

DATA LABEL: PUBLIC



COUNCIL EXECUTIVE

EAST LIVINGSTON AND EAST CALDER LOCAL GOVERNMENT BY-ELECTION

REPORT BY CHIEF EXECUTIVE

A. PURPOSE OF REPORT

The purpose of the report is to advise the Council Executive of the Local Government By-Election to be held in the East Livingston and East Calder Ward and seek agreement on the polling scheme to be used.

B. RECOMMENDATIONS

It is recommended that the Council Executive:

1. Note the arrangements being made
2. Agree the polling scheme in the report
3. Agree that the Chief Executive have delegated authority to make any required changes (e.g. as a result of the loss of a polling place) in consultation with the Leader of the Council, Leaders of the other Political Groups, and local elected members.

C. SUMMARY OF IMPLICATIONS

I Council Values	Focusing on our customers' needs Providing equality of opportunities Working in partnership
II Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)	Local Government (Scotland) Act 1973 Representation of the People Act 1983 Electoral Administration Act 2006 Electoral Registration & Administration Act 2013
III Implications for Scheme of Delegations to Officers	No change
IV Impact on performance and performance Indicators	
V Relevance to Single Outcome Agreement	
VI Resources - (Financial, Staffing and Property)	The cost of the by-election will be met from existing budgets
VII Consideration at PDSP	

VIII Other consultations

Leader of the Council, Leaders of the other Political Groups, Independent Councillor. West Calder and Harburn Community Council

D. TERMS OF REPORT

D1 Background

Following the death of Depute Provost Dave King, a casual vacancy has arisen in the East Livingston and East Calder ward and arrangements are being made to hold a by-election to fill this vacancy.

D2 Date of Poll

Section 37 of the Local Government (Scotland) Act 1973 requires that an election to fill the vacancy be held within three months of the date on which the vacancy is deemed to have occurred. Section 70 of the Coronavirus Act 2020, which allowed a date to be fixed outwith that period no longer applies, so the election must be held within the three month period.

The date of the poll is determined by the Returning Officer, and it will be held on Thursday 5 August.

As at the Livingston South by-election, the count will be an ecount and will be held the following day

D3 Polling Scheme

Council Executive is asked to agree the polling scheme in Table 1 below.

Table 1

Polling District	Polling Place	Comment
LVA5A	Uphall Station Institute Hall if available (or Uphall Station Bowling Club)	These venues are next door to each other, and both are suitable.
LVA5B	Pumpherstons and Uphall Station Community Primary School	Schools will be closed for the summer break
LVA5C	Letham Primary School	Schools will be closed for the summer break
LVA5D	Riverside Primary School	Schools will be closed for the summer break
LVA5F	Mid Calder Institute Hall	
LVA5G	Mid Calder Primary School	Schools will be closed for the summer break
LVA5H	East Calder Primary School	Schools will be closed for the summer break. One ballot paper and a smaller number of polling stations will facilitate a more effective throughput of voters.
LVA5I	Centenary Hall	
LVA5J	Kirknewton Village Hall	
LVA5K	Harburn Village Hall	Harburn and West Calder Community Council consulted with local residents who expressed a preference to vote here rather than their usual polling place West Calder Community Centre, for this

		by-election. The building only requires to accommodate a very small number of voters and has been assessed as suitable.
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D4 Incorporating Guidance and Learning

The experience and learning from both the Scottish Parliamentary Elections on 6 May 2021, and the Livingston South by-election will be used to ensure that the poll can delivered effectively and safely for all stakeholders, under all Scottish Government Covid Protection levels. The robust risk assessment process in place for these polls will continue to be used for this by-election.

E. CONCLUSION

Arrangements are being put in place to allow the by-election to be delivered safely against what is likely to continue to be a dynamic and challenging backdrop. The Executive is asked to agree a polling scheme to allow arrangements to progress.

F. BACKGROUND REFERENCES

None

Appendices/Attachments: None

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Name of CMT Member: Graham Hope, Chief Executive,

Date: 8 June 2021

