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## **THE SECOND REVIEW OF SCOTTISH PARLIAMENT BOUNDARIES**

**Report by Director Corporate Governance**

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### **SCOTTISH BORDERS COUNCIL**

**25 April 2024**

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#### **1 PURPOSE AND SUMMARY**

- 1.1 This report provides details of the revised proposals received from Boundaries Scotland for the Scottish Parliament Constituencies. The report recommends that Scottish Borders Council takes no further action in respect of these revised Proposals.**
- 1.2 As required by legislation, Boundaries Scotland commenced its second review of Scottish Parliament Boundaries in September 2022. On 17 May 2023 it published its provisional proposals for new Constituency boundaries for the Scottish Parliament, and opened a one-month public consultation on the proposals which ran until the end of Saturday 17 June 2023.
- 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 Those provisional proposals made no changes to the Ettrick, Roxburgh & Berwickshire County Constituency but did propose changes to the current Midlothian South, Tweeddale & Lauderdale County Constituency. At that time, it was proposed that a Clyde Valley & Tweeddale County Constituency, would be created and the Scottish Borders Council Wards 1, 2, 3 and 5 would become part of that Constituency. Following the Council meeting on 25 May 2023, a Members Sounding Board subsequently agreed to object to the proposed new Constituency. In January 2024 a Local Inquiry was held in Peebles about the provisional proposals.
- 1.5 Following that process, Boundaries Scotland published revised proposals on 16<sup>th</sup> April 2024. This launched a new month-long consultation period which will end on 15<sup>th</sup> May 2024. Members are reminded that Boundaries Scotland has no discretion as to the length of that consultation period – it is prescribed in legislation.

- 1.6 The revised proposals make no changes to the Ettrick, Roxburgh & Berwickshire County Constituency. However, the position regarding the proposed amendments to the Midlothian South, Tweeddale & Lauderdale County Constituency and the creation of the new Clyde Valley & Tweeddale County Constituency has changed significantly. In effect that proposal has been dropped and instead the revised proposals are that the Midlothian South, Tweeddale & Lauderdale County Constituency is retained with only a very slight change to its boundary.
- 1.7 This new position is broadly consistent with the position advocated for by Scottish Borders Council in response to the original Consultation. It is, therefore, considered that the Council need take no further action in response to the revised proposals now published. The only change proposed to the Constituency boundary affects settlements in Midlothian.

## **2 RECOMMENDATIONS**

- 2.1 **Scottish Borders Council is required to consider the revised proposals of Boundaries Scotland in this Review of Scottish Parliament constituencies.**
- 2.2 **It is recommended that Council note the revised proposals, published 16 April 2024, that make no changes to the Ettrick, Roxburgh and Berwickshire County Constituency and which now broadly reflect the previous position with regard to the boundary of the Midlothian South, Tweeddale and Lauderdale County Constituency (barring a minor change within Midlothian) and that no further action is taken by the Council with regard to these revised proposals.**

### **3 BACKGROUND**

- 3.1 As explained in May 2024, 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 contained in the Scotland Act 1998. Broadly each Constituency must contain an electorate of as near to the “electoral quota” as practical. For this review, the electoral quota is 59,902.
- 3.3 Boundaries Scotland also has regard to the following matters:
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.
- 3.4 As noted above, 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.

### **4 PROVISIONAL PROPOSALS**

- 4.1 Boundaries Scotland’s provisional proposals made no changes to the Ettrick, Roxburgh & Berwickshire County Constituency. Changes were however proposed to the current Midlothian South, Tweeddale & Lauderdale County Constituency. It was proposed that this would be replaced by a new Clyde Valley & Tweeddale County Constituency, and that would comprise of Wards 1, 2, 3 and 5 of Scottish Borders Council and Wards 2 and 3 of South Lanarkshire Council.
- 4.2 Following the publications of those proposals a 1-month long consultation period commenced. At its meeting on 25<sup>th</sup> May 2023 Council considered the proposals. At that meeting Members agreed to convene a Members Sounding Board to discuss the matter further. The outcome of that Sounding Board was that a letter of objection to the proposed new Constituency was submitted to Boundaries Scotland.

- 4.3 Thereafter a number of Local Inquiries were held across Scotland about the proposals. This included an Inquiry in Peebles, held in January 2024. Scottish Borders Council nominated 2 elected Members to attend to represent it at that Inquiry.

## **5 Revised Proposals**

- 5.1 On the 16<sup>th</sup> of April 2024 Boundaries Scotland published its revised proposals and commenced a further consultation into those revised proposals. In launching the consultation, Ailsa Henderson, Chair of Boundaries Scotland stated:

*“We were very pleased with the number of responses, as well as the quality of arguments and varied suggestions submitted during our first consultation. These have helped us to improve upon our provisional proposals and we have made changes to over two-thirds of the constituencies as a direct result of responses submitted during the consultation and at local inquiries.”*

- 5.2 The revised proposals make no change to the Ettrick, Roxburgh & Berwickshire County Constituency but do revisit the proposed changes to the Midlothian South, Tweeddale & Lauderdale County Constituency. The revised proposals have abandoned the creation of the new Clyde Valley & Tweeddale Constituency. Instead, they propose that the Midlothian South, Tweeddale & Lauderdale Constituency is retained.
- 5.3 A minor change is proposed to Boundary of that Constituency with a small area in or around Newtongrange being removed. The Appendix shows the proposed revised Constituency Boundary.

## **6 IMPLICATIONS**

### **6.1 Financial**

There are no costs attached to the recommendation contained in this report.

### **6.2 Risk and Mitigations**

There are no direct risks to the Council arising from this report or its recommendation.

### **6.3 Integrated Impact Assessment**

No IIA has been completed as this is a response by the Council to an external consultation.

### **6.4 Sustainable Development Goals**

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

### **6.5 Climate Change**

Since this consultation no longer proposes change in the Scottish Borders area there is no climate change impacts arising from the consultation.

### **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 Director Finance and Procurement, the Electoral Registration Officer, the Chief Officer Audit and Risk, the Director (People Performance & Change), and Corporate Communications will be consulted and any comments will be reported to Council.

#### **Approved by**

**Nuala McKinlay**

**Director Corporate Governance**

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**Background Papers:** Nil

**Previous Minute Reference:** N/A

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