

Electoral Arrangements – 2019 Interim Reviews

Purpose

1. This paper considers ward parity based on the December 2018 electoral register; whether the Commission should use its power to review electoral arrangements in any areas before the 2022 local government elections; and considers methodologies for selecting wards for review. It follows earlier discussion in October 2018 (Paper LGBCS 2457).

Legislative background

2. The Commission has both a duty and a power to conduct reviews of electoral arrangements. The duty, under s 14(1) of the Local Government (Scotland) Act 1973, requires the Commission to review all 32 local authority areas and submit reports on these to Scottish Ministers every 8–12 years. The 5th Reviews were completed in May 2016 and under current arrangements require to be reviewed again by 2028 at latest.
3. The power to review is set out in s.14(2) of the 1973 Act and enables the Commission at any time to “review all or any or any part of the local government areas”. Finally s.14(3) requires the Commission to consider requests for a review from local authorities or others with an interest.
4. A number of requests were received for reviews to be conducted between 2003 and 2010 of which 3 were formally considered and none agreed to, principally on the grounds that no case had been made for change in the interests of effective and convenient local government.
5. It appears that the Commission has only once considered the need for reviews in all council areas using its power under s.14(2). This was in 2010. While it is not clear why the Commission undertook such a comprehensive assessment, it seems likely that it was in order to analyse the parity of the new multi-member wards which had been introduced in 2007. In conducting the review the Commission established an “Interim Review methodology”. This identified 10 wards across 8 council areas for review. Following the review process, however, recommendations for no change were put forward in 9 cases and only one change was recommended and implemented (West Lothian, ward 8). Reasons for recommending no change in the other cases included forecast improvements to parity, extensive demolition and redevelopment planned, and changes to overall electorate across the council area concerned which would require more fundamental reconsideration of council size and ward design at a full review.
6. In considering the need for interim reviews now the Commission will wish to note the following:
 - Interim Reviews have traditionally focussed on wards where corrections can be made to parity without requiring a full review of electoral arrangements across the council area. This is because they are conducted at the mid-point between full reviews under s.14(1) of

the 1973 Act and practice suggests they are intended to correct any unacceptable variations from parity rather than consider council-wide change.

- All 32 reviews of electoral arrangements were completed in 2016 and none are due for review under s.14(1) until 2028 (the latest date for submission of recommendations).
 - 6 council areas are covered by the Islands (Scotland) Act 2018 and reviews in these areas will be completed by 2021 for use at the 2022 local government elections. At present the 6 islands reviews do not count for the purposes for the 8 to 12 years duty and would require further review by 2028.
 - After 2022 the next local government elections are scheduled for 2026 but the electoral reform legislation may amend term lengths so that the 2026 elections are moved to 2027. The 26 council areas not covered by the Islands Reviews will therefore need to be reviewed between 2022 and at latest 2026 for implementation at the 2027 elections. In other words, any area reviewed as part of an interim review now, is likely to require full review in the near future.
 - If the electoral reform legislation introduces flexible rolling reviews which allow the Commission to prioritise council areas then it is not suggested that the same methodology as for interim reviews would necessarily be appropriate. Until the Commission is clear what the Scottish Government's plans are for rolling reviews it is not possible to define how reviews would be scheduled. However, scheduling of full reviews may consider instead, for example, the number of wards within an area that are outwith 10% parity and overall electorate change with consequent implications for councillor numbers.
7. Against that background, the Secretariat consider that the bar for conducting an interim review should be high and that in considering the need for a review the Commission should identify wards where the variation from parity is both significant and unexpected. In the 5th Reviews a 10% target was established for variation from parity unless special geographical circumstances were deemed to apply. The 10% figure derives from the Venice Commission "Code of Good Practice in Electoral Matters" which sets out that "The permissible departure from the norm should not be more than 10%, and should certainly not exceed 15% except in special circumstances". That 15% limit perhaps gives a pointer to where variation from parity might be considered significant in the context of interim reviews.
8. In terms of unexpected variation from parity, the legislative requirement during an electoral review is for the Commission to take account of forecast electorate 5 years ahead. Where the 2018 data shows a ward to have variation from parity above 10% it is important to consider whether

that was anticipated in the 5th Reviews forecasts and considered acceptable.

Options

9. The Secretariat have considered a number of options for methodologies for selecting candidate wards for Interim Reviews. They are described here in turn and the wards that each methodology selects are shown in Tables 1–3. It should be noted that wards from the Island Councils, Highland, North Ayrshire and Argyll and Bute council areas are not included as they are being reviewed as part of the Islands Review. Dundee City Council and Scottish Borders Council wards are also excluded; the review recommendations in these areas were not accepted by Scottish Ministers in 2016 and wards remain unchanged since the multi-member wards were introduced in 2007. Both areas require a full review, including of overall councillor numbers, and the Commission has previously agreed to await the electoral reform legislation before conducting these reviews. An interim review would therefore be undesirable at this time.

Option A – Variation from parity in excess of 15%

10. The simplest way to select wards as candidates for interim reviews is to consider the upper limit recommended by the Venice Commission and focus on those at more than 15% variation from parity. This methodology does not take into account trends nor does it consider accuracy of the forecast that preceded its arrival in excess of 15% variation from parity. However it does capture those significantly varied from parity and excludes those that may be just over the 10%. If the Commission consider the variance from the forecast for each ward captured by this methodology one ward (Perth and Kinross ward 4 – Highland) was forecast to be varied from parity by –14.5% at the time of the 5th Reviews and is only 0.7% from that. It may be necessary/possible to conduct a sensitivity analysis to include/exclude those very close to the 15% threshold.
11. If Option A were used as the methodology to select wards there would be 10 chosen in 8 council areas and these are listed at table 1 below.

Council Area	Ward Number	Electoral Ward	Number of elected members	% Variation from Parity
Aberdeen City	6	Tillydrone/ Seaton/ Old Aberdeen	3	-17.2%
Aberdeen City	8	George St/ Harbour	4	-19.3%
City of Edinburgh	11	City Centre	4	-17.8%
Fife	1	West Fife and Coastal Villages	3	16.6%
Fife	18	St Andrews	4	-34.2%
Midlothian	2	Bonnyrigg	3	16.3%
Moray	7	Elgin City South	3	15.7%
Perth and Kinross	4	Highland	3	-15.2%
Renfrewshire	11	Bishopton, Bridge of Weir and Langbank	3	16.5%
Stirling	2	Forth and Endrick	3	17.3%

Table 1

Option B - Replicates the methodology designed and used during the 2010 Interim Reviews

12. The methodology developed by the Commission over a number of meetings prior to the commencement of the last Interim Reviews in 2010 has four criteria and is described below.
13. **Criteria 1:** The electoral disparity of the ward from the council area average is more than 10%. (takes into account existing parity)
14. **Criteria 2:** The electoral disparity of the ward is more than 5% different from the forecast disparity for the ward. (takes into account change from previously forecast parity from 2013)
15. **Criteria 3:** The ward's future forecast disparity is more than 15% from the council area average. (takes into account possible future disparity by projecting forward at current rate using linear trend line)
16. **Criteria 4:** The magnitude of the average annual change in electorate for the ward is more than 20 electors per year. (takes into account average change in ward electors per year for those cases where year on year change is minimal i.e. Islands)
17. Only those wards which meet all 4 criteria are subject of an interim review.
18. These criteria were considered suitable by the Commission as they offer a range of measures that capture where parity is, how it has changed in a ward since we created a forecast for that ward and therefore if it is at an unexpected level of parity and indeed if that level of parity is likely to worsen or improve.

19. If Option B were used as the methodology to select wards there would be 16 chosen in 10 council areas and these are listed at table 2 below.

Council Area	Ward Number	Electoral Ward	Number of elected members	% Variation from Parity
Aberdeen City	4	Northfield/ Mastrick North	3	12.0%
Aberdeen City	6	Tillydrone/ Seaton/ Old Aberdeen	3	-17.2%
Aberdeen City	8	George St/ Harbour	4	-19.3%
City of Edinburgh	11	City Centre	4	-17.8%
East Ayrshire	5	Kilmarnock South	3	-10.3%
Fife	4	Dunfermline South	4	11.4%
Fife	18	St Andrews	4	-34.2%
Glasgow City	3	Greater Pollok	4	14.2%
Glasgow City	16	Canal	4	-12.2%
Glasgow City	20	Baillieston	3	12.7%
Inverclyde	6	Inverclyde South West	3	12.3%
Moray	7	Elgin City South	3	15.7%
Renfrewshire	11	Bishopton, Bridge of Weir and Langbank	3	16.5%
South Lanarkshire	5	Avondale and Stonehouse	3	14.8%
Stirling	2	Forth and Endrick	3	17.3%
Stirling	4	Stirling North	4	-11.9%

Table 2

Option C – “Simplification” of 2010 methodology

20. The Secretariat has considered a variation of the existing methodology which drops two of the measures from Option B (linear trend and 20 electors) as the justification for including these measures appears less robust than the other 2 measures. The 2018 parity and the variation from the forecast parity are critical in capturing where the wards’ parity is currently and how far removed it is from where the Commission forecast it would be based on the data available at the time of the previous review.
21. The linear trend line could perhaps lack accuracy because they only have three data points (2013, 2017 and 2018) to draw on. This is due to the 5th Review’s ward changes not coming into force until 2017, so there is an original distribution of electors from 2013 to chart but no further ward based data until the 2017 figures. This means the accuracy of the linear trend lines can vary somewhat where there are large variations between the years that have been plotted. In 2010, due to the timing of the interim reviews the Commission plotted 4 data points per ward trend line.
22. However, the Secretariat compared a simpler calculation to find an average change in parity across the period in question and with the exception of a single ward, the same wards were selected by the alternative calculation.

23. It could be considered that the magnitude of annual change of electors (criteria 4), whilst introduced by the Commission in 2010 as a way of excluding those wards where actual change in electors was minimal, is an arbitrary figure (>20). A change of 20 in an island ward of 800 electors for instance is not comparable with a change of 20 in a city ward where there can be in excess of 20,000 electors. The impact of discarding this final criterion results in the inclusion of 4 additional wards.
24. If Option C were used as the methodology to select wards there would be 24 chosen in 12 council areas and these are listed at table 3 below.

Council Area	Ward Number	Electoral Ward	Number of elected members	% Variation from Parity
Aberdeen City	4	Northfield/ Mastrick North	3	12.0%
Aberdeen City	6	Tillydrone/ Seaton/ Old Aberdeen	3	-17.2%
Aberdeen City	8	George St/ Harbour	4	-19.3%
Aberdeen City	9	Lower Deeside	3	10.8%
Aberdeenshire	12	East Garioch	4	-11.6%
City of Edinburgh	11	City Centre	4	-17.8%
East Ayrshire	5	Kilmarnock South	3	-10.3%
Fife	1	West Fife and Coastal Villages	3	16.6%
Fife	4	Dunfermline South	4	11.4%
Fife	7	Cowdenbeath	4	10.8%
Fife	18	St Andrews	4	-34.2%
Glasgow City	2	Newlands/ Auldburn	3	12.1%
Glasgow City	3	Greater Pollok	4	14.2%
Glasgow City	7	Langside	4	11.6%
Glasgow City	9	Calton	4	-11.8%
Glasgow City	16	Canal	4	-12.2%
Glasgow City	20	Baillieston	3	12.7%
Inverclyde	6	Inverclyde South West	3	12.3%
Midlothian	2	Bonnyrigg	3	16.3%
Moray	7	Elgin City South	3	15.7%
Renfrewshire	11	Bishopton, Bridge of Weir and Langbank	3	16.5%
South Lanarkshire	5	Avondale and Stonehouse	3	14.8%
Stirling	2	Forth and Endrick	3	17.3%
Stirling	4	Stirling North	4	-11.9%

Table 3

25. Overall, the Secretariat believes that the existing methodology, Option B, offers an established approach which may be preferable to justifying a new approach to councils at this stage. It also balances parity, forecasts, trends and absolute change. Option A is simple but the 15% limit has not been used before and the option does not take account of forecasts or trends. Similarly Option C offers a simplification of Option B but there is not a robust case for making these changes.

Process

26. Once the Commission has agreed its methodology and the wards it considers should be subject to review the proposed process to be followed and indicative timings are as set out below:

Interim Electoral Reviews –Indicative Timetable

<i>Start Date</i>	<i>End Date</i>	<i>Stage</i>	<i>Commission Action</i>	<i>Secretariat Action</i>
<i>June 2019</i>			<i>Agree methodology and select wards for consideration</i>	
<i>July 2019</i>	<i>Aug 2019</i>			<i>Contact councils for relevant data and draft Initial Proposals</i>
<i>Sep 2019</i>			<i>Agree Initial Proposals</i>	
<i>Oct 2019</i>	<i>Dec 2019</i>	<i>Council Consultation</i>		
<i>Jan 2020</i>			<i>Consider council response and need for amendment to Initial Proposals</i>	
<i>Jan 2020</i>	<i>Mar 2020</i>	<i>Public consultation (12 weeks)</i>		
<i>Sept</i>	<i>Nov 2020</i>		<i>Agree Final Recommendations and report to Scottish Ministers</i>	

Table 4

27. The above timetable enables implementation of the Commission's recommendations in time for the next local government elections in May 2022.

Recommendation and Next Steps

28. Given the discussion above and the existing methodology's balanced approach to ward selection, the Secretariat recommends that the Commission select wards for Interim Reviews based on Option B.

29. Once the Commission has decided its methodology the Secretariat will write to the Councils involved with a view to obtaining data to inform the preparation of Initial Proposal papers by September 2019.

30. The Commission is invited to agree:

- whether it should use its power to review electoral arrangements in any areas before the 2022 local government elections;
- if so, which methodology it should adopt for selecting wards for review; and
- and the outline process and timetable.

**Secretariat
2019**

Appendix A – Wards in excess of 10% variation from parity excluding Islands Reviews and Dundee and Scottish Borders council areas

Council Area	Ward Number	Electoral Ward	Forecast Parity for 2018 (2013)/%	Criteria 1 – 2018 Parity / %	Criteria 2 – (2018 disparity less forecast) / %	Criteria 3 – projected future parity from current parity / % (2023)	Criteria 4 – rate of change of electors per cllr per annum
Aberdeen City	4	Northfield/ Mastrick North	3.1	12.0	8.8	15.5	-33.7
Aberdeen City	6	Tillydrone/ Seaton/ Old Aberdeen	0.0	-17.2	-17.1	-40.6	-217.0
Aberdeen City	8	George St/ Harbour	2.6	-19.3	-21.9	-42.0	-210.4
Aberdeen City	9	Lower Deeside	2.6	10.8	8.2	19.7	13.1
Aberdeenshire	2	Troup	-9.8	-10.2	-0.4	-12.1	-0.4
Aberdeenshire	12	East Garioch	-5.3	-11.6	-6.3	-43.1	-6.3
Angus	5	Carnoustie and District	11.0	13.9	2.9	28.1	2.9
City of Edinburgh	1	Almond	8.9	12.5	3.6	20.9	161.3
City of Edinburgh	6	Corstorphine/ Murrayfield	7.3	10.1	2.8	8.3	47.9
City of Edinburgh	11	City Centre	-10.0	-17.8	-7.8	-20.4	22.2
City of Edinburgh	16	Liberton/ Gilmerton	8.0	10.9	2.8	15.0	113.0
East Ayrshire	5	Kilmarnock South	-4.5	-10.3	-5.8	-15.1	-35.5
East Renfrewshire	1	Barrhead, Liboside and Uplawmoor	-10.1	-14.5	-4.4	-18.4	-9.0
Fife	1	West Fife and Coastal Villages	9.6	16.6	6.9	19.4	1.9
Fife	4	Dunfermline South	5.7	11.4	5.7	17.6	28.4
Fife	7	Cowdenbeath	4.3	10.8	6.4	15.8	19.4
Fife	18	St Andrews	-5.8	-34.2	-28.4	-62.7	-226.0
Glasgow City	2	Newlands/ Auldburn	6.4	12.1	5.8	12.2	-5.1
Glasgow City	3	Greater Pollok	4.0	14.2	10.3	24.3	104.5
Glasgow City	7	Langside	4.1	11.6	7.5	11.8	-3.7
Glasgow City	9	Calton	1.4	-11.8	-13.3	-9.6	19.7
Glasgow City	11	Hillhead	9.5	12.5	3.0	14.8	19.5
Glasgow City	16	Canal	-6.8	-12.2	-5.4	-19.1	-79.1
Glasgow City	20	Baillieston	4.0	12.7	8.7	22.0	95.9
Inverclyde	6	Inverclyde South West	5.8	12.3	6.5	18.8	21.0
Midlothian	2	Bonnyrigg	11.2	16.3	5.1	14.3	62.9
Midlothian	3	Dalkeith	-7.5	-11.0	-3.4	-7.7	83.3
Moray	1	Speyside Glenlivet	-10.1	-12.5	-2.4	-14.7	0.3
Moray	7	Elgin City South	9.8	15.7	5.9	23.6	58.6
North Lanarkshire	7	Coatbridge North	-10.1	-10.7	-0.6	-12.5	-2.6
North Lanarkshire	8	Airdrie North	6.3	10.4	4.1	12.9	27.9
North Lanarkshire	13	Fortissat	-8.9	-10.9	-2.0	-11.9	2.9
Perth and Kinross	4	Highland	-14.5	-15.2	-0.7	-15.4	10.2
Perth and Kinross	9	Almond and Earn	-9.1	-12.0	-2.9	-10.8	19.0
Perth and Kinross	10	Perth City South	9.4	12.6	3.2	12.7	16.1
Renfrewshire	11	Bishopton, Bridge of Weir and Langbank	4.8	16.5	11.7	33.1	140.4
South Lanarkshire	3	Clydesdale East	-12.5	-12.4	0.1	-11.5	17.9
South Lanarkshire	5	Avondale and Stonehouse	5.7	14.8	9.0	17.9	37.3
South Lanarkshire	16	Bothwell and Uddingston	-9.7	-10.6	-0.9	-6.6	41.5
Stirling	2	Forth and Endrick	10.0	17.3	7.3	21.0	50.0
Stirling	4	Stirling North	-1.1	-11.9	-10.8	-19.9	-23.4
West Dunbartonshire	2	Leven	6.5	10.9	4.5	14.8	22.0