

To: Leadership Board

On: 18th February 2015

Report by: Director of Finance & Resources

Heading: Local Government Boundary Commission for Scotland – Update on Fifth Review of Electoral Arrangements

1. Summary

- 1.1 The Local Government Boundary Commission for Scotland is currently undertaking its' Fifth Review of Electoral Arrangements. This review is being undertaken in two phases ahead of a report being submitted to the Scottish Ministers in May 2016.
- 1.2 The purpose of this report is to provide members with an update on the outcome of the first phase of the Review which concerned proposals in relation to the number of elected members for each council and to explain the arrangements for the second phase which concerns the ward boundaries and the number of wards within each council area.
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2. Recommendations

- 2.1 That the Board notes the outcome of the first phase of the Review which maintains the recommendation that the number of elected members in Renfrewshire be increased to 43; and

- 2.2 That the Board further notes the arrangements for the second phase of the Review which concerns ward boundaries in each council area.
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3. **Background**

- 3.1 The Commission is continuing its review of Scottish Local Government Election Arrangements. The review will result in recommendations for the number of councillors in each council and the number and boundaries of wards for the election of those councillors.
- 3.2 At its meeting on 2nd April 2014, the Board considered its response for the consultation on the first phase of the review regarding councillor numbers. The report explained the methodology used by the Commission in setting its proposals for councillor numbers for the purposes of the Local Government election in May 2017. In particular the report highlighted the change in methodology adopted by the Commission in that the criteria used to determine councillor numbers in each local authority area was to be based on deprivation and population distribution.
- 3.3 Following consideration of the report and a presentation by a representative of the Commission, the Board decided to note the independence of the Commission and welcome the consideration of, and weighting given to, factors of deprivation in the Fifth Review of Local Government Electoral Arrangements.
- 3.4 A letter has now been received from the Commission confirming the outcome of the consultation on the Commission proposals for councillor numbers and setting out the arrangements and timetable for the next phase, which is the consultation on the Commission's proposals on ward boundaries.
- 3.5 Attached to the report is a paper issued by the Commission on Determining Councillor Numbers and a summary of responses to the consultation on councillor numbers. Members' attention is drawn to the discussion in the Commission's paper justifying the use of deprivation as a factor to determine councillor numbers and the conclusion in paragraph 23 that the Commission confirms its approach to determining councillor numbers. Therefore, the Commission's report to the Scottish Ministers will contain a recommendation that the number of elected members on Renfrewshire Council be increased to 43.

- 3.6 The letter from the Commission also contains a timetable for the review. This timetable is also attached as an appendix to the report. Members are asked to note in particular that a two month statutory consultation period with councils on ward boundaries is due to start on 19th March 2015 and conclude on 14th May 2015. There will be a public consultation occurring between July and September 2015. The final report to the Scottish Ministers is due to be submitted by the Commission in May 2016 following a further consultation on revised proposals for wards towards the end of 2015.

Implications of the Report

1. **Financial- There are no immediate financial implications arising from this report.**
2. **HR & Organisational Development- none**
3. **Community Planning – none**
4. **Legal – The Local Government Boundary Commission for Scotland was established under the Local Government (Scotland) Act 1973 as an independent body with responsibility for keeping under review local government arrangements in Scotland.**
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 because the report is for noting only**
8. **Health & Safety-none**
9. **Procurement-none.**
10. **Risk-none**
11. **Privacy Impact-none**

List of Background Papers

- (a) Background Paper 1- Report to the Leadership Board on 2 April 2014 titled – Local Government Boundary Commission for Scotland – Fifth Review of Electoral Arrangements
- (b) Background Paper 2- Local Government Boundary Commission for Scotland- Fifth Reviews of Electoral Arrangements- Guidance Booklet

The foregoing background papers will be retained within Finance and Corporate Services for inspection by the public for the prescribed period of four years from the date of the meeting. The contact officer within the service is Ken Graham, Head of Legal and Democratic Services, (0141 618 7360).
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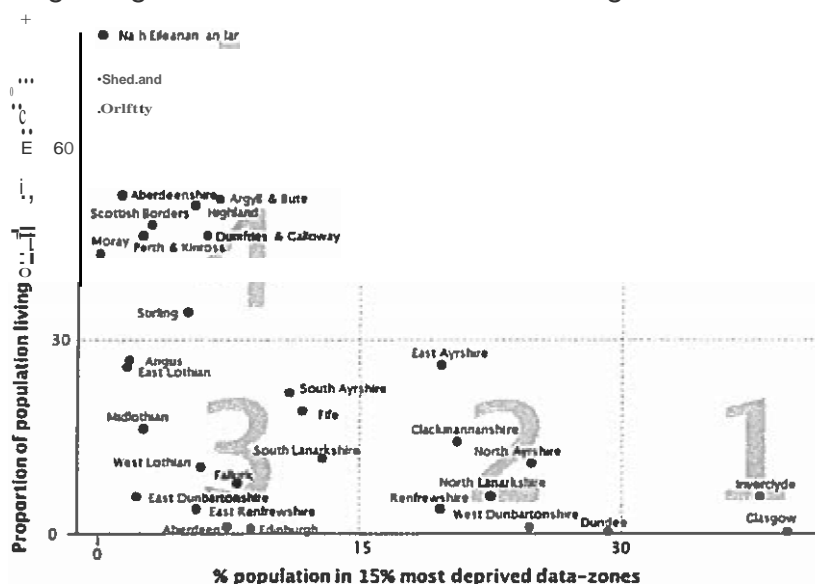
Local Government Boundary Commission for Scotland

Thistle House, 91 Haymarket Terrace, Edinburgh, EH2 2 SHD

Chair: Ronnie Hinds CPFA
Secretary: Isabel Drummond-Murray

Local Government Boundary Commission for Scotland Fifth Reviews of Electoral Arrangements Determining councillor numbers- October 2014

1. We are conducting our Fifth Reviews of Electoral Arrangements, which will result in us making recommendations to Scottish Ministers for the number of councillors in each of Scotland's 32 council areas, and for the boundaries of wards for the election of those councillors.
2. Scottish Ministers have indicated to us that they would find it difficult to justify an increase in the overall number of councillors in Scotland as a result of the Fifth Reviews.
3. Between February and August 2014, we have carried out consultations with councils and the public on our initial proposals for councillor numbers, and this document summarises our views on councillor numbers in the light of those consultations.
4. When developing our initial proposals for councillor numbers, we have used a revised approach to categorising councils. Categorising councils is the first part of our methodology for determining councillor numbers for each council. The categorisation we have adopted for these reviews uses two factors to determine the category for each council:
 - population distribution, measured by the percentage of the population outside settlements of more than 3,000 people; and
 - deprivation, measured by the percentage of population in the 15% most deprived datazones in Scotland.
5. The resulting categories of council are shown in the figure below.



established by Parliament to advise Ministers on local government boundaries

6. On the last occasion when we determined councillor numbers for each council (in 1996-98, as part of our Third Reviews), we categorised councils by population distribution and population density.
 7. Having categorised councils , we determine our proposals for councillor numbers by:
 - calculating the number of electors in each council area;
 - applying a single ratio of councillors to electors to all councils in a category in order to treat similar councils in a consistent fashion;
 - applying a minimum limit to the number of councillors in order to ensure that each council has a sufficient number of councillors to allow it to conduct its duties;
 - applying a maximum limit to the number of councillors in order to ensure that no council is so large as to hamper effective administration;and
 - constraining the amount of change proposed for any council to no more than 10% of its current size in order to control the amount of disruption to councils.
 8. The use of deprivation as a parameter in categorising councils has attracted significant comment in our consultations , including detailed correspondence from COSLA. COSLA has raised a number of concerns, including:
 - our use of deprivation as a factor for determining councillor numbers, rather than a comprehensive examination of the broad range of factors that impact on required levels of representation;
 - the relevance of deprivation is based on plausibility but is not proven by us;
 - increased levels of representation in some areas would result in decreased levels of representation in others.
 9. Some councils challenge whether deprivation should be used as a factor to determine councillor numbers. They argue that there are other factors which have a greater impact on the need for councillor numbers. Other councils believe that high levels of deprivation do result in increased councillor workload.
 10. We decided to include deprivation as a factor in our categorisation of councils after consideration of various options at our 4 meetings between October 2013 and January 2014. In doing so, we agreed that the previously used categorisation based on population distribution and density was an incomplete model of the demands on councillors. We also noted a lack of evidence supporting the sole use of population distribution and population density to determine the ratio of councillors to electors .
 11. As the amount of deprivation across a council area increases, then the demands on a council increase . Increased councillor numbers will help with managing and responding to those demands :
 - increased councillor numbers provide greater corporate capacity within a council which can assist in addressing needs arising from deprivation which may not be fully expressed or understood; and
 - there is evidence that high levels of deprivation contribute to increased corporate councillor workload. In considering workload, we are aware that
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this includes responsive work arising from contacts with local residents and also proactive work such as advocacy.

12. SIMD is used by Scottish Government as a policy tool, providing evidence to help target policies and funding where the aim is to wholly or partly tackle or take account of area concentrations of multiple deprivation.
13. Research by the Electoral Commission in 2005 demonstrates that across the United Kingdom there is a correlation between high levels of deprivation and low rates of electoral registration. Hence, increasing levels of representation (calculated by a ratio of councillors to electors) in areas of deprivation may result in a more consistent ratio of councillors to population across council areas in the same category.
14. We have concluded that there is a plausible argument that increasing councillor numbers in council areas which have high levels of deprivation will increase the capability of those councils to take action in response to the needs which that deprivation generates.
15. In 2000, the report of the Renewing Local Democracy Working Group ("the Kerley Report") considered the question of determining the number of councillors. It notes that there is no right answer to the question of how many councillors a council should have and comments on the sparsity of theoretical or empirical evidence to help decide this.
16. The Kerley Report also makes observations about the time commitment of councillors. From research conducted on its behalf, it estimates¹ that councillors in rural areas require around 7.5 hours travelling time per week compared to around half that in urban areas.
17. The findings of later research for the Scottish Government in 2005² found that:
 - there is little systematic variation in time spent by councillors on their role between urban, rural and mixed councils;
 - around 17% of the total time which councillors spent on the role was on travel to meetings;
 - the average time which councillors spend travelling to meetings is 10.1 hours per week for those in rural councils, and 7.4 hours per week for those in urban councils.This suggests that the rural nature of a council does affect workload, but by less than is implied by the current distribution of councillor numbers.
18. In our consideration of councillor numbers, and our consultation on councillor numbers in 2011, we noted that the challenges of covering rural areas are mitigated to a degree by the use of computer technology. We are also aware that other factors within a council's control, such as the system of governance within a council, can significantly affect the demands on councillor time.
19. We have continued to use population distribution as a factor in categorising councils to reflect these factors relating to rurality.

¹ Report of the Renewing Local Democracy Working Group, June 2000, paragraph 19. Available from http://www.scotland.gov.uk/Publications/2000/06/63_52/File-1

² Survey of Scottish Councillors' Workload, September 2005, Hexagon Research and Consulting. Available from <http://www.scotland.gov.uk/Resource/Doc/1070/0021747.pdf>

20. The evidence presented suggests that the methodology previously used to determine councillor numbers may be improved. By including population distribution and deprivation in council categorisation, we are seeking to balance the logistics of a councillor's role with recognition of the nature of the work using deprivation as a measure of the latter.
21. There may be other measures of the complexity of councillors' work, other than deprivation and population distribution, but there does not appear to be agreement on what those other measures might be. We are commissioning research into the role and workload of councillors to provide further evidence on this issue for our future reviews.
22. As a result, using deprivation and population distribution appears to remain a reasonable model for us to adopt in discharging our statutory responsibility to make recommendations in the interests of effective and convenient local government.
23. We therefore confirm our approach to determining councillor numbers.
24. When we are designing wards for each council area, we will aim to design wards which result in the number of councillors arising *from* our methodology for determining councillor numbers. We will also take into account the views expressed to us during the consultations and the circumstances of each council area.
25. When we design wards, we aim to achieve electoral parity - the requirement in the legislation that the number of electors per councillor in each ward is as nearly as may be the same. If this aim, when applied to our proposed number of councillors, results in a significant degree of disruption to local ties across a council area, then we may also consider alternative ward designs for a different number of councillors.



Local Government Boundary Commission for Scotland

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Fifth Reviews of Electoral Arrangements Summary of responses to consultation on councillor numbers

As part of our Fifth Reviews of local government electoral arrangements, we carried out 2 consultations on our proposals for councillor numbers. From 21 February to 23 April 2014, we consulted with councils, and from 29 May to 21 August 2014 we consulted with the public.

We received 31 responses during our consultation with councils, and 118 responses during our consultation with the public.

We considered the responses from councils at our meetings in May 2014 in Papers 2217 and 2222 which are available on our website. Councils expressed a range of support for and opposition to our use of deprivation as a factor to determine councillor numbers. 14 councils supported our proposals, generally being those where we proposed no change to or an increase in councillor numbers. 17 councils opposed our proposals, generally being those where we proposed a decrease in councillor numbers.

Of the responses during our consultation with the public, 2 responses (from COSLA and a member of the public) made comments that applied across all of Scotland. COSLA expressed concerns about our use of deprivation as a factor in categorising councils.

In the responses to our public consultation which were specifically about a council area:

- Of the 116 responses, 3 council areas attracted most of the responses: East Lothian (30 responses), Highland (19 responses) and East Renfrewshire (10 responses). No other council area attracted more than 6 responses specifically about that area.
- A number of responses opposed our use of deprivation as a factor in determining councillor numbers, and a smaller number supported its use as a factor.
- 32 responses supported a reduction in councillor numbers, either locally or nationally. 54 responses opposed a reduction in councillor numbers, 25 of which referred to East Lothian.
- 11 responses supported an increase in councillor numbers, in each case referring to a single council area. 7 responses opposed an increase in councillor numbers.
- 62 responses came from members of the public and 30 from community councils. The remaining 24 responses about specific council areas came from 1 council, 5 community groups, 6 councillors, 4 MPs, 5 MSPs and 4 local political parties (an MP and an MSP submitted a joint response).

We are very grateful to all those who responded to our consultation and for their comments. We will publish the responses to our consultation on our website.

established by Parliament to advise Ministers on local government boundaries

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We are currently considering all the responses received to our consultation and designing wards for each council area.

We expect to publish our proposals for wards for all council areas for consultation in 2015. In line with the rules governing our reviews, we will be consulting first with councils (we expect this to be in early 2015), and then with the public (we expect this to begin in May 2015).

Local Government Boundary Commission for Scotland
Timetable for 5th Reviews of Electoral Arrangements

Description	Start (* indicates approximate)	Finish (* indicates approximate)
Reviews commence	21 Feb2014	
Commission meets separately with all 32 councils to provide a background to the Reviews	25 Feb 2014	2 April 2014
2 month statutory consultation period with councils on councillor numbers	21 Feb2014	23 April 2014
12 week public consultation period on councillor numbers	29 May 2014	21 August 2014
Commission considers responses and agrees on councillor numbers	September 2014	February 2015
Commission develops proposals on ward boundaries	September 2014	February 2015
2 month statutory consultation period with councils on ward boundaries	19 March 2015	14 May 2015
Commission considers consultation responses	14May2015*	june 2015*
12 week public consultation on ward boundaries	july 2015*	September 2015 *
Development of Revised Proposals for wards	October 2015 *	October 2015*
Consultation on Revised Proposals forwards	November 2015*	December 2015*
Commission considers all representations and develops its final recommendations before submitting its Reports to Scottish Ministers	january 2016*	May 2016*
Local Government elections	4 May 2017	

