
**LOCAL GOVERNMENT BOUNDARY COMMISSION FOR
SCOTLAND 5TH REVIEW OF ELECTORAL ARRANGEMENTS –
RECOMMENDATIONS TO SCOTTISH MINISTERS**

Report by Chief Executive

SCOTTISH BORDERS COUNCIL

29 June 2016

1 PURPOSE AND SUMMARY

- 1.1 This report advises the Council of the final report and recommendations being made by the Local Government Boundary Commission for Scotland to Scottish Ministers for the number of Councillors and the Electoral Ward Boundaries for the Scottish Borders Council area.**
- 1.2 The Local Government Boundary Commission has submitted to Scottish Ministers its Reports and Final Recommendations for the number of Councillors and the electoral ward boundaries in each of Scotland's 32 local authorities, which included those for the Scottish Borders Council area. The Commission has recommended that from May 2017, Scottish Borders Council should comprise 32 Councillors in 10 Wards, comprising 2 Wards each returning 4 Members, and 8 Wards each returning 3 Members.
- 1.3 The Council has previously provided two responses to consultations by the Commission (in April 2014 and May 2015) and another response to the then Scottish Minister for Local Government and Community Empowerment in February 2016. The Council has a six week period from 26 May 2016 to submit any comments to Scottish Ministers at the Directorate for Local Government and Communities. Members should note that any substantive change to that response made in February 2016 would require the suspension of Standing Orders, as the decision was taken within the preceding 6 months.

2 RECOMMENDATIONS

- 2.1 I recommend that the Council considers whether it wishes to make any further comments to Scottish Ministers regarding the final recommendations of the Local Government Boundary Commission for Scotland for the proposed number of Councillors and the Electoral Ward Boundaries for the Scottish Borders Council area.**

3 BACKGROUND

- 3.1 The Council first considered the Local Government Boundary Commission for Scotland's proposals regarding Councillor numbers and the criteria it used to calculate the numbers for each Council area at its meeting on 24 April 2014. The proposal for Scottish Borders Council was that the number of Councillors reduced from 34 to 32. At the meeting Council agreed to oppose the proposed reduction in the number of Councillors from 34 to 32 from 2017 onwards, thus retaining the present number of Scottish Borders Councillors. The Council considered that it was too soon after the introduction of the Single Transferable Vote to review ward boundaries, and that changes would confuse electors. It opposed a reduction in the number of Councillors, and believed that the use of deprivation would lead to a focus on urban areas, and did not reflect the needs of rural areas. This in turn would lead to increased workloads and travelling time for few Councillors in rural parts of the Council area, reducing the amount of time Councillors had to spend with members of the public. The Commission considered this response but confirmed their methodology and Councillor numbers at their meeting held on 10 September 2014.
- 3.2 The Commission then consulted with the Council on 19 March 2015 on its proposals for the Scottish Borders Council area, presenting an electoral arrangement for 32 Councillors representing 8 x 3-Member wards and 2 x 4-Member wards. At its meeting on 2 April 2015, Scottish Borders Council noted the details of the proposals by the Local Government Boundary Commission for Scotland ("the Commission") for the new Wards in the Scottish Borders Council area and agreed that the matter be considered in detail at a meeting of the Political Management Arrangements: Members Sounding Board, with recommendations subsequently being made to Council on a proposed response. That meeting of the Members Sounding Board took place on 23 April 2015 and all Members were invited to attend.
- 3.3 The Council then considered its response to the Boundary Commission at its meeting held on 21 May 2015 and decided the following:
- (a) *to support the Commission's proposal to move Charlesfield (approximately 80 electorate) from the Jedburgh & District Ward into the Selkirkshire Ward, with no change proposed for the houses lying within the settlement boundary of St Boswells;*
 - (b) *not to support the new Jedburgh, Denholm & Hermitage or the Hawick Wards as detailed in the Commission's proposals;*
 - (c) *to propose to the Commission that the area to the south of Hawick, including Newcastleton, should be included in a new Ward 10 (Hawick & District Ward) with 4 Councillors. The new Ward electorate would be 12,426 (at September 2013 level) which would be 11% above parity, but this would reduce in the forecast electorate in 2019 to 12,122 which was a variation of 8% above parity. This would then reflect the same variation from parity (-8%) of the existing and proposed Tweeddale West Ward. The new Ward would cover an area of 621 km², the same area as the current Mid Berwickshire Ward. Wilton Park and Galalaw Business Park, in Hawick, currently had postcodes which placed them outwith the new Hawick Ward and it was recommended that these be included within the new Hawick Ward as they lay within the settlement boundary, albeit containing no houses;*

- (d) *to propose to the Commission that the area to the north and east of Hawick, including Denholm, be included in a proposed new Ward 9 (Jedburgh & Denholm Ward) which would also retain the change in boundary between Kelso & District and Jedburgh as proposed by the Commission, and would be served by 3 Councillors. The new Ward electorate would be 8,533 based on 2013 figures (2% above parity) with a minor increase forecast for 2019. The new Jedburgh & Denholm Ward would cover an area of 576 km², as opposed to the Commission's proposal for a Jedburgh Ward covering 868 km²;*
- (e) *to support further amendments:*
- (i) *to move all of the property at New Horndean Farm into the Mid Berwickshire Ward – currently the Farm was split between Mid and East Berwickshire Wards; and*
- (ii) *to move the properties at Stichill Home Farm and Stichill Stables from the Mid Berwickshire Ward to the Kelso & District Ward.*
- (f) *to also submit as part of its response to the Commission the following supporting information:*
- (i) *in terms of linkages within the new Wards, Newcastleton was a geographically remote village, located just over 21 miles south of Hawick, with a driving time of approximately 56 minutes. There was a direct public transport link between Newcastleton and Hawick. There were existing links between Newcastleton and Hawick in terms of school catchment area, social work services, and health services. Newcastleton was located almost 27 miles from Jedburgh, with a driving time of approximately 1 hour and 8 minutes and no direct public transport link (public transport link is via Hawick). There were no specific links either socially, currently or historically with Jedburgh;*
- (ii) *Denholm was located just under 5 miles from Hawick and just under 6 miles from Jedburgh, almost equidistant, and there was a direct public transport link to both Hawick and Jedburgh. Denholm lay in the school catchment area for Hawick High School although some parents chose to send their children to Jedburgh Grammar School. While some members of the Denholm community would have a more natural affinity with Hawick, there were existing links with Jedburgh. This change in boundaries should have no impact on the social and cultural relationships which currently exist between Denholm, Hawick and Jedburgh; and*
- (iii) *with regard to Community Council areas, Scottish Borders currently had 69 Community Councils, a number of which were split across existing Wards e.g. Hawick Community Council and Hobkirk Community Council areas were split between the current Hawick & Denholm and Hawick & Hermitage Wards. The proposed new Kelso & District and Jedburgh & Denholm Ward boundary would see Heiton & Roxburgh Community Council split between the 2 Wards, with the majority of the Community Council area in the Kelso & District Ward. Crailing, Eckford & Nisbet Community Council area would also be split between these*

Wards. Denholm and Southdean Community Council areas would be wholly included in the new Jedburgh & Denholm Ward.

3.4 Following public consultation, the Commission discussed two further suggestions for Scottish Borders Council area at its meeting on 12 January 2016. The first suggestion retained the existing electoral arrangements in the Council area and the second suggestion proposed redrawing the boundaries of Wards 1 to 9 in order to achieve improved elector parity with reduced Councillor numbers. Neither of these suggestions was acceptable to the Commission. The first suggestion would have resulted in under-representation in the east of the Council area and departed from the number of Councillors proposed by the Commission's methodology. The second suggestion failed to address over-representation of electors in the south-west of the Council area. After due consideration, the Commission agreed to the proposals included in their final recommendations as they improved forecast parity, minimised disruption by retaining 4 existing Wards across the Council area, and satisfied the Council's request to include Newcastleton in a ward with Hawick in addition to other requested changes.

3.5 At its meeting on 25 February 2016, Council agreed the following Motion:

"That Scottish Borders Council agrees to write to the Scottish Government Minister for Local Government and Community Empowerment, on behalf of the local communities in and around Hawick which are being penalised by the disproportionate weighting of the methodology used by the Local Government Boundary Commission for Scotland (LGBCS) for the 5th Review and the resultant proposed reduction in councillor numbers and significant changes to the existing Hawick ward areas.

The Council calls upon the Minister, when considering any LGBCS proposals, to reject the arbitrary maximum variation in electoral parity in the new wards of +/- 10% which places an artificial burden in particular on the Hawick area, failing to recognise that area's natural population and settlement distribution, geography, and its traditional social, economic and cultural connections. The Minister is urged to reject any proposal to reduce councillor numbers in the Scottish Borders, and its consequential effect on the wards of the Hawick and Jedburgh area, and instead allow for a true reflection of the unique demographic, geographic and natural communities in and around Hawick, and the wishes of the local electorate.

This letter should also be copied to the Local Government Boundary Commission for Scotland to allow the Commission to take this Motion into account when arriving at its final recommendations."

The letter was subsequently sent to the then Minister for Local Government and Community Empowerment on 11 March 2016 and copied to the Secretary of the Local Government Boundary Commission for Scotland.

3.6 In terms of consultation with members of the public, the Commission consulted on their proposals for Councillor numbers between 29 May and 21 August 2014, which resulted in 2 responses for the Scottish Borders Council area, both of which opposed a reduction in Councillor numbers. A further 2 responses were received for all Council areas in Scotland – one was from Cosla and one from an individual. On 30 July 2015, the Commission announced a 12 week consultation period for the Scottish Borders Council area which adopted the Council's suggestion for electoral arrangements – 31 responses were received, with the main themes of these being Denholm

had strong ties to Hawick; Newcastleton had strong ties to Hawick; and the proposals may disrupt the work of Community Councils and the Teviot and Liddesdale Area Forum. Another 30 responses were received by the Commission out-with the public consultation period. The main themes of these letters were objections to the proposed move of Newcastleton/ Hermitage/Liddesdale to a Jedburgh Ward; the proposed move of Denholm and Hobkirk to a Jedburgh Ward; the inclusion of Hornshole in a Jedburgh Ward; as well as the reduction in Councillor numbers and one of the Hawick wards.

4 FINAL RECOMMENDATIONS OF THE LOCAL GOVERNMENT BOUNDARY COMMISSION FOR SCOTLAND

- 4.1 On 24 May 2016, the Council received a letter to advise that the Commission had submitted to Scottish Ministers its Reports and Final Recommendations for the number of Councillors and the electoral ward boundaries in each of Scotland's 32 local authorities, which included those for the Scottish Borders Council area. In terms of Section 17(2) of the Local Government (Scotland) Act 1973, as amended, the agreed date for submission was taken as 26 May 2016. The Council has a six week period from that date to submit any comments to Scottish Ministers at the Directorate for Local Government and Communities.
- 4.2 The Commission has recommended that in the interests of effective and convenient local government, the future electoral arrangements for Scottish Borders Council area should provide for a Council of 32 Councillors in 10 Wards, comprising 2 Wards each returning 4 Members, and 8 Wards each returning 3 Members as follows:

Ward No	Ward Name	Cllrs	Electorate (Sept - 2013)	Actual variation from 2800 parity	Forecast electorate	Forecast variation from 2800 parity
1	Tweeddale West	3	7,716	-8%	7,717	-9%
2	Tweeddale East	3	8,247	-2%	8,320	-2%
3	Galashiels & District	4	10,862	-3%	10,530	-7%
4	Selkirkshire	3	7,926	-6%	8,238	-3%
5	Leaderdale & Melrose	3	8,427	0%	8,742	3%
6	Mid Berwickshire	3	8,310	-1%	8,635	1%
7	East Berwickshire	3	8,465	1%	8,990	6%
8	Kelso & District	3	8,952	6%	9,106	7%
9	Jedburgh & Denholm	3	8,576	2%	8,550	0%
10	Hawick & District	4	12,383	10%	12,059	6%
	Totals	32	89,864	4%	90,887	5%

- 4.3 Appendices 1 and 2 to this report show maps of the boundaries of the new Jedburgh & Denholm Ward (Appendix 1), and Hawick & District Ward (Appendix 2).
- 4.4 Members are now asked whether they wish to make further representations to Scottish Ministers on the final recommendations of the Local Government Boundary Commission for Scotland for the Scottish Borders Council area. As a decision was made by Council at its meeting on 26 February 2016, Members should note that any substantive change to that decision would require the suspension of Standing Orders, as the decision was taken within the preceding 6 months.

5 IMPLICATIONS

5.1 Financial

There are no costs attached to any of the recommendations contained in this report.

5.2 Risk and Mitigations

It is likely that the Commission's recommendations and the Council responses could prove unacceptable to some local communities in the new Wards. The Council has provided two responses previously to the Commission and a response to the previous Minister for Local Government and Community Empowerment. The public responses to the Commission's consultations represented 0.29% of the electorate in the 2 affected Wards.

5.3 Equalities

Within the Council, no equality impact assessment (EIA) has been carried out as the responsibility for this lies with the Local Government Boundary Commission for Scotland.

5.4 Acting Sustainably

There is no direct economic, social or environmental impact of the potential changes in Ward boundaries.

5.5 Carbon Management

There is no discernible impact on the Council's carbon emissions resulting from changes to Ward boundaries.

5.6 Rural Proofing

The Council's second response to the Commission – based on the methodology used by the Commission - better reflects local rural communities within the south-west area of the Council.

5.7 Changes to Scheme of Administration or Scheme of Delegation

No changes are required at this time to either the Scheme of Administration or the Scheme of Delegation as a result of the proposals in this report.

6 CONSULTATION

- 6.1 *The Chief Financial Officer, the Monitoring Officer, the Chief Legal Officer, the Service Director Strategy and Policy, the Chief Officer Audit and Risk, and the Chief Officer HR are being consulted and any comments received will be incorporated into the final report.*

Approved by

**Tracey Logan
Chief Executive**

Signature

Author(s)

Name	Designation and Contact Number
Jenny Wilkinson	Clerk to the Council - 01835 825004

Background Papers: Nil

Previous Minute Reference: Scottish Borders Council, 25 February 2016

Note – You can get this document on tape, in Braille, large print and various computer formats by contacting the address below. Jenny Wilkinson can also give information on other language translations as well as providing additional copies.

Contact us at Jenny Wilkinson, Democratic Services, Council Headquarters, Newtown St Boswells, Melrose, TD6 0SA. Tel: 01835 825004 Email:

jjwilkinson@scotborders.gov.uk