

**LOCAL GOVERNMENT BOUNDARY COMMISSION FOR SCOTLAND – PUBLIC
CONSULTATION ON PROPOSED ELECTORAL WARDS**

1.0 EXECUTIVE SUMMARY

This report provides members with an update on the Local Government Boundary Commission (LGBC) for Scotland's Fifth Review of Electoral Arrangements.

The LGBC started its Fifth Review of Electoral Arrangements on 21st February 2014. The first phase of this review looked at councillor numbers for each Scottish local authority and the public consultation for this stage ended on 21st August 2014.

The current (and second) phase relates to ward boundaries. This phase commenced with a two-month statutory consultation with all Scottish local authorities, concluding in May 2015.

The Council considered a report on the proposals at the April meeting when it agreed to establish a Short Life Working Group and in light of the response timescale to delegate the final determination of the response and any proposed adjustments to the Policy and Resources Committee. A formal response was sent to the LGBC advising that the council was opposed to the proposed changes on a variety of grounds which are outlined later in the report. It did however submit a technical submission which sought to address matters relating to polling district boundaries and proposed a more administratively convenient set of arrangements to minimise the impact of the proposals.

Following consultation with local authorities, the LGBC launched its 12-week public consultation on 30th July 2015. This consultation concludes on Thursday 22nd October 2015 and the commission expects to submit its final recommendations on council ward boundaries to Scottish Ministers by May 2016.

This report provides members with an outline of Argyll and Bute Council's engagement with the local authority consultation phase, details of the council's official response, the public consultation arrangements, and the next stages in the LGBC Fifth Electoral Review process. Members are asked to:

- a) note the contents of the report
- b) support community engagement activity to encourage a wide response to the Public Consultation.
- c) agree to maintain the Council's objection in principle to the proposals notwithstanding the submission of a technical response
- d) consider whether they wish the council to make any further response during the current public consultation on the LGBC council ward proposals.

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2.0 INTRODUCTION

2.1 This report provides members with an update on the Local Government Boundary Commission for Scotland (LGBC) Fifth Review of Electoral Arrangements and the implications for the Argyll and Bute local authority area. It includes an outline of the process followed by the council in developing its official response which was to oppose the proposals in principle and make a technical submission which sought to address matters relating to polling district boundaries and proposed a more administratively convenient set of arrangements to minimize the impact of the LGBC proposals.

3.0 RECOMMENDATIONS

3.1 Members are invited to:

- a) note the contents of the report
- b) support community engagement activity to encourage a wide response to the Public Consultation.
- c) agree to maintain the Council's objection in principle to the proposals notwithstanding the submission of a technical response
- d) consider whether they wish the council to make any further response during the current public consultation on the LGBC council ward proposals.

4.0 DETAIL

4.1 The LGBC started its Fifth Review of Electoral Arrangements on 21st February 2014.

4.2 The first phase of this review looked at councillor numbers for each Scottish local authority and the public consultation for this stage ended on 21st August 2014. For Argyll and Bute, the LGBC proposed a reduction in councillor numbers from 36 to 33.

4.3 Following this first review phase, the LGBC embarked on phase 2 of the Fifth Electoral Review, looking at proposals for ward boundaries. This started with a two-month statutory consultation with all Scottish local authorities running from February to April 2014.

- 4.4 At its meeting on 23rd April 2015 the council considered a report on the LGBC proposals and agreed to establish a Short Life Working Group, its membership comprising the Leader, Leader of the Opposition, eight members from the Administration and four from the Opposition. This report was considered as an exempt item under paragraph 12 of Schedule 7A of the Local Government (Scotland) Act 1973, as were subsequent reports outlined below, for the reason that they relate to 'action to be taken in connection with the determination of any matter affecting the authority'. It was acknowledged that the LGBC were initially consulting with Local Authorities on an individual basis and that this would be immediately followed by a wider public consultation. This report therefore includes some matters which members may have considered before, but which are included here for background information.
- 4.5 The Short Life Working Group on Local Government Boundary Commission Review 2015 (SLWG) met for the first time on 11th May. Members discussed the proposals bearing the following factors in mind:
- Each councillor should represent the same number of electors as closely as possible, bearing in mind the LGBC's proposed figure of 2,000 with an acceptable adjustment of more or less than 10%;
 - This should be balanced with retaining natural communities and local ties within a challenging geographic area;
 - The number of councillors to represent a ward is set by legislation.
- 4.6 Members proposed a number of alternatives to the LGBC proposals and asked officers to draw these up and present them in map form for further discussion. This included alternative proposals for wards which would include elector numbers in excess of the LGBC's proposed 2000 limit, and which would exceed the acceptable adjustment level of 10% as outlined at 4.5.
- 4.7 The SLWG met again on 22nd May and agreed to make a recommendation to an adjourned meeting of the Policy and Resources Committee on Tuesday 26th May 2015 so that the council could make its formal response.
- 4.8 The recommendations of the SLWG were issued to all Elected Members on 25th May and on consideration by the Policy and Resources Committee it was agreed to delegate to the Head of Governance and Law in consultation with the Chair of the Policy and Resources Committee to prepare a response to the Local Government Boundary Commission on the basis that the Council were opposed in principle to the ward structure as presented by the Commission, however, the Council would attach to the response a technical submission as discussed at the Policy and Resources Committee which sought to address matters relating to polling district boundaries and which proposed a more administrative convenient set of arrangements to minimise the impact of the proposals.

- 4.9 The council made its formal response to the LGBC on 8th June 2015 opposing the proposals. The extract below outlines the reasons behind the council's approach:

"The Council is not assured of the ability of the LGBC proposals to best serve communities in that they do not adequately address representation in the islands, or the rurality and sparsity issues faced by Argyll and Bute. The key reasons for the Council's opposition to the proposed ward boundaries are as follows:

- There is significant concern at the impact these proposals will have on existing communities which will see a number of major changes to the current arrangements, which will lead to the break-up of existing community connections and cohesion and which the Council believes very strongly will be the subject of much public outcry and concern, when you consult with them later this summer.
- There is concern that the proposals will make it more difficult for communities to be represented due to the problems of travel on and off islands, the lack of regular public transport links across all or at least some of the new wards and the difficulty of attending community council meetings which are generally held in the evening when transport options are at their most limited. This will mean that candidates standing for election in 2017 will be disadvantaged if they aren't able to drive or easily stay away from home overnight because of family commitments.
- There are very substantial distances to be travelled within a number of wards and this will be more challenging during the winter months when adverse weather can make travel difficult and somewhat risky.
- The Council previously made representation on the complexity of representing rural and island communities and the additional burden this places on elected representatives, and it is believed that these proposals will increase the challenge of representing communities and making sure that each has parity of access to elected members.
- The Council believes that these proposals will not be well received by those communities that will be adversely affected by the proposed changes and this reaction is likely to be widespread given that all but one of the existing Council wards has been altered by your [the LGBC] proposals."

The response to the Local Government Boundary Commission was circulated to members of the Policy and Resources Committee and Short Life Working Group.

- 4.10 On 30th July 2015, the LGBC published its proposals for all Scottish local authority ward boundaries. For Argyll and Bute, it proposes an electoral arrangement for 33 councillors representing seven three-member wards and three four-member wards, reducing the number of wards in the area by one and councillor numbers by three. The detail of the proposals is as follows:

- Adopt suggestions from Argyll and Bute Council to improve polling district boundary alignment and provide a more administratively convenient set of arrangements;
- Improve overall forecast parity;
- Address forecast disparities in ward 8 (Isle of Bute);
- Decrease the number of councillors in the Oban North and Lorn ward by one;
- Increase the number of councillors in the Dunoon ward by one;
- Make changes to ward boundaries in Kintyre, Argyll, Cowal and Lomond;
- Make no changes to ward 4 (Oban South and the Isles);
- Rename Isle of Bute ward to 'Bute' but make no changes to other ward names;
- Place the Loch Lomond and Trossachs National Park area that overlies the council area within a single ward.

4.11 From 30th July 2015 the LGBC has commenced a twelve-week period of public consultation on its proposals, seeking views from local communities. People can respond to this consultation through the LGBC website and information about the consultation has also been published on the council's website. The closing date for contributions is 22nd October 2015. The LGBC anticipates that it will report its recommendations to Scottish ministers by May 2016.

The LGBC consultation information can be found at http://www.lgbc-scotland.gov.uk/reviews/5th_electoral/argyll_and_bute/ while the council has information at <http://www.argyll-bute.gov.uk/consultations/public-consultation-proposals-ward-boundaries>

5.0 CONCLUSION

- 5.1 The council has made a technical response to the Local Government Boundary Commission for Scotland expressing its opposition to the proposals for Argyll and Bute council wards on various grounds. This follows consideration by the Short Life Working Group established for this purpose and further reports to the council's Policy and Resources Committee. With the public consultation now underway the Council can make further representations on the matter should it so choose. The matter may also be raised with COSLA. When the LGBC make its conclusions, there is no statutory appeal against its recommendations. The only possibility for challenge at that stage is through a judicial review and it is believed that some Scottish Local Authorities are considering this possibility.
- 5.2 Members of the Policy and Resources Committee are invited to note this update, including the fact that a public consultation is now under way, and to support community engagement activity to encourage a wide response to the Public Consultation. They are also invited to agree to maintain the Council's objection in principle to the proposals notwithstanding the submission of a technical response and to consider what, if any, further response they may wish the council to make during the consultation.

6.0 IMPLICATIONS

- 6.1 Policy: The Council will have concerns about the impact of the boundary review particularly where it has not been able to retain existing community ties and/or significant increases in the geographical size of wards.
- 6.2 Financial: None
- 6.3 Legal: None
- 6.4 HR: None
- 6.5 Equalities: Proposal requires to have regard to equality of access of representation.
- 6.6 Risk: None
- 6.7 Customer Service: Members of the public have been provided with information through the council's normal channels so that they are able to participate in the LGBC public consultation.

Executive Director of Customer Services

4th August 2015

For further information contact: Charles Reppke, Head of Governance and Law, Kilmory (telephone: 01546 604192)

APPENDICES

None