

Islands Reviews: Announcement

Purpose

1. This paper sets out proposals for announcing the formal start of the islands reviews and provides a draft news release for that purpose.

Background

2. The Islands (Scotland) Act 2018 received Royal Assent on 6 July 2018. Section 20, which requires the Commission to review the 6 named councils “as soon as practicable” after commencement, came into force on 4 October 2018 along with s.19 which enables the use of one or two member wards where that ward includes an inhabited island. The 6 councils specified in the legislation are: Argyll and Bute Council; Comhairle nan Eilean Siar; Highland Council; North Ayrshire Council; Orkney Islands Council; and Shetland Islands Council.
3. Other sections commenced on 4 October which are relevant to the Commission include section 17, introducing the Shetland mapping requirement, and Section 18, defining the constituency of Na h-Eileanan an Iar for Scottish Parliament elections.
4. Appendix A sets out relevant extracts from the legislation.

Review timing

5. In considering the timing of the islands reviews, the Commission agreed that it would complete all six in time for the local government elections currently scheduled for May 2022. This would mean submission of recommendations to Ministers no later than May 2021.
6. The Commission also decided that it would undertake the reviews in two groups – first, the three islands councils and second, the three mainland councils. This decision recognised the potentially different challenges that may arise as the 3 islands councils are wholly comprised of inhabited islands thereby allowing use of one or two member wards throughout each council area. For the mainland councils, one or two member wards can only be used in significantly more limited areas. In addition, the Scottish Government work on electoral reform includes the possibility of 2 or 5 member wards being used throughout Scotland. If that change is introduced in time, it would give the Commission additional flexibility in reviewing the mainland councils. For these reasons, delaying the start of the mainland council reviews seemed advantageous.
7. In April 2018 the Commission wrote to all six councils indicating that it proposed to proceed as outlined above. It arranged meetings with the three islands councils in June and July 2018 (see LGBCS Paper 2447) and indicated that it would write to the three mainland councils in early 2019 to arrange similar meetings with them.

Announcing the review

8. Section 18 of the Local Government (Scotland) Act 1973 sets out that where the Boundary Commission propose to conduct a review “they shall take such steps as they think fit to secure that persons who may be interested in the review are informed of the proposal to conduct it”.
9. The 5th Reviews of Electoral Arrangements were announced by means of a news release in February 2014. At the same time letters were sent to councils to begin the consultation on councillor numbers. Following the example of the 5th Reviews would suggest that no announcement is needed until the start of the consultation in 2019. However, the islands reviews are required under new legislation and with a requirement to review as soon as practicable. Announcing the review now would demonstrate that the Commission is proceeding without delay, recognising the importance of the islands legislation.
10. Another factor relates to the use of electoral data. The Commission has agreed to use the December 2017 register as the base data from which to establish 5 year forecasts and prepare ward designs. If announcement of the reviews is delayed until 2019 then there may be queries as to why more up-to-date data is not being used. The 2018 register is not expected until March 2019 and using that would delay the ward design work that the Secretariat undertakes.
11. The Secretariat suggests that the Commission announce the reviews in December 2018. A news release for this purpose is in Appendix B. This assumes all 6 councils are announced at the same time; it would of course be possible to defer the announcement for the 3 mainland-island councils.
12. It is also proposed that a series of other actions is taken as set out in Appendix C. These actions cover use of social media and interested parties to whom the Commission should write. With regard to social media, some of the actions suggested would be new for LGBCS and the Secretariat may need to explore these options further if the Commission supports the general approach. It may also be the case that use of, for example, commissioned content might be better utilised for the public consultation rather than at the point of announcing the reviews.

Action

13. The Commission is invited to:
 - Agree when it wishes to announce the commencement of the Islands reviews
 - Agree the news release in Appendix B if the announcement is to be made in December
 - Agree the other actions to publicise the review in Appendix C

Extract from Islands (Scotland) Act 2018

PART 4

REPRESENTATION OF ISLAND COMMUNITIES

Elections to the Scottish Parliament

18 Constituency of Na h-Eileanan an Iar

- (1) In schedule 1 of the Scotland Act 1998 (constituencies, regions and regional members)—
 - (a) in paragraph 1(2), before paragraph (a) insert—

“(za) the existing constituency of Na h-Eileanan an Iar,”
 - (b) in paragraph 3(1), for “1(2)(a)” substitute “1(2)(za), (a)”, and
 - (c) in paragraph 12, in Rule 2—
 - (i) in paragraph (3), for “71” substitute “70”, and
 - (ii) in paragraph (7), after “areas of” insert “Comhairle nan Eilean Siar,”.
- (2) In the *Scottish Parliament (Constituencies and Regions) Order 2014 (S.I. 2014/501)*—
 - (a) article 2 is to be read as if Na h-Eileanan an Iar were not included in the “deposited data” within the meaning of article 2(2), and
 - (b) in schedule 1—
 - (i) in the introductory words before the table, after “than” insert “Na h-Eileanan an Iar,” and
 - (ii) in the table, the entry for the constituency of Na h-Eileanan an Iar is revoked.
- (3) In article 42(10) of the *Scottish Parliament (Elections etc.) Order 2015 (S.S.I. 2015/425)*, after “article” insert “the constituency of Na h-Eileanan an Iar,”.

Local government elections

19 Number of councillors in wards with inhabited islands

In section 1 of the Local Government (Scotland) Act 2004 (electoral wards), after subsection (2), insert—

- “(2A) But, in relation to an electoral ward consisting wholly or partly of one or more inhabited islands (within the meaning of section 1(2) of the Islands (Scotland) Act 2018), an order made under section 17 of the 1973 Act may determine that the number of councillors to be returned is either one or two.”.

20 Review of wards in certain local government areas

- (1) As soon as practicable after the commencement of this section, the Local Government Boundary Commission for Scotland (“Boundary Commission”) must—
 - (a) review the electoral arrangements for each local government area mentioned in subsection (2), for the purpose of considering future electoral arrangements for those areas, and
 - (b) formulate proposals for those arrangements.
- (2) The local government areas are the areas of—
 - (a) Argyll and Bute Council,
 - (b) Comhairle nan Eilean Siar,
 - (c) Highland Council,
 - (d) North Ayrshire Council,
 - (e) Orkney Islands Council,
 - (f) Shetland Islands Council.
- (3) Part 2 of the 1973 Act applies to a review under subsection (1) as it applies to a review under section 16 of that Act except that section 17 of that Act has effect as if it required the Boundary Commission to submit a report on the review before such date as the Scottish Ministers may direct.
- (4) The review under subsection (1) is to be disregarded for the purposes of calculating the intervals between the Boundary Commission reviews of electoral arrangements under section 16(2) of the 1973 Act (duty to review electoral arrangements).
- (5) In this section, “1973 Act” means the Local Government (Scotland) Act 1973.

ACTION	AUDIENCE	PURPOSE	MEASURE
News Release	Scotland-wide	Announce start of islands reviews, explain scope, approach and timing	Number of media mentions Number of direct contacts to Commission
Issue letters	3 islands councils	Confirm start of review, approach and timing	Number of letters sent Feedback received
	3 mainland councils	Confirm start of review, approach and timing and arrange meetings	
	26 councils	Confirm start of review, approach and timing and trail future plans re interim reviews, rolling reviews	
	Cosla/SOLACE	Confirm start of review, approach and timing and trail future plans re interim reviews, rolling reviews	
	MSPs, community councils, EROs, political parties and other interested bodies	Confirm start of review, approach and timing	
Social media: twitter and facebook (Instagram?)	Scotland-wide	Announce start of islands reviews, explain scope, approach and timing	Social media analytics Feedback received
	Trial targeted media in islands council areas	Announce start of islands reviews, explain scope, approach and timing. Ensure council engagement with LGBCS social media strategy (twitter and council websites) Trail consultation next year and key messages	
Social media: YouTube or commissioned content from professional media company	Islands	Explain approach, timing, key message?	Number of views Feedback received