

REPORT TO: THE MORAY COUNCIL ON 15 SEPTEMBER 2010

SUBJECT: LOCAL GOVERNMENT BY-ELECTION – WARD 8 FORRES

BY: CHIEF EXECUTIVE

1. REASON FOR REPORT

1.1 This report is submitted to advise The Moray Council of the formal resignation of Councillor Iain Young as a Member for Ward 8 with effect from 30 September 2010 and to note that a subsequent Local Government By-Election for Ward 8 will be held on Thursday 11 November 2010.

2. RECOMMENDATION

2.1 That the Council note that following the resignation of Councillor Iain Young a Local Government By-Election for Ward 8 - Forres will be held on Thursday 11 November 2010.

3. BACKGROUND

3.1 At a meeting of The Moray Council on 7 July 2010, Councillor Iain Young, elected member representing Ward 8 – Forres, announced his intention to resign in September 2010.

3.2 The Chief Executive received Councillor Young's written notice of resignation on 09 September 2010 noting his intention to formally stand down on Thursday 30 September 2010.

3.3 As a result of the resignation, a by-election in this ward must follow within three months. As a result, the Returning Officer and Election office has arranged that a Local Government By-Election to fill this vacancy will be held on Thursday 11 November 2010.

3.4 The formal Notice of Election and the Election timetable will be published on **Monday 4 October 2010** and candidate nominations will open thereafter until a date not less than 16 working days before the poll.

3.5 The count will take place at close of poll at 10pm on Thursday 11 November at Forres Town Hall. The method of voting will be by Single Transferable Vote (STV) and the count will be conducted manually.

4. SUMMARY OF IMPLICATIONS

(a) Single Outcome Agreement/ Service Improvement Plan

This report is relevant to local SOA key priority of No.10 “Efficiencies – Delivering and developing governance, performance management and accountability to the local community”

(b) Policy and Legal

Local Government (Scotland) Act 1973 s.34, 36 & 37
The Scottish Local Government Elections Order 2010 Sch.1 (as amended)

(c) Financial implications

The costs of the By-Election will have to be met by the existing Elections budget.

(d) Risk Implications

None

(e) Staffing Implications

Staffing for election will be provided from existing staffing resources and will require the secondment of the Principal Committee Services Officer for a limited period during the run up to and including the election. It is anticipated that the disruption to Committee Services during this time will be minimal.

(f) Property

As the 2 schools used as Polling Places in this Ward are already closed on Thursday 11 November due to an in-service day there will be no additional requirement to close the premises to pupils. The Elections Team will be utilising the District Court meeting room premises during this period.

(g) Equalities

There are no issues in this case.

(h) Consultations

- Consultation has been undertaken with the Chief Executive/Returning Officer and Chief Legal Officer in setting the statutory election timetable and they are in agreement with the items noted above.
- The Head of Educational Services has been consulted on access to school premises used as Polling Places.
- The Chief Financial Officer has been consulted on budget requirements.

5. CONCLUSION

- 5.1 It is recommended that the Council note, in line with statutory requirements a Local Government By-Election to fill the vacancy caused**

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by the resignation of Councillor Young will be held on Thursday 11 November 2010.

Author of Report:	Alison Johnson, Elections Officer
Background Papers:	n/a
Ref:	Minute of Meeting of The Moray Council on 7 July 2010