarters, Lochgilphead, Argyll PA31 8RT

- 3. Applications to vote by proxy at this election **must** reach the Electoral Registration Officer at Kilbrannan House, Bolgam Street, Campbeltown PA28 6HZ by 5pm on Tuesday 26 April 2022.
- 4. Applications to amend or cancel existing proxy arrangements **must** reach the Electoral Registration Officer at Kilbrannan House, Bolgam Street, Campbeltown PA28 6HZ by 5pm Tuesday 19 April 2022.
- 5. Applications to vote by emergency proxy at this election ie, made after 26 April 2022 deadline on the grounds of; disability suffered after that deadline (or, for applicants who suffered a disability before the deadline, their disability meant that they could not reasonably have made an application in time), work/service reasons, following Scottish Government advice or the advice of a medical professional in relation to coronavirus, being detained in a hospital under the civil sections of the Mental Health (Care and Treatment) (Scotland) Act 2003 or for Scottish prisoners serving a sentence of 12 months or less, must reach the Electoral Registration Officer at the address above by 5pm on Thursday 5 May 2022. To apply on the grounds of work/service, the person must have become aware that they cannot go to the polling station in person after 5pm on Tuesday 26 April 2022.
- 6. For advice on postal or proxy voting, contact the Electoral Registration Office 0800 980 0470. Website: www.dab-vjb.gov.uk: E-Mail: ero-abc@dab-vjb.gov.uk

Tel: 01546 605522

E-Mail: elections@argyll-bute.gov.uk Web: www.argyll-bute.gov.uk/elections

Pippa Milne Returning Officer Kilmory Headquarters Lochgilphead PA31 8RT

Dated: 14 March 2022

You must print off the forms in t his pack before submitting them

The following form s must be delivered by hand:

- 1: Nomination form, including consent to nomination
- 2: Home address form (part 1 and part 2)

The following papers can be delivered by hand or b y post:

3

exact location to which nomination papers must be delivered.

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

General Data Protection Regulation (GDPR)

Data protection legislation applies to the processing of all personal data. Please contact the <u>Information Commissioner's Office</u> for further information about how the legislation affects you. The lawful basis to collect the information in these forms is

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

*ELE(CTION OF C	COUNCILLORS / A COUNCILLOR for	the	
electoral ward:	electoral ward:			
of ARGYLL AND BUTE			Council	
Day and date of election	THURSDA	AY 5 MAY 2022		
I, the undersigned, am hereby nominated as a candidate at the said election.				
Candidate's Details				
Candidate's surname				
Other names in full				
Commonly used surname (if any)				
(see Note 3 below)				
Commonly used forenames (if any)				
(see Note 3 below)				
Description (if any)				
(see Note 6 below)				
I, the nominee for election, consent to being nominated as a candidate for the				
electoral ward:				
of			Council	
I dealare that I am qualific	ad to be also	tod that I have attained the age of 19	Lycere and am a	

I declare that I am qualified to be elected, that I have attained the age of 18 years and am a qualifying Commonwealth citizen, a citizen of the Irish Republic or a qualifying foreign national; that I am not subject to any legal incapacity;

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

 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 overlea Notes

1.

Local Government (Scotland) Act 1973: Disqualifications

- 31 Disqualifications for nomination, election and holding office as membe r 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 ed 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 thd

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

public.		
Part 1:		
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).		
Qualifcations that apply (tick those which a	pply)	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

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

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:			Date of election:	5 MAY 2022
Ward:				
I hereby certify that				
The candidate (name in full):				
Is authorised to stand for:		Name of p		

This form is for a candidate of a political party

Council:	ARGYLL ANI	D BUTE COUNCIL	Date of election:	5 MAY 2022
Ward:				
Candidate 's no	otification of the	eir election agent		
I, (Candidate's	name in full):			
Hereby declare	that the name	e and address of my election	n agent is	
Agent's name:				
Agent's addres	ss (in full):			
The office addi		ction agent to which all claim	ns, notices, legal pro	ocess and other
Agent's office a in full:	address			
Candidate's signature (or of a person authorised to act on behalf of candidate):				
Date:				
Confirmation o	f acceptance b	y election agent		
I understand the	at I must carry	m my acceptance as the ele out my duties according to ng to law.	<u> </u>	
Agent's signatu	ure:			
Date:				
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			not be published) Work telephone:	
Home telephor				
Mobile telephone:				
Email address:				

Please return completed form to:

Electoral Registration Officer, Kilbrannan House, Bolgam Street, CAMPBELTOWN PA28 6HZ

Name of electoral area:

(e.g. ward / division /

constituency / region /

Phone: 01586 55 5303 Fax: 01586 55 2883

Email: ero-abc@dab-vjb.csoM.ukTj 12.98 0 0 10.98 483.36 528.900

Date of

election

Thursday

Request for electoral register

Argyll and Bute

voting area)				election	5 May 2022
This form must be submitted to the Electoral Registration Officer for the electoral area. Some elections/referendums cover more than one registration area so you may need to apply to each area.					
London Member, Europe	This form must be completed by the candidate, except in the case of party lists such as at GLA London Member, European Parliament, Scottish Parliamentary regional or Welsh Assembly regional elections where this form must be completed by the election agent.				
Declaration of candidacy	and conf	irmation of legal us	se of elector	ral register info	ormation
Name of Candidate / party list election agent					
copy of the electoral regilular limits and allow others who for the same purposes of purposes is illegal with a	I declare that I am a candidate / party list election agent at the above named election. I will use my copy of the electoral register for electoral purposes and checking the validity of donations only. I will only allow others who are assisting me in my campaign to use my copy of the electoral register for the same purposes only. I understand that any use other than electoral or donation checking purposes is illegal with a maximum fine of £5,000. My request is for the register as at the last date for notice of election and any revisions or notices of amendment while I am a candidate.				
Signed (Candidate / party list election agent)					
Delivery details					
My application is for the	electoral r	egister in (tick one	box only):		
Paper format					
Data format					
Delivery address:					
Mobile					
Email					

This electoral register can only be supplied, at the earliest, on the last date allowed for the notice of election to be published.

Name of electoral area: (e.g ward/division/constituency/region/voting area)	Argyll and Bute	Date of election	Thursday 5 May 2022
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This form must be sent to the Electoral Registration Officer. Please return completed form to:

Electoral Registration Officer, Kilbrannan House, Bolgam Street, CAMPBELTOWN PA28 6HZ

Some elections/referendums cover more than one registration area so you may need to apply to each area.

This form must be completed by the candidate, except in the case of party lists such as at GLA London Member, European Parliament, Scottish Parliamentary regional or Welsh Assembly regional elections where this form must be completed by the election agent

Declaration of candidacy	and confirmation of leg	al use of abs	ent vote list information	
Name of Candidate / party list election agent				
I declare that I am a candidate / party list election agent at the above named election. I will use my copy of the absent vote list (postal and/or proxy voters list) for electoral purposes only . I will only allow others who are assisting me in my campaign to use my copy of this data for the same purposes only. I understand that any use other than electoral purposes is illegal with a maximum fine of £5,000.				
Signed (Candidate / party list election agent)				
Application and delivery details				
My application is for the	absent vote list in (you r	nay tick as m	any boxes that you wish):	
The current list of postal	voters			
The current list of proxy voters				
The final list of postal vo	ters			
The final list of proxy voters				



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ARGYLL AND BUTE CO UNCIL ELECTIONS 5 MAY 2022 POLLING ARRANGEMENTS AND PROCEDURE NOTES FOR CANDIDATES AND AGENTS

1. <u>Definitions</u>

"Polling Place" means the school or other building in which the Polling Station is situated and includes the grounds, walls, railings or fences surrounding the building.

"Polling Station" means the room, hall or area in a Polling Place where voting actually takes place.

"Candidate" means any person whose name appears in a registered party's list of candidates standing nominated, or an individual candidate standing nominated.

"Election Agent" means the national election agent (or deputy) of, or a sub agent appointed on behalf of a registered party standing nominated or an agent or sub agent of an individual candidate.

"Polling Agent" means a person appointed, to attend at Polling Stations for the purpose of detecting personation, by the election agent or sub agent of a registered party, or by an individual candidate.

2. Admission to Polling Stations

Only the following persons (in addition, of course to the voters and their accompanying children under 16 years) are entitled to be admitted to a Polling Station:-

- (a) the candidates
- (b) the election agents
- (c) the polling agents appointed to attend at the polling station for the purpose of detecting personation (but not more than one polling agent will be admitted at the same time to a polling station on behalf of the same party or individual candidate)
- (d) the Returning Officer and his/her staff
- (e) a constable on duty
- (f) the companion of a voter with disabilities

In the polling station, candidates, election agents polling agents and observers must not:

- x Interfere with the voting process
- x Campaign, canvass voters, or distribute literature
- x Take a copy of any register of electors which they may have used to mark who has voted out of the polling station until after the close of poll.

3. Tellers

The persons specified in the preceding paragraph are those (and only those) who are allowed into the Polling Stations and only for the purposes prescribed by law. There is no provision within the Election Rules for any person (which includes candidates, election agents and polling agents) to act within a Polling Place as Tellers. ANY PERSON SEEKING TO CHECK THE IDENTITY OF VOTERS FOR THE PURPOSE OF ASCERTAINING WHO MAY OR WHO MAY NOTIWHO

- (e) If a person asks a voter for their electoral number, or name and address, it must be made clear to the voter THAT THE INFORMATION DOES NOT HAVE TO BE GIVEN AND IS NOT FOR OFFICIAL PURPOSES. IF THE VOTER REFUSES, HE OR SHE MUST NOT BE PRESSED.
- (f) A voter must not be asked to re-enter the Polling Station to retrieve a discarded poll card or ascertain their electoral number.

Those persons who are allowed into Polling Place during a period of inclement weather do so on the basis that they respect any decisions of the Presiding Officer as to their location. Since that decision will be based, in part, on ensuring that access by voters is not obstructed, it is likely to vary from Polling Place to Polling Place. It is also a condition that the Presiding Officer is entitled to require them to remove themselves at the Presiding Officer's discretion (and particularly if there is any breach of the foregoing provisions). The Presiding Officer has an absolute discretion to decide, as a result of the conduct of any person so acting, whether they should be allowed to remain in the polling place.

While what happens outside the Polling Place is not a matter for me as Returning Officer, I hope the foregoing may be regarded as best practice.

A VOTER MUST NOT IN ANY WAY BE IMPEDED OR OBSTRUCTED ON THEIR WAY INTO OR OUT OF THE POLLING STATION OR POLLING PLACE.

4. Bills and Posters

Fixing bills or posters to any part of the Polling Place, including walls, railings, fences, etc. is not allowed. Any bills or posters on pavements outside a Polling Place should be positioned so as not to cause any obstruction to pedestrian or vehicular traffic. Any question of obstruction of the pavement is a matter within the jurisdiction of the Police. While it is not my responsibility as Returning Officer, candidates should have regard to –

- (a) Any restrictions placed by Local Authorities or Statutory Bodies concerning the posting of election material on their property, including lamp posts and street furniture, and
- (b) The statutory restrictions on fly posting.

5. Rosettes etc

Subject to the qualification which follows, ROSETTES MAY NOT BE WORN WITHIN A POLLING STATION. Where a duly authorised candidate, election agent or polling agent enters a Polling Station for a few moments (for example to enquire about the total number of votes cast) rosettes need not be removed. If a polling agent remains in a polling station for a prolonged period they are there for the purpose prescribed by the elections rules which is to detect personation, and on that basis they do not require to and should not wear a

rosette or any insignia which conveys the name of a party or candidate. While a rosette may be worn within a Polling Place

(d)	every person so attending in pursuance of permission granted under section 8 or 9 (observers at Scottish local government elections) of the Local Electoral Administration and Registration Services (Scotland) Act 2006

 $SECTION~3-Subsections~(1),~(21),~o-tn7e.c1t.\\(21),~oand)\\11(~)235b\\ \texttt{b0d} TReferendums~Act~2000,~decomposition and the contraction of the contr$

Requirement of Secrecy