

AGENDA ITEM

FALKIRK COUNCIL

Subject: COMBINED SCOTTISH PARLIAMENTARY AND LOCAL
GOVERNMENT ELECTIONS – 3 MAY 2007
Meeting: FALKIRK COUNCIL
Date: 7 MARCH 2007
Author: RETURNING OFFICER

1. INTRODUCTION

- 1.1 As Members are aware, combined Scottish Parliamentary and Local Government Elections will be held on Thursday 3 May 2007. Preparations are currently underway and a number of issues are highlighted here, for Members' information.
- 1.2 The purpose of this Report is to draw Members' attention to relevant key dates, together with miscellaneous legislative and procedural information.

2. LEGISLATIVE CHANGES

- 2.1 Members were notified of the key legislative changes in the Report to Council on 6 December 2006, focusing particularly on the Electoral Administration Act 2006 (EAA) and the Local Electoral Administration and Registration Services (Scotland) Act 2006 (LEARS). Since that time, the following have also come into force:-
 - Scottish Parliament (Elections etc) Order 2007
 - Scottish Local Government Elections Order 2007
 - Representation of the People Regulations
- 2.2 These enable the relevant provisions of the new legislation to be applied for the purposes of undertaking the combined elections in May, although it should be noted that a number of provisions of the EAA, such as the introduction of personal identifiers and the requirement for electors to sign for ballot papers at polling stations, will not be implemented at this stage.

3. KEY DATES

- 3.1 Members are advised of the key dates in the 2007 Elections timetable as detailed within the Appendix hereto. A number of dates are yet to be confirmed, including those for the issue and openings of postal ballot papers. This information will be issued to Members in due course.
- 3.2 Members are asked to note that information sessions will be held for prospective candidates and agents on Tuesday 13 March at 6.00 pm, in advance of the nomination period commencing, and again on Tuesday 27 March, which is during the nomination period, at 2.00 pm and 6.00 pm. These sessions will provide an opportunity for those

considering standing for election and those who have submitted nomination papers to be updated in terms of legislative changes, count arrangements etc, as well as to raise queries in relation to the process. The sessions will be led by me as Returning Officer and will be held in the Committee Suite, Municipal Buildings. Expressions of interest in attending either session are invited to be submitted to the Election Office, which will be operational in Room G19, Municipal Buildings, from Monday 5 March 2007.

4. MISCELLANEOUS PROCEDURAL INFORMATION

- 4.1 **The register** of 1 February, which reflects the new ward boundaries, has now been made available by the Electoral Registration Officer. The version of the register for use on 3 May will incorporate all changes up to and including 9 March. This will be available within nomination packs for prospective candidates and will be supplemented after 18 April with additions/deletions reflecting the period from 9 March until 18 April, which is the latest date for new registrations, in terms of the EAA. The register will not, however, be available to prospective candidates in advance of the nomination period.
- 4.2 As has been the case since the combined elections in 2003, there are two versions of the register – a full and an edited version. The edited version does not contain the names and addresses of those persons who have requested that they be excluded. This version of the register is available for use without restriction. There are, however, restrictions on the use of the full register, in which all names/addresses of those registered to vote are contained, which is now only available for inspection under supervision and cannot be copied other than by handwritten notes, nor can the information contained within it be used other than for the purpose for which the copy is supplied.
- 4.3 **Postal votes** – there are several changes in relation to absent voting, particularly the ability for a voter to apply for a replacement for a lost or spoilt ballot paper up until 5.00 pm on polling day. In addition, applications for proxy votes on the grounds of a medical emergency can be submitted up until 5.00 pm on polling day.
- 4.4 As before, Scottish Parliamentary postal votes must be returned to a polling station within the relevant constituency, ie Falkirk East or Falkirk West, although local government postal votes can be returned to any polling station within the Council area and are not restricted to those within the Ward to which they relate. It should be noted, however, that an absent voter returning postal ballot papers relating to both Scottish Parliamentary and local government elections to a polling station will have only one envelope containing all papers and must, therefore, ensure that they are returned to a station within the appropriate Scottish Parliamentary constituency.
- 4.5 All electors will receive a poll card in advance of the elections, whether they intend voting in person or have made an absent voter application. There are now four styles of poll card, namely:-
- For an elector voting in person
 - For an elector voting by post
 - For a proxy voter
 - For a postal proxy voter

- 4.6 The poll card will provide details of the elector's polling place and the hours of poll and, where appropriate, the date on which the elector can expect to receive his/her postal ballot papers, the elector details for a proxy voter, or a combination of both for a postal proxy voter.
- 4.7 As the return of postal votes to polling stations during the hours of poll will have an impact on the Count, it is proposed that postal votes will be uplifted from polling stations at an agreed time during polling day, thereby reducing the numbers to be brought to the count centre at the close of poll.
- 4.8 As in 2003, **timetables** are aligned for the combined elections. The dates for submission of nomination papers are detailed in the timetable appended hereto and apply to candidates for both Scottish Parliamentary and local government elections. The last date for the withdrawal of nominations in local government elections is now the last day for receipt of nominations ie by 4.00 p.m. on 11 April 2003. This is consistent with legislation pertaining to Scottish Parliamentary elections.
- 4.9 There will be three **ballot papers** on two **ballot sheets** for the combined elections on 3 May. The local government ballot paper will be white, while the Scottish Parliamentary paper, which will contain both the Regional list and the Constituency contests, will be violet and brown, with the instructions to voters on a white background. Tendered ballot papers will continue to be printed on pink paper.
- 4.10 Each **polling station** will be staffed by 1 presiding officer and 1 polling clerk. In addition, Information Officers will be appointed to most polling places to assist electors in understanding and following the voting processes. Training sessions for all polling staff will be held during the week preceding the elections and attendance by all polling staff at such training will be compulsory.
- 4.11 Both the Scottish Parliamentary and local government counts will be held in Grangemouth Sports Complex. As Members will be aware, the count will be undertaken electronically and will, as is past practice, commence at the close of poll. At present, the decision on the count format remains to be taken, the options being:-
- The Scottish Parliamentary and local government counts completed in one session
 - Both sets of papers scanned following the close of poll, with the Scottish Parliamentary count completed overnight and the local government count taking place on Friday 4 May

There are a number of logistical factors which will impact on this decision but I expect to conclude my deliberations on it shortly. Members will be advised of the decision taken in due course.

- 4.12 With a few exceptions for meetings already arranged, the Council Chambers will be unavailable from Monday 19 March to Friday 11 May to enable preparatory work, including the storing, construction and labelling of ballot boxes, sorting of stationery etc, to be undertaken. It is anticipated that the Committee Rooms will also be required in the weeks prior to the elections.

5. STATUTORY MEETING OF THE NEW COUNCIL

- 5.1 The statutory meeting of the new Council will be held within 21 days from the date of the Election, on a date to be agreed.

6. RECOMMENDATION

- 6.1 That Council notes the legislative changes, key dates and procedural information relating to the forthcoming combined Scottish Parliamentary and Local Government Elections, as detailed within the body of the Report and as contained in the Appendix hereto.

Returning Officer

Date: 23 February 2007

Contact Officer: Dale Robb, ext 6111

LIST OF BACKGROUND PAPERS

1. Report to Council on 6 December 2006.

Any persons wishing to view the background papers detailed above can contact Dale Robb on telephone number 01324 506111.