

The City of Edinburgh Council

10.00am, Thursday 9 February 2023

Resignation of Councillor Frank Ross/Appointments

Item number	
Executive/routine	Executive
Wards	All
Council Commitments	

1. Recommendations

The Council is asked:

- 1.1 To note that arrangements will now be put in place for a by-election for the vacancy in Corstorphine/Murrayfield ward (no 6), with polling on 9 March 2023.
- 1.2 To note that officers working on preparations for the by-election, the poll, postal vote processing and the count will require to be released from normal duties.
- 1.3 To authorise the Chief Executive to make any revisions to polling arrangements, including polling places, as may be required, in consultation with the remaining Corstorphine/Murrayfield elected members.
- 1.4 To appoint an SNP Group member to the vacancy on the Policy and Sustainability Committee.
- 1.5 To appoint one member to the vacancy on the board of Edinburgh University Curators of Patronage.
- 1.6 To appoint one member to the vacancy on the board of the Lowland Reserve Forces' and Cadets' Association.
- 1.7 To appoint one member to the vacancy on the board of the Royal Company of Merchants Endowment Trust.
- 1.8 To appoint one member to the vacancy on the board of Capital City Partnership.
- 1.9 To appoint one member to the vacancy on the board of Edinburgh International Conference Centre Ltd.

Andrew Kerr

Chief Executive and Returning Officer for the City of Edinburgh Council

Contacts: Chris Highcock, Elections & Members Services Manager & Depute Returning Officer;
Louise Williamson, Assistant Committee Officer

Legal and Assurance Division, Corporate Services Directorate

Email: chris.highcock@edinburgh.gov.uk

louise.p.williamson@edinburgh.gov.uk



Resignation of Councillor Frank Ross/Appointments

2. Executive Summary

- 2.1 Councillor Frank Ross has submitted his resignation as a councillor of the City of Edinburgh Council for Ward 6, Corstorphine/Murrayfield.
- 2.2 This report provides information on the arrangements necessary for the resulting by-election. Polling will be held on 9 March 2023, with the votes counted electronically at the close of poll. It also invites Council to appoint replacement members on the committees and outside bodies to which Councillor Frank Ross was appointed

3. Background

- 3.1 Following the resignation of Councillor Frank Ross on 16 December 2022, a by-election will take place for Electoral Ward No.6 Corstorphine/Murrayfield.
- 3.2 The by-election must be held within 3 months of the vacancy occurring, with the date determined by the Returning Officer. Potential dates for a by-election have been considered in the light of the Easter recess and scheduled Council meetings.
- 3.3 Councillor Frank Ross's resignation as an elected member results in a number of vacancies on committees and outside bodies.
- 3.4 In terms of the Committee Terms of Reference and Delegated Functions, the replacement committee members should be SNP Group members

4. Main report

- 4.1 Having reviewed potential dates for the required by-election the Returning Officer has determined that the poll will be held on 9 March 2023, with votes counted electronically at close of poll. This will allow the successful candidate to attend Council on 16 March 2023.
- 4.2 The count and postal vote processing activities will be held in the Council HQ at Waverley Court, using rooms that are currently unoccupied and minimising the cost of additional venues.
- 4.3 An election timetable for key tasks and deadlines has been created and is given in Appendix 1.

- 4.4 Some officers will require to be released from their normal duties to assist in the preparation for and delivery of the election. As there is no allocated budget for by-elections, there is little scope to pay overtime for work out of hours. No additional payment will be made for tasks carried out within the working day. Staff who have been asked to carry out evening work will generally be granted time in lieu, to be taken later as agreed with their own line managers.
- 4.5 Authority is requested to make such changes to polling arrangements, including polling places, as are necessary. This will be done in consultation with the three remaining elected members for this ward. It is anticipated that the polling places will be those used in the May 2022 elections as listed in Appendix 2, but some of these are still to be confirmed.
- 4.6 Councillor Frank Ross was a member of the Policy and Sustainability Committee.
- 4.7 Councillor Frank Ross also represented the Council on the boards of the following outside bodies and Council is invited to appoint a replacement to these organisations:

Edinburgh University Curators of Patronage (other members appointed are the Lord Provost and Councillor Griffiths).

Lowland Reserve Forces' and Cadets' Association (other member appointed is Councillor Daggart).

Royal Company of Merchants Endowment Trust (other members appointed are Councillors Burgess, Davidson Mitchell and Pogson).

Capital City Partnership (other members appointed are Councillors Caldwell and Meagher).

Edinburgh International Conference Centre Limited (other members appointed are the Lord Provost and Councillors Lezley Marion Cameron, Mumford and Whyte).

5. Next Steps

- 5.1 Appropriate arrangements will be put in place for a replacement member for Corstorphine/Murrayfield ward to be elected, in accordance with the relevant rules and legislation.
- 5.2 Any member appointed will be expected to contribute to the workplan of the Committee. Training will be provided to members as necessary.
- 5.2 Any appointments to Outside Organisations will be communicated to the organisations.

6. Financial impact

- 6.1 All of the associated costs of the by-election will be met from within existing Council budgets

7. Stakeholder/Community Impact

7.1 All Partnerships are aware of the appointments process.

8. Background reading/external references

8.1 Minute of the City of Edinburgh Council of 25 May 2022

8.2 Local Government (Scotland) Act 1973 – s36 Casual vacancies

8.3 The Scottish Local Government Elections Order 2011

9. Appendices

9.1 Appendix 1 – Election Timetable for Corstorphine/Murrayfield (Ward no. 6) by-election).

9.2 Appendix 2 – proposed polling places

City of Edinburgh Council Local Government By-Election Ward 6 Corstorphine/Murrayfield Election Timetable Date of Poll – Thursday 9 March 2023		
Publication of Notice of Election		Friday 20 January 2023
Delivery of nomination papers	-	Each working day (between 10.00am and 4.00pm) from Monday 23 January 2023
Last day to publish notice of election	-28	Not later than Monday 30 January 2023
Deadline for the delivery of nomination papers	-23	Not later than 4.00pm on Monday 6 February 2023
Deadline for withdrawal of nomination	-23	
Deadline for notification of appointment of election agents	-23	
Publication of notice of poll	-23	As soon as practicable after 4.00pm Monday 6 February 2023
Issue of Voter's Poll cards	n/s	7 February 2023 to be confirmed
Registration deadline	-12	Midnight on Tuesday 21 February 2023
Deadline for new postal vote applications and for changes to existing postal or proxy votes	-11	Not later than 5.00pm on Wednesday 22 February 2023
Issue of Postal Votes	n/s	28 February 2023 to be confirmed
Deadline for new applications to vote by proxy (not postal proxy), except for medical emergencies	-6	Not later than 5.00pm on Wednesday 1 March 2023
Deadline for notification of appointment of polling and counting agents	-5	Thursday 2 March 2023
First date that electors can apply for replacements for lost postal votes	-4	Friday 3 March 2023
POLLING DAY	0	7.00am – 10.00pm, Thursday 9 March 2023
Deadline for emergency proxy applications	0	Not later than 5.00pm on Thursday 9 March 2023
Last time for re-issue of spoilt and lost postal votes	0	Not later than 10.00pm on Thursday 9 March 2023
Last time to alter the register due to clerical error or court appeal	0	Not later than 9.00pm on Thursday 9 March 2023
COUNT	-	Close of poll Thursday 9 March 2023
Last day to submit election spending returns	+35d	Friday 14 April 2023

Polling Places for the Corstorphine/Murrayfield Ward (to be confirmed)

POLLING PLACE	POLLING DISTRICT	POLLING STATIONS / BOX NUMBERS
Murrayfield Parish Church Centre	WC06C,NC06L, WC06D	To be determined
Saughton Crescent Scout Hall	WC06G	To be determined
BT Murrayfield	WC06H	To be determined
Corstorphine St Ninian's Church Hall	WW06A	To be determined
St. Anne's Parish Church Hall	WW06B	To be determined
10th Craigmmond Scout Hall	WW06E	To be determined
Corstorphine Library	WW06F	To be determined
Carrick Knowe Parish Church Hall	WW06I	To be determined
Tesco Extra	WW06K	To be determined