
Report To:	Policy and Resources Committee	Date:	4 February 2025
Report By:	The Head of Legal, Democratic, Digital and Customer Services	Report No:	LS/008/25
Contact Officer:	Peter MacDonald	Contact No:	01475 712618
Subject:	2025 Greenock West and Cardwell Bay Community Council Interim Election		

1.0 PURPOSE AND SUMMARY

- 1.1 For Decision For Information/Noting
- 1.2 The purpose of this report is to seek the Committee's approval of a timetable for an interim election for Greenock West and Cardwell Bay Community Council and to appoint the Chief Executive as Returning Officer for those elections.
- 1.3 Greenock West and Cardwell Bay Community Council (GWBCC) was re-established in the 2024 Community Council Elections with a membership of 5, being the minimum membership they could have to do so. Following: (a) one of their number moving out of the community council area; and (b) the election of Councillor Hellyer as a member of the Inverclyde Council, that membership has now fallen below that minimum meaning an interim election is appropriate.

2.0 RECOMMENDATIONS

- 2.1 It is recommended that the Committee decide to hold an interim election for the Greenock West and Cardwell Bay Community Council.
- 2.2 It is recommended that the Committee appoints the Chief Executive to act as Returning Officer for the Interim Election and delegates authority to her to administer it on the Council's behalf.
- 2.3 It is recommended that the Committee approves the provisional election timetable at Appendix 1 and grants the Chief Executive (as Returning Officer) delegated authority to make such changes to this timetable as are considered appropriate for the effective administration of the election and to take account of the views of GWBCC.

Lynsey Brown
Head of Legal, Democratic, Digital and Customer Services

3.0 BACKGROUND AND CONTEXT

- 3.1 Community Council Elections were held in 2024, at which GWCBCC was re-established with a membership of 5. This is the minimum membership level at which a community council could be established or re-established.
- 3.2 Since that time their membership has reduced. Firstly, one of their members moved out of the community council area, meaning they no longer met the eligibility requirements to be a community councillor in terms of the 2023 Scheme for the Establishment of Community Councils in Inverclyde (the Scheme). Secondly, Councillor Hellyer was previously an elected member of GWBCC, but on his election as an Elected Member of Inverclyde Council (IC) he also ceased to meet the eligibility requirements to be an elected community councillor in terms of the Scheme.
- 3.3 As their membership is now 3, GWCBCC is below the minimum membership required for a community council. In such circumstances the Scheme requires the community council to advise IC, which they have done, following which IC may arrange an interim election to seek new membership and bolster the numbers of the community council.
- 3.4 Over the period since the Community Council Elections, officers have been engaging with GWCBCC on the question of recruitment. It was initially hoped to bring their membership back up to the minimum by way of a co-option. However, now their membership is 3, the maximum number of co-opted members they can have under the Scheme is 1. It is therefore the view of officers that an interim election is the appropriate course of action. GWBCC are also keen to take steps to recruit new membership. The maximum membership of GWBCC under the Scheme is 11, so as at the date of this report, there are 7 vacancies for members.
- 3.5 A Provisional Election Timetable has been prepared and is included in this report, along with a timeline diagram, at Appendix 1 for the Committee's approval. As arrangements proceed it may be necessary for the Returning Officer to vary the terms of this timetable and authority to do so is therefore sought in this report. In particular, there will be further engagement with GWBCC to seek their views on the timing of the process.
- 3.6 Nomination Forms will be made available on the Council website, from all Council libraries, from the Customer Service Centre and directly to the community council. Completed nomination forms (signed by a qualifying nominee and qualifying proposers and seconders) will require to be submitted to the Returning Officer by the Close of Nominations, as per the Election Timetable.
- 3.7 In terms of the Scheme, to be nominated as a member of a community council, or to act as a proposer or seconder on a Nomination Form, an individual must:
 - a) be resident in the community council area;
 - b) be named on the Electoral Register for the community council area;
 - c) be aged 16 or over; and
 - d) not currently be elected as a Member of IC, or of the Scottish or UK parliaments.
- 3.8 Following the Close of Nominations:
 - if there are more validly nominated candidates than there are vacancies, then a poll will be held to determine which of them are elected; and
 - if there are not more validly nominated candidates than there are vacancies then there will not be a poll and all such candidates will be duly elected.
- 3.9 In terms of the Scheme, to vote in a community council election, an individual must:
 - a) be resident in the community council area;
 - b) be named on the Electoral Register for the community council area; and
 - c) be aged 16 or over.
- 3.10 Any poll will proceed by way of secret ballot and voting in person. The election will proceed on a modified first past the post system, in that:

- a) voters will be allowed to make a number of votes (up to the maximum number of members for that community council) on one ballot paper; and
- b) each vote will be of equal ranking.

4.0 PROPOSALS

- 4.1 Should the recommendations in this report be approved, officers will proceed with the organisation the interim election.
- 4.2 Working in partnership with the existing Community Councillors for Greenock West and Cardwell Bay, Council officers from Community Learning and Development will engage in various activities to promote the interim election and assist community members with the process. These activities will include targeted outreach at community warm spaces, information sessions, and the distribution of promotional materials in community venues and surrounding areas, alongside digital engagement efforts
- 4.3 Funding has been secured to support communications for promoting the interim elections. Corporate Communications will lead this effort supported by officers from Community Learning and Development, utilising a variety of publicity materials, from local media to digital engagement.

5.0 IMPLICATIONS

- 5.1 The table below shows whether risks and implications apply if the recommendation(s) is(are) agreed:

SUBJECT	YES	NO
Financial	X	
Legal/Risk	X	
Human Resources		X
Strategic (Partnership Plan/Council Plan)		X
Equalities, Fairer Scotland Duty & Children/Young People's Rights & Wellbeing		X
Environmental & Sustainability		X
Data Protection		X

5.2 Finance

Advertising costs may be incurred as part of the election process, but will be contained within existing budgets for community council funding. Similarly, any staffing requirements for a ballot will be met from existing Council resources.

5.3 Legal/Risk

The Council is required to administer community council elections in terms of the Scheme. The Council may in terms of the Scheme make arrangements for an interim election for a community council where the membership has fallen below the minimum of 5.

5.4 Human Resources

None

5.5 Strategic

None.

5.6 Equalities, Fairer Scotland Duty & Children/Young People

(a) Equalities

This report has been considered under the Corporate Equalities Impact Assessment (EqIA) process with the following outcome:

	YES – Assessed as relevant and an EqIA is required.
X	NO – This report does not introduce a new policy, function or strategy or recommend a substantive change to an existing policy, function or strategy. Therefore, assessed as not relevant and no EqIA is required. Provide any other relevant reasons why an EqIA is not necessary/screening statement.

(b) Fairer Scotland Duty

If this report affects or proposes any major strategic decision:-

Has there been active consideration of how this report's recommendations reduce inequalities of outcome?

	YES – A written statement showing how this report's recommendations reduce inequalities of outcome caused by socio-economic disadvantage has been completed.
X	NO – Assessed as not relevant under the Fairer Scotland Duty for the following reasons: Provide reasons why the report has been assessed as not relevant.

(c) Children and Young People

Has a Children's Rights and Wellbeing Impact Assessment been carried out?

	YES – Assessed as relevant and a CRWIA is required.
X	NO – Assessed as not relevant as this report does not involve a new policy, function or strategy or recommends a substantive change to an existing policy, function or strategy which will have an impact on children's rights.

5.7 Environmental/Sustainability

Summarise any environmental / climate change impacts which relate to this report.

Has a Strategic Environmental Assessment been carried out?

	YES – assessed as relevant and a Strategic Environmental Assessment is required.
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X	NO – This report does not propose or seek approval for a plan, policy, programme, strategy or document which is like to have significant environmental effects, if implemented.
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5.8 Data Protection

Has a Data Protection Impact Assessment been carried out?

	YES – This report involves data processing which may result in a high risk to the rights and freedoms of individuals.
X	NO – Assessed as not relevant as this report does not involve data processing which may result in a high risk to the rights and freedoms of individuals.

6.0 CONSULTATION

6.1 The Corporate Management Team, the Community Council Champion and GWCBCBCC have been consulted on the proposals set out in this report.

7.0 BACKGROUND PAPERS

7.1 None.

Appendix 1

Provisional Election Timetable – 2025 Greenock West and Cardwell Bay Community Council Interim Election.

No	Task	Comment	Date
1	Appoint a Returning Officer and start the formal election process.		4/2/25
2	Make nomination forms available at libraries, online and directly to community council.		not later than 5/2/25
3	Notice of Election.	<p>Public notice online, in libraries and in the Customer Contact Centre and inviting nominations.</p> <p>This will include:</p> <ul style="list-style-type: none"> • details on how to obtain nomination forms; • the date and time of close of nominations; and • the dates of any polls that may be held. 	per 2
4	CLOSE OF NOMINATIONS	Nominations received later than the date and time of close will not be accepted.	4.00pm on 28/2/25
5	Notice of Validly Nominated Candidates.	Public notice online, in libraries and in the Customer Contact Centre.	As soon as practicable following 4.
6	Declaration of Result for if uncontested.	Where the number of validly nominated candidates is between the maximum number and half the maximum number of members (inclusive), public notice online, in libraries and in the Customer Contact Centre will confirm the formation and membership of the community council. This will include details of the first meeting to be held and, if practicable, will be combined with the notice at item 5 above.	Per 5.

7	If contested, last date for withdrawal of a nomination.		4pm on 5/3/2025
8	Notice of Poll if contested.	Where the number of validly nominated candidates exceeds the maximum number of members, public notice online, in libraries and in the Customer Contact Centre will confirm the place date and time at which a poll will be held, and a time and place in each case for a count. If practicable, this notice will be incorporated in the notice at item 5 above.	As soon as practicable following following 7.
9	Polling date if contested.	Officers are liaising with the community council to link in with the normal cycle and venue for their meetings.	12/3/25
11	First meeting if uncontested.	Officers are liaising with the community council to link in with the normal cycle and venue for their meetings.	Per 9
12	Count if contested community.	These will be held as soon as practicable following any poll, however where polls are held in close succession, the counts for more than one community council may be held on the same day.	As soon as practicable following 9.
13	Declaration of Result if contested election.	Public notice online, in libraries and in the Customer Contact Centre. If practicable, this will include details of the first meeting to be held.	As soon as practicable following 10.
14	First meeting if contested.	Officers are liaising with the community council to link in with the normal cycle and venue for their meetings.	9/4/25

Provisional Timeline - Interim Election

