

Local Government Boundary Commission for Scotland

Minutes of Meeting held at Thistle House, 91 Haymarket Terrace, Edinburgh Wednesday 13 February 2019

Present

Mr R Hinds, Chair
Prof. A Henderson, Deputy Chair (by video conference)
Mr R Bean
Dr S Walker
Mr G Macmillan

Ms I Drummond-Murray, Secretary
Mr C Wilson
Mr D Campbell
Mr D Logue
Mrs Y Croll

Declaration of Interests

1. There were no declarations of interest.

Minutes of previous meeting

2. The Commission approved the minutes of the meeting on 3 December 2018 with minor amendments.

Matters arising

3. The Secretary informed the Commission that the Scottish Government will be announcing the appointment of the new Commissioner on 18 March 2019.
4. Mr Macmillan informed the Commission that he had been contacted by the Scottish Government inviting him to attend a public appointees' training course. The Chair asked Mr Macmillan to offer feedback to the Commission following his attendance on the course.
5. The Secretary updated the Commission on the project to update the Commission's website. The Commission were informed of a change of contractor to ensure the website's ability to provide interactive maps and a consultation portal, and ongoing compatibility with future Scottish Government security and hosting arrangements. The Commission were advised that the procurement of contractors was in line with Scottish Government regulations.
6. The Secretary informed the Commission that she had had discussions with the Scottish Government regarding any possible impact the UK's leaving of the EU may have. Planned legislation around the electoral franchise would be monitored and an update given at a future meeting.
7. The Secretary informed the Commission that she had met Penny Curtis, the new Head of the Scottish Government's Elections and FOI team. The Secretary agreed that she would continue to work co-operatively with SG colleagues and ensure

good relations between the Secretariat, the Commission and the sponsor department continue.

8. The Commission heard that there had been further correspondence from Jamie Hepburn MSP regarding a request for an Administrative Area Boundary Review between East Dunbartonshire and North Lanarkshire council areas at the B802 Howe Road. Mr. Hepburn was disappointed at the Commission's decision not to undertake a review and referred to ongoing road safety issues in the area. He advised that he would be seeking further information from both councils. The Secretary's reply to Mr. Hepburn offered to consider any further evidence that he might be able to provide.
9. The Secretary informed the Commission that she had been in touch with the Local Government Boundary Commission for England (LGBCE) and the Boundary Commission for England (BCE) regarding the hosting of the 2019 meeting of UK Boundary Commissions. BCE expected to host and would be in touch in due course to arrange a date. It was expected that each Commission would be invoiced for the full cost of its attendees instead of the host meeting dinner and lunch costs.
10. The Secretary advised the Commission that the sponsor department had yet not formally agreed the draft Corporate Plan submitted to it by the Commission. The Budget Bill is currently before the Scottish Parliament and the Secretariat is still in the process of confirming the costs in relation updating its website, which may require an update to the Corporate Plan. The Secretariat will continue to work with the sponsor department with a view to publishing the 2019–2022 Corporate Plan this financial year.

Business Update

11. The Secretary informed the Commission regarding the latest position with the 2018 Review of UK Parliament Constituencies. There was no update as to when the Order to implement the Final Recommendations will be laid in Parliament and the Private Members Bill sponsored by Afzal Khan MP – proposing a return to 650 constituencies – had not progressed beyond the Committee Stage as the Government had not provided a money resolution.
12. The Commission noted that the Boundary Commission for Northern Ireland's 2018 UK Parliament Review recommendations are to be subject to a judicial review.

Electoral Reform – Rolling Reviews (Paper LGBCS 2470)

13. The Commission discussed the impact of expected Electoral Reform legislation on the Commission's future planning of reviews, in particular a programme of rolling electoral reviews of local government areas, as well as interim electoral reviews of local government areas. The Secretary provided an oral update on discussions with Scottish Government colleagues.
14. The Commission asked the Secretariat to prepare a paper further examining the potential timescale and format of rolling reviews and how this may impact on the Secretariat's resource capacity to conduct the review programme. This should take into account the timing of the Second Review of Scottish Parliament electoral arrangements and the Boundary Commission for Scotland's next review of UK Parliament constituencies, which is expected to begin in early 2021.

15. The Commission asked the Secretariat to give further consideration to responses to the Scottish Government's Consultation on Electoral Reform, and to consider whether some preparatory work for local government reviews could take place during local government elections to provide additional flexibility to the timetable of reviews. It noted that if the benefits of rolling reviews are to be fully realised then it would be necessary both to prioritise reviews according to need and to have time to focus on each council.
16. The Commission asked the Secretariat to provide it with a copy of the LGBC's electoral review process and timetable.
17. The Commission noted that it expected to give evidence at the appropriate time to the Scottish Parliamentary Committee considering the electoral reform legislation. The Secretary and Chair agreed to meet with SOLACE and COSLA to consider their views on the scheduling of local government electoral reviews, once the Bill had been introduced.
18. The Commission considered interim electoral reviews of Dundee City and Scottish Borders council areas, but agreed to wait until the passage of legislation which may allow for 2 or 5 members wards, as the Commission considered that these areas could benefit from this flexibility. This would mean that these reviews would not be conducted before the 2022 local government elections.
19. The Commission discussed the process by which its recommendations following reviews of local government electoral arrangements are approved by Ministers or Parliament. The Commission agreed that it both be held accountable for its recommendations, and that its independence is preserved. The Commission asked the Secretariat to revisit papers 2446 and 2452, presented at its autumn 2018 meetings, which discussed electoral boundary making in other jurisdictions, with a view to considering the grounds upon which other commissions' recommendations had not been accepted and any guidance or requirements covering reasons for rejection.

Islands Reviews Update (Oral)

20. The Secretariat gave a brief presentation outlining its visits to the Island Councils under review and reported on the media uptake of the announcement of the Islands Reviews' commencement. The announcement appeared in articles in local or regional newspapers and websites, but was not covered in national newspapers.

2018 Review of Electoral Arrangements – Shetland Islands council area (Paper LGBCS 2469)

21. The Commission considered 4 options for Shetland Islands council area. Options 1, 3 and 4 were unchanged from Paper 2462.
22. The Commission noted that Option 1 improved variation from parity in wards 3 and 5 but broke local ties in the area. During the 5th Reviews public consultation on these ward boundaries there was opposition to the proposed boundaries by Lerwick.
23. The Commission noted that Option 4 minimised change by retaining the existing electoral arrangements but proposes wide variation from electoral parity in wards 3 and 5.

24. The Commission then considered Options 2 and 3. Both options followed recognised boundaries, offered similar boundaries and proposed 23 councillors, one more than the Commissions methodology. Option 2 proposed a ward design based on existing ward and locality boundaries. Option 3 proposed a ward design based on locality boundaries. Locality areas are used by both the Council and NHS Shetland to deliver local services.
25. The Commission agreed that Option 2 and 3 both reflected local ties in the whole council area and proposed recognised boundaries, both localities and existing wards.
26. The Commission agreed to adopt Option 2 as it maintained local ties between Gulberwick and Lerwick, an area which had raised concerns that local ties were broken during the 5th Reviews.
27. The Commission were content that Option 2 retained the existing Shetland North ward and Shetland South ward, maintaining local ties but also minimised change to the existing ward boundary in Lerwick. The Commission also agreed that Option 2 addressed variation from parity in Shetland South and Shetland West.
28. The Commission noted that Option 2 proposed 23 councillors, one more than its methodology, but agreed to consult on this option because it considered local ties and improves variation from electoral parity.
29. The Commission considered that the proposed name for ward 6, Lerwick North should include reference to Bressay. The Commission agreed to name the ward Lerwick North and Bressay.
30. The Commission agreed to adopt Option 2 as its Initial Proposals for ward boundaries in Shetland Islands council area including the amended ward name outlined above.

2018 Review of Electoral Arrangements – Orkney Islands council area (Paper LGBCS 2471)

31. The Commission considered 3 options for Orkney Islands council area. Options 1 and 3 were unchanged from Paper 2463.
32. The Commission noted that Option 1 minimised change by retaining the existing electoral arrangements but proposed wide variation from electoral parity in wards 3, 5 and 6.
33. The Commission noted that Option 3 addressed wide variation from electoral parity in wards 3 and 5 but only retained one ward from existing arrangements.. It also noted that the proposed boundary by Kirkwall does not follow a strong historical or recognised boundary.
34. The Commission noted that Option 2 aimed to minimise change to the existing electoral arrangements, and considered local ties, while addressing variation from parity in wards 3 and 5. Option 2 retained two existing ward boundaries (North Isles; and Kirkwall West and Orphir) and the proposed West Mainland ward boundary followed recognisable current and historical boundaries. The Commission also noted that the proposed Kirkwall East boundary followed an historical ward boundary and natural features which place Kirkwall airport within a Kirkwall ward.

35. The Commission noted that variation from parity is over 10% in the North Isles ward. The Commission considered that the North Isles is arguably the most remote ward in Scotland, containing an electorate which inhabits 12 islands with limited transport links. The Commission reflected that the wide variation from electoral parity in ward 6 (North Isles) was acceptable due to its special geographic circumstances and agreed to retain the existing arrangements for the North Isles.
36. The Commission agreed to adopt Option 2 as its Initial Proposals for ward boundaries in Orkney Islands council area but considered that the proposed name for ward 3, Stromness and South Isles should include reference to Sandwick. The Commission agreed to name the ward Stromness, Sandwick and South Isles.

2018 Review of Electoral Arrangements – Na h-Eileanan an Iar council area (Paper LGBCS 2472)

37. The Commission considered 4 options for Na h-Eileanan an Iar council area. Options 1 and 4 were unchanged from Paper 2464.
38. The Commission noted that Option 4 minimised change by retaining the existing electoral arrangements but proposed a ward design based on 31 councillors, 3 more than its methodology recommends.
39. The Commission considered Option 1, its recommendations from the 5th Reviews. Option 1 improved variation from parity but proposed 26 councillors, 2 less than the Commission's methodology recommends. Option 1 also offered a ward design restricted by the use of 3 or 4 member wards.
40. The Commission then considered Options 2 and 3. Both options offered similar ward designs that followed recognised and historic ward boundaries which considered local communities and island communities. Option 2 and 3 both proposed identical ward boundaries from Barra to Lewis with the exception of alternative ward boundaries by Stornoway. Option 2 proposed 28 councillors as recommended by the Commission's methodology, while Option 3 proposed 27 councillors. Option 2 minimised change in Stornoway by retaining the existing Steòrnabhagh a Tuath ward. Option 2 retained 2 4-member Stornoway wards while Option 3 proposed a 4-member ward and 3-member ward in Stornoway.
41. Options 2 and 3 both aimed to address variation from parity with a ward design that uses 1, 2, 3 and 4-member wards.
42. The Commission were content that – in an effort to represent the distinct communities in the council area particularly in Harris and the south of Lewis – both Options made considerable alterations from the other options considered.
43. The Commission considered that Option 2 reflected local ties in the whole council area, was preferable in that it proposes 28 councillors, the same number as recommended by the Commission's methodology whilst also minimising the variation in parity seen in the other Options.
44. The Commission agreed to adopt Option 2 as its Initial Proposals for ward boundaries in Na h-Eileanan an Iar council area subject to agreement of suitable ward names.

2018 Review of Electoral Arrangements: communication and engagement (Paper LGBCS 2473)

45. The Commission noted Paper LGBCS 2473 and discussed various ways to improve public engagement during the public consultation stage of the Review process.
46. The Commission asked the Secretariat to prepare a detailed strategy paper for the three council areas outlining a timetable and potential actions to undertake to increase public participation. The Commission also asked the Secretariat to consider how to evaluate participation in comparison to the 5th Reviews of Electoral Arrangements.

Mapping Issues (Paper LGBCS 2474)

47. The Commission had asked the Secretariat to consider simplifying its maps of Shetland by Yell Sound. The Secretariat provided a background to the Yell Sound boundary as well as other areas (Aberdeen and Inverclyde) and agreed to simplify how it displayed ward boundaries by Yell Sound by delineating the physical coastline in future maps where appropriate.
48. The Commission agreed to work within the constraints of the Shetland Mapping Requirement where possible.

Finance Update (Paper LGBCS 2475)

49. The Commission noted the latest Finance Update. The Commission noted that the sponsor department had not sought return of funds now not expected to be spent this financial year, in response to the Secretariat's inquiry.

Future Meetings (oral)

50. The Commission confirmed that the next meeting would take place on Monday 25 March 2019.

Any other business

51. The Secretariat advised the Commission of the cut-off date for payments of meeting fees in February.