

Dear [REDACTED],

Our Ref: FOI 087/18

Thank you for your email to the Electoral Commission dated **27th May 2018**.

The Commission aims to respond to requests for information promptly and has done so within the statutory timeframe of twenty working days.

Your request is in bold below followed by our response.

- 1) We would like to know who has put this application in and ensure that it is refused.**
- 2) We would like to see the constitution of this group (which has not publicised its meeting or formation)**
- 3) and also its applicants: The proposed Leader, Treasurer, & Monitoring Officer**

Our response is as follows:

We hold the information you have requested. However, we will not disclose some of the requested information for reasons outlined in this letter.

Questions 1 and 3

As you will be aware, an application to register a political party must specify the name and home address of a person to be registered as the party's leader, a person to be registered as the party's nominating officer and a person to be registered as the party's treasurer. A party may also apply to be registered with a campaigns officer; in such a case the party is required to also provide the name and address of that person. If the same person is proposed to be registered as the party's leader, treasurer, and nominating officer, then the application must also give the name and home address of the holder of some other specified office in the party. This is outlined in s4 of Part I of Schedule 4 of the Political Parties, Elections and Referendums Act 2000 (PPERA).

Should the Commission approve an application to register a political party, then the party's entry shall be included on the public register of political parties either in Great Britain or Northern Ireland. As outlined in s28(8)(a) of PPERA, the entry shall include the names of the party's leader, treasurer, nominating officer and, if applicable, campaigns officer and/or additional officer(s). The entry does not include their respective home addresses.

Section 40(2) and (3)(a) of the Freedom of Information Act 2000 (FOI) Act provides that personal data, where its disclosure would breach one of the data protection principles, is exempt from disclosure. The first data protection principle states that personal data must be processed fairly and lawfully.

Prior to registration, information relating to the names of proposed party officers is not publicly available and so is normally considered to be personal data protected under the Data Protection Act 2018. The Commission therefore does not consider that it would be appropriate to disclose the names of the named proposed officers for this party. As such, we have refused this part of your request.

Please note that our decision on the application will be published on our website at <https://www.electoralcommission.org.uk/find-information-by-subject/political-parties->

[campaigning-and-donations/political-party-registration/pending-registration-applications/finalised-party-registration-decisions](#). Should the party be registered then, as mentioned previously, the party officers' names will be published on the public register of political parties.

You are also welcome, if you have not done so already, to comment on any applications which we are currently assessing which have been published on our website. You can find the relevant submission form at <https://www.electoralcommission.org.uk/find-information-by-subject/political-parties-campaigning-and-donations/political-party-registration/pending-registration-applications/current-applications>

Finally, to 'ensure that [the application] is refused', outlined in the latter part of Question 1, is not a request for information. As such, we have not addressed this matter in our response.

Question 2

We confirm that we hold the proposed constitution of Horwich First and have released this constitution to you as per your request. Information contained in the document that could identify someone, such as names or contact details, has been redacted.

I trust that this information satisfies your request. The Commission strives to be an open, transparent authority, but in some circumstances we cannot responsibly release requested information, and we ask for your understanding in this regard.

If you are not satisfied with this response, please note that the Commission operates a review procedure, details of which can be found on the Commission website at: <http://www.electoralcommission.org.uk/about-us/freedom-of-information-requests/how-do-i-make-an-foi-request>

Please also note that if you have exhausted all internal Commission review procedures and you are still not satisfied you have the right to appeal to the Information Commissioner. Details of this procedure can be found on the ICO website: <https://ico.org.uk/>

Yours sincerely,


Access to Information Officer (FOI & DPA)

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Constitution of the Horwich First Party.

Objects

1. To secure locally elected representation on either or both Horwich Town Council and / or Blackrod Town Council in Parish / Town Council elections as appropriate in the Parish / Town Council Wards which are within either or both of the Bolton Borough Wards of Horwich North East and Horwich & Blackrod. To undertake campaigns and promotional activity or other work as may be deemed desirable, either alone or in co-operation with other organisations having similar objectives to put the interests of Horwich and Blackrod First.

Boundary

2. The Party shall operate within the boundaries of the Bolton Borough Wards of Horwich North East and Horwich & Blackrod within the Parish / Town Council boundaries of both Horwich and Blackrod and shall consist of all Party members resident within the boundaries of Horwich, Blackrod and the Bolton Borough.

Individual Membership

3. Individual members of the Party shall be resident within the local authority boundaries of Horwich, Blackrod and the Bolton Borough. Individual members shall sign a declaration as follows:

I declare myself a supporter of Horwich First and agree to accept the constitution of the Horwich First Party. I will do all in my power to put the interests of Horwich and Blackrod First. I am not a member of any other political Party.

4. Where in the opinion of a majority vote of the members of the Horwich First Party, the above declaration is not being honoured by the person concerned then the Horwich First Party may take such disciplinary action to either suspend or revoke membership.

5. A member who stands against the official Horwich First Party candidate or gives any form of support to a candidate standing in opposition to a Horwich First Party candidate shall be deemed to be in breach of the declaration and may be expelled subject to a majority vote of members of the Horwich First Party.

6. Membership rights shall commence one calendar month from the date that the membership application is received providing that there are no objections to the application from any other member of the Horwich First Party.

7. The membership application shall be considered by Leader and Nominating Officer of the Horwich First Party. Notification of acceptance or rejection of the membership application shall be given to the applicant within one calendar month of receipt of the membership application.

8. The Horwich First Party also has the power to suspend membership upon a majority vote of the members of the Horwich First Party. Membership may be suspended for a period of up to six months.

Officers

9. The Officers of the Horwich First Party shall be elected by a majority vote of the members of the Horwich First Party. They shall remain in office for one year and shall be eligible for re-election.

10. The Officers shall be:

- Leader
- Nominating Officer

Candidates

11. Candidates standing for the Horwich First Party in Parish / Town Council elections will be approved by a majority vote of the members of the Horwich First Party.

Annual Meeting

12. The Annual Meeting of the Horwich First Party shall be held in the month of January. It shall receive a report from the Party Leader. It shall elect its Officers at this meeting.

Meetings

13. The Horwich First Party shall hold meetings at such times as may be decided by the Party Leader and / or by request to the Party Leader by any member of the Horwich First Party.

Finance

14. The funds of the Horwich First Party shall be provided by:

- Individuals
- Other money raising efforts as approved by the Leader of the Party.

Alteration to Constitution

15. The Constitution of the Horwich First Party shall not be amended unless written notice by a member of the Horwich First Party, outlining the amendment requested, is given to the Leader of the Party at least 28 days prior to the Annual Meeting in January at which it will be discussed and approved only upon a majority vote of the members of the Horwich First Party.

16. Upon a majority vote of the members of the Horwich First Party, any action may be taken as deemed necessary to uphold and enforce the Constitution of the Horwich First Party, for such purpose, including disbanding the Party.

I accept the Constitution
 [Redacted]
 [Redacted] Party Leader 29/3/18

In my presence

[Redacted]

29/03/18
 NOMINATING OFFICER