

Neighbourhood Planning Referendum (NPR) Campaigning Guidance

Guidance notes for elected officials, parish councils and campaigners

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Purpose of the guidance

This guidance outlines the key issues that apply in relation to publicity during the period leading up to a Neighbourhood Planning Referendum.

The referendum period begins when the Information Statement is published (at least 28 working days before the vote) and ends at the close of poll on polling day.

Legal Basis

The [Neighbourhood Planning \(Referendum\) Regulations 2012 \(Section 5\)](#) prohibit South Gloucestershire Council and parish, town and city councils from publishing promotional material except that required to be published under Section 4.

Sections 6 and 7 of the Regulations relate to the limit that may be spent on referendum expenses and the legal penalty for non-compliance.

Referendum campaign organisers

A campaign organiser is an individual or body by who, or on whose behalf, referendum expenses are incurred (including expenses treated as incurred e.g., notional) in connection with a referendum campaign. This is when expenses are incurred with a view to promote or procure a particular outcome in relation to the question to be asked. The campaign organiser/body can appoint observers to the verification and counting of the votes who may also observe the postal vote opening. They may also appoint polling agents to attend polling stations for the purpose of detecting personation.

Whilst campaign organisers do not have to register with the Electoral Commission, it is good practice to contact and register with the Counting Officer via the Electoral Services team. This will allow the Electoral Services team to send relevant information regarding the number of observers permitted and details on attending the count and postal vote opening sessions.

By establishing a campaign group, you must adhere to the legal requirements and restrictions as set out in the Neighbourhood Planning Referendum Regulations 2012.

Campaign organisers should email electoral.services@southglos.gov.uk including the following information:

Campaign group name (Yes or No)	
Contact Name:	
Contact Phone number:	
Contact Email:	

This information will only be used for the purposes of the administration of this NPR.

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Publicity

Publicity has a wide range of meaning and includes any communication, in any form addressed to the public.

Publicity can also include publicity issued by organisations that receive funds from the relevant council.

Publicity – elected officials

- Councillors must always comply with the provisions of the Code of Conduct for their relevant elected body.
- Councillors may complete their own publicity, provided that [council \(parish or unitary\) resources](#) are not used.
- Promotional material must not be displayed on council premises (including street furniture) or vehicles.
- Elected officials representing the neighbourhood area (or part of the area) must maintain a clear distinction between their duties as an elected official, and their involvement with any referendum campaign group.
- During the referendum period, elected officials may continue to deal with their work and represent their constituents.

Publicity – Parish Councils

The Neighbourhood Planning (Referendum) Regulations 2012 (section 5) prohibits the Parish Council or the Planning Authority from publishing any promotional material other than that required to be published under Section 4 – (Information Statement and specified documents, or information about the referendum) during the referendum period.

A parish council cannot put any arguments for the plan, provide general information or deal with any issues raised by the referendum following the publication of the information statement. For clarification publicity can take the form of speeches, interviews, items on council's websites or notice boards, press releases, newsletters, leaflets, newspaper articles issued by or behalf of a council and publicity issued by organisations on council funds. Parish councils should refer to Section I of the Code of Recommended Practice on Local Authority

Council Resources

- Council resources must not be used for campaigning. This includes council resources such as IT, telephones, photocopies, stationery, postage, transport and staff time.

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Publicity – Campaign Groups

Electoral Commission Guidance

It is strongly advised that any campaigners follow the [Electoral Commission's Code of Conduct for Campaigners in Great Britain](#). This will prevent situations where your honesty or integrity could be questioned. Reference to 'election' also applies to 'referendum'.

Campaign organisers should ensure that any material they produce contains an imprint which specifies the name and address of the printer of the document; the name and address of the promoter of the material and the name address of any person on behalf the material is being published (where it is not the promoter).

Expenses

A maximum of £2,362 plus £0.059 for each entry in the relevant register of electors may be spent by campaign organisers in connection with a referendum campaign.

The exact amount allowed for each referendum area will be published in the Information Statement or may be obtained from the Elections team at South Gloucestershire Council by contacting electoral.services@southglos.gov.uk

The information statement will be published by the Counting Officer online at [Neighbourhood planning referendums | BETA - South Gloucestershire Council](#) under the relevant Neighbourhood Planning Referendum.

Expenses mean the expenses incurred by or on behalf of any individual or body during the referendum period in relation to:

- advertising of any nature
- unsolicited material addressed to voters
- information about the referendum, information about the question, arguments for and against
- market research or canvassing
- provision of any property, services, or facilities in connection with press conferences or dealings with the media
- transport (by any means) of persons to anywhere with a view to obtaining publicity in connection with a referendum campaign

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- rallies and other events, including public meetings

Expenses also include any notional expenses, where property, services or facilities are provided free of charge or at a discount.

An expense return must be made, even if no expenses were incurred.

The return is to check that the expenditure is within the authorised limit.

Campaigns are not entitled to any refund of expenses from the Council.

It is an offence for a campaign organiser to exceed the referendum expenses limits and if found guilty would be liable to a fine of up to £5,000 and/or imprisonment of up to 12 months.

Submitting expenses

There is no requirement for campaigners to submit their expenses to the Counting Officer, but you should complete them and keep them available in case there are any allegations or complaints related to expenses that the police need to investigate.

Observers

The Counting Officer is required to appoint observers to attend the verification and counting of the votes. Once appointed those observers are also entitled to attend the postal vote opening sessions if they wish.

The Counting Officer will advise on the number of observers permitted and notify the relevant campaign groups. If there are no campaign groups, then the parish council will be contacted to provide details of observers.

Observer requests must be provided to the Counting Officer no later than 6 working days prior to polling day.

Only those observers appointed that have been confirmed with the Counting Officer are entitled to attend the count and the postal vote opening sessions.