

# European Parliamentary Election – South Ayrshire Area

Thursday 23 May 2019

## Arrangements at the Poll

At this election the following arrangements will apply:

### (1) What is a Polling Place?

For the purposes of these arrangements, a polling place comprises:

- the buildings in which the polling stations are situated;
- the boundary of the property at which those buildings are located;
- the immediate vicinity of the boundary gates;
- the entrances to those buildings;
- the approach to those entrances;
- car parks within the grounds of those buildings;
- playgrounds in relation to schools (and equivalent for non-school premises); and
- the immediate vicinity of the gates to school and other grounds.

A **polling station** is the room (within a polling place) in which voting takes place.

### (2) Who May Attend the Polling Station

#### *Election agents*

An election agent is the person legally responsible for the conduct of a candidate's political campaign. Election agents are entitled to visit any polling station within the local authority constituency during polling day.

#### *Polling agents*

A polling agent is a person appointed by an election agent (or a candidate who has not appointed an election agent) to oversee polling on election day. An important function of a polling agent is to detect personation (ie voter fraud – a person pretending to be another elector).

Polling agents may also attend at the polling station(s) for which they have been appointed. Only one polling agent from each political party is allowed to enter the polling station at any time.

Any number of people may be appointed as a polling agent to attend any particular polling station, although only one polling agent for each political party will be allowed into a particular polling station at any time. A person may be appointed as a polling agent for more than one polling station.

#### *Others*

The following people are entitled to attend the poll:

- voters;
- party list and individual candidates;
- persons under the age of 18 accompanying voters;

- companions of voters with disabilities;
- representatives of the Electoral Commission;
- Local Returning Officer and members of the Local Returning Officer's staff;
- police officers on duty;
- accredited observers;
- election agents (or a sub-agent, if the election agent is not present);
- polling agents appointed to attend at the polling station; and
- any other person the presiding officer permits to attend.

### ***Requirement of secrecy***

Those attending (other than voters and their specified companions) must have received notification, in writing, of the requirement of secrecy.

### ***Admission pass***

Those attending (other than voters and their specified companions) must hold the appropriate admission pass from the Local Returning Officer otherwise admission to the polling stations will not be allowed.

## **(3) What Does a Polling Agent Do?**

The main duties and responsibilities of polling agents on polling day are:

- to observe the presiding officer showing the empty ballot box prior to sealing;
- to detect personation and prevent people from voting more than once at the same election;
- to report to their election agent any improper occurrences;
- to be present when the presiding officer marks ballot papers at the request of electors;
- to be present at the close of poll when the various packets of documents are sealed; and
- to maintain the secrecy of the ballot.

An election agent can also do any of the things that a polling agent is authorised to do. Just because a polling agent is entitled to witness various aspects of the polling procedure, the procedure is not invalidated if they have not witnessed it.

## **(4) Campaigning on Polling Day**

Presiding officers must ensure that electors can quietly and privately cast their vote free of any intimidation and provide a space where the secrecy of the ballot will be respected. Electors should be able to enter the polling place (as defined above) in the same manner. **Campaigning is not permitted within the red line boundary on the plan for each polling place.**

## **(5) Display of Campaign Material**

Since 1 July 2010, the display of campaign material on any Council property, including lighting columns, traffic sign poles and street furniture, has been prohibited. Candidates and agents should ensure that all election campaign material, including any bills, placards and posters, complies with this requirement. Materials breaching this will be removed by the Council as a priority in line with agreed practice.

Please also remember that no advertisement should be displayed without the permission of the owner of the site or anyone else with an interest in the site.

Should South Ayrshire Council require to remove campaign material a levy of £30 per hour will be charged to the political party at fault.

## **(6) Signs and Notices**

The presiding officer will ensure that appropriate signs and notices are in place to provide information for voters. The following notices will be in place:

- 'How to Vote at this election' will be displayed both inside and outside the polling station.
- 'Notice for Voters' will be displayed in every polling booth.
- A large sample copy of the ballot paper will be displayed inside the polling station and an enlarged hand-held copy marked 'sample' will also be available in the polling station.
- A 'no photography or filming' notice.

No posters or other material that might be construed as supporting the views of any political party involved in the election shall be permitted to be displayed in or on the polling place. If any such materials are found, they must be removed or covered up.

## **(7) Tellers**

### ***What do tellers do?***

Tellers are usually volunteers for a particular political party and/ or candidate. They often stand outside polling places with a view to seeking permission from electors to record whether they have voted. By identifying electors who have not yet voted and by relaying this information to the candidates or their supporters, tellers play an important role in the election. The candidates may then contact voters who have not yet cast their votes and persuade them to do so, which may help to increase turnout.

### ***Is there a limit on the number of tellers at a polling place?***

There should be no more than one teller at a polling station for each candidate at any time. Where a polling place contains more than one polling station with separate entrances, it may be appropriate for there to be tellers at each entrance, but no more than one per candidate.

<p style="text-align: center;"><b>Tellers have no legal status and voters have the right to refuse to give them any information</b></p>
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### ***Tellers must:***

- (a) always remain outside the polling station;
- (b) only enter the polling station to cast their own vote, to vote as a proxy or to assist a voter with disabilities; and
- (c) always comply with the instructions of the Local Returning Officer and the presiding officer.

### ***Tellers must not:***

- (a) be able to see or hear what is happening inside the polling station;
- (b) impede, obstruct or intimidate voters on their way in or out of the polling station/ place;

- (c) demand any information relating to a voter's electoral number, name or address;
- (d) ask voters to re-enter the polling station to ascertain their electoral numbers or to retrieve their polling cards;
- (e) have discussions with voters that may give rise to allegations of undue influence (for example, voting intentions or political party affiliations); or
- (f) wear or display any campaign material in support of or against any particular political party/ candidate other than a single rosette (see para (8) below).

***Tellers may:***

- (a) approach voters as they enter / leave the polling place; and
- (b) display a single coloured rosette or badge displaying the name of the political party and / or preferred candidate.

**(8) Rosettes**

Tellers may wear a coloured rosette of a reasonable size, as this assists electors by making it clear that they are campaign workers and not electoral officials.

While the rosette must not be oversized, it may carry the name of a candidate or political party.

Polling agents may wear a plain rosette or badge that displays the name of a candidate, party and/or emblem.

There will, however, be no restriction on the wearing of rosettes or other means of political party identification within a polling place by:

- (a) an election agent or polling agent making a brief visit to a polling place; or
- (b) any person entering a polling place for the purposes of:
  - voting personally; or
  - assisting another voter to vote where permitted so to do by law.

**(9) Cars**

Long-term parking of vehicles used for campaign purposes (for example, displaying election materials or using loudspeakers) is not permitted:

- within car parks within polling places; or
- immediately outside the entrances to polling places.

Cars being used in campaigns that are also being used to transport voters may need to wait for the voter while they visit the polling station, but this should not be unduly prolonged.

**(10) Disabled Voters**

Disabled voters may request the assistance of the presiding officer to mark the ballot paper for them. Presiding officers should pay particular attention to disabled voters and should familiarise themselves with the arrangements for disabled access.

Alternatively, disabled voters may be assisted by a companion, with the permission of the presiding officer who must be satisfied that the voter's disabilities would prevent them from casting their vote unaided.

The companion of a disabled voter must be either a close relative (spouse, civil partner, parent, grandparent, brother, sister, child or grandchild – if they are aged 18 years or over) or a person entitled to vote.

**(11) Voting Information provided by Presiding Officer to Agents**

No-one is entitled to be informed which electors have voted. However, it will be permissible for presiding officers who wish to do so to give election agents and polling agents a note of the **actual number** of persons who have voted from time to time throughout the day.

Information as to whether or not a particular person has or has not voted shall **not** be given although such information may be relevant for consideration in a case where an agent has raised a question of personation.

The presiding officer shall ensure that meeting these requests does not interfere with his/ her official duties.

**(12) Photography/ Film**

It is not permissible to take photographs or film inside the polling station.

Notices will be displayed to this effect within the polling station and each polling booth.

## **Arrangements at the Count**

**(1) Admission to Count**

Only the following persons will be allowed into the building in which the count is taking place:-

- the MP and MSP for any constituency or region which contains all or part of the area in which the votes being counted have been cast;
- members of the Council for any local government area which contains all or part of the area in which the votes being counted have been cast;
- members of the European Parliament for the electoral region of Scotland;
- representatives of the Electoral Commission;
- police officers on duty;
- accredited observers;
- election agents;
- the prescribed number of counting agents;
- Local Returning Officer and staff; and
- any other person whom the Local Returning Officer is prepared to admit at her discretion.

All those attending the count must have appropriate accreditation with them to be permitted entry. This will take the form of admission passes issued by the Local Returning Officer. Admission passes will be issued to election agents by the Local Returning Officer in advance of polling day for distribution to polling and counting agents.

***Requirement of secrecy***

Those attending must have received notification, in writing, of the requirement of secrecy.

**The public will not be admitted to the count premises at any time.**

**(2) Media**

Accredited media representatives will be allowed within the premises where the counting of the votes is taking place provided they have received notification of the requirement of secrecy and have given undertakings not to approach the counting tables, or to focus on tables in close-up.

**(3) Photography/ Film**

It is not permissible to take photographs or film during the count, except by accredited photographers.

**Further Information and Assistance/ Queries**

Any matters relating to the conduct of the poll or the count should be referred to the Depute Local Returning Officers - Catriona Caves (01292 612556) or Wynne Carlaw (01292 612192) - in the first instance.

**Printed and Published by the Local Returning Officer, County Buildings, Wellington Square, Ayr**