

South Ayrshire Council By-Election – Ward 8 – Girvan and South Carrick

Thursday 21 September 2023

Arrangements at the Poll

At this by-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 entrances to those buildings and the approach to those entrances;
- the surroundings grounds;
- the car parks within the grounds; and
- in relation to schools (and equivalent for non school premises), the playground.

Entrances to a polling place must not be impeded.

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

2. Who May Attend the Polling Station?

Candidates and election agents are entitled to visit any polling station within their respective constituencies/ wards during polling day. Any number of people may be appointed as a polling agent to attend any particular polling station, however, only one polling agent from each candidate/ party is allowed to enter the polling station at any time. Those attending the poll, must have received notification, in writing, of the requirements of secrecy, and must hold the appropriate admission pass from the Returning Officer, otherwise admission to the polling stations will not be admitted.

The following people are also entitled to attend the poll:

- voters;
- persons under the age of 16 accompanying voters;
- companions of voters with disabilities;
- candidates;
- election agents
- the Returning Officer and members of the Returning Officer's staff;
- constables on duty;
- polling agents;
- persons entitled to attend from the Electoral Commission and accredited observers.

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.

A candidate and their 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 a polling station or a polling place (ie - not within the area delineated by 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/ candidate 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:

- 'Information for Voters' will be displayed in the polling booth and in and around the polling station and this notice details the instructions for voting as shown on the ballot papers.
- 'Guidance for Voters' will be exhibited inside and outside the polling station and will advise that voters should vote by putting the number 1 in the box next to their first choice, then 2 in the box next to their second choice, then 3 in the box next to their third choice on the ballot paper and so on.
- 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.

Tellers have no legal status and voters have the right to refuse to give them any information

Tellers must:

- (a) always remain outside the polling place – ie outwith the area delineated by the red line boundary on the plan for each polling place; and
- (b) only enter the polling station to cast their own vote, to vote as a proxy or to assist a voter with disabilities.

Tellers must not:

- (a) impede, obstruct or intimidate voters on their way in or out of the polling place;
- (b) demand any information relating to a voter's electoral number, name or address;
- (c) ask voters to re-enter the polling station to ascertain their electoral numbers or to retrieve their polling cards; or
- (d) have discussions with voters that may give rise to allegations of undue influence (for example, voting intentions or political party affiliations).

8. Rosettes

Tellers should 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 a description or emblem.

Polling agents on duty within a polling station for the purpose of detecting personation shall be allowed to wear a rosette, which should be plain but may display the name of the candidate, party and/ or emblem. They should, however, wear no other means of campaign identification.

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

- (a) a candidate, 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;
- immediately outside the entrances to polling places; or
- within a reasonable distance of 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. 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. Presiding Officers should pay particular attention to disabled voters and should familiarise themselves with the arrangements for disabled access.

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 16 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 of the numbers of persons who have voted. However, it will be permissible for Presiding Officers who wish to do so to give candidates and 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. Press and Media/ Photography/ Film

No press or media are entitled to enter polling places/ stations or to take photographs within the curtilage of the same.

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.

13. Conduct of the Poll

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