

Application summary

PR 17/23 – 18 September 2017

The following table summarises the applications received by the Commission and the registration team's recommendations

Party name and proposed party identity marks (link to assessment note)	Registration team assessment

Table 2: Director of Political Finance & Regulation and Legal Counsel delegated, changes only requiring approval and applications requiring a decisions on documents only.

<p>Aspire</p> <p>Proposed financial scheme (consideration of whether or not to approve draft financial scheme only)</p>	<ul style="list-style-type: none">• New party• England only application complete 15.09.17• Recommendation to approve draft financial scheme <p>Final Decision BP 11.10.2017: Approve the financial scheme.</p>
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Aspire

Application to register a new political party – decision on draft financial scheme only

Political objectives/party information

- The purposes of this assessment is to consider whether not the Commission should approve the draft financial scheme lodged on behalf of the party by their legal representatives on 15 September 2017. Because we are only considering whether or not to approve the financial scheme, the details of the party's application have not been published online for comment at this time.
- The party lodged an [application](#) on 30 June 2017 (please note that the date stamp on the application is incorrect) to register a political party on the Great Britain register in the name of 'Aspire'.
- The party intend to stand candidates in England only.
- This assessment is in relation to whether or not the draft financial scheme can be approved by the Commission. The application as a whole, including adoption of the financial scheme, will be considered separately. See this [email](#) of 5 October 2017 to the applicant's representative. The application is following this process in response to [representations](#) from the applicant's representative of 15 September 2017.
- The party had previously applied to register under the name 'Tower Hamlets Together'. That application was rejected. Please find links to the [application summary](#) and [registration note](#) for that application.
- That application attracted some attention from the media. A sample of the press articles are as follows:
 - <http://www.bbc.co.uk/news/uk-england-london-38855417>
 - <http://lovewapping.org/2017/02/bbc-london-news-lutfur-rahman-is-back-video/> (including video of BBC report)
 - <http://lovewapping.org/2017/01/lutfur-rahman-makes-comeback-with-new-political-party-tower-hamlets-together/>
 - <http://www.standard.co.uk/news/london/disgraced-lutfur-rahman-attempts-political-comeback-a3451561.html>

- <http://www.express.co.uk/news/politics/763681/Lutfur-Rahman-forces-BBC-out-of-Tower-Hamlets-meeting>
- <http://www.eastlondonlines.co.uk/2017/02/tea-with-deposed-former-mayor-lutfur-rahman/>
- <http://lovewapping.org/2017/05/tower-hamlets-together-non-party-refuses-die/>
- There has been a clear implication that Lutfur Rahman, the leader of the formerly registered party 'Tower Hamlets First' has a significant role in the applicant party.
- Richard Mawrey QC as Election Commissioner in his judgement of the Election Petition to have Mr Rahman's election as Mayor of Tower Hamlets set aside, made serious and critical comments about Tower Hamlets First's financial scheme and the conduct of the financial affairs of that party. That judgement can be read using this [link](#).
- None of the persons named in the application appear to be mentioned in Richard Mawrey QC's judgement in relation to the 2014 Election Petition.
- The article below includes some information about some of the persons named in the application:
 - <http://lovewapping.org/2017/02/first-details-tower-hamlets-together-officers-emerge/>
- Prior to lodging the application the subject of this assessment the party had, after their application to register 'Tower Hamlets' together had been rejected, lodged an application to be called 'Democratic Coalition'. That application was withdrawn and the current application lodged in its place.
- I have not been able to find any website or social media accounts for the party.

Correspondence history in relation to this application

- The Commission met with representatives of the party on 27 June 2017. A note of the meeting can be found here ([internal version](#) and [external version provided to party](#)). The documents provided by the party at that meeting can be viewed [here](#).
- The party then lodged an [application](#) on 30 June 2017 (please note that the date stamp on the application is incorrect), along with a [constitution](#) and [financial scheme](#).

- On [1 August 2017](#), the Registration Team wrote to the party setting out comments it proposed to include in the assessment and asking for comment.
- On [17 August 2017](#), we received correspondence from the party's representative Bindmans LLP asking for clarity on a number of points.
- We responded on [25 August 2017](#) providing further information in relation to the points raised. This email summarises why the Commission had expressed concern that the party had not adopted its financial scheme.
- The party's representatives wrote to the Commission on 15 September 2017 making representations in relation to the process and including the following documents:
 - [Covering letter](#)
 - [Financial scheme](#)
 - [Constitution](#)
 - [Expenditure procedures](#)
 - [Memo from Treasurer on controls and procedures](#)
 - [Donations form](#)
 - [Procedures re: submission to Commission](#)
 - [Procedures for dealing with donations](#)
- Legal advice in relation to the representations from Bindmans LLP can be viewed [here](#).
- We wrote back to the party on [5 October 2017](#), responding to their representations and setting out the next steps in relation to this application.

Financial scheme

- The purpose of this assessment is to recommend whether or not the Commission should approve the draft [financial scheme](#) provided by the party's legal representatives on 15 September 2017. To that end, I have considered the

financial scheme itself and the [constitution](#) provided on 15 September 2017 to see if it is consistent with the financial scheme. I have not considered whether or not the financial scheme has been adopted and I have not considered any other aspect of the application to be registered, including whether or not the applied for identity marks meet the statutory tests and whether or not the constitution sets out the structure and organisation of the party.

- I have not considered the internal procedures and control documents provided by the party in relation to the financial scheme at this time. That is because I consider that those documents are relevant to consideration of whether or not the party has adopted the financial scheme, rather than whether or not the Commission should approve the scheme itself. For information, the process and procedure documents have been considered by a member of the Commission's finance team (see this [email](#)).
- Pursuant to Schedule 4, paragraph 5 of PPERA an application to register must be accompanied by '*a draft of the scheme which the party proposes to adopt for the purposes of section 26 if approved by the Commission under that section.*' Paragraph 7 sets out that an application to be registered must be signed by the proposed registered leader or registered nominating officer, the proposed treasurer and, if applicable, the campaigns officer.
- The signed [application](#) was submitted on 30 June 2017. Since that time, the party's representatives have provided an updated financial scheme. In correspondence of [15 September 2017](#), Bindmans LLP, indicated that they are '*...formally instructed by Jahed Choudhury, proposed Treasurer of the political party ASPIRE, who we are instructed is acting with the support of Kalam Choudhury and Lillian Collins, proposed Leader/Chair and Secretary of the political party ASPIRE, in respect of which an application for registration is currently being considered by the Electoral Commission.*' On that basis, I think the Commission can take the submission of the financial scheme on 15 September 2017 as duly authorised under PPERA.
- The party's financial scheme loosely follows the Commission's [model scheme](#) available on the website.
- The party have indicated in the scheme that they will not operate in respect of Northern Ireland. The scheme also indicates that the party does not intend to contest a UK parliamentary election, European election, Scottish parliament election, national assembly of Wales election or participate in a referendum to which part VII of PPERA applies.
- The scheme says that the party will not take any loans. However, the scheme does not specifically reference other types of regulated transactions, i.e. there is not mention of whether or not there will be credit facilities or connected transactions. This may be because the Commission's model scheme appears to primarily refer to regulated

transactions as 'loans', i.e. one of the headings is 'For loans (regulated transactions)'. This may be a technical point, but I welcome a view from the decision-maker.

Comment [BP1]: Noted. reasonable for us to assume point they mean to include of regulated transactions. I if I approve their financial s request them to clarify this when they want us to consi they have adopted the sche

Comment [BP2]: Noted. approve the financial sche let them know no need to o

- I have not identified any inconsistencies between what is set out in the financial scheme and the PPERA requirements (other than the point about regulated transactions mentioned above).
- The scheme, at paragraph 8.2, refers to recording information for donations of more than £500 (including on an aggregate basis). This could suggest that the party are intending to record and report donations from a source of less than £500 that total over £500, which would amount to over-reporting. A registered party is only required to record single donations of over £500 and to report donations or aggregates that total over £7,500.
- The constitution outlines the responsibility of the treasurer in paragraph 7.2(e) and section 10. I did not identify anything in those sections that conflicts with the financial scheme.
- The financial year referred to in the financial scheme is the same as that referred to in the constitution.
- The scheme appears to me to set out how the party will regulate its financial affairs for the purposes of PPERA.
- The scheme sets out that the party does not wish to register any separate accounting units and thus indicates that the party is a single organisation with no division of responsibility for the financial affairs and transactions of the party in relation to its PPERA accounting requirements.

Recommendation

I recommend that the Commission approve the draft scheme submitted on 15 September 2017 pursuant to s 26(5) of PPERA.

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████████████████████
6 October 2017