

Administrative Boundary Review: Aberdeen City Council Area/Aberdeenshire Council Area at Blackburn

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Introduction

1. The Commission has a statutory obligation to consider ad hoc requests for changes to boundaries of administrative areas within Scotland received from Councils, members of the public or other interested parties.

Origin and Commencement of the Review

2. The Commission is required under section 14 (3) of the Local Government (Scotland) Act 1973 to consider a request from a local authority, or any other person, to conduct a review under 14 (2) of the Act. Section 14 (2) enables the Commission at any time to review all or any part of the local government areas in Scotland for the purpose of considering whether to make proposals to The Scottish Ministers, subject to direction made under section 15 of the Act. Where the Commission considers that it is desirable in the interests of effective and convenient local government to effect changes, it may make proposals to The Scottish Ministers under section 13 of the Act.
3. On 7 June 1999, the Secretary of State for Scotland issued a Direction under section 15(3) of the Act. The Direction stated:

‘In exercise of his powers under section 15(3) of the Local Government (Scotland) Act 1973, and all other powers enabling him in that behalf, the Secretary of State hereby directs the Local Government Boundary Commission for Scotland not to undertake a review of any local government area between one day after the date of this direction and 1 April 2004, other than a review which potentially directly affects not more than 50 electors.’

Post-devolution, the functions of the Secretary of State for Scotland under the 1973 Act were transferred to The Scottish Ministers by section 53 of the Scotland Act 1998.

Request for Administrative Review

4. In July 1999, Fintray & Kinellar Community Council submitted a proposal to correct an anomaly in the administrative boundary between Aberdeen City Council and Aberdeenshire Council areas at Blackburn where the line of the boundary divided 4 houses in Willowgrove Drive and Cherry Grove. The Community Council suggested that the administrative boundary be amended to follow the line of the A96 trunk road so that all of the 4 properties and new housing developments in the immediate vicinity were contained within the same single Council area.

The Commission's Provisional Proposals

5. We established from the Electoral Registration Officer that, according to the 1999 Register of Electors, 40 electors would be affected by Fintray & Kinellar Community Council's proposal. We concluded, therefore, that under the terms of the Secretary of State's Direction a review was possible.
6. Consideration of the Community Council's proposal revealed that the suggested realignment would produce a better defined boundary line and would effectively place all of Blackburn within a single Council area. It also was understood that those houses currently located within Aberdeen City Council area have a number of services provided by Aberdeenshire Council on a contracted basis. Further, we understood that both Councils were likely to support the proposed amendment and that local government services would be more effectively and conveniently provided by Aberdeenshire Council. We concluded, therefore, that a review should be undertaken and that the Community Council's proposal should be published as the Commission's provisional proposals for change in that area.

Publication of Commission's Provisional Proposals

7. Public notice of our provisional proposals was given in the Aberdeen Press and Journal on 16 March 2000. Aberdeen City and Aberdeenshire Councils were asked to make available for inspection at three council offices copies of the provisional recommendation and illustrative maps. Additionally, copies of our proposals were sent to Grampian Valuation Joint Board, MPs and MSPs for the affected area, Scottish Headquarters of the political parties, editors of local newspapers, Ordnance Survey and Fintray and Kinellar Community Council. We asked that any comments should be made to us by 27 April 2000.

Consideration of Representations

8. Two representations were received, both of which were sent by the same councillor:
 - In his capacities as a councillor for Kinellar & Westhill North Ward, and as an Executive Member of the Gordon Constituency Liberal Democrats, Councillor John McGregor wrote separately to say that the Commission's proposal was logical and was fully supported by the village of Blackburn. Councillor McGregor believed that the proposed realignment of the boundary would have a major beneficial impact for the residents of Blackburn in terms of the provision of efficient local government.
9. No formal representations were received from either Aberdeen City Council or Aberdeenshire Council. Aberdeenshire Council's officials, however, confirmed by telephone that the Council was content with the Commission's proposals. Aberdeen City Council expressed no view on the matter.

10. Both representations received in response to our provisional proposals supported the view that the administrative boundary should be revised. Accordingly, we adopted our provisional proposal as our final recommendation for revision of the boundary between Aberdeen City Council and Aberdeenshire Council at Blackburn.

Final Recommendation

11. We **recommend** that the area shown on the map at Appendix A, the boundaries of which are described at Appendix B, should be transferred from Aberdeen City Council area to Aberdeenshire Council area. We propose that, as a consequence of the transfer, alterations should be made to the electoral wards of Aberdeen City Council and Aberdeenshire Council as specified in Appendix C.

12. We make our recommendation on the grounds that the revision to the boundary we have proposed will rectify the anomalous situation whereby 4 properties straddle the existing boundary between Aberdeen City and Aberdeenshire Councils. The change will have the effect of locating all of Blackburn within Aberdeenshire Council. We further consider that our recommendation produces a better defined and sustainable boundary, and more effective and convenient local government.

Appendix B

Description of boundary of area of proposed transfer between Aberdeen City Council and Aberdeenshire Council at Blackburn

Commencing on the existing administrative boundary between Aberdeen City Council and Aberdeenshire Council where the A96 bypass road crosses the Black Burn at NG Ref NJ 8260 1238; then generally northeastward, southeastward, northeastward and southeastward along the said administrative boundary to a point at NG Ref NJ 8316 1233 on an unnamed road leading to the B979 road; then westward along the said unnamed road to and southward along the B979 road to the A96 bypass road at Clinterty Roundabout; then westward along the said bypass to the point of commencement.

Appendix C

Boundary between Aberdeen City/Aberdeenshire Councils at Blackburn: Review of Administrative Boundary under the Provisions of Section 14 (2) of the Local Government (Scotland) Act 1973

Consequential alterations to Electoral Ward 8 (Newhills) of Aberdeen City Council and Electoral Ward 45 (Kinellar and Westhill North) of Aberdeenshire Council.

Council	Electoral Ward	Proposed Alteration	Electorate at 1999	
			Before Alteration	After Alteration
a	b	c	d	e
Aberdeen City	8	The shaded area shown on the map at Appendix A and described at Appendix B to this report shall cease to be part of this ward.	3,938	3,898
Aberdeenshire	45	The area shown on the map at Appendix A and described at Appendix B to be transferred from Ward 8 of Aberdeen City Council to this ward.	2,595	2,635