

Chief Executive's Unit

Kilmory, Lochgilphead, Argyll, PA31 8RT

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To Secretaries of Community Councils
requesting a by-election

Direct Line 01546 604192
Ask for Charles Reppke
Our Ref: SL/CR/
Your Ref:
Date: 22 August 2010

Dear Sir / Madam

**SCHEME OF COMMUNITY COUNCILS IN ARGYLL AND BUTE
BY- ELECTIONS – 28 OCTOBER 2010**

I refer to previous correspondence regarding the above.

You will be aware that following the elections last year a number of vacancies remained in Community Councils throughout Argyll and Bute. It has been decided, therefore, to run further by-elections in the hope of filling these vacancies and thereby strengthening the existing complement of Community Councillors.

The timetable for the by-elections (copy enclosed) requires that Notices of By-Elections are displayed in the local Community Council area by Monday 23rd August 2010 and your assistance is sought in this regard. I apologise for the short notice and hope that this does not prove too great an inconvenience but I should be grateful if you would be good enough to arrange for the enclosed Notices of Election to be displayed appropriately in your Community Council area. The Returning Officer is arranging for the Notice of By-Election to appear in the local newspaper.

Nomination Packs will be obtainable from local Customer Services Offices, as listed on the Notice of By-Election. A number of Nomination Packs are also enclosed for your attention / information.

I would once again take the opportunity to thank you for your assistance with this election process.

Yours faithfully



Sally Loudon
Returning Officer

ARGYLL AND BUTE COMMUNITY COUNCIL BY-ELECTIONS

TIMETABLE

1 st September 2010	Register in force
Monday 23 rd August 2010	Publication of Notice of Election
Thursday 16 th September 2010 (4.00pm)	Close of Nominations and withdrawal of Nomination Paper
Thursday 30 th September 2010	Notice of Poll (if election contested) Notice of Uncontested Election (if election uncontested)
Thursday 7 th October 2010	Issue of Postal Ballot Papers
Thursday 28th October 2010	Election Day Final Date for Receipt of Postal Ballot Papers
Friday 29 th October 2010	Count of Votes

COMMUNITY COUNCIL ELECTIONS

**DATE OF ELECTION:
THURSDAY 28 OCTOBER 2010**

NOMINATION PACK

LIST OF CONTENTS	Documents to be returned to the Returning Officer by close of nominations
Guidance Notes for Prospective Candidates	
Copy of Election Timetable	
Nomination Paper (2 pages)	√
Notice of Withdrawal of Nomination	√ (if appropriate)
Council Offices for obtaining Nomination Papers	

COMMUNITY COUNCIL BY-ELECTIONS

28 OCTOBER 2010

GUIDANCE NOTES

1. The Returning Officer for these By-Elections is Sally Loudon, Kilmory, Lochgilphead, Argyll PA31 8RT.
2. By-Elections are to be held to fill seats on Community Councils within Argyll and Bute. The day of election is Thursday 28th October 2010. A Notice of Election will be publicised within the Community Council Area by 23rd August 2010. Nomination Papers will be available from Area Offices shown elsewhere in this pack from that date. Duly completed Nomination Papers require to be lodged by hand during normal office hours on any day except a Saturday or Sunday at the address specified on the Notice of Election but not later than 4.00 pm on Thursday 16th September 2010. In exceptional circumstances (but see note 3 below), a Nomination Paper sent by post will be accepted if it is addressed to the Returning Officer and is received by her by not later than Thursday 16th September 2010.
3. Nomination Papers should be lodged at the relevant Customer Services Area Office as shown elsewhere in this pack. A Nomination Paper should not be delivered to any other Council office. If it is, the Returning Officer cannot guarantee that it will be received by her. The Returning Officer accepts no responsibility for Nomination Papers delivered other than to one of those offices nor for any which may have been sent by post and which in both cases may not therefore reach the Returning Officer by the closing time for nominations.
4. The attention of prospective candidates is drawn to the notes which are set out at the back of the Nomination Paper and to the following –
 - (i) A Nomination Paper will be rejected if it is not properly completed and signed. To be validly nominated as a candidate, a person must –
 - have attained the age of 18 years on the day of the election
 - be listed on the Register of Parliamentary or Local Government Electors for an address within the Community Council area.

- (ii) A person is disqualified from standing for election as a Community Councillor if-
 - (a) they are an Argyll and Bute Councillor or a member of the Scottish or UK Parliaments.
 - (b) he/she is a person whose estate has been sequestrated by a court in Scotland or who has been adjudged bankrupt elsewhere than in Scotland. (The disqualification ceases if and when the sequestration is recalled or the bankruptcy discharged or annulled).
 - (c) He/she has within five years before the day of nomination or election, or since his/her election been convicted in the United Kingdom of any offence and has had passed on him/her a sentence of imprisonment (whether suspended or not) for a period of not less than 3 months without the option of a fine.
 - (iii) The Nomination Paper should be completed giving the candidate's surname, and other names as in the Register of Electors, the candidate's address as in the Register of Electors and the Electoral Number in the Register.
 - (iv) The Nomination Paper must be signed by a proposer and seconder, both of whom must be 18 years of age on the day of the election and whose names must be included in the Register of Electors for an address within the Community Council area.
 - (v) The proposer and seconder must sign the Nomination Paper and give their address as in the Register of Electors and their Electoral Number as in the Register.
 - (vi) An elector shall not sign, as proposer or seconder, more nomination papers than there are vacancies to be filled in the Community Council.
 - (vii) Electors included in the Register of Electors which came into force on 1st September 2010 will be those who will be entitled to vote in any contested election.
 - (viii) Registers are available for inspection in local libraries and the local Council Offices where Nomination Papers as shown elsewhere in this pack.
5. The final date for the withdrawal of a nomination will be 4.00 pm on 16th September 2010. Notice of Withdrawal must be given on the form provided with the Nomination Paper, signed by the candidate and witnessed and must be lodged at the same place where the Nomination Paper was lodged. The Returning Officer may accept a Notice of Withdrawal sent by post. Unless a Notice of Withdrawal is received by the closing date the candidate will stand validly nominated and will be included on the ballot paper in any contested election.

6. If the number of validly nominated candidates does not exceed the number of vacant elected Community Councillor seats on the Community Council candidates will be elected unopposed, with effect from Thursday 28 October 2010. A Notice confirming those elected unopposed will be posted within the Community Council area as soon as possible thereafter.
7. If the number of validly nominated candidates exceeds the number of vacant elected Community Councillor seats on the Community Council a Notice of Poll will be posted as soon as possible after Thursday 30 September 2010 within the Community Council area.
8. The Poll will be conducted by postal ballot and postal ballot papers will be sent to all those included in the current Register of Local Government Electors for an address within the Community Council area. The following will be sent to electors—
 - A ballot paper containing the names and addresses of each candidate listed in alphabetical order of surname (or where two or more candidates have the same surname by alphabetical order of first forename).
 - Guidance Notes for Voting
 - Postage paid return envelope addressed to the Returning Officer (to hold the marked ballot paper)

Voters will return their ballot paper by posting this in the return envelope to the Returning Officer. Exceptionally, the Returning Officer may accept a ballot paper which is delivered by hand.

9. A voter must complete the ballot paper personally, by marking a (X) in the box against the names of candidates of the voter's choice up to the number of elected Community Councillor seats. For example, if there are ten elected Community Councillor seats to be filled, the voter may vote for up to (but not more than) ten candidates. If a voter spoils a ballot paper, he or she may apply to the Returning Officer for a replacement ballot paper. It will be for the voter to ensure that he or she meets the deadline for return.
10. The closing day for receipt of returned postal ballot papers (or, exceptionally, those delivered by hand) will be 4.00 pm on 28 October 2010. The votes on any ballot paper returned after that time will not be counted. The Returning Officer will count the votes validly cast as soon as practicable after the closing time. The results of any election will be posted within the relevant Community Council area as soon as possible after the votes have been counted.
11. The Counting of Votes will take place at Argyll and Bute Council Headquarters, Kilmory, Lochgilphead on Friday 29th October 2010. Any candidate (or a person representing a candidate) is entitled to be present at the counting of votes and the name and address of any candidate/person so wishing to attend should be given to the Returning Officer not later than two days before election day.

12. In any poll those candidates who receive the highest number of votes cast will be elected up to the number of seats to be filled.
13. In order to make themselves known to electors, candidates may submit an election statement in support of their nomination which, in the event of a contested election, will be posted on the Argyll and Bute Council website and will be made available in local libraries and the local Customer Services Area Offices. The postal ballot pack issued to electors will draw attention to these statements.

Statements must be typed and must not exceed 100 words in length. Statements which exceed this length will not be accepted. Statements must be suitable for publication. The Returning Officer retains the right to refuse to publish all or any part of any statement containing material which he considers to be unacceptable, particularly which might be considered to be obscene, offensive or defamatory. The contents of statements will not otherwise be edited.

The statement should be submitted at the same time as the nomination form, but may be submitted to the Returning Officer at a later date, up to the deadline for submission of nomination forms (4pm on Thursday 16th September 2010). Statements will not be accepted after that date.

ARGYLL AND BUTE

COMMUNITY COUNCIL BY-ELECTIONS 2010

TIMETABLE

<i>Wednesday 1st September 2010</i>	Register in force
<i>Monday 23rd August 2010</i>	Publication of Notice of Election
Thursday 16 th September 2010 (4.00 pm)	Close of Nominations and withdrawal of Nomination paper
Thursday 30 th September 2010	Notice of Poll (if election contested) Notice of Uncontested Election (if election uncontested)
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COMMUNITY COUNCIL ELECTIONS

NOMINATION PAPER

ELECTION OF COUNCILLORS FOR THE

..... **Community Council**

(insert name above)

Election Day: 28 October 2010

I, the undersigned, am hereby nominated as a candidate at the said election.

<i>Candidate's Surname as in Register of Electors</i>	<i>Other Names as in Register of Electors</i>	<i>Home address in full (also include telephone number and e-mail address)</i>	<i>Electoral Number (copies of the register can be inspected at libraries or area offices)</i>

I, the nominee for the election, consent to being nominated as a candidate for the

..... **Community Council**
(Insert name above)

I declare that I am qualified to be elected, that I have attained the age of 18 years and I am registered as an elector for the Community Council area as in the register of electors in respect of the above.

I declare that I am not disqualified from being a candidate for election as a Community Councillor by reason of any of the disqualifications set out in the Notes for Candidates.

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To be completed by Candidate

(Signature of Candidate)

(Date)

To be completed by Proposer

(Signature of Proposer)

(Name of Proposer) (Block Capitals)

(Address of Proposer)

.....

.....

(Date)Elector Number

To be completed by Seconder

(Signature of Seconder)

(Name of Seconder) (Block Capitals)

(Address of Seconder)

.....

.....

(Date)Elector Number

Note 1 A person's electoral number consists of the distinctive letter or letters (or number or numbers) of the polling district in which he/she is registered together with his/her number in the register to be used at the election.

Note 2 The attention of Candidates is drawn to the Guidance Notes enclosed with this form.

To be completed by candidates withdrawing their nominations and delivered to the place fixed for the delivery of nomination papers by 4.00 pm on Thursday 16th September 2010.

..... **COMMUNITY COUNCIL**

(insert name above)

NOTICE OF WITHDRAWAL OF NOMINATION

I,*

of

hereby withdraw my nomination as a candidate for election as a Community Councillor for the

.....Community Council.

(insert name above)

Date 2010

(signature of candidate)

Name

.....

Address

.....

.....

.....

(signature of witness)

* Candidate to insert Name and Address as in Nomination Paper

COMMUNITY COUNCIL BY-ELECTIONS

Nomination packs may be obtained after 23rd August 2010 from the following offices:-

- (1) Customer Services
Kilmory
Lochgilphead
PA31 8RT

And from the following Customer Services Area Offices:-

- | | |
|---|--|
| (2) Dalriada House
Lochgilphead
PA31 8ST | (7) The Business Centre
Crossapol
Isle of Tiree
PA77 6UP |
| (3) Lorn House
Albany Street
Oban
PA34 4AW | (8) 22 Hill Street
Dunoon
PA23 7AL |
| (4) Burnett Building
St John Street
Campbeltown
PA28 6BJ | (9) Eaglesham House
Mountpleasant Road
Rothesay
PA20 9HH |
| (5) Jamieson Street
Bowmore
Isle of Islay
PA43 7HP | (10) Scotcourt House
45 West Princes Street
Helensburgh
G84 8BP |
| (6) Breadalbane Street
Tobermory
Isle of Mull
PA75 6PX | |

Completed Nomination Papers **must** be delivered only to:-

Customer Services Kilmory Lochgilphead PA31 8RT	Dalriada House Lochgilphead PA31 8ST	Lorn House Albany Street Oban PA34 4AW	22 Hill Street Dunoon PA23 7AL	Scotcourt House 45 West Princess Street Helensburgh G84 8BP
Burnett Building St John Street Campbeltown PA28 6BJ	Jamieson Street Bowmore Isle of Islay PA43 7HP			

They should not be returned to any other office.

Nomination Packs may also be downloaded from www.argyll-bute.gov.uk/communitycouncils/

COMMUNITY COUNCILS

NOTICE OF BY-ELECTIONS

Elections of Community Councillors

BY-ELECTION DAY – 28 OCTOBER 2010

1. By-Elections are to be held for the return of Community Councillors to fill the vacancies to the undernoted Community Councils within the Bute and Cowal area of Argyll and Bute.

Cairndow AA77

Lochgoil AA78

Kilfinan AA81, AA82

Ardentinny AA85

Sandbank AA87

Dunoon AA83 (part), AA89, AA90, AA91, AA93

South Cowal AA92

Bute AA94, AA95, AA96, AA97, AA98, AA99

2. Nomination papers must be lodged with the Depute Returning Officer, Shirley MacLeod, 22 Hill Street, Dunoon PA23 7AL, on any day except a Saturday or Sunday after the date of this notice, but not later than 4.00pm on Thursday 16 September 2010 and withdrawals of persons nominated must be intimated at the same address not later than 4.00pm on Thursday 16 September 2010.
3. Forms of nomination and withdrawal may be obtained from the Depute Returning Officer at the addresses below.

*22 Hill Street
Dunoon
PA23 7AL*

*Eaglesham House
Mountpleasant Road
Rothesay
Isle of Bute
PA20 9HH*

*Sally Loudon, Returning Officer
Kilmory, Lochgilphead PA31 8RT*

August 2010

