EXECUTIVE NOTE

THE SCOTTISH LOCAL GOVERNMENT ELECTIONS AMENDMENT ORDER 2010

2010 DRAFT

The above instrument was made by Scottish Ministers in exercise of the powers conferred by section 3A of the Local Governance (Scotland) Act 2004 and all other powers enabling them to do so. The instrument is subject to affirmative resolution procedure.

Policy Objectives

The purpose of the instrument is to provide public access (through publication by the returning officer) to certain voting information in local authority elections at polling station level (rather than at ward level as at present). The information to be published will include the number of votes cast for each candidate and the process of transferring votes between candidates in accordance with the single transferrable vote (STV) system of elections. The availability of this information at polling station level will allow candidates and parties to use the data to analyse the way in which their total vote is complied.

The level of information to be published in this way and the aggregation (where the number of votes in any one polling station is less than 200, the votes will be combined with another polling station in the same ward) will ensure that the secrecy of the ballot is maintained. The provision of additional data will also be beneficial in increasing levels of confidence in both the electoral system itself and the method of counting. It is important that the electoral process enjoys the confidence of the electorate and the candidates. An important factor in this confidence is trust that the system has produced a correct and accurate result based on the application of the election rules. The availability of good quality information post election should provide confidence that the system has carried out the count in accordance with the rules.

Consultation

The Society of Local Authority Lawyers and Administrators in Scotland (SOLAR) Elections Committee was consulted during the preparation of the draft instrument.

Financial Effects

The Scottish Government will fund any work required to retrieve and interpret information from the 2007 local authority elections data. This instrument has no financial effects on local government or on business. In future local authority elections the required information will be available as a report through the electronic counting software to be in place for the 2012 elections. There is no requirement to produce the information where votes are counted manually due to the disproportionate cost this would involve.

Scottish Executive Constitution Directorate
June 2010