
ARRANGEMENTS FOR BY-ELECTION FOR LEADERDALE AND MELROSE WARD

Report by Chief Executive

SCOTTISH BORDERS COUNCIL

7 FEBRUARY 2012

1 PURPOSE AND SUMMARY

- 1.1 This report seeks approval to set the date and establish the arrangements for the by-election to be held in the Leaderdale and Melrose Ward, following the resignation of Councillor Watson.**
- 1.2 In terms of the Local Government (Scotland) Act 1973, as amended, Councillor Watson's resignation takes effect on 22 February 2013. The Chief Executive is the designated Returning Officer for the by-election. It is proposed that the by-election for the Leaderdale and Melrose Ward takes place on Thursday 2 May 2013. The minimum time required to prepare for a by-election is 35 working days. There will be 9 polling places/stations in the Ward: at Blainslie, Darnick, Earlston, Gattonside, Lauder, Melrose, Newstead, Oxton and Tweedbank. It is proposed that the count will take place at Council Headquarters on Friday 3 May 2013, starting at 10.00 a.m. It is anticipated that the count will be by electronic means.
- 1.3 In terms of staffing of the by-election, it is proposed - for the polling places/stations - to approach firstly those staff who worked at these venues in May 2012. The Democratic Services team will deal with the election preparations and management of processes, with the Head of Corporate Governance, Clerk to the Council and Democratic Services Team Leader acting as Depute Returning Officers. There are a number of costs associated with the by-election, such as staffing; printing of poll cards, ballot papers and postal packs; venue hire and transport of equipment; electronic equipment hire; and other ancillary expenses. Costs are currently being assessed and will be given verbally at the meeting.

2 STATUS OF REPORT

- 2.1 Councillor Watson's letter of resignation was received on Friday 1 February 2013. This report is issued as a late paper for the special Council meeting seeking approval for the date of the by-election and also to give the Returning Officer adequate time to make the necessary arrangements.

3 RECOMMENDATIONS

- 3.1 I recommend that the Council agrees the following arrangements for the by-election for the Leaderdale and Melrose Ward:-**

- (a) Polling Day be fixed as Thursday, 2 May 2013; and,**
- (b) the costs associated with staffing, printing, supplies, venue hire, electronic equipment hire, and other expenses incurred by the Returning Officer, be met from funds identified as part of the Budget Monitoring process.**

4 BACKGROUND

- 4.1 Councillor Nicholas Watson, member for Leaderdale and Melrose Ward, is moving from the Borders and submitted a letter of resignation which was received on 1 February 2013. In terms of the Local Government (Scotland) Act 1973, as amended, this resignation takes effect three weeks from the delivery of that notice. In effect, his resignation takes effect on 22 February 2013.

5 BY-ELECTION ARRANGEMENTS

- 5.1 The Chief Executive is the designated Returning Officer for the by-election. It is proposed that the by-election for the Leaderdale and Melrose Ward takes place on Thursday 2 May 2013. The minimum time required to prepare for a by-election is 35 working days. Good Friday and Easter Monday (29 March and 1 April respectively) are treated as 'dies non', therefore the earliest date for the by-election would be Thursday 18 April 2013. However, this is only the week after the main Easter holidays which could cause difficulties for preparations and postal votes in terms of staff and members of the public being away on holiday in the lead up to polling day.
- 5.2 There will be 9 polling places/stations in the Ward: at Blainslie, Darnick, Earlston, Gattonside, Lauder, Melrose, Newstead, Oxton and Tweedbank. It is proposed that the count will take place at Council Headquarters on Friday 3 May 2013, starting at 10.00 a.m. This will allow time on the Thursday night at Council Headquarters to receive the ballot boxes from the polling places, process any postal votes handed in at polling places during the day on Thursday, and check the ballot paper accounts. Candidates and agents will be invited to be present on the Thursday evening. It is anticipated that the count on the Friday will be by electronic means.
- 5.3 The main dates, if the by-election takes place on 2 May 2013, would be as follows:
- Publication of notice of election – not earlier than Tuesday 12 March and not later than Thursday 21 March 2013
 - Deadline for the delivery of nomination papers – 4pm on Thursday 28 March 2013
 - Deadline for withdrawals of nomination – 4pm on Thursday 28 March 2013
 - Publication of notice of poll – as soon as practicable after 4pm on Thursday 28 March 2013
 - Deadline for notification of appointment of polling and counting agents – Thursday 25 April 2013
 - **Polling Day – Thursday 2 May 2013 (7.00 a.m. to 10.00 p.m.)**
 - Last day to submit election spending returns – Friday 7 June 2013 (if result is declared on Friday 3 May 2013)
- 5.4 In terms of staffing of the by-election, it is proposed - for the polling places/stations - to approach firstly those staff who worked at these venues in May 2012. The Democratic Services team will deal with the election preparations and management of processes, with the Head of Corporate Governance, Clerk to the Council and Democratic Services Team Leader acting as Depute Returning Officers. There are a number of costs associated with the by-election, such as staffing; printing of poll cards,

ballot papers and postal packs; venue hire and transport of equipment; electronic equipment hire; and other ancillary expenses.

6 IMPLICATIONS

6.1 Financial

In accordance with Council policy, no provision has been made in the current or next year's Revenue budget to meet the cost of a by-election. It will be necessary to cover the costs by virement in due course from funds identified as part of the budget monitoring process. Costs are currently being assessed and will be given verbally at the meeting.

6.2 Risk and Mitigations

Under legislation, the Council must make arrangements to hold a by-election to fill the post vacated by Councillor Watson. A risk assessment is carried out as part of the normal election preparation process.

6.3 Equalities

No adverse equality implications are anticipated as a result of the by-election process.

6.4 Acting Sustainably

There are no economic, social or environmental effects of doing or not doing what is proposed.

6.5 Carbon Management

There should be little impact on the Council's carbon emissions from holding the by-election.

6.6 Rural Proofing

A Rural proofing check is not required for the by-election.

6.7 Changes to Scheme of Administration or Scheme of Delegation

No changes are required to either the Scheme of Administration or the Scheme of Delegation as a result of the proposals in the report.

7 CONSULTATION

7.1 The Chief Financial Officer, the Head of Corporate Governance, the Head of Audit and Risk, the Clerk to the Council, and the Electoral Registration Officer have been consulted and their comments have been included in the report.

7.2 The Council's Corporate Management Team and the Corporate Communications Unit have also been advised of the contents of the report.

Approved by

Chief Executive

Signature

Author(s)

Name	Designation and Contact Number
Jenny Wilkinson	Clerk to the Council 01835 825004

Background Papers: N/A

Previous Minute Reference: N/A

Note – You can get this document on tape, in Braille, large print and various computer formats by contacting the address below. Jenny Wilkinson can also give information on other language translations as well as providing additional copies.

Contact us at Jenny Wilkinson, Council Headquarters, Newtown St Boswells, TD6 0SA.
Tel: 01835 825004 Email: jjwilkinson@scotborders.gov.uk