

**FIFTH STATUTORY REVIEW OF ELECTORAL ARRANGEMENTS – FINAL
RECOMMENDATIONS**

1.0 EXECUTIVE SUMMARY

This report advises members on the final recommendations by the Local Government Boundary Commission for Scotland (LGBC) on its Fifth Review of Electoral Arrangements as outlined in its report to Scottish Ministers. The LGBC report seeks Ministerial direction on the proposals contained within the report and in the event of these being given effect they will form the basis of the 2017 Scottish Local Government Elections.

Since Council last considered this matter in August 2015 the LGBC has maintained its recommendation on a reduction in the number of councillors by 3 and has revised a number of its proposals with regard to ward boundaries.

Council is invited to consider the final report and to agree a response to the recommendations.

Council has previously requested maintenance of the status quo in terms of councillor numbers and existing ward boundaries and a draft of a further letter to Scottish Ministers is attached for consideration and approval on agreement of the Council response.

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2.0 INTRODUCTION

2.1 This report advises members on the final recommendations by the Local Government Boundary Commission for Scotland (LGBC) on its Fifth Review of Electoral Arrangements as outlined in its report to Scottish Ministers. The LGBC report seeks Ministerial direction on the proposals contained within the report and in the event of these being given effect they will form the basis of the 2017 Scottish Local Government Elections.

Since Council last considered this matter in August 2015 the LGBC has maintained its recommendation for a reduction in the number of councillors by 3 and has revised a number of its proposals with regard to ward boundaries.

Council is invited to consider the final report and to agree a response to the recommendations.

Council has previously requested maintenance of the status quo in terms of councillor numbers and existing ward boundaries and a draft of a further letter to Scottish Ministers is attached for consideration and approval on agreement of the Council response.

3.0 RECOMMENDATIONS

3.1 Members are invited to:

- a) consider the final recommendations of the LGBC on the Fifth Statutory Review of Electoral Arrangements which has been reported to Scottish Ministers.
- b) agree any further response on the recommendations,
- c) approve the terms of a draft letter to Scottish Ministers requesting maintenance of the status quo in terms of councillor numbers and ward boundaries before finalization of any recommendations by the Scottish Parliament.

4.0 DETAIL

4.1 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. For Argyll and Bute, the LGBC proposed a reduction in councillor numbers from 36 to 33.

- 4.2 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 March to May 2015 and a second phase public consultation running from 30th July to 22nd October 2015.
- 4.3 Throughout the consultation phases the Council has consistently been clear in its objection and opposition to the changes proposed by the LGBC and at the Policy & Resources Committee on 20th August 2015 following the public consultation phase agreed the following:
- Agreed to maintain its objection in principle to the proposals that will reduce councillor numbers in Argyll and Bute by 3, notwithstanding the previous submission of a technical response.
 - Agreed to further reinforce the Council's position regarding the apparent disregard by the Local Government Boundary Commission to deprivation, rurality and Island issues as well as natural community links within the boundaries of Argyll and Bute.
 - Agrees to support community engagement activity to encourage a wide response to the Public Consultation.
 - Agreed that a letter be issued to all 16 MSPs who represent Argyll and Bute signed by the Leader, Depute Leader, and Leader of the main opposition group requesting that they support the Council's position and asking that, when the matter comes before Scottish ministers by way of an order before finalisation by the Scottish Parliament, the status quo is maintained for Argyll and Bute in terms of councillor numbers and ward boundaries.
- 4.4 In addition to a response to the LGBC a letter was sent to the 16 MSPs who represent Argyll and Bute outlining the Council's concerns and included a request for support for maintenance of the status quo in terms of councillor numbers and ward boundaries when the matter comes before Scottish Ministers by way of an order before finalization by the Scottish Parliament.
- 4.5 The level of public concern in relation to the public consultation phase proposals has been evidenced by the submission of 292 responses, including 4 petitions containing over 500 signatures.
- 4.6 It is acknowledged that in its final report to Scottish Ministers the LGBC has taken on board a number of concerns raised through the consultation process and has submitted a further revised set of proposals for ward boundaries however it has not revised its recommendation with regard to a reduction in the number of councillors representing the Argyll and Bute area by 3. The number of councillors is a key determinant in assessing options for ward design. **Appendix 1.**
- 4.7 The recommended ward boundaries split four polling districts but only three which impact on electors as there are no electors on Scarba, Lunga or the Garvallaachs (AA20). The LGBC have also made some

minor cartographic changes which don't impact on any electors. Details of these are attached at **Appendix 2**.

4.8 Concerns have been raised nationally in relation to the methodology used by the LGBC to determine councillor numbers and in particular COSLA has seriously questioned the use of deprivation as a factor in arriving at councillor numbers and takes the view that the LGBC has not proven a clear link. The COSLA Convention made a decision in October 2015 as follows :

- i) re-affirmed its view that any link between Councillor numbers and deprivation must be evidenced;
- (ii) agreed that COSLA continue to seek to influence the Local Government Boundary Commission;
- (iii) agreed that the change COSLA would ideally seek is a clear, comprehensive and evidence based review;
- (iv) agreed that if such a shift was not possible at this stage, the focus of effort should be shifted to working with Ministers to seek a satisfactory solution for those Councils who were unhappy with the process and that the Presidential team and Group Leaders be authorised to undertake those discussions on Convention's behalf;
- (v) noted that COSLA believed that Local Government boundaries should be determined by Local Government itself, within reasonable parameters, agreed with national government, to meet local needs and thus empower communities'

4.9 Throughout the consultation on ward boundaries the Council has expressed concern that it 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. In addition to concerns on the methodology used to arrive at councillor numbers key reasons for the Council's opposition to the changes in the ward boundary arrangements include:

- Concern at the impact 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.
- 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.
- The 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.

- Failure to recognise the complexity of representing rural and island communities and the additional burden this places on elected representatives

4.10 Despite the incorporation of significant changes into the final recommendation which seeks to address these issues there remains an underlying belief that the methodology on which these are founded is flawed. Additionally there continues to be a concern that they do not fully address the rurality and sparsity issues which are largely unique to Argyll and Bute and which present significant challenges in underpinning effective representation, particularly at a time of significant change in the delivery of local government.

4.11 Council has previously requested maintenance of the status quo in terms of councillor numbers and existing ward boundaries and a draft of a further letter to Scottish Ministers is attached for consideration should Members agree to this approach. **Appendix 3.**

5.0 CONCLUSION

5.1 Council is invited to consider the final recommendations of the LGBC on the Fifth Statutory Review of Electoral Arrangements which has been reported to Scottish Ministers.

The LGBC report seeks Ministerial direction on the proposals contained within the report and in the event of these being given effect they will form the basis of the 2017 Scottish Local Government Elections.

Council is also asked to consider whether they wish the council to make any further response to Scottish Ministers on the proposals including a draft letter to Scottish Ministers requesting support for maintenance of the status quo in terms of councillor numbers and ward boundaries before finalization of any recommendations by the Scottish Parliament.

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 significantly changes existing boundaries.

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.

Douglas Hendry
Executive Director of Customer Services
13th June 2016

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APPENDICES

Appendix 1 - LGBC Report to Scottish Ministers

Appendix 2 - Polling Scheme

Appendix 3 – Draft letter to Scottish Ministers