

ARRANGEMENTS FOR BY-ELECTION FOR JEDBURGH & DISTRICT WARD

Report by Chief Executive

SCOTTISH BORDERS COUNCIL

23 November 2023

1 PURPOSE AND SUMMARY

- 1.1 This report provides information on the arrangements for the by-election to be held in the Jedburgh & District Ward, following the resignation of Councillor Brown.**
- 1.2 Councillor Brown resigned from the Council with effect from 23 November 2023. The Chief Executive, as Returning Officer, has fixed the date of the by-election for the subsequent vacancy in the Jedburgh & District Ward as Thursday 22 February 2024, with the count taking place – by electronic means – on Friday 23 February 2024, starting at 10.00 a.m. There will be 15 polling stations located at St Boswells Village Hall (2 stations), Maxton Village Hall, Roxburgh Village Hall, Heiton Village Hall, Ancrum Village Hall, Lothian Hall, Crailing, Eckford Village Hall, Lanton Village Hall, Town Hall, Jedburgh (4 stations), Oxnam Village Hall and Edgerston Village Hall.
- 1.3 We are seeking quotes from Idox but the budget is not expected to exceed £50,000 and we will confirm verbally at the meeting.

2 RECOMMENDATIONS

- 3.1 I recommend that the Council notes the following arrangements for the by-election for the Jedburgh & District Ward:-**
 - (a) Polling Day is fixed as Thursday, 22 February 2024; and**
 - (b) the costs associated with the staffing, printing, supplies, venue hire, electronic equipment hire, and other expenses incurred by the Returning Officer, will be met from existing Council budgets.**

3 BACKGROUND

- 3.1 Councillor Pam Brown, member for the Jedburgh & District Ward, submitted a letter of resignation to the Chief Executive on 2 November 2023, with her resignation taking effect from 23 November 2023. In terms of Section 37 of the Local Government (Scotland) Act 1973, an election to fill the vacancy has to be held within three months from the date of resignation and the day on which the poll is held is fixed by the Returning Officer.

4 BY-ELECTION ARRANGEMENTS

- 4.1 The Chief Executive is the designated Returning Officer for the Scottish Borders Council area and has fixed the date of poll for the by-election for the vacancy in the Jedburgh & District Ward as Thursday 22 February 2024. There will be 15 polling stations located at St Boswells Village Hall (2 stations), Maxton Village Hall, Roxburgh Village Hall, Heiton Village Hall, Ancrum Village Hall, Lothian Hall, Crailing, Eckford Village Hall, Lanton Village Hall, Town Hall, Jedburgh (4 stations), Oxnam Village Hall and Edgerston Village Hall. The Chief Executive has appointed Nuala McKinlay and Louise McGeoch as Depute Returning Officers for the By-Election. Louise will only be employed on a part-time basis during January and February specifically to assist with the by-election.
- 4.2 The Count – which will be an electronic count - will take place at Council Headquarters on Friday 23 February 2024, 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 stations, check the ballot paper accounts, and verify those postal votes which have been handed in to polling stations during the day. Candidates and agents will be invited to be present on the Thursday evening, if they so wish, and to attend the Count on the Friday morning.
- 4.3 The main dates within the by-election timetable in 2024 are:
- Publication of notice of election – not earlier than Thursday 4 January and not later than Monday 15 January
 - Deadline for the delivery of nomination papers – not later than 4.00 p.m. on Monday 22 January
 - Deadline for withdrawals of nomination – not later than 4.00 p.m. on Monday 22 January
 - Publication of notice of poll – as soon as practicable after 4.00 p.m. on Monday 22 January
 - Deadline for notification of appointment or polling and counting agents – Thursday 15 February
 - **Polling day – Thursday 22 February (7.00 a.m. to 10.00 p.m.)**
 - Count – Friday 23 February, starting at 10.00 a.m.
 - Last day to submit election spending returns – Friday 29 March

5 IMPLICATIONS

5.1 Financial

Early indications are that the cost for the by-election is likely to be no higher than £50k but quotes are currently being sought from Idox and the final figures will be reported at the meeting. These costs include staffing;

printing of poll cards, ballot papers and postal packs; venue hire and transport of equipment; electronic equipment hire for postal vote verification and the count; and other ancillary expenses. There is no provision in the 2023/24 revenue budget for the by-election costs, this pressure will be addressed as part of ongoing revenue monitoring processes in the current year.

5.2 Risk and Mitigations

Under legislation, the Council must make arrangements to hold a by-election to fill the post vacated by Councillor Brown. There are a number risks which will need to be managed and this forms an important part of the normal election planning process.

5.3 Equalities

The holding of an election, and the way it is conducted, gives rise to a number of potential issues for those with certain protected characteristics. An IIA will be prepared and will be kept under review as part of the election planning process.

5.4 Acting Sustainably

Since the holding of the by-election will contribute directly to local democracy, it will make a positive contribution to UN Sustainable Development Goal 16: Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive accountable and inclusive.

5.5 Carbon Management

The holding of a by-election will require there to be journeys undertaken and they will involve the use of fossil fuels. However, the overall impact on the Council's carbon emissions will be small – particularly given the local and confined nature of the by-election.

5.6 Data Protection Impact Statement

Processing of personal data is a central part of holding a by-election. However, there are established processes in place to ensure that Data Protection legislation is followed and therefore no DPIA is needed for this by-election

5.7 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 this report.

6 CONSULTATION

- 6.1 The Director (Finance & Procurement), the Director (Corporate Governance), the Chief Officer Audit and Risk, the Director (People Performance & Change) and Corporate Communications will be consulted and any comments will be reported at the meeting.

Approved by

David Robertson
Chief Executive

Signature

Author(s)

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Background Papers: Nil.

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. Louise McGeoch can also give information on other language translations as well as providing additional copies.

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