

Administrative Boundary Review: The City of Edinburgh Council Area/West Lothian Council Area at West Farm, Broxburn

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Administrative Boundary Review: The City of Edinburgh Council Area/West Lothian Council Area at West Farm, Broxburn

Introduction

1. The Commission has a statutory obligation to consider ad hoc requests for changes to boundaries of administrative areas within Scotland received from Councils, members of the public or other interested parties.

Origin and Commencement of the Review

2. The Commission is required under section 14 (3) of the Local Government (Scotland) Act 1973 to consider a request from a local authority, or any other person, to conduct a review under 14 (2) of the Act. Section 14 (2) enables the Commission at any time to review all or any part of the local government areas in Scotland for the purpose of considering whether to make proposals to The Scottish Ministers, subject to direction made under section 15 of the Act. Where the Commission considers that it is desirable in the interests of effective and convenient local government to effect changes, it may make proposals to The Scottish Ministers under section 13 of the Act.
3. On 7 June 1999, the Secretary of State for Scotland issued a Direction under section 15(3) of the Act. The Direction stated:

‘In exercise of his powers under section 15(3) of the Local Government (Scotland) Act 1973, and all other powers enabling him in that behalf, the Secretary of State hereby directs the Local Government Boundary Commission for Scotland not to undertake a review of any local government area between one day after the date of this direction and 1 April 2004, other than a review which potentially directly affects not more than 50 electors.’

Post-devolution, the functions of the Secretary of State for Scotland under the 1973 Act were transferred to The Scottish Ministers by section 53 of the Scotland Act 1998.

Request for Administrative Review

4. In November 1992, the Commission received a request for an administrative review of the boundary between The City of Edinburgh Council and West Lothian Council in the vicinity of West Farm, near Broxburn. We were advised that the then Edinburgh District Council had granted planning permission for West Farm to change from agricultural to industrial use, with access from the adjacent East Mains Industrial Estate. Access to the farm by the existing minor road leading from the A89 was

considered to be unsuitable. As the farm was then located within The City of Edinburgh District Council area and the East Mains Industrial Estate in West Lothian District Council area, it was suggested that, for administrative convenience, both areas should be located within West Lothian. It was also proposed that the administrative boundary should be amended to follow the Edinburgh/Glasgow railway line.

5. In October 1994, a second request for an administrative review was received. On this occasion the residents of Broxburn Junction claimed that the current administrative boundary divided the properties along the access road to the A89 between the two Councils, causing problems with the provision of services for the area. It was proposed that the administrative boundary should be amended so that all properties would be located within West Lothian District Council area. The access road in question passes both West Farm and the properties at Broxburn Junction.
6. Statutory commitments requiring the Commission to undertake statutory reviews of electoral arrangements were the main reason for postponement of consideration of the administrative boundary in the West Farm/Broxburn Junction area until completion of the third statutory review at the end of 1998. It is a well-established practice of the Commission not to conduct administrative and electoral reviews concurrently.

The Commission's Provisional Proposals

7. Both requests received initial consideration at the Commission meeting in November 1999 and we agreed that additional information was required before a decision on whether to pursue a review could be made. We established from the Electoral Registration Officer that 3 electors would be affected by the proposals for change being considered. A review under the terms of the Secretary of State's Direction would, therefore, be possible. We decided to approach officials of both Councils for their initial reactions to the requests and to seek views on the effect that the proposed realignments of the administrative boundary would have in terms of effective and convenient local government.
8. West Lothian Council's officials acknowledged the logic behind altering the administrative boundary to follow the more distinct physical feature of the Edinburgh - Glasgow railway line. However, we were advised that the Council would be unlikely to support a proposal that would transfer responsibility for upgrading and maintenance of a significant length of sub-standard road with surfacing and drainage problems from The City of Edinburgh Council to West Lothian Council because rectifying the problems would be very costly. We were also advised that there were traffic management problems associated with the access road and that these could only be resolved by road improvements elsewhere within The City of Edinburgh Council area. West Lothian Council's officials believed that the Council would only be likely to support either of the proposals on condition that any realignment of the boundary, based on the road line for any part of its length, was drawn at an acceptable distance west of the western edge of the road.

9. The City of Edinburgh Council's officials recognised that the proposal which realigned the boundary along the line of the Edinburgh - Glasgow railway line produced a better defined, sustainable boundary but maintained that the views of the relatively few residents at Broxburn Junction could be taken into account without too much disruption. Officials indicated that it was important for any revised boundary to be drawn in such a way that responsibility for the access road in the immediate vicinity of West Farm and Broxburn Junction lay with the authority in which these properties were located.
10. With regard to the area to the east of East Mains Industrial Estate at West Farm, The City of Edinburgh Council's officials advised that, although it was currently used for agriculture purposes, it was zoned in the finalised Rural West Edinburgh Local Plan for business and industrial use. They anticipated that in the future, if the plan were adopted, access and services to the site would have to come via East Mains Industrial Estate (currently within West Lothian Council area). The City of Edinburgh Council's officials, therefore, considered that it made sense for the area as a whole to be located within West Lothian Council area.
11. We considered advice given by officials from both Councils. We noted that, although The City of Edinburgh Council's officials supported both requests for realignment of the administrative boundary, there was nothing in their observations to suggest that there would be a significant effect on current levels of service provision. The City of Edinburgh Council's officials had, however, suggested that future access to any industrial/business developments would be better served through the East Mains Industrial Estate.
12. The Commission also noted that, to comply with Broxburn Junction residents' request for a revised boundary which would be and would remain easily identifiable, the boundary would require to follow the centreline of the access road. However, this would result in joint responsibility for approximately 1,600 metres of the access road. Both Councils considered this to be unacceptable. The only other alternative was to transfer responsibility for the existing access road to West Lothian. The Commission agreed that this would not produce an easily identifiable boundary and it was likely that West Lothian Council would be strongly opposed to such a proposal.
13. We considered that the proposed realignment along the line of the Edinburgh - Glasgow railway line would produce a sustainable, well-defined boundary. We noted that, if effected, the responsibility for approximately 370 metres of the access road would be transferred to West Lothian Council. Further, we noted that under this proposal there would be no joint responsibility for any part of the access road.
14. We concluded, therefore, that the administrative boundary between The City of Edinburgh Council and West Lothian Council should be amended in the vicinity of West Farm to follow the line of the Edinburgh - Glasgow railway.

Publication of Commission's Provisional Proposals

15. Public notice of our provisional proposals was given in the West Lothian Courier, Linlithgowshire Journal and West Lothian Herald & Post from 15 June 2000. The City of Edinburgh and West Lothian Councils were asked to make available for inspection at four council offices copies of the provisional recommendation and illustrative maps. Additionally, copies of our proposals were sent to the Electoral Registration Officer for Lothian Electoral Joint Committee, MPs and MSPs for the affected area, the Scottish Headquarters of the political parties, editors of local newspapers, Ordnance Survey, and Kirkliston, Broxburn, and Winchburgh Community Councils. We asked that any comments should be made to us by 28 July 2000.

Consideration of Representations

16. Three representations were received:

- **The City of Edinburgh Council** wrote to say that the views of the residents at Broxburn Junction should be taken into account. The Council suggested that the administrative boundary should be realigned to follow the eastern edge of the access road to the east of the railway line, and that that this would continue to provide a well defined boundary line.
- **West Lothian Council** restated its opposition to any proposal that would have the effect of transferring from The City of Edinburgh Council to West Lothian Council responsibility for upgrading and maintenance of a significant length of sub-standard road. The Council considered that, in terms of effective and convenient local government, no significant advantages would result from the realignment proposed by the Commission's provisional proposals. It suggested that adoption of the proposed realignment would place a significant financial burden upon the Council. Further, the Council pointed out that there was currently no access to West Farm from East Mains Industrial Estate and that to provide such access would involve an expensive undertaking.
- The owners of West Farm confirmed support for the Commission's provisional proposals.

17. Ordnance Survey wrote to advise that it had no comment to make on the Commission's provisional proposals.

18. We carefully considered all the representations received and noted that no representations had been received from the residents of Broxburn Junction. Interested

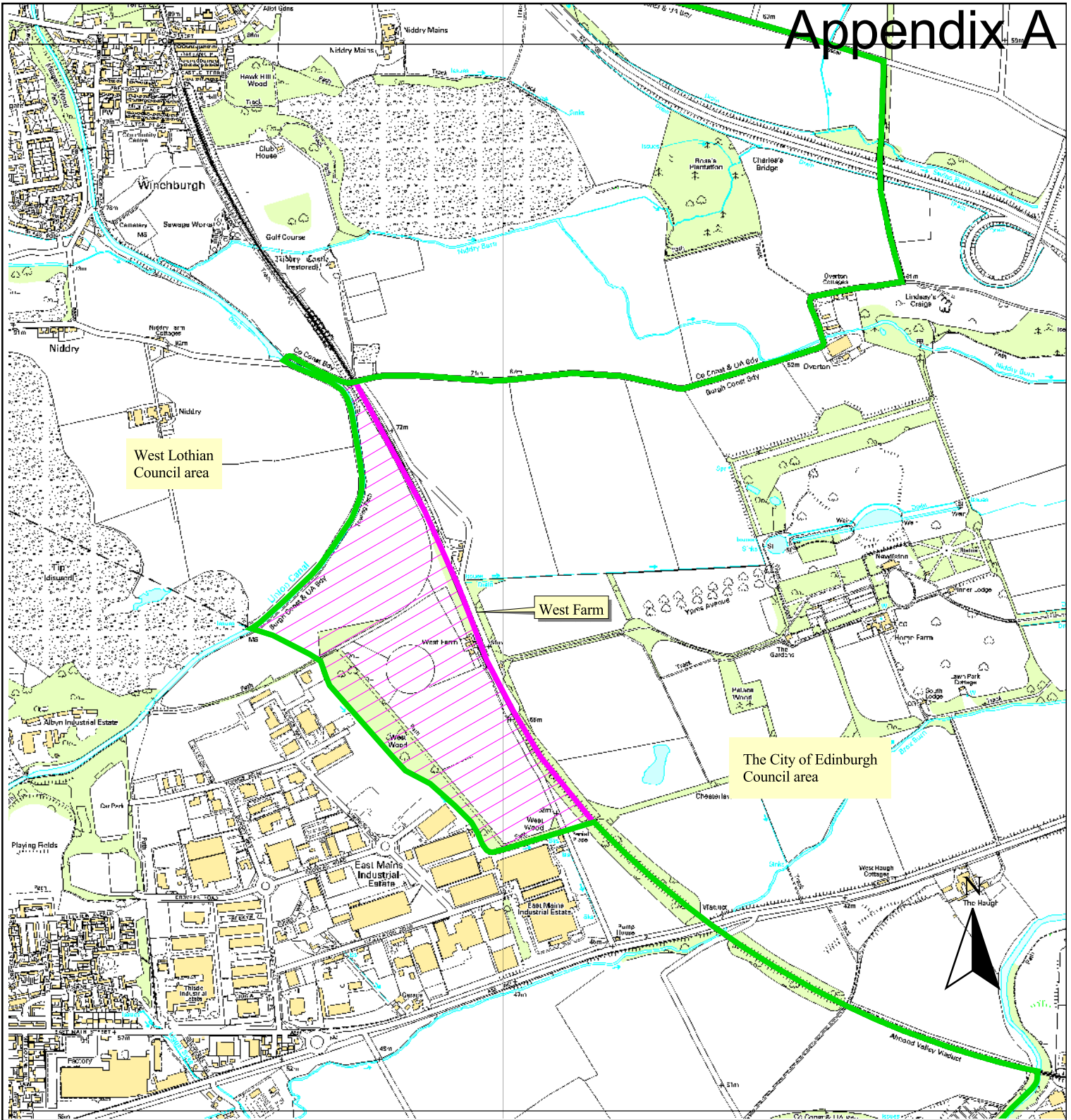
parties who had responded maintained the positions which they had expressed earlier in the consultation process.

19. We further considered the proposed alternative boundary line which had the support of residents of Broxburn Junction and The City of Edinburgh Council but agreed that such a realignment would not result in a better defined, sustainable boundary.
20. We also reconsidered West Lothian Council's objections concerning the perceived financial burden it would incur from that part of the access road being transferred to its area of responsibility. Having done so, we confirmed our earlier conclusion that these objections did not outweigh the need to create a clearly defined administrative boundary in the vicinity of West Farm. We concluded also that any expense involved in accessing the West Farm site from East Mains Industrial Estate was likely to be a matter for those developing the site and that the appropriate location of service roads would undoubtedly be debated and agreed when development plans were being considered.
21. We noted that a realignment of the administrative boundary was unlikely to have any immediate impact in terms of effective and convenient local government. The area is, however, zoned for industrial rather than agricultural use in the finalised local plan. We concluded that future planning issues and development matters would be more effectively and conveniently handled if the area was managed alongside East Mains Industrial Estate by a single authority. We further concluded that realignment of the administrative boundary along the main Edinburgh - Glasgow railway line created a very strong physical boundary which would be sustainable in the long term.

Final Recommendation

22. We **recommend** that the area shown on the map at Appendix A, the boundaries of which are described at Appendix B, should be transferred from The City of Edinburgh Council area to West Lothian Council area. We propose that, as a consequence of the transfer, alterations should be made to the electoral wards of The City of Edinburgh Council and West Lothian Council as specified in Appendix C.
23. We make our recommendation on the grounds that the proposed revision to the boundary produces a better defined and sustainable boundary between The City of Edinburgh and West Lothian Councils. The change will also result in more effective and convenient local government by allowing future planning issues and development matters for the affected area to be handled by a single authority.

Appendix A






Local Government Boundary Commission for Scotland
 3 Drumsheugh Gardens, Edinburgh, EH3 7QJ
 Tel: 0131 538 7510 Fax: 0131 538 7511
 E-mail: secretariat@lgbc-scotland.gov.uk

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Review of the local government administrative boundary between The City of Edinburgh Council and West Lothian Council at West Farm, Broxburn

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-  Existing administrative boundary
 -  Proposed revision
 -  Area to be transferred

Appendix B

Description of boundary of area of proposed transfer between The City of Edinburgh Council and West Lothian Council at West Farm, Broxburn

Commencing at a point NG Ref NT 0958 7405 on the existing administrative boundary between The City of Edinburgh Council and West Lothian Council where an unnamed road crosses the Edinburgh to Glasgow railway line; then south eastward along the said railway line to the existing administrative boundary between The City of Edinburgh Council and West Lothian Council at a point NG Ref NT 1026 7281 in line with the northern curtilage of No 1 Peniel Place; then generally south westward, north westward, north eastward, north westward and south eastward along the said administrative boundary to the point of commencement.

Boundary between The City of Edinburgh/West Lothian Councils at West Farm, Broxburn: Review of Administrative Boundary under the Provisions of Section 14 (2) of the Local Government (Scotland) Act 1973

Consequential alterations to Electoral Ward 3 (Dalmeny/Kirkliston) of The City of Edinburgh Council and Electoral Ward 27 (Strathbrock) of West Lothian Council.

Council	Electoral Ward	Proposed Alteration	Electorate at 1999	
			Before Alteration	After Alteration
a	b	c	d	e
The City of Edinburgh	3	The shaded area shown on the map at Appendix A and described at Appendix B to this report shall cease to be part of this ward.	5,879	5,878
West Lothian	27	The area shown on the map at Appendix A and described at Appendix B to be transferred from ward 3 of The City of Edinburgh Council to this ward.	3,644	3,665