

PROCEDURE FOR BALLOT BOX ELECTION

1. ACTION BEFORE THE POLL

The **Returning Officer (RO)** shall:

a) Arrange a suitable building to be used as a polling place on the day of the election; particular care must be taken to ensure access for disabled voters.

Dumfries & Galloway Council (DGC) shall:

b) Arrange the necessary number of polling stations to be set up in the building on the day of the election, either in the same room or in separate rooms. Normally, one polling station is required per 1,000 voters.

c) Appoint a sufficient number of persons to act as Presiding Officers (PO) and Polling Clerks (the RO may act as one of the Presiding Officers).

d) Obtain sufficient ballot boxes and polling booths, one for the use of each PO in the polling station.

e) Obtain copies of the Register of Electors residing in the Community Council area for the time being in force, for use by the RO, PO and Clerks in checking the names of electors who cast their votes.

f) Obtain the necessary number of ballot papers for issue by the PO to the voter.

g) Obtain the necessary stationery for supply to POs, as well as notices for the direction of voters in (i) gaining access to the appropriate Polling Station and (ii) how to vote.

2. THE POLL

a) **Before the poll opens**, the PO shall satisfy themselves (and any candidates who may be present) that the ballot box is empty. They shall then close the box, lock and seal it leaving only the space necessary to admit the ballot papers. Polling hours shall be during the period between **10am and 8pm** in consultation with the Community Council.

b) **On entering the polling station**, the voter shall be asked by the Polling Clerk for their name and address and the Clerk should check that the information is contained in the Register of Electors. If it is, they should make a line beside the name in the Register and call out the voter's number in the Register to the PO who will then mark the number on the corresponding numbers list and hand the ballot paper to the voter. The voter will then retire to a polling booth and mark the ballot paper with a cross against the name of each candidate for whom they wish to cast a vote. The total number of candidates for whom any elector may vote shall not exceed the number of vacancies to be filled. After the paper has been marked the voter shall fold it once, deposit it in the ballot box and leave the polling station.

c) **At the close of poll**, the PO shall admit no further voter to the polling station; shall allow all voters who may already have entered the polling station but not voted to record their votes, and shall then close and seal the aperture in the ballot box. They shall write out a statement of the number of ballot papers in the ballot box and forthwith deliver the ballot box, statement, corresponding numbers lists and marked Registers to the RO. The PO shall also clear from the polling station all notices, stationery etc.

3. THE COUNT

Immediately they receive all the sealed ballot boxes, statements, corresponding numbers lists and marked Registers, the RO shall, with assistance from DGC, conduct in public a count of the votes cast for each candidate at a place previously earmarked by the RO for the purpose. The RO should proceed as follows:

- a) Open each of the ballot boxes and tip the contents on to a table. The number of ballot papers each box contains will be counted and checked against the number marked on the PO's Statement. If the numbers coincide, the RO will ascertain the number of votes cast for each candidate. Where numbers do not coincide, the RO shall ascertain the reason(s) for this and make a record of this which will be made available on request to any candidate; after which the counting of votes shall continue.
- b) Any ballot paper which, at the counting of votes, is found to fulfil any of the conditions below shall be deemed to be a **spoilt paper**:
 - any mark or other writing implying that the number of votes being cast is more than the designated number available to the elector, or
 - any mark or other writing implying that more than one vote for any one candidate is being cast, or
 - any mark or other writing identifying the elector.
- c) The candidates whose collective number equals the number of vacancies on the Community Council and who have the highest numbers of votes cast in their favour individually shall then be declared by the RO to be duly elected members of the Community Council. Should it not be possible to ascertain all the elected members required owing to an equality of votes, the matters shall be decided by lot.

Any matter which cannot be resolved with reference to the foregoing shall be governed by any applicable provisions contained in the relevant legislation.

4. THE RETURN

Immediately after the declaration of the result of a ballot box election in the case of a contested election, the RO shall return to DGC in writing the name, designation and address of each Community Councillor elected, details of the number of votes cast for each candidate, the number of ballot papers issued and returned, the number of spoilt ballot papers and any other information which may be required and shall give or cause to be given notice in writing of their election to each Community Councillor concerned. The election results shall be displayed in the format of **Appendix 9** on the Community Council notice board.

5. FIRST MEETING OF COMMUNITY COUNCIL

The RO shall convene the first meeting of the elected Community Council for a date not later than one calendar month after the date of the election, at which meeting the RO or their nominee shall take the Chair until the election of a Chair of the Community Council. If the CC wishes to adopt its Constitution at this meeting it must be convened as an Extraordinary General Meeting. The styles of agenda and papers for the first meeting are obtainable from Communities Business Management after the election.

6. DECISION OF RETURNING OFFICER FINAL

Any question arising with regard to the validity of a nomination paper, ballot paper or otherwise in connection with the election shall be determined by the RO, whose decision shall be final.