

To: Council

On: 22 June 2023

Report by: Chief Executive

Heading: **Second Review of Scottish Parliament Boundaries – Publication of Provisional Proposals for Constituencies**

1. **Summary**

- 1.1 Boundaries Scotland has published its Provisional Proposals for Scottish Parliament constituencies and invited comments on those Initial Proposals no later than 17 June 2023.
- 1.2 A response was issued on behalf of the Returning Officer within the required deadline. The response is attached as an appendix to this report. Boundaries Scotland has indicated that provided an initial response was submitted to them by the specified deadline, they would be willing to accept a final response from the Council by 22 June once it had been considered at the Council meeting.
- 1.3 The report seeks approval of the response and advises that there will at least one further round of consultation in 2023 with further consultations being carried out in 2025 and a final report submitted to Scottish Ministers by 1 May 2025. The new boundaries will be effective at the next Scottish Parliament election, expected in May 2026.
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2. **Recommendations**

Council is asked to:

- 2.1 Approve the response issued by the Returning Officer, which forms the appendix to this report, as also being a response on behalf of the Council to Boundaries Scotland's 2023 Second Review of Scottish Parliament Boundaries – Publication of Provisional Proposals - Constituencies;
 - 2.2 note that there will be at least one further consultation on the Review during 2023 with further consultations being carried out in 2025 and a final report submitted to Scottish Ministers by 1 May 2025; and
 - 2.3 note that the new boundaries will be effective at the next Scottish Parliament election, expected in May 2026.
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3. **Background**

- 3.1 Boundaries Scotland has published its Initial Proposals for the 2023 Review of Scottish Parliament Constituencies and invited comments concerning those proposals to be submitted by 17 June 2023.
 - 3.2 A copy of the consultation was issued to all elected members on 17 May 2023 and the consultation was also included on the Council's website.
 - 3.3 Scotland has 73 Scottish Parliament constituencies for the 2023 Review. Three constituencies, the Western Isles, Orkney Islands and Shetland Islands are protected by legislation and will not be subject to change.
 - 3.4 In the proposals 21 constituencies are totally unchanged; one constituency retains its boundaries but with a new name; 26 constituencies have minor changes to boundaries but retain their existing names; and 25 constituencies have both new names and new boundaries.
 - 3.7 Boundaries Scotland's Initial Proposals are available through the following link
<https://www.consult.boundaries.scot/>
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4. **Renfrewshire Constituencies**

- 4.1 At present Renfrewshire Council administers elections for three Scottish Parliament constituencies. These are Paisley, Renfrewshire North and West and Renfrewshire South.

- 4.2 In terms of Boundaries Scotland's provisional proposals, Renfrewshire would retain responsibility for three constituencies. However, those proposed constituencies differ significantly from the existing constituencies.
- 4.3 It is proposed that the former Paisley constituency be renamed the Paisley and Renfrew (Burgh Constituency). As suggested by the new name, Renfrew and Gallowhill have been incorporated into the new constituency. However, Ferguslie, Castlehead, Shortroods and Millarston (Ward 4 Paisley Northwest) have been included in the new Renfrewshire West Constituency.
- 4.4 Under the proposals the Renfrewshire South Constituency has retained its name but the boundaries would change significantly. Linwood, Elderslie, Houston and the majority of Ward 8 (Johnstone South and Elderslie) have been incorporated into the new Renfrewshire West constituency. While the Renfrewshire South constituency previously contained an element of the East Renfrewshire Council area, namely Barrhead, Neilston and Uplawmoor, the new constituency would extend significantly eastwards and would stretch from Lochwinnoch in the west to Newton Mearns and Eaglesham in the east.
- 4.5 Under the proposals the former Renfrewshire North and West Constituency would be renamed as the Renfrewshire West Constituency. This new constituency would include Ward 4 (Paisley Northwest) and Ward 8 (Johnstone South and Elderslie). Inverclyde's Ward 1, which includes Kilmacolm and Quarrier's Village would move to a new Inverclyde Constituency. Therefore, the new Renfrewshire West Constituency would fall entirely within the Renfrewshire Council area.

5. Response to the Provisional Proposals

- 5.1 The response on behalf of the Returning Officer, forming the appendix of this report, was submitted on 17 June 2023 to meet Boundaries Scotland's deadline. Boundaries Scotland agreed to accept a final response from the Council by 22 June 2023 to enable it to be considered at the Council meeting today.
- 5.2 The response highlights a number of points including:-
- The relocation of the Paisley Northwest Ward to the new Renfrewshire West Constituency

- The splitting of Johnstone between the Renfrewshire South and Renfrewshire West Constituencies
- The extension Eastwards of the Renfrewshire South constituency resulting in a very disparate area stretching from Lochwinnoch to Newton Mearns and Eaglesham in the East incorporating parts of Johnstone.

5.3 Depending on responses to this consultation stage, Boundaries Scotland may hold a further one month consultation on Revised Recommendations for constituencies later in 2023 and may also need to hold a number of local inquiries. Boundaries Scotland may also consult on Further Recommendations for constituencies in 2024. A consultation on proposals for Scottish Parliament regions is expected to take place in 2024 and Final Recommendations will be submitted to the Scottish Parliament in 2025. Members will be kept updated on developments throughout this process.

Implications of the Report

1. Financial – None.

2. HR & Organisational Development – None.

3. Community/Council Planning – None.

4. Legal – As detailed in the report.

5. Property/Assets – None.

6. Information Technology – None

7. Equality & Human Rights - The recommendations contained within this report have been assessed in relation to their impact on equalities and human rights. No negative impacts on equality groups or potential for infringement of individuals' human rights have been identified arising from the recommendations contained in the report because it is for noting only. If required following implementation, the actual impact of the recommendations and the mitigating actions will be reviewed and monitored, and the results of the assessment will be published on the Council's website.

8. Health & Safety – None

9. Risk – None.

10. Privacy Impact – None

11. Cosla Policy Position – None.

12. Climate Risk – None.

List of Background Papers – None

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List of Background Papers

- (a) Second Review of Scottish Parliament Boundaries – Publication of Provisional Proposals for Constituencies

The Second Review of Scottish Parliament Boundaries

Provisional Proposals for Constituencies

1. Introduction

This response is issued on behalf of the Returning Officer for the Renfrewshire Council Area. This response will also be considered by Renfrewshire Council at its meeting on 22 June and may be adopted as the response of the Council on that date.

It is noted that the existing Scottish Parliament boundaries have remained unchanged since 2011 and were used in the 2011, 2016 and 2021 Scottish Parliament elections. It is recognised that a review is necessary and that this may result in changes to the constituencies which are administered by the Returning Officer for the Renfrewshire Council Area.

It is also noted that potentially there will be two further public consultations on the constituency proposals and potentially a further two consultations on the region proposals, with Boundaries Scotland's final recommendations being submitted by 1 May 2025.

Therefore, this response concentrates on the overall approach being taken in the Commission's Initial Proposals although, due to the issues being related, there is also comment on the details of the constituency boundaries for those constituencies administered by Renfrewshire.

The Commission is asked to note that the Returning Officer objects to the proposals made under this review in so far as they affect the constituencies administered by the RO, and also neighbouring constituencies within the existing West Scotland Region.

2. Constituency Design Approach

One main area of concern regarding the Initial Proposals is the "constituency design approach" set out in the consultation document.

Renfrewshire is included in a grouping with East Renfrewshire and Inverclyde and Glasgow City Councils, and the proposals have resulted in twelve constituencies wholly within these Council areas. It then sets out that this grouping will lose one seat.

The logic for this approach is difficult to understand. It has no basis in the legislative position, or the rules set out for such a review.

It also wholly ignores the potential impact on the Regional review.

By starting with this grouping, the Commission has in effect predetermined the outcome of the review without any regard to the rules that apply to the review; a seat must be lost from this grouping. This is irrespective of whether there are any geographical considerations apply (rule 3) or local ties (rule 4). Such an approach not only risks illogical results (as will be demonstrated below) but is open to challenge.

It also creates a situation whereby only electors within these seats covered by these four Councils are at risk of moving their regional area while wholly excluding electors within the rest of the West Scotland Region.

There is no justification given by the Commission for this approach and it does not stand up to close scrutiny when the results are considered.

The constituencies themselves have been designed without due regard to the maintenance of local ties.

3. Factors Considered

The main area of concern regarding the Provisional Proposals relates to the “Factors we consider” set out in the consultation document. Most of the principles themselves are welcomed, specifically the maintenance of local ties and special geographical circumstances. However, this response to the consultation highlights the extent to which these factors appeared to have been ignored by the Commission in the conduct of this review.

Dealing firstly with Rule 1, regard is to be had to the local government area boundaries.

While it could be suggested that the changes suggested in the Renfrewshire Area could be seen to be addressing this point, the grouping of the four councils has not eased any matters here, and indeed could be said to make matters significantly worse.

Under the existing arrangements the Returning Officer is responsible for three constituencies, two of which take in small areas of Inverclyde and East Renfrewshire (Renfrewshire North and West, and Renfrewshire South). However, those areas do have substantial local connections with the remainder of the constituencies in which they are included and are well understood by the electors within them.

Overall, within the four councils which the commission has sought to group, under existing arrangements, there are two constituencies which straddle local government areas...namely the two set out above.

Under the new proposals there are still two seats which will straddle local government areas; Renfrewshire South and Glasgow Priesthill and Giffnock. So the new proposals do nothing to enhance the position under rule 1. It would appear that they are driven entirely to deal with quota issues under rule 2.

Indeed, these proposals are significantly worse than the existing arrangements. While the existing arrangements recognise local ties (as set out above), the new arrangements see the East Renfrewshire Council Area split in two. It would appear that there is no seat which would naturally fall to be administered by the Returning officer for East Renfrewshire.

While that will be a matter entirely for the RO for East Renfrewshire, the RO for the Renfrewshire area will not accept any suggestion that seats that are predominately comprised of Renfrewshire Council electors should be administered by any other RO.

Moving on to Rule 2 and electorate quota, it appears that the electorate in Glasgow is driving changes that are seriously to the detriment of electors in Renfrewshire.

We note that the figures the Commission will work with are from September 2022 and that no regard will be had to any changes (either up or down) after that date. At the time of writing this response the RO does not hold figures as at Sept 22 for the five constituencies covered by Renfrewshire, Inverclyde and East Renfrewshire. However, it is noted that the electorate in those five constituencies, as at the last Scottish Parliament Elections, amounted to 279,012. That would give a constituency average of 55,802. That is significantly above the electorate figures proposed for a number of the constituencies under the new proposals.

Accordingly, it is clear that very minor boundary changes within that grouping of five constituencies could easily deal with any perceived quota issues within that area. Indeed, it is submitted that even within the three Renfrewshire constituencies, changes could be made to balance the electoral quotas to acceptable levels, leaving Inverclyde and East Renfrewshire otherwise unchanged.

It is the grouping with Glasgow which is resulting in the numbers issues that are driving the failure to observe rules 3 and 4.

There is no reason for Glasgow to be grouped with those three councils. Indeed, it could as easily be grouped with any other council in the West Scotland Region that bounds it.

By taking this approach, the Commission has tied its hand and reached the illogical suggestions that it has.

Even if there were quota issues with the Renfrewshire, Inverclyde and East Renfrewshire areas (which is denied), the approach taken by the Commission has entirely ignored and excluded possible solutions involving other neighbouring local authority areas e.g. Skelmorlie with Inverclyde or Beith with Renfrewshire.

When moving on to consider rules 3 & 4, it is clear, as set out above, that the existing proposals appear to have ignored these when arriving at the results which are proposed. These is best illustrated by looking at the proposed new constituencies:-

(a) Paisley and Renfrew (Burgh Constituency)

In relation to the new proposed Paisley and Renfrew (Burgh Constituency) it is noted that the constituency has both a new name and new boundaries. It is further noted that the new boundaries will result in an increase in electorate from 55,866 to 63,856, well over the quota figure of 59,902.

The largest Paisley Council Ward - Ward 4 Paisley Northwest – has been excluded from this new constituency which appears to be very much at odds with the both the ‘special geographical circumstances’ and ‘maintenance of local ties’ factors. This ward extends into the very centre of Paisley. For example Paisley’s Royal Alexandra Hospital lies within Ward 4. There appears to be very little logic in excluding Ward 4 from the Paisley and Renfrew Constituency other than to balance numbers.

(b) Renfrewshire West Constituency (County Constituency)

In relation to the Renfrewshire West Constituency (County Constituency) it is noted that the constituency has both a new name and new boundaries. It is further noted that the new boundaries will result in an increase in electorate from 56,326 to 61,690, over the quota figure of 59,902.

While most of the major town of Johnstone has been included in this constituency, a large part of the West of the town has been included in the proposed Renfrewshire South constituency by splitting Ward 8. Again, very little consideration appears to have been given to maintaining local ties in Johnstone. This appears to have been driven by numbers rather than any consideration of local ties.

(c) Renfrewshire South Constituency (County Constituency)

In relation to the Renfrewshire South Constituency (County Constituency) it is noted that the constituency has new boundaries. It is further noted that the new boundaries will result in an increase in electorate from 52,886 to 61,996, over the quota figure of 59,902.

It is recognised that the Renfrewshire South Constituency has always included an element of East Renfrewshire, namely East Renfrewshire Wards 1 and 2. However, as set out above, those areas do have substantial local connections with the remainder of the constituency in which they are included and are well understood by the electors within them.

The proposal to extend the proposed constituency from Lochwinnoch in the west to Newton Mearns and Eaglesham in the east, results in a long narrow corridor with little regard to local authority areas, the maintenance of local ties or any inconvenience caused by the alteration of existing boundaries.

There is no local connection whatsoever between Newton Mearns and the areas to the west of the proposed constituency.

The “shape and accessibility of a constituency” has been entirely ignored. This can be demonstrated by the fact that a journey by car from Eaglesham to Lochwinnoch would cross at least five other proposed constituency boundaries (Glasgow Priesthill and Giffnock; Glasgow Cardonald and Pollock; Glasgow Central and Govan; Paisley and Renfrew; and Renfrewshire West). By public transport the situation would be just as bad. It is difficult to imagine that this would be the situation anywhere else in Scotland under the review proposals.

The existing Renfrewshire North and West Constituency has far closer ties, both in terms of community and communications, with Inverclyde’s Ward 1 than Johnstone West or Lochwinnoch have with Newton Mearns or Eaglesham.

It is hoped that you will consider these comments on the Provisional Proposals and take them into account when producing revised proposals next year.

Mark Conaghan

Head of Corporate Governance and Depute Returning Officer