

**Local Government Boundary Commission for Scotland**

**Minutes of Meeting held at Thistle House, 91 Haymarket Terrace, Edinburgh at 10:00am on Monday, 17 June 2019**

**Present**

Mr R Hinds, Chair  
Prof. A Henderson, Deputy Chair  
Mr R Bean  
Mr J Collins  
Mr G Macmillan  
Dr S Walker

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

**Declaration of Interests**

1. There were no declarations of interest.

**Minutes of previous meeting**

2. The Commission approved the minutes of the meeting on 25 March 2019 without amendment.

**Matters arising**

3. The Chair welcomed Mr. Collins to his first meeting as a Commissioner.
4. The Secretariat discussed the recent progress in refreshing the Commission's website, and preparations to use the Citizenspace consultation portal, which is used by the Scottish Government and other public bodies, during the public consultations for the Islands Reviews. The Secretariat expects the Commission's new website to be ready in the next few weeks.
5. The Secretary advised the Commission that she expects this year's annual meeting of the UK Boundaries Commissions to take place in London on Friday 29 November. The Boundary Commission for England, which is hosting the meeting, has asked the other UK Commissions to make their own accommodation arrangements. The Commission was happy to do this, but agreed that it would be beneficial if Commissioners from the other Commissions could arrange to stay in the same hotel, to make informal discussions easier. The Commission agreed to decide which Commissioner would represent it at the meeting by correspondence.
6. The Secretary advised the Commission that she is liaising with the sponsor department in the Scottish Government to agree the final version of the Corporate Plan to be published on the Commission's website. She expects this will be published at the same time as the Annual Report.

7. The Commission agreed to review the Risk Register at its next meeting in July.
8. The Chair advised the other Commissioners that he would be in contact with them about their appraisal reports following the recent appraisal review meetings.

### **Business Update**

9. The Commission noted that it was awaiting publication of the Scottish Government's Electoral Reform Bill. The Commission noted that it could be requested to give written and oral evidence to the committee stage of the Bill. The Commission agreed that the Chair should seek to meet the Cabinet Secretary at the appropriate time to discuss any implications the Bill may have for the Commission.
10. The Commission agreed to give further consideration to the possible future implications at its next meeting, particularly in regards to how any changes to the length of parliamentary terms may affect the timing of future reviews. The Commission also asked the Secretary to discuss issues around electoral reform with the Electoral Commission
11. The Secretary advised the Commission that the Scottish Government and the Convention of Scottish Local Authorities (COSLA) had published a joint statement on the outcome of their consultation on Local Governance and next steps. The Secretary will monitor progress and advise the Commission of any developments in this area.
12. The Secretary informed the Commission that a partially successful Judicial Review had been raised against the Boundary Commission for Northern Ireland with respect to its 2018 Review of UK Parliament constituencies. The Boundary Commission for Scotland would consider this judgement at its next meeting, and the Secretary advised that she would update the Commission on any conclusions relevant to its work.
13. The Secretary advised that the Secretariat is working on a guidance document for Commissioners with regards to fees and expenses claims, and hopes to circulate a draft of this to Commissioners prior to the next meeting.
14. The Secretariat advised the Commission that National Records of Scotland had alerted it to some anomalies in the boundaries of local authority areas where they clash with built or natural features. The Secretariat will present a paper on these issues at the next Commission meeting, with a view to considering whether any reviews of administrative area boundaries should be undertaken.

### **Review of Electoral Arrangements (Oral Update)**

15. The Secretary updated the Commission on the progress of the Islands Reviews and preparations for the public consultation stage. The consultation with councils on the Commission's Initial Proposals had run from 20 March to 20 May, and the 3 councils involved had submitted responses, to be considered by the Commission in the papers to follow. Commissioners and Secretariat members had visited Orkney Islands Council and Shetland Islands Council during the consultation

period to discuss the proposals. The Commission had offered to visit the Comhairle nan-Eileanan Siar, but the Comhairle did not take up the Commission's offer.

16. The Secretariat advised the Commission that it currently plans to hold the public consultation on its Initial Proposals from mid-August to mid-November. It hopes that holding the public consultation after the school holidays are complete will increase the likelihood of community councils and members of the public taking part.
17. The Secretariat showed the Commission publicity materials it had been working on with the design company APS and with the assistance of Commissioner Mr. Macmillan. The Commission provided the Secretariat with feedback on the content and designs. The Secretariat will present updated designs for consultation materials at the next meeting.
18. The Commission discussed commencing the reviews of electoral arrangements for the council areas with inhabited islands which also contain part of the Scottish mainland: Argyll & Bute, Highland, and North Ayrshire. The Commission asked the Secretary to write to these councils with a view to Commissioners visiting and meeting them in early September to discuss the Reviews.

#### **2019 Review of Electoral Arrangements: Orkney Islands council area (Paper LGBCS 2481)**

19. The Commission considered Paper LGBCS 2481, and noted Orkney Islands Council's response to the consultation. The Commission noted that the Council were mainly content with the wards to which no change was proposed.
20. The Commission considered the Council's suggestion to retain the existing ward boundary between wards 3 and 4, which would retain Sandwick in ward 4 (West Mainland). The Commission accepted the Council's view that the Commission's proposed boundary which placed Sandwick in ward 3 (Stromness, Sandwick and South Isles) would break local ties in the West Mainland area, around the village of Dounby, and agreed to retain the existing ward boundary between wards 3 and 4. The Commission considered the high variation from electoral parity in ward 3 acceptable due to the special geographic circumstances of the ward.
21. The Commission noted the Council's support for its proposed ward boundary between wards 1 and 5 to the south of Kirkwall, which the Council considered aligns better with natural community links and community councils in the area.
22. The Commission agreed to adopt the Council's suggested amendment to its Initial Proposals for wards 1 and 2 in Kirkwall. The Commission agreed that using Bridge Street as a boundary between the wards by the harbour area in Kirkwall, would provide for a more easily identifiable boundary between those wards, with only a minor change to electoral parity compared to its Initial Proposals.
23. The Commission agreed to adopt its Initial Proposals, amended to include the alternative suggestions by Orkney Council, as shown in Appendix C, as its proposals for public consultation.

**2019 Review of Electoral Arrangements: Shetland Islands (Paper LGBCS 2482)**

24. The Commission considered Paper 2482 and noted Shetland Islands Council's response to the consultation. The Council suggested retaining the two Lerwick wards from the Initial Proposals; as well as an arrangement whereby all wards outwith Lerwick would have 2 members. The Commission noted that the Council's suggestions sought to preserve local ties. However, it considered that the possible advantages of a pattern of 2 members per ward with respect to effective and convenient local government and rural representation, did not justify the variations from electoral parity which would be necessary to accommodate this suggestion whilst also preserving local ties.
25. The Commission noted the Council's suggestion that Whalsay and Skerries, which had formed a 1-member ward in the Initial Proposals, should form part of a 2-member ward with part of the Initial Proposals' Shetland North ward. This would avoid having a ward which the Council considered could be difficult for a single member to fully represent. The Commission agreed to this suggested change, and to adopt the Council's suggested wards 2 and 3 for the public consultation.
26. The Commission noted that the Council's suggested ward 8 (Lerwick, Dunrossness and Fair Isle) had a variation from electoral parity of 20%. The Commission did not consider that special geographic circumstances necessitated such a large variation from electoral parity in this case, as other acceptable options were available. The Commission also considered that an alternative northern boundary of a 2-member ward 8 to reduce variation from electoral parity would require the division of the village of Sandwick, breaking local ties.
27. The Commission agreed to retain the 4-member Shetland South ward from its Initial Proposals, which comprised the Council's suggested wards 7 and 8. This Shetland South ward would provide a smaller degree of variation from electoral parity, whilst avoiding the need to divide Sandwick.
28. The Commission agreed to retain the Shetland Central ward from its Initial Proposals. The Council had suggested dividing this proposed ward into 2 2-member wards. However, the Commission noted that merging these wards to create a 4-member ward would produce better electoral parity than the Council's suggestion, and that a different boundary between the Council's proposed 2-members wards in order to improve electoral parity would be likely to break local ties.
29. In summary, the Commission agreed ward designs for public consultation similar to its Initial Proposals, the only difference being that it took account of the Council's suggestion to merge the 3-member Shetland North ward with the 1-member Whalsay and Skerries ward to create 2 2-member wards.
30. The Commission agreed to adopt shorter ward names similar to its Initial Proposals, as the ward names for the public consultation. The Commission asked the Secretariat to update the Council on its deliberations and make clear that it would welcome further engagement during the public consultation.
31. The Commission asked the Secretariat to make some changes to the style, format and tone of paper LGBCS 2482 prior to publication to ensure consistency with the other papers.

**2019 Review of Electoral Arrangements: Na h–Eileanan an Iar council area (Paper LGBCS 2483)**

32. The Commission considered Paper 2483 and noted Comhairle nan Eilean Siar’s response to the consultation. The Commission noted that the Comhairle supported the Initial Proposals, but made suggestions for minor changes to ward boundaries around Stornoway.
33. The Commission noted that individual councillors had made suggestions, but did not take these into account at this stage: the Commission agreed to consider these after the public consultation ends.
34. The Commission agreed to adopt the Comhairle’s suggested amendments to include the areas of Arnish / Marybank and Newmarket within the Initial Proposals’ Steòrnabhagh a Tuath ward. These areas lie on the edge of Stornoway, and the Commission accepted that local ties would be better reflected by including them in a Stornoway ward. These changes can be accommodated without causing the forecast variation from parity of the affected wards to exceed 10%. The Comhairle had made similar suggestions to amend ward boundaries in these areas during the 5<sup>th</sup> Reviews of Electoral Arrangements which the Commission adopted and recommended,
35. The Commission agreed to adopt its Initial Proposals for Na h–Eileanan an Iar council area, with the minor amendments above, as its proposals for the public consultation.
36. The Commission asked the Secretariat to make a minor changes to the tone of paper LGBCS 2483 prior to publication to ensure consistency with the other papers.

**Electorate Forecasting Methodology (Paper LGBCS 2484)**

37. The Commission discussed its electorate forecasting methodology, and noted the difficulty of accurately forecasting electorate change, and considered that its forecasting in the 5<sup>th</sup> Reviews of Electoral Arrangements for local authorities reviews had been reasonable.
38. The Commission noted that the wards with high variations between actual and forecast electorate contain high student populations. The Commission considered that the introduction of Individual Electoral Registration in September 2014 was likely to have been a significant factor in these differences. The Commission discussed the potential impact of historical “double counting” whereby students had been registered at both their family home and university address. The Commission also considered the potential effects on the electorate of varied and changeable policies that universities may employ in regards to arranging or encouraging student electoral registration.
39. The Commission asked the Secretary to discuss student electoral registration with the Electoral Commission.

**Electoral Arrangements – 2019 Interim Reviews (Paper LGBCS 2485)**

40. The Commission discussed Paper 2485, and considered whether it should use its powers to review electoral arrangements in any areas before the 2022 local

government elections, and the options presented in the paper for identifying candidate wards for such Interim Reviews.

41. The Commission took the view that the methodology for identifying candidate wards should be primarily aimed at identifying wards for the Commission's further consideration, rather than itself determining which wards should be reviewed. The Commission agreed to adopt Option A as the basis for consideration of candidate wards, taking into account the upper limit of 15% advised by the Venice Commission.
42. The Commission asked the Secretariat to undertake further investigation, to be presented at its next meeting, into the wards identified in Table 1 in the paper, with a view to considering the reasons for the high variation from electoral parity, including clarifying whether the Commission had expected these wards to have such variations when recommending them in the 5<sup>th</sup> Reviews. The Commission also asked the Secretariat to consider how best to engage with councils with respect to Interim Reviews.

#### **Interim Review of Scottish Parliament Boundaries at Cardowan, Stepps (LGBCS Paper 2486)**

43. The Commission considered Paper 2486, and noted the change in administrative area boundaries which moved an area from Glasgow City council area to North Lanarkshire council area, and that this meant that Glasgow Scottish Parliament region was no longer conterminous with the Glasgow City council area boundary. The Commission also noted that its constituency rules required that "so far as practicable, regard must be had to the boundaries of local government areas".
44. The Commission noted that its next review of Scottish Parliament Boundaries is not expected to begin until after the next Scottish Parliament election in May 2021, and that an Interim Review would allow it to align the boundaries of the affected constituencies and regions with the revised council area boundaries in time for the next Scottish Parliament election. The Commission noted that aligning the council area and Scottish Parliament boundaries would be unlikely to attract opposition.
45. The Commission agreed to begin an Interim Review of the Scottish Parliament constituency boundary between Glasgow Provan constituency and Coatbridge and Chryston constituency; and the Scottish Parliament region boundary between Glasgow region and Central Scotland region, at Cardowan, Stepps. The Commission asked the Secretary to progress the review to a timetable which would ensure its recommendations would be submitted to Scottish Ministers by May 2020.

#### **Draft Annual Report (Paper LGBCS 2487)**

46. The Commission considered the draft Annual Report, and agreed to adopt it with some minor amendments to be made by the Secretariat. The Secretariat will then send the draft to its Sponsor Division.

#### **Finance Update (Paper LGBCS 2488)**

47. The Commission noted the Finance Update, but asked the Secretariat to consider the timing of the Review Costs forecast for March 2020 to avoid a possible high underspend late in the financial year.

**Future Meetings (oral)**

48. The Commission noted that its next meeting was scheduled for Tuesday 22<sup>nd</sup> July and the subsequent one for 11 September. The Secretary was asked to canvass further dates for 2019–20.

**Any other business**

49. There was no other business.