

Possible Multi-Member Wards Event

Purpose / Background

1. At its meeting 29 October 2019 the Commission discussed LGBCS Paper 2505, regarding options for possible aims, themes, formats and participants for future events relating to an overall theme of “effective and convenient local government”.
2. The Commission asked the Secretariat to prepare a paper for its next meeting outlining ideas for an event exploring multi-member wards.

Current Use of Multi-Member Wards

3. The current system of multi-member electoral wards for local authorities in Scotland is a consequence of the Local Governance (Scotland) Act 2004. The Act provided for 3-member and 4-member electoral wards within local authority areas, with councillors being elected by the single transferable vote (STV) system. These new wards took effect after local authority elections in May 2007. Under the previous system, all councillors had been elected to single-member wards using the first-past-the-post electoral system. More details on the introduction of multi-member wards in Scotland are included in Appendix A.
4. This 3-member and 4-member ward system was modified in 2018 by the Islands (Scotland) Act, which allowed for the creation of 1-member and 2-member wards in six council areas, where those wards contained an inhabited island.ⁱⁱ
5. The Scottish Elections (Reform) Bill 2019, which at the time of writing is being considered by the Scottish Parliament, may give the Commission the power to create 2 and 5 member wards.ⁱⁱⁱ
6. Multi-member wards are a feature in local government in many other democracies. The Secretariat has prepared some notes on aspects of the use of multi-member wards in local government in a selection of English-speaking countries, which may be of interest to the Commission in Appendix B.

Questions the Commission May Wish to Explore

7. LGBCS Paper 2505 at the 29 October 2019 LGBCS meeting included a series of questions or “themes” associated with multi-member wards, based on the discussion the Commission had had at the 11 September 2019 meeting, and subsequent discussions between the Chair, the Deputy Chair and the Secretariat. They were:

“Multi-member wards:

- *reflection on why these were instituted; and what evidence there is that they have “met their goals?”;*
- *how do multi-member wards affect councillor workload? Do councillors share workload in particular ways? (e.g. on geographic, political party or other lines?);*

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- *how do members of the public feel about multi-member wards?*
 - *If 2 and 5 member wards are introduced, what should the Commission's attitude be to using them rather than 3 or 4 member wards (they would greatly increase the number of possible ward designs in a council area)?*
 - *The introduction of 1-member wards means that for some parts of a council area, seats would not be allocated in proportion to votes for political parties in the way that multi-member wards provide for. To what, if any, extent should this affect the Commission's future considerations?"*
8. The Commission may of course seek to explore other issues related to multi-member wards, but some evidence of the answers to the questions above, and knowledge gaps are noted below:
- *reflection on why multi-member were instituted; and what evidence there is that they have "met their goals";*
 - The background information the Secretariat has found on the introduction of the current multi-member wards system in Scotland indicates that the primary goal of their introduction was to introduce a greater degree of proportionality between votes cast for, and seats won by, political parties in local government elections in Scotland.
 - The particular system of 3-member and 4-member wards elected by STV sought to do this, whilst also preserving the link between a councillor and ward, which may arguably have been weakened by allowing wards with greater numbers of councillors to be created. See Appendix A for a summary of the development of multi-member wards in Scotland.
 - The percentage of seats won by political parties in local elections does appear to have become more proportional to the number of votes cast. The tables below show the number of seats won by political parties compared to their percentage vote share in 2003, the last election held under the first-past-the-post system; and the most recent local government election, in 2017, which was held using the 3 and 4 member multi-member ward system with STV.

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2003 Local Government Elections				
Party	Seats won	Seats Won Percentage	Vote Share Percentage	Difference between Percentage of Seats won and Vote Share
Conservatives	123	10.7%	15.2%	-4.5%
Labour	505	44.0%	32.9%	11.1%
Liberal Democrats	170	14.8%	14.6%	0.2%
SNP	178	15.5%	24.3%	-8.8%
Independent	169	14.7%	9.5%	5.2%
Others (incl. SSP)	3	0.3%	3.6%	-3.3%
Total	1148	100%	100%	

2017 Local Government Elections				
Party	Seats won	Seats Won Percentage	Vote Share Percentage (First preference votes)	Difference between Percentage of Seats won and Vote Share
Conservatives	276	22.5%	25.3%	-2.8%
Labour	262	21.4%	20.2%	1.2%
Liberal Democrats	67	5.5%	6.9%	-1.4%
SNP	431	35.1%	32.3%	2.8%
Independent / No Description	168	13.7%	10.4%	3.3%
Others (inc. Green)	23	1.9%	4.9%	-3.0%
Total	1227	100.0%	100.0%	

- The percentages of seats won by the parties are noticeably closer to the percentage of votes received in 2017 than in 2003: none of the differences exceed 5% in 2017, whereas 3 of the differences exceeded 5% in 2003 and one of them exceeded 10%.
- While the number of seats won by political parties has become more proportional to their vote share since the introduction of STV in Scotland as a whole, it is not clear that this effect has been uniform across the country, particularly in rural or island areas where independents have historically won more seats than political parties.
- For example, there was little change in the percentage difference between seats won and votes cast for independents between the elections in 2003 and 2017 in Orkney Islands, Shetland Islands and Na h-Eileanan an Iar council areas. In 2003, independent candidates received 80.7% of the votes, winning 62 out of the 74 seats available (83.8%)^{vi}. In the 2017 local elections in the same council areas, Independents won 85.0% of votes, and also won 62 out of the 74 seats available (83.8%).^{vii}

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- *how do multi-member wards affect councillor workload? Do councillors share workload in particular ways? (e.g. on geographic, political party or other lines?);*
 - Research published by the Commission on councillors’ roles and workload in 2017, found that in the context of multi-member wards in Scotland:

“Whether a councillor represents and three or four member ward has a negligible impact on workload”^{viii}.

It should be noted that this would not necessarily be the case in future if in future one, two or five member wards are created.
 - Research published carried out on behalf of the Electoral Commission in 2006 regarding single and multi- member wards in England found that:

“Councillors did not attribute workload to whether their ward was single or multi-member, as differences in the size and characteristics of wards meant the workload was usually relative.”^{ix}

And, as regards the distribution of workload:

“Clearly working practices in multi-member wards, such as the tasks undertaken and workload distribution were influenced by the relationship between multi-member ward councillors”.^x
- *how do members of the public feel about multi-member wards?*
 - The Secretariat has not found information on how members of the public feel about multi-member wards. The Commission could consider carrying out some research on this, perhaps including an opinion poll. The Commission will wish to consider whether such a poll could be used to inform the first event it holds, or whether the first event should be used, in part, to discuss the best questions to raise in such a poll.
 - Care would have to be taken in devising questions that would be meaningful to members of the public: many will not be aware of the current system of electoral wards, and many will not be familiar with the previously used system for local elections. Similarly, there is a risk that questions around multi-member wards are interpreted by participants primarily in regards to the merits or otherwise of the STV electoral system, or indeed other changes to local authorities since 2007.
- *If 2 and 5 member wards are introduced, what should the Commission’s attitude be to using them rather than 3 or 4 member wards (they would greatly increase the number of possible ward designs in a council area)?*

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- The Commission may wish to consider this further, noting:
 - More options for ward design is likely to reduce the frequency with which communities are divided in order to ensure a reasonable degree of electoral parity.
 - Broadly, the more councillors are elected per ward, the more the number of councillors elected is proportional to the votes cast for each party. The Commission may wish to consider whether it takes a view upon the desirability of significant variations of proportionality between wards within a single local authority area.
 - More councillors per ward means that wards are larger (assuming no significant increase in the overall number of councillors), which could have practical implications for councillors in more remote or sparsely populated areas.
 - The Policy Memorandum to the Scottish Elections Reform Bill 2019 summarised the responses to the consultation on electoral reform as follows:

“7.47 Respondents indicating support for flexibility to recommend wards with two or five representatives generally argued that ‘one size does not fit all’. This group thought that Scotland was a diverse country, and that increased flexibility would allow greater account to be taken of rurality, population density, geography and travel times, ‘natural communities’, and the special circumstances of island communities in setting ward boundaries. Some said that they wished to see electoral parity given a lower priority in setting boundaries and local circumstances given higher priority...

7.48 Some respondents argued for greater flexibility than proposed in the consultation paper. However, others were more cautious, and offered several caveats and qualifications to their support for flexibility. Most commonly, respondents suggested that wards should only have less than three or more than four councillors in ‘exceptional circumstances’ governed by strict criteria, where there was a strong local case and local support, or where this would allow existing ward boundaries to remain unchanged, despite a shift in population. Others suggested that flexibility should only be used with government or parliament agreement. Some also noted the potential disadvantages of having fewer than three or more than four councillors (as discussed by those opposed to flexibility...and, thus, thought that flexibility should be used sparingly.”^{xi}

- *The introduction of 1-member wards means that for some parts of a council area, seats would not be allocated in proportion to votes for*

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political parties in the way that multi-member wards provide for. To what, if any, extent should this affect the Commission's future considerations?"

- The Commission may wish to consider this further, noting that legislative changes may mean that some local authority areas could have both single member wards and five member wards.

Suggestions for an Event**Theme**

9. The Commission may choose to hold an event or events discussing the impact of multi-member wards since their implementation in 2007, or how well they are currently functioning, and which may stimulate its thoughts on how to address 2 and 5 member wards if these are implemented by the Elections Bill.

10. The topic of the first seminar could be, for example:

“What has been the impact of multi-member wards on local government in Scotland since 2007?”

Or

“How well are multi-member wards functioning in Scotland?”

Or

“With the possibility of the Commission having the power to recommend 2 and 5 member wards, what are your thoughts on 2, 3, 4 and 5 member wards?”

Potential Participants & Outputs.

11. The Commission will wish to consider which perspectives it wishes to consider and consequently whom to invite. A list of perspectives and potential invitees is below:

- Academic:
 - Academics who have an expertise in local democracy, community or related topics;
- Community Groups and Electors
 - The Commission may wish to consider inviting representatives of Community Councils, and on what basis to choose which to invite.
 - The Commission is unlikely to be able to secure a representative group of electors to attend an initial event, but may choose to seek their views through opinion polling either before or after an initial event.
- Local Authority Senior Officials:
 - SOLACE

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- Local Authorities:
 - COSLA
- Local Authority Councillors:
 - Current or former councillors. The Commission may need to give further thought as to how to obtain a representative perspective of councillors.
- Other Bodies concerned with electoral matters:
 - Association of Electoral Administrators
 - Electoral Commission
 - The Electoral Management Board
- Political Parties:
 - The Commission would need to consider on what basis it would choose which political parties to invite.

12. Given the specialised and multi-faceted nature of the topic, the Commission may wish to begin its considerations by holding an initial event seeking perspectives from a narrow range potential participants first, with a view to incorporating wider perspectives at a later stage.

13. The Commission will wish to manage the expectations of invitees to any events it holds. The Commission may wish to consider whether it asks invitees to prepare a presentation, to take part in a discussion, or merely observe. The Commission may wish to consider whether it should prepare a statement of the purposes and hoped-for outcomes of its event as part of its invitations.

14. The Commission may also want to give further consideration to what, if any, formal outputs it wants to result from any events it holds. Would the Commission want to publish slides from presentations given at a seminars, and / or summaries of discussions? Would it seek to publish research or polling or develop formal policies? The expected outputs of events may impact on the Commission's decisions on whom to invite, and invitees' willingness to accept invitations.

15. The Commission may also wish to make clear in its invitations that while these events are intended to inform its thinking, they do not form part of the consultation process of any ongoing or future reviews.

Venue and Cost

16. A seminar, depending upon the number of invitees, could be held in the board room of Thistle House, the building in which the Commission is normally meets. This room could accommodate up to 24 people around a table, or up to 40 if arranged "theatre style". Alternatively the Commission could hire a room in a hotel or university in Edinburgh. On this basis, costs would be modest.

17. Such a meeting is unlikely to be able to facilitate obtaining the views of representative members of the public. The Commission might therefore choose, as discussed above, to carry out some form of opinion polling to ascertain the view of members of the public. The costs of such polling may be in the region of £15,000, not including VAT.

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18. The Commission may also choose to commission research into multi-member wards. There appears to be a limited amount of recent research available on this topic. The cost would depend on the scope of the research, but for indicative purposes, the cost of the research into councilors' roles and workload which was published in 2017 was c. £24,000.
19. These costs are included in the draft Corporate Plan that the Commission will be considering at its December meeting. It would be helpful to get views on likely expenditure in 2020–21 in order to inform the revision of that plan.

Conclusion

20. The Commission is invited to consider the ideas and options set out in this paper, with a view to developing a future event related to multi-member wards.

Secretariat
December 2019

Appendix A

The Development of Multi-Member wards in Scotland

21. The introduction of multi-member wards in 2007 followed a series of reviews relating to local government in Scotland. The “McIntosh Report” published in June 1999, recommended the adoption of a proportional representation system for local authority elections in Scotland.^{xii} The “Kerley Report” published in June 2000 built on the recommendations of the McIntosh Report, and recommended that the electoral system for local authorities be changed to an STV system, with 3–5 member wards, arguing that:

- “It is highly desirable that wards should reflect natural communities, and accordingly, there should be flexibility in ward sizes – ranging from 3 to 5 member wards to allow natural communities to be maintained within wards.”
- “In sparsely populated parts of Scotland, exceptionally, wards comprising a minimum of 2 councillors may be appropriate.”^{xiii}

21. After further consideration and consultation on the recommendations of the Kerley Report^{xiv}, the Scottish Executive set up a Single Transferable Vote Working Group, the Interim Report of which was submitted to Scottish Ministers to inform the Local Governance (Scotland) Bill. The Interim Report recommended that “the number of members per ward should be 3 to 5 in most cases with 2 members where exceptional local circumstances (remoteness and sparsity of population) dictated”^{xv}

22. The Local Government and Transport Committee, which considered the Local Governance (Scotland) Bill, included the response of the Interim Report in its considerations, but concluded that:

- “[The Committee] concludes that wards of three or four members as proposed in the Bill offer the most acceptable compromise between proportionality and the member-ward link”^{xvi}

23. The Scottish Parliament passed the Local Governance (Scotland) Bill on 23 June 2004, by majority vote.^{xvii} Amendments which would have allowed for the creation of 2 and 5 members wards were rejected.

Appendix B

The Use of Multi-Member wards in other Jurisdictions

24. The Secretariat has prepared some notes below on the use of multi-member wards in local government in a selection of English-speaking countries.

England

25. From the Local Government Boundary Commission for England's document: "How to propose a pattern of wards: Helping you make the strongest possible case to the Commission" (subheading 3 "Promoting effective and convenient local government and reflecting electoral cycles"):

"Number of councillors in each ward or division - there is no limit to the number of councillors that can be elected to represent a ward or division. However, we would not normally accept a proposal for more than three councillors to represent a ward."

26. Unlike in the Republic of Ireland and New Zealand, local government elections in England (and Wales) are carried out on a first-past-the-post basis.^{xviii}

Republic of Ireland

27. In the Republic of Ireland, Ministers establish Local Area Boundary Committees to make recommendation to them on local electoral areas. Ministers provide the Committees with Terms of Reference, and must "have regard to" their recommendations (but do not appear to be obliged to implement them).

28. The Terms of Reference provided to two such Committees in December 2017 stated that^{xix}:

[Regarding Committee no.1]:

"This Committee will report and make recommendations on every county, other than Cork, Dún Laoghaire-Rathdown, Fingal, Galway and South Dublin, as well as Limerick City and County and Waterford City and County. For these Councils, the number of councillors will be not less than 5 and not more than 7 for each local electoral area, provided that in particular compelling circumstances, 3 or 4 seat local electoral areas may be recommended."

and [Regarding Committee no. 2]:

"This Committee will report and make recommendations on Dublin City, and the counties of Dún Laoghaire-Rathdown, Fingal and South Dublin. For these Councils the number of Councillors will be not less than 5 and not more than 7."

29. Local elections in the Republic of Ireland are use a single-transferrable vote (STV) electoral system.^{xx}

New Zealand

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30. Local authorities are responsible for determining their own electoral arrangements, but if proposed arrangements are objected to they are referred to the Local Government Commission, which decides.^{xxi}
31. Local Authorities can choose between first-past-the-post and single transferrable vote in determining their electoral system. The Local Government Commission's: "Guidance for local authorities undertaking representation reviews" states that:

"Five to seven members is preferable for wards or constituencies using STV (the absolute minimum is three) to gain the full benefits of proportional representation under STV."^{xxii}

ⁱ Local Governance (Scotland) Bill [as passed]:

[https://www.parliament.scot/S2_Bills/Local%20Governance%20\(Scotland\)%20Bill/b14s2-aspassed.pdf](https://www.parliament.scot/S2_Bills/Local%20Governance%20(Scotland)%20Bill/b14s2-aspassed.pdf)

ⁱⁱ Islands (Scotland) Act 2018 <http://www.legislation.gov.uk/asp/2018/12/contents/enacted>

ⁱⁱⁱ <https://www.parliament.scot/parliamentarybusiness/Bills/112675.aspx>

^{iv} p. x-xiii, “Commentary on the Results” in “Scottish Council Elections 2003: Results and Statistics”, H M Bochel and D T Denver, 2003. <http://www.electionscentre.co.uk/wp-content/uploads/2015/10/Scottish-Council-Elections-2003.pdf>

^v Scottish Local Government Elections 2017: Summary Results Data: Elections Scotland website: http://www.electionsscotland.info/downloads/file/351/slge2017_summary_results_data

^{vi} p. xiii, “Commentary on the Results” in “Scottish Council Elections 2003: Results and Statistics”, H M Bochel and D T Denver, 2003. <http://www.electionscentre.co.uk/wp-content/uploads/2015/10/Scottish-Council-Elections-2003.pdf>

^{vii} Scottish Local Government Elections 2017: Summary Results Data: Elections Scotland website: http://www.electionsscotland.info/downloads/file/351/slge2017_summary_results_data

^{viii} Kerley and McGarvey (2017) “Research report: Councillors’ Roles and Workload”: p. 37

^{ix} 3.1 Workload in “Single and multi member ward research: Summary report (Prepared for the Electoral Commission)

https://www.electoralcommission.org.uk/sites/default/files/electoral_commission_pdf_file/Singleandmulti-memberwardreportFINAL_23263-17347__E__N__S__W__.pdf

^x 3.3.2 Workload in “Single and multi member ward research: Summary report (Prepared for the Electoral Commission)

https://www.electoralcommission.org.uk/sites/default/files/electoral_commission_pdf_file/Singleandmulti-memberwardreportFINAL_23263-17347__E__N__S__W__.pdf

^{xi} Scottish Elections (Reform) Bill Policy Memorandum (September 2019) page 7.

[https://www.parliament.scot/S5_Bills/Scottish%20Elections%20\(Reform\)%20Bill/SPBill53PMS052019.pdf](https://www.parliament.scot/S5_Bills/Scottish%20Elections%20(Reform)%20Bill/SPBill53PMS052019.pdf)

^{xii} The Report of the Commission on Local Government and The Scottish Parliament (“The McIntosh Report”) (1999) p. 5

^{xiii} The Report of the Renewing Local Democracy Working Group (“The Kerley Report”) (2000)

^{xiv} “White Paper” : “Renewing Local Democracy: The Next Steps” (March 2002):

<https://www.webarchive.org.uk/wayback/archive/20171002012418/http://www.gov.scot/Publications/2002/03/14425/1662>

^{xv} Single Transferable Vote Working Group Final Report (2004) p. 28

<https://www2.gov.scot/resource/doc/30859/0025697.pdf>

^{xvi} [Scottish Parliament] Local Government and Transport Committee, 2nd Report 2004 (Session 2), paragraph 6. <https://archive.parliament.scot/business/committees/lgr/reports-04/lgr04-02-vol01-02.htm#2>

^{xvii} <http://www.parliament.scot/parliamentarybusiness/report.aspx?r=4522&mode=html>

^{xviii} <https://www.gov.uk/elections-in-the-uk/local-government>

^{xix} <https://www.housing.gov.ie/local-government/voting/boundaries/minister-phelan-establishes-local-electoral-area-boundary>

In more detail: <http://www.boundarycommittee.ie/termsofreferencehtm.htm>

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https://www.citizensinformation.ie/en/government_in_ireland/elections_and_referenda/local_elections/local_elections.html

^{xxi} <http://www.lgc.govt.nz/representations-reviews/representation-review-guidelines/>

^{xxii} Guidance for local authorities undertaking representation reviews (6th Edition June 2017) Chapter 3: Choosing an electoral system” p.12.

<http://www.lgc.govt.nz/assets/Uploads/Representation-Review-Guidelines-2017-a.pdf>