

## **Administrative Boundary Anomalies**

### **Purpose**

1. The Commission is invited to consider a proposal to review the administrative area boundary review between Midlothian Council area and Scottish Borders Council area and note three other areas where an administrative area boundary now crosses a building/ dwelling or no longer follows physical ground features.

### **Background**

2. The Commission was recently notified of four administrative area boundary anomalies by National Records Scotland (NRS). NRS design postcode-boundaries with Royal Mail. The Secretariat was aware of one of the highlighted areas.
3. Prior to NRS advising the Commission of the anomalies, none of the Councils had raised issues with the Commission regarding their administrative area boundaries in these areas.
4. A Direction is currently in place (2018–2023) for the Commission not to undertake an administrative area boundary review that would affect more than 500 electors. A further Direction is in place (2017–2022) for the Commission not to undertake an administrative area boundary reviews of all 32 council areas.
5. In recent history the Commission has only conducted administrative area boundary reviews where the boundary has crossed through a property, these include: Fithiebank (2009), Robroyston (2009), Cardowan (2009) and Keltybridge (2015). The exception to this was the recent Cardowan (2018) administrative area review where a large number of local residents submitted a strong reasoned argument in support of a review.

### **Midlothian and Scottish Borders Council areas**

6. A dwelling (Creon Cottage) has recently been built on the boundary between Midlothian Council area and Scottish Borders Council area, near Leadburn (see Appendix A).
7. The Midlothian Council and Scottish Borders Council area boundary cuts across the property curtilage. Planning permission was declined by Midlothian Council for the dwelling to be built within Midlothian Council area. Planning permission was approved by Scottish Borders Council for a dwelling to be built within Scottish Borders Council area. Unfortunately the dwelling was built a few metres north of the original plans and now sits on the administrative area boundary.
8. The owners of the dwelling must now seek retrospective planning permission with Scottish Borders Council to address the situation. Scottish Borders Council have suggested that revising the administrative area boundary to follow the property curtilage would assist with the retrospective planning application for both the property owner and Council.
9. The occupants of the dwelling pay council tax to Scottish Borders Council and are registered on the Scottish Borders electoral register.

### **Dumfries and Galloway and East Ayrshire Council areas**

10. At Loch Doon, south of Dalmellington, the boundary between Dumfries and Galloway and East Ayrshire Council areas no longer follows the edge of Loch Doon, see Appendix B.
11. Since the creation of Muck Burn dam the boundary no longer follows physical features or edge of the loch. From consideration of historical maps (Ordnance Survey 1955–61 map from [pastmap.org.uk](http://pastmap.org.uk)) it would appear that the Muck Burn dam was built in the early part of the twentieth century. Therefore the boundary in this area has remained unchanged during several local government boundary re-organisations.
12. Neither Dumfries and Galloway Council or East Ayrshire Council have raised issues with the Commission regarding their administrative area boundaries in this area.

### **Dundee City Council area**

13. On the Dundee waterfront, the newly completed V&A Museum extends beyond the boundary of Dundee City Council area, see Appendix C.
14. The ground-level of the museum building is within Dundee City Council area but the roofline extends beyond the administrative area boundary and protrudes into the Firth of Tay. The image below shows the design of the museum building.



15. Although the V&A Museum roofline extends beyond the administrative area boundary Dundee City Council advise that the museum sits within their administrative area boundary and there is no requirement for the Commission to revise the boundary on the Dundee waterfront.
16. The Secretariat have discussed the anomaly on the Dundee waterfront with Ordnance Survey, who confirmed that the museum roofline crosses the administrative area boundary. Ordnance Survey are investigating if there are similar instances elsewhere, where a roofline crosses a local authority boundary. The Secretariat hopes to provide an update at the meeting.

**Glasgow City and East Dunbartonshire Council areas**

17. At Netherton, south of Bearsden, there are two areas where dwellings cross the boundary between Glasgow City and East Dunbartonshire Council areas. These are at 2 and 4 Netherton Farm Lane and 213 Maxwell Avenue, see Appendix D.
18. The dwellings at Netherton Farm Lane form part of a recent housing development, built c2000. The dwelling at Maxwell Avenue is a semi-detached dwelling, built c1930s.
19. By considering historical county boundaries between Dumbarton County and City of Glasgow County, it appears that 213 Maxwell Avenue was originally built on the county boundary, now the administrative area boundary. Therefore the boundary in this area has remained unchanged during several local government boundary re-organisations.
20. The occupants of 2 and 4 Netherton Farm Lane and 213 Maxwell Avenue pay council tax to East Dunbartonshire Council and are registered on the East Dunbartonshire electoral register.
21. Neither Glasgow City or East Dunbartonshire Council have raised concerns with the administrative area boundaries at Netherton.
22. The Secretariat have discussed the anomaly at Netherton with both Councils and will provide a verbal update at the meeting.

**Conclusion**

23. In recent history the Commission has only conducted administrative area boundary reviews where the boundary has crossed through a property or where a large number of local residents submitted a strong reasoned argument in support of a review.
24. Prior to NRS advising the Commission of the anomalies, none of the Councils had raised issues with the Commission regarding their administrative area boundaries in these areas.
25. Scottish Borders Council have proposed that an administrative area boundary review would assist in resolving the retrospective planning permission application at Creon Cottage between Midlothian and Scottish Borders Council areas.
26. The boundaries at Netherton and Loch Doon have remained unchanged during several local government boundary re-organisations.
27. Dundee City Council advise that the V&A Museum sits within their administrative area boundary.
28. None of these areas contain more than 500 electors. Reviewing the administrative area boundaries in these areas would result in no changes to the respective electoral registers.

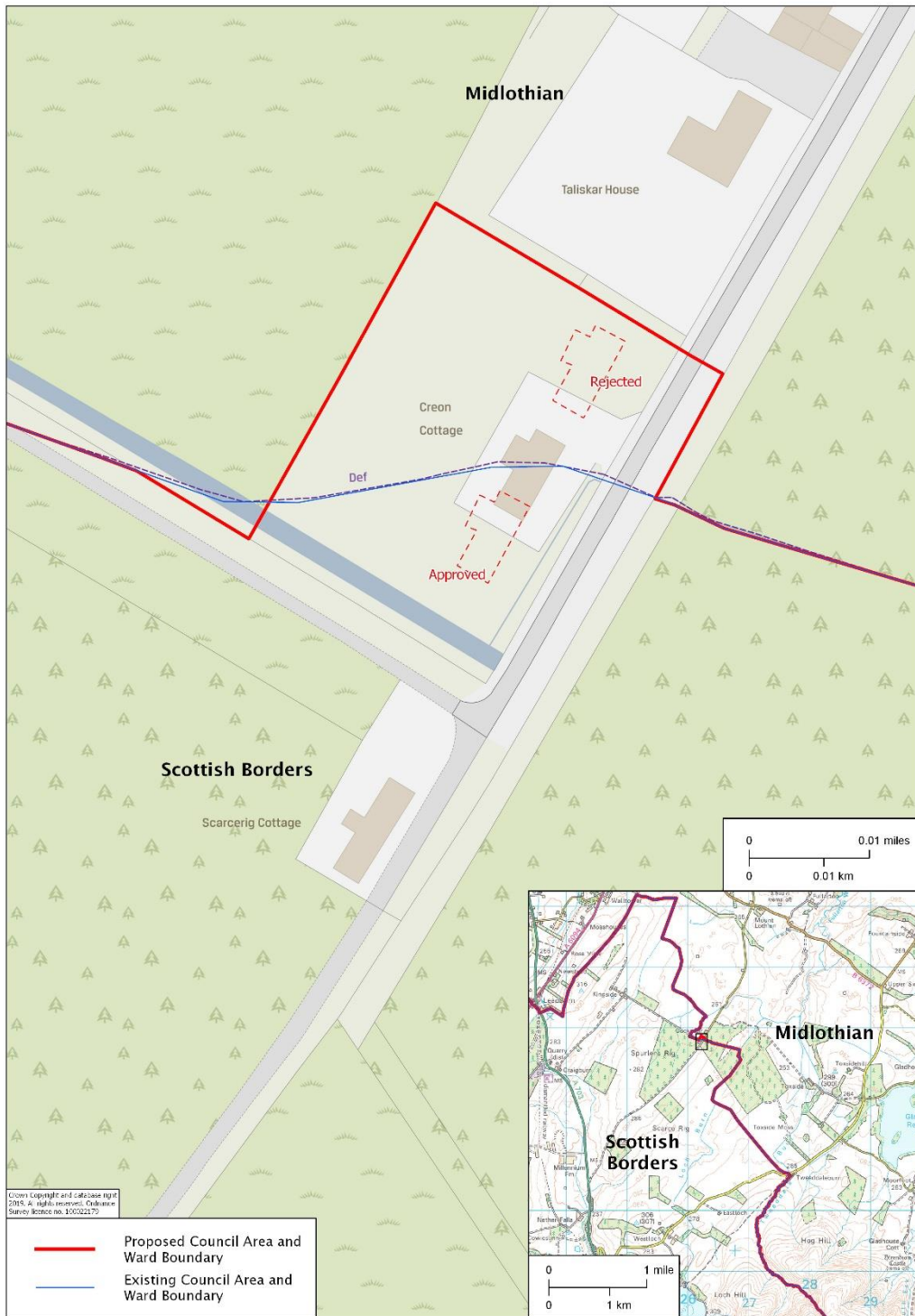
**Recommendation**

29. The Secretariat recommends that the Commission:

- agrees to undertake an administrative area boundary review between Midlothian and Scottish Borders Council areas and informs both Councils of its decision;
- considers the administrative area anomalies at Netherton, Dundee and Loch Doon; and
- writes to NRS to advise them of its decisions.

**Secretariat  
July 2019**

Appendix A  
Creon Cottage, near Leadburn



# Appendix B Loch Doon



# Appendix C Dundee



