
THE SECOND REVIEW OF SCOTTISH PARLIAMENT BOUNDARIES

Report by Chief Executive

SCOTTISH BORDERS COUNCIL

25 May 2023

1 PURPOSE AND SUMMARY

- 1.1 This report provides details of the provisional proposals received from Boundaries Scotland for changes to the Scottish Parliament Constituencies and asks Council to consider what, if any, response it would wish to make.**
- 1.2 As required by legislation, this Second review of Scottish Parliament Boundaries was started in September 2022. In this respect, on 17 May 2023, Boundaries Scotland published its provisional proposals for new constituency boundaries for the Scottish Parliament, and opened a one month public consultation on the proposals, running until the end of Saturday 17 June 2023. The length of the consultation period is fixed in legislation.
- 1.3 There are currently two Scottish Parliament constituencies which include the Scottish Borders – the Ettrick, Roxburgh, & Berwickshire County Constituency, comprising Wards 4, 6, 7, 8, 9, 10 and 11 of Scottish Borders Council (total electorate – 56,409); and the Midlothian South, Tweeddale & Lauderdale County Constituency, comprising Wards 1, 2, 3 and 5 of Scottish Borders Council and Wards 1, 4 and part of Ward 6 of Midlothian Council.
- 1.4 Boundaries Scotland’s provisional proposals make no changes to the Ettrick, Roxburgh & Berwickshire County Constituency, and a map showing this constituency is attached as Appendix 1. There are however, changes proposed to the current Midlothian South, Tweeddale & Lauderdale County Constituency. This would be replaced by a proposed Clyde Valley & Tweeddale County Constituency, comprising Wards 1, 2, 3 and 5 of Scottish Borders Council and Wards 2 and 3 of South Lanarkshire Council. A map showing the new constituency is attached as Appendix 2.
- 1.5 As this is a political matter, no recommendations are provided, but officers have included a number of suggestions. Members may wish to consider whether to suggest moving part of Ward 5 (Oxton, Lauder, Blainslie and Earlston polling districts) from the proposed Clyde Valley & Tweeddale

Constituency into the Ettrick, Roxburgh & Berwickshire Constituency. It is also suggested that to better reflect the wider Scottish Borders, the name for the Clyde Valley & Tweeddale Constituency is changed to the Clyde Valley, Tweeddale & Gala Water Constituency.

- 1.6 Members need to decide whether to submit a response to Boundaries Scotland by 17 June 2023.

2 CONCLUSION

- 2.1 **Scottish Borders Council is required to consider the provisional proposals of Boundaries Scotland in the Second Review of Scottish Parliament constituencies and decide what, if any, response it would wish to make.**

3 BACKGROUND

- 3.1 Boundaries Scotland is an independent advisory non-departmental public body, sponsored and funded by the Scottish Government. The role of Boundaries Scotland is to review and make recommendations for constituencies and regions for the Scottish Parliament; the number of councillors on each council in a local government area; the number of wards for local government elections and their boundaries; and the extent of council areas. The Boundary Commission for Scotland is a separate body responsible for reviewing the boundaries of UK Parliamentary constituencies in Scotland.
- 3.2 The law concerning electoral arrangements for the Scottish Parliament is laid out in Schedule 1 of the Scotland Act 1998, as amended by the Scottish Parliament (Constituencies) Act 2004. The First review of Scottish Parliament boundaries was concluded in 2010, and the existing constituencies have remained unchanged since 2011. As required by legislation, this Second review of Scottish Parliament Boundaries was started in September 2022. In this respect, on 17 May 2023, Boundaries Scotland published its provisional proposals for new constituency boundaries for the Scottish Parliament, and opened a one month public consultation on the proposals, running until the end of Saturday 17 June 2023. The length of the consultation period is fixed in legislation.
- 3.3 (a) There are 4 rules which Boundaries Scotland takes into account when reviewing any boundaries of constituencies, namely:
1. Take account of council area boundaries;
 2. Create constituencies and regions that have broadly the same number of electors
 3. Take account of special geographical considerations (including in particular the size, shape and accessibility of a constituency or region); and
 4. Take account of local ties and other inconveniences caused by changes to constituencies.
- (b) Scottish Parliament has 73 constituencies and 8 regions. The electorate of a constituency must be as near as possible to the electoral quota as is practicable, having regard to Rule 1. The electoral quota is calculated by taking the total local government electorate as at 1 September 2022, less the electorate of the 3 protected constituencies (Orkney Islands, Shetland Islands and Na h-Eileanan an Iar), divided by 70 (the remaining constituencies). For this review, the electoral quota is 59,902 ($4,250,565 - 57,430 \div 70 = 59,902$).
- 3.3 There are currently two Scottish Parliament constituencies which include the Scottish Borders – the Ettrick, Roxburgh, & Berwickshire County Constituency, comprising Wards 4, 6, 7, 8, 9, 10 and 11 of Scottish Borders Council (total electorate – 56,409); and the Midlothian South, Tweeddale & Lauderdale County Constituency, comprising Wards 1, 2, 3 and 5 of Scottish Borders Council and Wards 1, 4 and part of Ward 6 of Midlothian Council

(total electorate – 65,033). At the time of the first Review in 2010, the electoral quota was 54,728.

4 PROVISIONAL PROPOSALS

- 4.1 Boundaries Scotland's provisional proposals make no changes to the Ettrick, Roxburgh & Berwickshire County Constituency, comprising Wards 4, 6, 7, 8, 9, 10 and 11 of Scottish Borders Council (now with an electorate of 55,131). A map showing this constituency is attached as Appendix 1. There are however, changes proposed to the current Midlothian South, Tweeddale & Lauderdale County Constituency. This would be replaced by the proposed Clyde Valley & Tweeddale County Constituency, comprising Wards 1, 2, 3 and 5 of Scottish Borders Council and Wards 2 and 3 of South Lanarkshire Council (with an electorate of 60,443). A map showing the new constituency is attached as Appendix 2. Comments on the provisional proposals, whether in support or not, need to be sent online to the consultation portal or by post to Boundaries Scotland by 17 June 2023.
- 4.2 If representations objecting to the provisional proposals are received either from a local authority for part of all of the area of the affected constituency, or from a body of 100 or more parliamentary electors for the affected constituency, then Boundaries Scotland is required to hold a local inquiry. This inquiry is conducted by an Assistant Commissioner appointed by Scottish Ministers and the purpose of this inquiry is to hear local opinions; hear criticisms of, or support for, the provisional proposals; receive counter-proposals; and enable everyone who wishes to comment on these or on Boundaries Scotland proposals to do so. The Assistant Commissioner then reports directly to Boundaries Scotland, commenting on the various objections received, and can suggest amendments or alterations to the proposals. In cases where there has been no local inquiry, Boundaries Scotland will take into account any representations received, and make any amendments to their provisional proposals that they judge to be appropriate. In cases where there has been a local inquiry, Boundaries Scotland will consider the Assistant Commissioner's report and the matters discussed at the inquiry, and make any amendments to their provisional proposals they consider necessary. Any revised proposals for constituencies are subject to a further one month public consultation and this is likely to be in late 2023, early 2024.

5 SUGGESTED AMENDMENTS

- 5.1 Officers have been studying the provisional proposals, in terms of electorate size, boundaries and constituency names, to ascertain whether there are alternatives or amendments which could be submitted to the new constituencies. This has included taking account of those constituencies which surround the Scottish Borders.
- 5.2 The main change for the Scottish Borders area in the provisional proposals, is that instead of Wards 1, 2, 3 and 5 of Scottish Borders Council being linked in northwards with Wards in Midlothian, these will instead be linked in westwards with Wards 2 and 3 in South Lanarkshire, taking the constituency from Oxton, Lauder and Earlston in the east, to Leadhills, Abingdon, and Lanark in the west. While this may not be ideal, officers have been unable to work out an alternative with the neighbouring

proposed constituencies. However, Members may wish to consider whether to suggest moving part of Ward 5 from the proposed Clyde Valley & Tweeddale Constituency into the Ettrick, Roxburgh & Berwickshire Constituency. This would mean specifically moving the following polling districts:

No.	Polling District	Electorate
05A	Oxton War Memorial Hall	474
05B	Lauder Public Hall	1,771
05C	Blainslie Village Hall	256
05D	Earlston Parish Church Hall	2,044
	TOTAL	4,545

- 5.3 (a) Historically, Oxton, Lauder and Earlston were in the old Berwickshire County, and this remains their Royal Mail postal county. It is suggested that these historic community ties are sufficient to consider this change as being appropriate. The impact of moving these polling districts would then give the following electorate numbers to each constituency thus -
- Clyde Valley & Tweeddale – 55,898 (previously 60,443)
 - Ettrick, Roxburgh & Berwickshire – 59,676 (previously 55,131)
- (b) Remembering that the electoral quota is 59,902, this change is not out of sync with the electorate in constituencies surrounding the Scottish Borders –
- Dumfriesshire – 61,848
 - Larkhall & Clydesdale – 57,386
 - Midlothian South – 64,424
 - East Lothian – 59,385
- (c) It is also suggested that to better reflect the wider Scottish Borders, the name for the Clyde Valley & Tweeddale Constituency is changed to the Clyde Valley, Tweeddale & Gala Water Constituency.
- 5.4 As this is a political matter, the above are simply suggested responses, and Members need to decide what, if any response, they wish to make to Boundaries Scotland. As this is a public consultation, members of the public may also submit responses. Copies of the papers associated with the proposals are available for public view at Council Headquarters in Newtown St Boswells and also in Peebles library. The consultation is also being publicised on the Council’s website and social media channels.

6 IMPLICATIONS

6.1 Financial

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

6.2 Risk and Mitigations

There are no direct risks to the Council in the Second Review of Scottish Parliament constituencies, but there is a reputational risk to the Council if

no response is made to Boundaries Scotland by the Council on behalf of the people of the Borders.

6.3 **Integrated Impact Assessment**

No IIA has been completed as this is a response by Council to a consultation. However, whatever the outcome of the Review, there will be no change to the management of future Scottish Parliament elections in the Scottish Borders, impacting either on polling places or postal voting options, for the people of the Scottish Borders.

6.4 **Sustainable Development Goals**

This consultation has no impact on any of the UN Sustainable Development Goals.

6.5 **Climate Change**

Should the proposals for a Clyde Valley & Tweeddale Constituency go ahead, there will be an increase in distances travelled when running an election, but this increase will be minimised wherever possible.

6.6 **Rural Proofing**

There is no impact on those living in a rural area.

6.7 **Data Protection Impact Statement**

There are no personal data implications arising from the proposals contained in this report.

6.8 **Changes to Scheme of Administration or Scheme of Delegation**

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

7 **CONSULTATION**

7.1 The Acting Chief Financial Officer, the Acting Chief Officer Corporate Governance, the Electoral Registration Officer, the Chief Officer Audit and Risk, the Director (People Performance & Change), and Corporate Communications have been consulted and any comments received incorporated into the final report.

Approved by

David Robertson

Chief Executive

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Background Papers: Nil

Previous Minute Reference: N/A

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.

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