

2019 Reviews of Electoral Arrangements Final Report Template

For discussion

1. The Secretariat has prepared a first draft of a final report for Orkney Islands council area, to be used as the template for producing all six reports for the 2019 Reviews of Electoral Arrangements. The draft report is at Appendix A.
2. The draft report consists of three sections: Part 1 Final Recommendations; Part 2 Background; and Part 3 Conducting the Review.
3. Part 1 “Final Recommendations” provides a map and description of each recommended ward and a table with presenting variation from electoral parity of the final recommendations.
4. Part 2 “Background” comprises information from the Commission’s guidance booklet for these reviews such as why the Commission is conducting the reviews and legislative requirements.
5. Part 3 “Conducting the Review” discusses the consultation stages, reasons for the Commission’s proposals and final recommendations. Part 3 explains how the Commission has met the legislative requirements from the Local Government (Scotland) Act 1973. It also discusses how the Commission considered the Islands (Scotland) Act 2018 and Scottish Elections (Reform) Act 2020.
6. Appendix B “Legislation to be observed in considering electoral arrangements” has still to be drafted.
7. Particular issues the Commission may wish to consider are:
 - **Style** – while the Reports are for submission to Ministers they clearly have a wider audience and need to balance formal coverage of the points the Commission needs to make with being accessible and understandable to the public and other interested parties. These are also the first reports which will be considered under affirmative procedure in the Scottish Parliament.
 - **Content** – there is a balance to be struck between setting out background information in the Reports and referring the reader to the material available on the Commission’s website. The draft tries to provide sufficient information without overwhelming the reader
 - **Legal requirements** – following the BCNI judgement for the 2018 Parliamentary review the Commission may wish to consider if it would like the final reports considered by solicitors to ensure not only that we have complied with all legal requirements but that the report makes that sufficiently clear.

Conclusion

8. The Commission’s views on the attached draft, and the points above, are invited.